

HAMPSHIRE COUNTY COUNCIL**Decision Report**

Decision Maker:	Regulatory Committee
Date:	23 May 2012
Title:	Demolish an area of existing glasshouse within the nursery complex, make good remaining glasshouses, construct a woodchip biomass Combined Heat and Power Plant within an enclosure building with free standing chimney, hot water storage tank, hardstandings and ancillary associated works, enhancements to site screening and implementing biodiversity site measures at Double H Nurseries, Gore Road, New Milton BH25 5NQ (Application No. 12/98264) (Site Ref: NF260)
Reference:	3948
Report From:	Head of County Planning

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1. Executive Summary

- 1.1. This report considers an application to construct a wood waste biomass Combined Heat and Power (CHP) plant within a new building (with free standing chimney), at Double H Nurseries, Gore Road, New Milton.
- 1.2. The application, which is accompanied by an Environmental Statement, is submitted by Double H Nurseries (established in 1961 by family members of the current owners) which currently operates a house plant and pot plant nursery on the south side of Gore Road in New Milton. There are currently seven hectares of glasshouses on the existing site, which is the company's centre of UK operations. It is a specialist nursery that produces orchids and other pot plants for sale to the UK market, which include a number of well known national and international retail chain stores. Over 110 staff are employed by the nursery. The proposal has arisen because of the applicant's desire to reduce carbon emissions, protect the environment and reduce running costs. To provide stable growing conditions it is essential to heat the glasshouses at higher temperatures raising the costs and burning of gas and oil that is becoming ever more expensive and scarce.
- 1.3. Research of alternative fuels by the applicant has resulted in this application coming forward to import rough chipped (wood broken down into loose 5-10 centimetre bark like sections) wood waste and to use this

as a source of heat and power through the construction and operation of a biomass plant.

- 1.4. The main issues raised by the proposal are whether the proposal is sustainable development and whether it would cause any significant adverse impacts by way of:
 - (i) landscape, visual and design impacts;
 - (ii) traffic and highway impacts;
 - (iii) air quality/pollution impacts;
 - (iv) amenity- dust and noise impacts;
 - (v) land contamination/groundwater pollution impacts; and
 - (vi) green belt.
- 1.5. The Environmental Statement submitted with the application concludes that, subject to the implementation of the proposed mitigation measures, the development is acceptable with no significant residual impacts and that generally it is considered by the applicant that the implementation of habitat improvement and employment stability would be a positive gain for the area.
- 1.6. The applicant has engaged in pre-application discussion with county staff. Stakeholder engagement meetings and public exhibitions organised by the applicant took place before the application was submitted for determination. It is noted that the concerns raised by objectors are satisfactorily addressed.

Reasons for decision

- 1.7. It is considered that the proposal is in accordance with the Hampshire Minerals and Waste Core Strategy (2007), in that the site proposed is on land developed as a commercial pot plant nursery, and meets the criteria for siting waste management uses (HMWCS - DC13). It is considered the noise, lighting and air quality levels would be adequately controlled by conditions and there would not be an adverse impact on pollution, health, quality of life and local amenities (HMWCS- DC8), and that the highway impacts would be acceptable in terms of highway safety and associated impacts (HMWCS- DC6). Additional landscape mitigation measures have been proposed along the boundaries of the site to satisfactorily reduce the visual impact of the development (HMWCS- DC3) and biodiversity enhancement forms part of the proposal (HMWCS- DC7), although these are not material to the decision. The site is within the South West Hampshire Green Belt (HMWCS – DC5; NFDLP –DW-E30), where new buildings are not normally allowed, but the sustainable development credentials of the proposal accord with the special circumstances allowed for in the policy.
- 1.8. It is recommended that permission be granted subject to conditions listed in Integral Appendix B.

