

HAMPSHIRE COUNTY COUNCIL**Decision Report**

Decision Maker:	Regulatory Committee
Date:	28 July 2010
Title:	Variation of conditions of planning permission 08/02657/HCS to allow recycling of plasterboard to produce gypsum and waste paper to facilitate existing composting at Four Dell Farm, Otterbourne, Winchester, Hampshire SO21 2DY (Application No: 10/01128/HCS) (Site Ref: WR215)
Reference:	1899
Report From:	Head of Planning and Development

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1. Executive Summary

- 1.1. Planning permission is sought to vary conditions relating to the existing waste wood recycling permission (No. 08/02657/HCS) to also allow the recycling of plasterboard to primarily produce gypsum and waste paper as a by-product at Four Dell Farm, Otterbourne, Winchester, Hampshire SO21 2DY.
- 1.2. The applicant currently purchases ammonium sulphate to apply to his 850 acres of arable land as this provides sulphur that the crops need to thrive. This is expensive. The applicant considers that a more sustainable and viable solution would be to produce gypsum from the recycling of waste plasterboard. Gypsum is considered by the applicant to be a better source of sulphur than ammonium sulphate. A secondary by-product of recycling the plasterboard would be waste paper. To be as sustainable as possible the applicant proposes to add this waste paper to his existing green waste composting facility which he would damp down with water stored in an adjacent tank as and when needed.
- 1.3. The applicant therefore is applying to import waste plasterboard whilst not exceeding current tonnage limitations of 32,000 tonnes a year imposed through his current wood recycling permission.
- 1.4. Objections have been received from District, County and Parish Councillors about potential dust, pollution and noise and any increase of vehicles through the villages and along the surrounding rural roads. A round table

meeting recently took place at the County Council with the planning officer, Environmental Health Officer, Highway Authority, local Member, District and Parish Councillors and the applicant to try and resolve concerns. Arising from the meeting the applicant withdrew an element of the original application to import liquid waste.

- 1.5. No objections have been received about the proposal from the Environment Agency, the Environmental Health Officer or the Highway Authority subject to conditions.
- 1.6. The main issues raised by the proposal are whether the proposal is in accordance with policy, with particular regard to noise, dust, environmental pollution and associated lorry traffic - both at the site and local highway network. Subject to planning conditions to address these matters permission is recommended.

2. Site

- 2.1. The site, as shown on the attached plan, comprises an area of 0.44 hectares within the Four Dell Farm building complex which forms part of Silkstead Farm. The site includes a large partly open sided barn in the centre of the complex surrounded by hard standing. The adjoining land to the west and south is in industrial/commercial use; the land to the east is a hardstanding with permission for waste recycling and; the land to the north is farmed. The nearest house is Four Dell Bungalow, about 50 metres from the site. There are further houses to the north and west about 500 metres away. The main village of Otterbourne is east of the M3, to the east of the site.
- 2.2. The existing wood recycling facility provides animal bedding which reduces need for straw storage. In addition the high costs of potash and phosphates have caused a change in agricultural practice resulting in the straw from arable crops being ploughed back into the field to return nutrients into the soil, rather than the straw being removed, baled and stored.

Planning History

- 2.3. On the application site a permission (No. 08/02657/HCS) for the development and operation of facility for the recycling of waste wood and other recycled materials was granted at the site in 2009.
- 2.4. On adjacent sites:
 - (i) permission for B2/B8 uses granted 2004 (04/02560/FUL), restricted to no external storage, on adjoining site;
 - (ii) permission for B2/B8 uses granted 2007 (06/02429/FUL), restricted to no outside storage, on adjoining site;
 - (iii) permission for a waste recycling facility granted 2007 (07/01762/HCS);

- (iv) permission for variation of condition (removal of limit on vehicle movements) granted 2009 (09/00029/HCS).