2. Site and proposal

- 2.1. The site (plant and associated building) extends across 0.46 hectares within an existing glasshouse and nursery complex at Double H Nurseries, Gore Road, New Milton. The site is bordered by the existing nursery complex on all sides - including glasshouse and chimneys - and would use the existing access off Gore Road to the north along which there are some houses. To the west, south and east is agricultural land. The site is located within the Barton and Milford Coastal Plain area of the New Forest Landscape Assessment. It identifies a key characteristic of the area as being divided by hedgerows and woodland blocks helping to give the landscape structure. Hedgerow management, including the replanting of characteristic hedgerows, is listed as a principle land management issue for the area.
- 2.2. The following key constraints and locally sensitive receptors are listed below with relation to the site:
- (i) **Green Belt** - the site is within the South West Hampshire greenbelt;
 - (ii) **Residential properties to north** - along Gore Road, opposite site access and approximately 120 metres from biomass plant application site;
 - (iii) **Residential properties to the west** – approximately 150 metres away from biomass plant;
 - (iv) **Chewton Glen Hotel**- approximately 330 metres to south west of biomass plant;
 - (v) **Bournemouth airport bird strike and airport safeguarding area** - the site is situated within this area;
 - (vi) **Walkford Moor Copse and Castlefield Copse Site of Importance for Nature Conservation (SINC)** – 285 metres to west of proposed biomass plant;
 - (vii) **Walkford Brook** - approximately 330 metres to west of proposed biomass plant site;
 - (viii) **Site of Special Scientific Interest (SSSI)** – on coast 1.4 kilometres to south; and
 - (ix) **New Forest National Park** – approximately 2 kilometres to north.
- 2.3. The new biomass building would be constructed within an internal yard of the existing glasshouse/Nursery complex and would measure approximately 30 metres x 40 metres x 14 metres high.

- 2.4. The proposed Biomass CHP plant would be sited within the new building and would process a maximum of 385 tonnes of imported wood waste per week. This equates to an annual maximum import of approximately 20,000 tonnes of locally sourced wood from construction, commercial and industrial waste recovery operations. All the waste would be non-hazardous and locally sourced within the New Forest District Council area and sites in the vicinity of Hurn airport.
- 2.5. The biomass CHP plant is based on combustion technology and would generate electrical power and supply thermal energy (hot water/steam) to provide space heating and cooling for adjoining glasshouses.
- 2.6. Plant would generate approximately 1.5 MWe with 1-1.2 MWe available to export to the local distribution network. Also it would provide approximately 8.5 MWth of thermal energy in form of hot water for use within nursery and possibly off site depending on future developments in the area.
- 2.7. Waste wood would be roughly chipped off site and delivered in enclosed 40 tonne bulk vehicles. Up to five days worth of wood fuel (approximately 100 tonnes) would be stored in the building ensuring there is enough stock to run the plant during bank holiday periods.
- 2.8. There would be facilities to manage solid residue materials arising from combustion of the biomass fuels. Residue material would comprise of bottom ash and fly ash. The majority would be wood ash rich in potash used in horticultural and agricultural fertilizer prior to introduction of modern petroleum based agri-chemicals. A maximum of 10 tonnes of solid ash residue would be produced per week which could potentially be used in the production of breeze blocks.
- 2.9. The biomass plant would operate continuously 24 hours per day seven days per week for approximately 96% of the year (8000 hours) and would have the capacity to export sufficient renewable energy to supply 1500 residential properties. It would only shut down for maintenance purposes for a total of two working weeks – most likely one week in early and late summer. The back up oil/gas system would then cover to operate the plant during this period.
- 2.10. The abatement plant would ensure that emissions to the atmosphere from the plant would be compliant with standards and an Environment Permit issued by the Environment Agency that maybe required to operate the facility.
- 2.11. The hours of working for importation of wood waste and exportation of ash would be the same as for the existing nursery 0730-1730 hours Monday-Friday and 0730-1300 on Saturdays.

- 2.12. The applicant states that noise from the plant and the chimney is unlikely to be the cause for nuisance complaints. The plant itself would be situated within an acoustic enclosure and all of the plant and the chimney would be insulated and/or designed to ensure minimal noise impacts. The applicant is willing to accept a planning condition limiting noise levels arising from the plant to the nearest residential property.
- 2.13. The new building to house the plant would measure approximately 30 metres x 30 metres x 12 metres high. It has been designed so that elevations viewed from Gore Road to the north and from the recreation and sports area to the south would be seen as a dome/curved roof line. It would be a non reflective material coloured to blend in with the skyline.
- 2.14. The proposed free standing chimney would be sited adjacent to the CHP plant building and would reach a maximum height of 18m above ground level. Existing boiler chimneys are between 12-13 metres maximum height above ground level. Two of the four existing chimneys would be replaced by the new chimney. The remaining two chimneys would form part of the back up system when the main CHP plant is closed for maintenance two weeks per year.
- 2.15. The applicant is also proposing enhancement to biodiversity by creating scrape ponds and meadows areas next to the existing water reservoir that serves the glasshouse to the south east of the site. Particular emphasis would be placed on creating a suitable habitat for hedgehogs and dormice and the provision of shallow ponds with muddy margins should provide a water source for these animals and for birds both resident and migratory. Strengthening of landscape planting on the northern and southern boundaries and the management of hedgerows to the east so they grow to full height will not only improve visual screening but also add to the biodiversity of the area.
- 2.16. The applicant has already secured a planning permission, not yet implemented, from New Forest District Council for extensions to the nursery and glasshouses on land it owns to the east.
- 2.17. The construction of the CHP plant would last approximately nine months during which time Heavy Commercial Vehicle (HCV) deliveries are indicated to total 256 movements. Averaged over typical working days this equates to approximately two HCV movements per day. The applicant has stated within the submitted Transportation Assessment that 10 HCV movements per day for a period of three days are expected during the busiest phase of construction although for calculation purposes 10 deliveries per day (20 movements) were used for the assessment of impacts.
- 2.18. The operation of the CHP plant would generate four HCV deliveries per day and one additional member staff generating 10 movements in total.

Environmental Statement

2.19. An Environmental Statement (ES) was submitted with the application as required by the England Environmental Assessment Regulations 2011. The ES focused on the following topic areas:

- (i) **Air Quality and Health** – the ES states that the operation of the CHP plant will be regulated by the Environment Agency in line with the conditions of an Environmental Permit to be issued prior to commissioning in accordance with the Environmental Permitting (England and Wales) Regulations (2010). The facility would also be regulated under the Waste Incineration Directive (2000/76/Ec). The study concluded a chimney height of 18 metres was most appropriate to disperse any emissions from the biomass process. Overall the ES concluded that, subject to proposed mitigation of installing scrubbers and filters to ensure compliance with emission standards, the emissions are unlikely to have a significant impact on local air quality and the health of people living and working nearby. It also concluded that the emissions are unlikely to cause significant harm to ecologically sensitive habitats in the vicinity of the development site;
- (ii) **Transport** - the ES conclude that the traffic generated by the development would be at its greatest during the transient construction period when there would be a short term increase of less than 15% in the number of HCVs using Gore Road to gain access to the site. It is concluded overall that the impact on the local environment during the construction phase will be transient and negligible. Long term traffic generated by the need to supply wood waste and remove solid waste products would generate much lower levels of traffic, resulting in increases of less than 1% of overall traffic throughout the week. No mitigation measures are considered necessary;
- (iii) **Noise** - the noise survey submitted as part of the ES has shown that the background noise level in the early morning close to residential properties does fall regularly below 30 dB LA90 (five minutes). Noise emission from the proposed CHP plant needs to be controlled to ensure the neighbours are not disturbed. BS4142:1997 (British Standard for industrial noise) suggest that where background noise levels are below 30 dB they can be considered low and therefore the CHP noise should be limited to 30 dB LAeq (5 minutes) or a rating level of 35dB. Noise from the CHP plant will therefore need to be designed so that the combined noise from the vents, louvers and discharge, stack as well as breakout from the CHP building does not exceed this level. Appropriate insulation would be fitted and all doors and windows should be kept closed at night to ensure compliance with any noise restriction conditions imposed on any planning permission that may be granted.

- (iv) **Landscape and Visual Amenity** – the enclosure building and the chimney are taller than the surrounding glasshouses but the ES concludes that by thickening planting on the perimeters the impacts would be acceptable. It states that only one of the locations considered, the Chewton Glen Hotel, has a high sensitivity and the visual impact of the development on receptors at the Hotel is mitigated by existing screening, the topography and the distance of the Hotel from the development. It is concluded overall that the visual impact of the whole nursery with the development on receptors, is acceptable.
- (v) **Biodiversity** - this would be enhanced through the ponds, planting and habitat creation proposed;
- (vi) **Geology, hydrogeology and ground contamination** – the proposed development would involve the construction of foundations and the construction of a basement area over part of the development site to accommodate the fuel and fuel handling equipment. This excavation is anticipated to be about 3 metres deep and lined with reinforced concrete to ensure a waterproof basement. Regarding hydrology the ES concludes that considering the limited impact that the proposal will have on the hydrology of the area, it is considered that hydro geological impacts would be negligible. With regards to ground contamination it is stated that provided the construction is carried out appropriately and all fuel is appropriately stored in bonded tanks then the watertight construction of the base foundations will avoid any contamination of groundwater resulting from the operation of the installation. It is therefore concluded that any land contamination impacts on ground water would be negligible;
- (vii) **Water Quality and supply** - any possibility of water being required for chemical cleaning during the ‘boil’ out of the boiler associated with the biomass CHP plant would be controlled closely by formal method statements and agreed in advance with the Environment Agency;
- (viii) **Solid Waste** – this section of the ES covers waste created during the demolition and construction process and the bottom ash generated by the biomass plant. Bottom ash is classified as non hazardous waste. Bottom ash would not be stored on the site for extended periods and would be sold and transported off site. Fly ash, the finer particle size of the inorganic material arising from the combustion process would be collected in a bag filter unit from which it would be discharged for temporary storage prior to disposal off site. The ES concludes that disposal of solid waste shall be carried out in such a way as to minimise creation of dust which the nursery wishes to avoid from settling on the glasshouse roofs. All lorries would be sheeted.