3. Proposal

- 3.1. The applicant proposes to process approximately 8,000 tonnes of gypsum from waste plasterboard per year. The applicant states that plasterboard is gypsum with a paper coating and that gypsum is calcium sulphate and sulphur is needed in arable land to help sustain healthy crops. The applicant adds that around twenty years ago industry caused enough air pollution to supply more than enough sulphur through rainfall to satisfy the crops, but in modern times the air is cleaner and sulphur fertilisers need to be imported. The farm currently imports ammonium sulphate.
- 3.2. The applicant highlights that gypsum is a perfect sulphur to apply to soil as an effective soil conditioner especially on clay soils where gypsum applied at higher rates will also effectively aid the de-flocculation of soil particles. Silkstead Farm, of which the site forms a part, covers 850 acres and would use about 1,000 tonnes of gypsum from waste plasterboard per year. The applicant wants the flexibility to sell excess gypsum to other farms.
- 3.3. The plasterboard would be transported into the site and deposited inside the existing wood recycling building. The building is closed to the south west and protected by a bund to the north. No dust should enter the atmosphere as the applicant states it would be controlled at source.
- 3.4. The plasterboard would be processed through the wood shredder and then screened to remove the paper. The paper would be stored in the building and then composted outside on the existing compost site by mixing with existing green waste with added water stored in a tank proposed to be constructed on the site. Water compensates for the high dry matter content of the paper, thus allowing a good stable compost. The applicant adds that a 25% moisture content is required to achieve a PAS100 compost in accordance with Environment Agency protocol.
- 3.5. When the wood shredder is processing plasterboard it would be fitted with water spray suppression equipment. Dust suppression atomisers spraying water down as a fine mist into the building would also be used as and when required.
- 3.6. The applicant states that the processed gypsum would be stored in a bunker or in small stockpiles that would be dampened down at the surface.
- 3.7. The days and hours of operation would remain as currently permitted for the wood recycling permission notably 0700 – 1800 Monday to Friday and 0700 – 1300 on Saturday. There would be no working on Sunday or recognised public holidays. The movement of processed material within Silkstead Farm would be restricted to between the hours of 0700 and 2300.

- 3.8. The applicant states the development would operate within the existing 32,000 tonnage limit. It is expected to process about 8,000 tonnes of gypsum per annum of which 1,500 tonnes would be used on Silkstead Farm. There would be around three articulated lorry loads (29 tonne net) per week plus 3-4 rigid lorry loads (20 tonne net) and possibly seven builder's pickup loads per week (one tonne net).
- 3.9. The remaining 6,500 tonnes of gypsum product would be taken off site and sold. This would be exported in 4-5 articulated lorries carrying 29 tonne net per week.
- 3.10. The process would require an environmental permit from the Environment Agency.
- 3.11. The access to Four Dell Farm is off the north side of Poles Lane, 600 metres west of the M3 bridge. The access road is some 200 metres long with a minimum width of four metres. Forward visibility along the access road is good and as such vehicles are able to wait for oncoming vehicles at suitable passing spots.
- 3.12. Work was carried out from a previous application to improve the visibility at the site access up to 4.5 metres x 215 metres.

4. Development plan

- 4.1. The part of the development plan that should be relied on in determining the application is the Hampshire, Portsmouth, Southampton and New Forest National Park Minerals and Waste Core Strategy (2007) - DC3 (Landscape), DC6 (Highways), DC8 (Pollution, Health, Quality of life and Amenity) and DC13 (Waste Management and Recycling).

5. Consultations

- 5.1. **Councillor Mrs Bailey** raised a number of questions for clarification of the proposal and attended as an observer the roundtable meeting at the County Council to enable those representing the local community (District and Parish Councillors) to exchange information with the applicant, and the statutory bodies to try and resolve issues and clarify information.
- 5.2. **Winchester City Council** objects to the development on the grounds that it states it would further exacerbate the harmful effects of large vehicles passing through the village of Otterbourne.
- 5.3. **Environmental Health Officer** has viewed the application in light of the existing planning permission and has therefore only assessed potential increases in environmental impacts above that which could occur from the permission already granted. The Environmental Health Officer is satisfied that the processing of plasterboard should not result in additional noise, as the total amount of material that can be processed and the equipment to be

used remain the same. In addition the restrictions on noise levels (condition 10) and hours of use (conditions 7 and 8) on the existing permission would remain unaltered.