- (ix) **Heritage and Archaeology** – the ES concludes the proposal would have negligible impact on archaeology and heritage as it is small scale and no finds or features are currently recorded on the site or within the immediate vicinity.

3. Development plan

- 3.1. **Hampshire Minerals and Waste Core Strategy (HMWCS)** – Policy DC3 (Impact on Landscape); DC5 (Green Belt); DC8 (Pollution, Health, Quality of Life and Amenity); DC13 (Waste Management and Recycling).
- 3.2. **National Planning Policy Framework (NPPF)** - The NPPF although not part of the development plan is a ‘material’ consideration. It was published by the Government in March and largely replaces former planning policy statements – except for PPS10 (see below). It includes an overarching ‘presumption in favour of sustainable development’ which means ‘approving development proposals that accord with the development plan without delay’. The presumption allows for only refusing permission where adverse impacts clearly outweigh the benefits, or NPPF policies indicate developments should be restricted. In context of the latter point the South West Hampshire Green Belt is such a restriction. On the other hand the NPPF provides strong support for renewable energy developments.
- 3.3. **Planning for Sustainable Waste Management (PPS10)** - PPS10 remains as national policy until a new National Waste Management Plan is adopted and provides for:
 - (i) delivering sustainable development by driving waste management up the waste hierarchy, addressing waste as a resource and looking to disposal as the last option;
 - (ii) protect green belt but recognise the particular locational needs of some types of waste management facilitieswith the wider environmental and economic benefits of sustainable waste management needs...that should be given significant weight ...’ in decision making.
- 3.4. **New Forest District Council Core Strategy (October 2009)** – Policy CS2 Design Quality.

4. Consultations

- 4.1. **The local Member, Councillor Kendal**, states that having investigated the application, he supports it fully. Councillor Kendal adds there will be no adverse transport impacts and visual intrusion is minimal in what is, in any event, considered to be an industrial quarter of the town.
- 4.2. **New Milton Town Council** - find this proposal acceptable, subject to Highway Authority approval.

- 4.3. **Environmental Health New Forest District Council** states it is proposed that the CHP noise (combined noise from the vents, louvres and discharge stack as well as breakout from the CHP Building) should be limited to 30 dB LAeq 5 minute or a Rating Level of 35 dB. Given the proposed noise limit, a further approved design parameter is necessary to ensure that there will be no prominent tonal noise, and prevent noise disturbance to nearby residential property.
- 4.4. With regards to air quality and the proposed biomass CHP development, Environmental Health has no objection in principal to the proposed development as submitted. However it considers that planning permission should only be granted if planning conditions are imposed to control airborne emissions with a monitoring and reporting programme, which should be agreed prior to commencement of the development, and to mitigate dust during demolition and construction. Without these conditions, the proposed development may pose risks to human health and cause a loss of amenity.
- 4.5. Environmental Health add that planning permission should only be granted to the proposed development as submitted if it's standard planning conditions 'a-e' relating to contaminated land are imposed. Without these conditions, the proposed development on this site may pose risks to human health and Environmental Health states it would wish to object to the application. The reasons for conditions are that the: ongoing and historic land use as a plant nursery indicate contaminants arising from this use may be present. The conditions (numbered as conditions 20-24 of this report) are in accordance with policy CS5 of the Core Strategy for the New Forest District outside the National Park:
- 4.6. **New Forest District Council** raises no objection to the application.
- 4.7. **Environment Agency** confirms it has no objection to this proposal and states it may require an Environmental Permit.
- 4.8. **Highway Authority** - Gore Road currently accommodates an average of 156 HGV movements per working day as indicated by the traffic survey. Consequently both the expected average use and busiest period of construction of this proposal are likely to produce a low level of movements compared to the existing levels of traffic on Gore Road. The width and alignment of Gore Road is also considered to be suitable to accommodate the additional HGV movements associated with the proposal.
- 4.9. The operation of the CHP plant would require four deliveries per day and one additional member of staff generating 10 movements in total. The transport statement concludes that this operational traffic is negligible considering the existing flows on Gore Road and this is accepted.
- 4.10. Accident data for the past five years has been obtained for Gore Road and the link to the strategic network (the A35 and A337). No accidents have