- 5.4. The Environmental Health Officer has some concerns relating to potential increases in dust emissions from the processing of waste plasterboard. It is noted that all plaster board stockpiling and processing would take place within the barn and the shredder will be run in wet mode with sprayers in use. The remaining concern is emissions from the unloading/loading of plasterboard. It is noted that the applicant is proposing to export 6,500 tonnes of crushed gypsum and this operation in particular has the potential for significant fugitive dust emissions if poorly managed.
- 5.5 Accordingly, the Environmental Health Officer recommends that the amount of plasterboard should be restricted as well as the total waste throughput. It is also recommended the approved Environmental Management Scheme be amended prior to the processing of plasterboard at the site.
- 5.6. **Environment Agency** raises no objection subject to a condition requiring details of foul drainage to be submitted prior to commencement the agency states that the site is within the source protection zone two for the Otterbourne potable water supply. The applicant needs to ensure adequate drainage is implemented. Sealed drainage must be used in areas of composting activity to prevent pollution of the underlying aquifer.
- 5.7. **Highways Authority** states as the application is for a change in conditions, and the site would operate within the maximum tonnage limit of 32,000 tonnes as per the previous application, this application would have no adverse impact on the highway network, and therefore raises no objection to the application subject to conditions preventing mud and debris being deposited on the public highway.
- 5.8. **Compton and Shawford Parish Council** states that it objects to the application for the following reasons:
 - (i) the conditions being varied were put on the existing permission for good and obvious reasons by limiting the nature and extent of the operations in the interest of the environment and local amenity (toxic dust, noise, odour, traffic etc). This application seeks to change the nature of the site from a small composting arrangement to a processing plant for (toxic) waste;
 - (ii) no consideration of extra noise and dust other than a reassurance from the applicant and no detail on storage of the gypsum;
 - (iii) queries whether the reprocessing of plasterboard to gypsum complies with the Environment Agency Quality Protocol (ie stops the gypsum being considered 'waste'). There is no evidence of an environmental permit for this activity.

- 5.9. Note: The Parish Council objections relating to the importation of liquid waste have not been included as this no longer forms part of the application.
- 5.10. **Otterbourne Parish Council** 'is concerned that this application for variation of conditions 2 and 3 has been received so soon after the initial grant of permission in March 2009. Both conditions were imposed in order to ensure that there was not intensification at the site and to protect the interests of local amenity. The Parish Council requests that the application is refused, but that if conditions 2 and 3 are extended to include waste plasterboard, it is very important that the tonnage maximum of 32,000 tonnes per year of material imported to the site should remain.
- 5.11. **Hursley Parish Council** raises no objection.
- 5.12. **Rights of Way** states that Compton and Shawford Footpath No 3 lies close to the site to the north-west. rights of way request that a condition be applied that ensures that any gypsum dust is controlled satisfactorily so as not to have an adverse effect on the environment in general or on the users of the public footpath.
- 5.13. **City Councillor Beckett** requests that a planning brief be produced for the site.
- 5.14. **Winchester City Council Councillor Bell** has been informed of the proposal.

6. Representations

- 6.1. No individual written representations apart from those mentioned as formal consultees have been submitted.

7. Commentary

- 7.1. In land use terms the application is in accordance with the development plan it is proposing variations to an existing recycling permission within the same footprint of that permission.
- 7.2. With regard to traffic, it is noted it is not proposed to increase the current throughput limit of the site of 32, 000 tonnes. The Highway Authority have raised no objections. The continued concerns about lorries through Otterbourne are noted, but there is no sustainable reason for refusal on traffic grounds.
- 7.3. Visually, no change is proposed to the appearance of the building and visual impact of the site from the fields is mitigated by a planted four metre high bund.
- 7.4. The recycling of plasterboard does have the potential for issues of noise and dust and concerns and objections raised about these issues are noted.

The Environmental Health Officer considers noise will not increase above that which exists at present and is controlled by conditions on the existing permission which are recommended to be carried forward.

- 7.5 With regards to dust there is a concern and the comments of the Environmental Health Officer are an important consideration. Accordingly, conditions recommending a new Environmental Management Scheme and limits on through put to 10,000 tonnes per year are recommended.
- 7.6. It is also noted that an environment permit will be required before operations can commence and this will address the concerns relevant to pollution and waste management that have been raised.
- 7.7. To conclude, it is considered that the proposal to recycle plasterboard to primarily create gypsum makes a contribution to sustainable development as it would be using a recycled product, instead of a primary mineral, to enrich and improve the quality of agricultural soils. However, the advice of the Environmental Health Officer should be supported by appropriate planning conditions to adequately address dust and noise impacts.

8. Recommendation

- 8.1. That permission for Variation of conditions of planning permission 08/02657/HCS to allow recycling of plasterboard to produce gypsum and waste paper to facilitate existing composting at Four Dell Farm, Otterbourne, Winchester, Hampshire SO21 2DY (Application No: 10/01128/HCS) (Site Ref: WR215) be granted subject to conditions attached as Appendix 1 of this report.
- 8.2. It is considered that the proposal complies with policy because it is a sustainable proposal (S1, DC1) that involves the recycling of plasterboard to create gypsum, a source of sulphur that is able to improve the nutritional value of agricultural land (DC13) without causing any significant amenity (DC8- as the plant is contained within an existing building); traffic (DC6) or other environmental impacts subject to appropriate mitigation.

Links to the Corporate Strategy

Hampshire safer and more secure for all:	yes
Corporate Improvement plan link number (if appropriate):	
Maximising well-being:	yes
Corporate Improvement plan link number (if appropriate):	
Enhancing our quality of place:	yes
Corporate Improvement plan link number (if appropriate):	

Other Significant Links

Links to previous Member decisions:		
<u>Title</u>	<u>Reference No.</u>	<u>Date</u>
Permission for the development and operation of facility for the recycling of waste wood and other recycled materials at Four Dell Farm, Poles Lane, Otterbourne	08/02657/HCS	2009
Direct links to specific legislation or Government Directives		
<u>Title</u>	<u>Date</u>	

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

Document

Location

Variation of conditions of planning permission 08/02657/HCS to allow recycling of plasterboard to produce gypsum and waste paper to facilitate existing composting at Four Dell Farm, Otterbourne, Winchester, Hampshire SO21 2DY (Application No: 10/01128/HCS) (Site Ref: WR215)

Planning and Development
Environment Department
Elizabeth II Court West
The Castle
Winchester

CONDITIONS

Commencement

1. The development hereby permitted shall be begun before the expiration of three years from the date on which this planning permission was granted.

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

Timescale

2. The development hereby permitted shall be for the recycling of plasterboard and the use of paper as a by-product used in the existing green waste composting only.

Reason: To secure the satisfactory restoration of the site.

Working Scheme

3. No more than 32,000 tonnes of wood, plasterboard and green waste per year shall be imported to the site. Of this no more than 10,000 tonnes of plasterboard shall be imported to the site per annum. A record of the quantity of waste brought to the site shall be sent to the Waste Planning Authority annually and shall also be made available to the Waste Planning Authority on request.

Reason: In order to ensure there is not an intensification of use at the site which would lead to harm to the environment or local amenity and in accordance with the advice of the Environmental Health Officer to prevent excess dust caused by loading, unloading and processing of plasterboard.

4. The waste to be brought to the site shall be restricted to wood, plasterboard and green waste and ancillary material (such as nails, wire and packaging) only.

Reason: In the interests of local amenity.

5. Stockpiles and storage of unprocessed and processed material shall be in the locations shown on drawing GV/A051981/LAY/01 (No. 08/02657/HCS) as amended by layout plan approved by way of this permission amended on 1 June 2010. No stockpiles shall exceed four metres in height. Plasterboard shall only be stored and processed within the existing waste building as shown on the approved plans. No gypsum, plasterboard or wood waste or processed wood and materials associated with the recycling processes hereby permitted shall take place outside of the waste building. The only materials externally stored are those used in the green waste composting approved by way of this permission and these stockpiles shall not exceed three metres in height above barn/building floor level unless otherwise agreed in writing beforehand by the Waste Planning Authority.

Reason: In the interests of local amenity and to reduce visual impact.

Highways

6. Means of vehicular access to the site shall be from the road junction with Poles Lane only.

Reason: In the interests of highway safety.

7. Details of measures to be taken to prevent mud and debris from vehicles leaving the site being deposited on the public highway shall be submitted to and approved by the Minerals Planning Authority in writing.

Reason: In the interest of highway safety.

Hours of Working

8. Unless otherwise agreed in writing by the Waste Planning Authority, other than movement of processed material within Silkstead Farm (as shown on Plan No SER 02397), no heavy goods vehicles shall enter or leave the site and no plant or machinery shall be operated except between the following hours: 0700-1800 Monday to Friday and 0700-1300 on Saturday. There shall be no working on Sunday or recognised public holidays. The movement of processed material within Silkstead Farm shall be restricted to between the hours of 0700 and 2300.

Reason: In the interests of local amenity.

9. Notwithstanding condition (8) above, all mechanical chipping and pelleting operations and plasterboard processing operations shall only be conducted between the hours of 0800 and 1700 Monday to Friday with no work on Saturday, Sunday or recognised public holidays.