been identified involving HGVs or the site access. It is not considered that the level of traffic generated by the development proposals would exacerbate any accident trend in either its construction or operation.

4.11. In conclusion, the Highway Authority states it has no objection to the proposals.

4.12. **Airport Safeguarding and Bird Strike area - Bournemouth Airport** raises no objection to the proposal.

5. Representations

5.1. Three objections have been raised to the proposal from residents near the site on Gore Road, and two local resident letters expressing concerns (Western Avenue and Gore Road). A letter of support has also been received from the National Farmers Union.

5.2. The three objections have been raised on the following grounds:

- (i) large waste incineration and generation facility that is not in keeping with the rural and urban nature of the location;
- (ii) in line of existing exhaust gases and dust when southerly wind blowing; caused coughing and eyes to sting when in garden. The current natural gas hearing system produces half the proposed volume of exhaust gas and only during the winter months. New proposal will increase toxicity levels and increase exhaust gas emissions especially during summer months;
- (iii) concern about continuing volume of lorry traffic during the night (at all hours) and weekends, which will only increase yet again with this planning proposal;
- (iv) noise level of lorries importing fuel;
- (v) understands waste products other than timber used even rubbish, manure and other plant waste; and
- (vi) decibel levels do not have to be high to be annoying – continual low hums are.

5.3. The two letters of concern raise the following issues:

- (i) queries about emissions from the chimney;
- (ii) odour issues and wood debris littering adjacent field and road to nearby residential properties;
- (iii) sourcing 20,000 tonnes of wood waste per annum without destroying trees;

- (iv) guarantee that no noise must be heard day or night and limiting lorries entering or leaving the site to supply the biomass unit with fuel only allowed between the hours of 0800 to 1700 hours Monday to Friday.

5.4. The National Farmers Union is supporting the application as renewable energy technologies should be employed in the horticultural industry. The proposal would also provide landscape and biodiversity enhancements and improve the long term viability of the company and local employment prospects.

6. Regulatory Committee Members Site Visit

6.1. Members of the Regulatory Committee visited the site and its surroundings on 1 May 2012. Members were given a presentation by the planning case officer and were shown where the biomass plant, building and associated free standing chimney would be located and the glasshouses that would be demolished. It was also highlighted to members where the nearest residential properties were located as well as the Chewton Glen Hotel and the sports pitches and recreational area to the south east. It was pointed out to the members how high the building and chimney would be with relation to existing buildings, and drawings were displayed that demonstrated the domed roof proposed when viewed from the north and south. Members were also shown where new planting would be undertaken.

7. Commentary

7.1. It is considered the principle of this application is in general in accordance with HMWCS and the NPPF is very supportive of the type of sustainable development as outlined in this application. In light of 'the presumption in favour of sustainable development' it is considered that so long as there are no significant environmental impacts caused by the proposal, it is recommended that approval be granted. Accordingly there is need to address the key issues raised by it.

7.2. Some specific issues that need addressing are outlined below, notably:

- (i) landscape, visual and design impacts;
- (ii) traffic and highway impacts;
- (iii) air quality/air pollution/dust impacts;
- (iv) noise impacts;
- (v) land contamination/groundwater pollution impacts; and
- (vi) greenbelt location.

- 7.3. The Environmental Statement submitted with the application states that the main biomass building would rise above the roofline of the existing glasshouse surrounding it, by approximately seven metres i.e. to a maximum height of 14 metres above ground level. However, it is highlighted that this building forms a small proportion of the total elevation of the nurseries, whichever elevation is being considered, and it is receded into the centre of the existing complex so its overall height is masked by existing glasshouses.
- 7.4. The existing screening around the site is generally good, with the exception of some views from Gore Road and the views across agricultural ground from the east and the sports ground to the south east. Additional planting is proposed along the Gore Road boundary to strengthen the existing screen. Existing hedgerows to the east in the applicant's control will be allowed to grow and mature improving the distant views from the east. Views from the south and south east will be mitigated over time when existing trees and proposed boundary planting have matured. It is considered in the ES that the Chewton Glen Hotel has a high sensitivity and the visual impact is mitigated by existing screening, the topography and the distance of the hotel from the development. Prominent views from Chewton Glen Hotel are limited to the northern areas of the car park and the helipad and it is considered this would not significantly impact on the hotel. The ES concludes that the overall residual visual impact of the whole of the nurseries with the proposed development on receptors is acceptable.
- 7.5. It is recommended that conditions requiring that final details of planting mixes, sizes and densities together with a five year management plan are submitted for the approval.

Traffic and highway impacts

- 7.6. It is not considered that the development would cause any significant highways safety or traffic impacts as highlighted by the Transport Assessment in the ES. It is noted that the Highway Authority agrees to the proposal as relatively low number of HCV movements will be generated and the lorry route and existing access is acceptable.

Air Quality/air pollution/dust impacts

- 7.7. Objections and concerns raised about air quality and emissions and odour are noted. It is also clear that the Environment Agency nor Environmental Health object to the proposal and that the operation of the development may be regulated under the Environment Permit Regulations and the Waste Incineration Regulations. Currently there is a small uncertainty until a permit is applied for from the Environment Agency, as to whether a permit will be required although Agency Environmental Technical Specialists indicate that it would be. However it is considered appropriate that conditions relating to air emission and dust monitoring and control are imposed still on any permission that may be granted.

Noise impacts

- 7.8. It is noted that the ES concludes that to ensure no adverse noise impacts are caused to nearby residents, particularly at night and early morning, a noise limit condition should be imposed if permission is granted. This conclusion is echoed in the consultation response of the Environmental Health Officer. Accordingly it is recommended that appropriate noise condition as recommended by the Environmental Health Officer be imposed. Other noise related controls such as hours of demolition, construction and working should also be imposed.

Land contamination/groundwater pollution impacts

- 7.9. The ES has concluded that the construction of the building and the operation of the biomass facility would be covered by pollution controls. However the concerns raised by Environmental Health regarding land contamination issues have been noted such that appended to this report are all the standard land contamination conditions as required by Environmental Health. It is also recommended that planning conditions should be imposed requiring the submission of a programme of construction and demolition and associated method statements for approval.

Greenbelt

- 7.10. It is noted that the site is located within the South West Hampshire Greenbelt where new buildings are not usually permitted. However, the proposal is within a plant nursery greenhouse complex that has been in existence for some decades and moreover has been permitted to expand.
- 7.11. It is also noted that Policy DC5 of the HMWCS does allow for exceptions to policy permit such development in special circumstances. It is considered this is one such circumstance.

Other considerations

- 7.12. The development's sole purpose would be to provide heat and electricity for the operation of the existing commercial plant nursery and accordingly would be co-located with complementary activities. High temperatures and therefore heat, is needed for the production of orchids amongst other pot plants for the UK market. The proposal would help secure the viability of the business which has to compete with imports from abroad, whilst also securing the employment of a significant number of staff. The biomass plant would significantly reduce current operational heating and lighting costs and as a whole would reduce carbon emissions. It is considered that care has been taken with the location of the building within the site surrounded by other buildings and glasshouse and, with the design of the domed building to help soften the visual impact of the development when observed from surrounding viewpoints.

Conclusion

7.13 To conclude, it is noted that the development does not raise significant issues and any impacts it does raise could it is considered be mitigated by the method of construction, design and the imposition of appropriate planning conditions and accordingly that any matters of concern can be satisfactorily addressed. The one issue of significance that cannot be altered in any way, concerns the Green Belt land designation, but given the circumstances and the merits of the application it is considered acceptable within the exceptions allowed for in the development plan.

8. Recommendation

8.1. That permission to demolish an area of existing glasshouse within the Nursery complex, make good remaining glasshouses, construct a wood waste chip biomass CHP plant within an enclosure building with free standing chimney, hot water storage tank, hardstandings and ancillary associated works, enhancements to site screening and implementing biodiversity site measures at Double H Nurseries, Gore Road, New Milton BH25 5NQ (Application No. 12/98264) (Site Ref: NF260), be granted subject to the conditions listed in Integral Appendix B.