Reason: In the interests of local amenity.

Landscape

10. Any trees or shrubs required to be planted under planning permission no. 08/02657/HCS which, within a period of five years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The scheme shall be implemented as approved under that planning permission.

Reason: In the interests of visual amenity and landscape character.

Noise, Dust and Odour

11. The level of noise emitted from the site shall at no times exceed an LAeq (one hour) of 70 dB measured, when facing the site, at the left hand point of the site entrance, as marked on submitted plan reference GV/A051981/LAY/01

approved under planning permission no. 08/02657/HCS. Any such measurements shall be taken when adjacent industrial sites are not in operation.

Reason: In the interests of local amenity.

12. The measures set out in the Environmental Noise Impact Statement Barnhawk Acoustics report No. 209/2 as approved under planning permission no. 08/02657/HCS remain in force. The measures include acoustic enclosure by walling the southern façade of the barn and extending the wall to the east as shown on Plan BA1, siting the pelletiser on a concrete base and the construction of a 4 metre bund on the northern boundary.

Reason: In the interests of local amenity.

13. Within three months of the date of this permission and before the development commences the applicant shall submit a new environmental management scheme for the site updating that approved under planning permission no. 08/02657/HCS for the control of noise, dust and odour at the site, for the approval in writing of the Waste Planning Authority. The scheme shall be implemented as approved for the duration of the site's operation.

Reason: In the interests of local amenity including the users of Compton and Shawford public footpath no. 3.

Protection of Water Environment

14. Prior to development commencing a surface water drainage scheme shall be submitted to the Waste Planning Authority and approved in writing. The scheme shall be implemented as approved.

Reason: To ensure protection of the water environment.

15. The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul and surface water has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Reason: The site is within the Source Protection Zone 2 for the Otterbourne potable water supply. The applicant needs to ensure adequate drainage is implemented. Sealed drainage must be used in areas of composting activity to prevent pollution of the underlying aquifer.

*Annexe to Reasons for Conditions
(as required by Article 22 of the Town and Country Planning
(General Procedure) Order 1995 – as amended)*

HAMPSHIRE MINERALS AND WASTE CORE STRATEGY DPD 2007

Policy DC3 – Impact on Landscape and Townscape

Minerals and waste development will only be permitted if due regard is given to the likely visual impact of the proposed development and its impact on, and the need to maintain and enhance, the distinctive character of the landscape or townscape. If necessary, additional design, landscaping, planting and screening, including planting in advance of the commencement of the development, should be proposed.

Policy DC6 – Highways

Major mineral extractions, landfills and ‘strategic’ recycling, aggregate processing and recovery and treatment facilities, will be permitted provided they have a suitable access to and/or route to the minerals and waste lorry route as illustrated on the Key Diagram.

In all cases, minerals and waste development will only be permitted if it pays due regard to the likely volume and nature of traffic that would be generated by the proposal and the suitability of the proposed access to the site and of the road network that would be affected. Consideration should be given to highway capacity, road and pedestrian safety, congestion and environmental impact, and whether any highway improvements are required and whether these could be carried out satisfactorily without causing unacceptable environmental impact.

Policy DC8 – Pollution, health, quality of life and amenity

Minerals and waste development will only be permitted if due regard is given to the pollution and amenity impacts on the residents and users of the locality and there is unlikely to be an unacceptable impact on health and/or the quality of life of occupants of nearby dwellings and other sensitive properties. Where necessary minerals and waste developments should include mitigation measures, such as buffer zones between the site and such properties.

Policy DC13 - Waste Management and Recycling

Waste management developments (excluding landfill) will be permitted provided that the site:

- a. Is identified as a site, or within an area suitable for waste management uses, in the Hampshire Waste Management Plan, or

- b. Re-uses/redevelops previously developed land and/or redundant agricultural and forestry buildings (including their curtilages), or
- c. Is within a planned area of large-scale development, or
- d. Is on employment land, preferably co-located with complementary activities, and
- e. Has good access to, the minerals and waste lorry route as shown on the Key Diagram, and where possible, the site enables the use of waterborne and rail freight, and
- f. In the case of recovery and treatment sites, incoming waste shall be subject to pre-treatment, either on or off site to maximise the potential for recycling, and where technically possible, energy will be generated and used and the by-products, including heat, will be reused or recycled, and
- g. In the case of sites providing public access, the site shall be accessible for use by disabled people.