CORPORATE OR LEGAL INFORMATION:**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</u>	<u>Date</u>
Direct links to specific legislation or Government Directives		
<u>Title</u>	<u>Date</u>	
http://www.environment-agency.gov.uk/business/topics/permitting/32330.aspx Air Quality Standards (England and Wales) regulations 2007 The Air Quality Standards Regulations 2010 (in relation to PM25 only) Waste Incineration Directive 2000/76/E as will also burn waste wood chip fuel		

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.)

DocumentLocation

Demolish an area of existing glasshouse within the Nursery complex, make good remaining glasshouses, construct a woodchip biomass CHP plant within an enclosure building with free standing chimney, hot water storage tank, hardstandings and ancillary associated works, enhancements to site screening and implementing biodiversity site measures at Double H Nurseries, Gore Road, New Milton BH25 5NQ (Application No. 12/98264) (Site Ref: NF260)

Economy, Transport and Environment
County Planning
Elizabeth II Court West
The Castle
Winchester, SO23 8UD

CONDITIONS

Commencement

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

Hours of Working

2. Demolition of glasshouses shall only take place between the hours of 0730 and 1730, Monday to Friday, between 0800 and 1300 Saturday, and no movements on Sunday or Bank Holidays.

Reason: In the interests of local amenities in accordance with Policy DC8 of the Hampshire Minerals and Waste Core Strategy.

3. HGV traffic relating to exporting demolition material and otherwise related to the demolition operations; HCV traffic related to the construction of the proposed development, and HCV traffic importation wood waste shall enter or leave the application site only between the hours of 0730 and 1730 Mondays to Fridays, and between 0800 and 1300 on Saturdays. There shall be no demolition, construction or waste importation operations on Sundays or public holidays.

Reason: In the interest of highway safety in accordance with policy DC6 of the Hampshire Minerals and Waste Core Strategy.

Highways

4. A maximum of 12 HCV movements per day, averaged over a one month period, may enter or leave the site on any working day. Records of vehicle movements to and from the site shall be kept and made available for inspection at the request of the Waste Planning Authority.

Reason: In the interests of local amenities in accordance with policy DC8 of the Hampshire Minerals and Waste Core Strategy.

5. All HCVs entering the site with wood waste, or leaving the site with construction waste, bottom ash or fly ash shall be fully sheeted.

Reason: In the interest of highway safety in accordance with policy DC6 of the Hampshire Minerals and Waste Core Strategy and in the interest of local amenity to prevent adverse dust impacts.

6. All vehicles entering and leaving the site in association with the demolition of the existing buildings or in relation to the construction and operation of the hereby approved development shall use the existing Double H Nursery main access off Gore Road. as shown on plan no, 2931 P02.

Reason: In the interest of highway safety

7. No vehicle shall leave the site unless its wheels have been cleaned sufficiently to prevent mud and spoil being carried on to the public highway.

Reason: In the interest of highway safety in accordance with policy DC6 of the Hampshire Minerals and Waste Core Strategy.

Demolition

8. No development shall commence until a programme of demolition of glasshouses/buildings hereby approved and associated method statement has been submitted to and approved in writing by the Waste Planning Authority. All demolition of glasshouses and buildings hereby permitted shall be carried out in accordance with the approved programme and method statement.

Reason: In the interests of local amenities and protection of groundwater.

Construction

9. No development shall take place, including any works of demolition, until a Construction Programme and associated Method Statement has been submitted to, and approved in writing by, the Waste Planning Authority. The approved programme and Method Statement shall be adhered to throughout the construction period and clearance of any waste generated by the construction excavation. The Statement shall include protection of groundwater and prevention of flooding measures during excavation and construction of storage basement area

Reason: In the interests of highway safety in accordance with policy DC6 of the Hampshire Minerals and Waste Core Strategy.

Landscape

10. Within three months of the date of this permission a detailed scheme of soft landscaping shall be submitted to the Waste Planning Authority for approval in writing. The scheme shall:
 - (i) specify the types, size, species and percentage mix of all trees and shrubs to be planted;
 - (ii) include any ground preparation details;
 - (iii) provide details of the proposed timing of the planting;
 - (iv) provide details of the provision for future maintenance; and

- (v) provide details of hard landscaping proposed around the buildings and plant.

The scheme shall be implemented as approved .

Reason: In the interests of visual amenity and in accordance with Policy DC3 of the Hampshire Minerals and Waste Core Strategy.

- 11. Any trees or shrubs 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.

Reason: In the interests of visual amenity and in accordance with policy DC3 of the Hampshire Minerals and Waste Core Strategy.

- 12. Within two months of the date of this permission further detail shall be submitted to the Waste Planning Authority regarding the planting proposals for the proposed hedgerows. Details to be submitted need to show the exact areas of the planting, species mixes, sizes, densities and a management plan for the first five years of establishment. Approved Drawing No. 2931 IA 01 states that the existing hedgerow along Gore Road will be reinforced with coniferous planting to the rear. This should be of native species and Yew (*Taxus baccata*) should be used for the reinforcement. Following approval of details the planting shall be undertaken and managed in accordance with the approved scheme. .

- 13. The development hereby permitted shall be constructed in accordance with plan nos. 2931P02 Rev. C, plant shall be coloured 2931P03 Rev A; 2931P04 Rev B; 2931 P05 Rev B; 2931P06 Rev B; 2931P07 Rev B; 2931P08 Rev B; 2931P09; 2931P10; 2931P11 Rev B, 2931P12 Rev B; 2931A12Rev A and all mitigation measures contained within the Environmental Statement by R Elliott Associates Ltd. dated January 2012 which accompanied the planning application subject of this certificate (unless otherwise amended by conditions contained in this certificate of planning permission) .

Reason: In the interests of visual amenity and to secure a satisfactory development that is in keeping with the local landscape character of the area and in accordance with policy DC3 of the Hampshire Minerals and Waste Core Strategy.

Noise

- 14. Noise from all CHP sources (combined noise from the vents, louvres and discharge stack as well as breakout from the CHP Building) shall not exceed 30 dB LAeq 5 minute or a Rating Level of 35 dB and with no tonality (when assessed using the guidance of BS7445-2:1987) when

measured or by calculation to, 1 metre from the nearest residential window outside of the Double H Nursery complex.

Reason: In the interests of local amenities.

Air Quality

15. Prior to the commencement of the development the operator shall agree airborne emission limit values for NO_x, SO₂, CO, particulates (PM₁₀ and PM_{2.5}), VOC's, HCl, HF, Cadmium, other metals, dioxins and furans with the Waste Planning Authority . and thereafter monitor these emissions in accordance with approved monitoring and reporting scheme

Reason: In the interests of local amenities, and the protection of the environment and those people and wildlife that are in nearby habitation to it.

16. The operator shall ensure that adequate dust protection measures including temporary screening and damping down during all works, including demolition, clearance works and other site preparations shall take place and continue so long as the biomass plant is in commission. In addition the dust mitigation measures listed on page 4 of the Air Emission Assessment forming part of the approved Environmental Statement should be implemented during construction works for the proposed biomass CHP plant in order to prevent a dust nuisance to local residents.

Reason: In order to prevent dust nuisance to adjoining premises during dry weather.

Storage

17. There shall be no outside storage of waste unless otherwise approved as part of the demolition or construction programme hereby approved.

Reason: To protect the amenities of the area in accordance with policy DC8 of the Hampshire Minerals and Waste Core Strategy.

Lighting

18. No external lighting in addition to what exists currently is permitted.

Reason: In the interests of local amenities and in accordance with policy DC8 of the Hampshire Minerals and Waste Core Strategy.

Nature Conservation

19. Within six months of the date of this certificate a plan showing the details of the additional tree and hedgerow planting and biodiversity enhancement measures shall be submitted to the Waste Planning Authority for approval

in writing and thereafter implemented in accordance with this approval. The biodiversity enhancements shall reflect the enhancement measures outlined in the ecology and bio-diversity details contained within the Ecology and biodiversity section of the Environmental Statement accompanying the application subject of this permission dated January 2012.

Reason: In order to secure biodiversity enhancements in accordance with policy DC7 of the Hampshire Minerals and Waste Core Strategy.

Contaminated Land: General

20. Unless otherwise agreed in writing by the Waste Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions relating to contamination no 21, 22, 23, and 24 of this permission have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Waste Planning Authority in writing until condition 24 relating to the reporting of unexpected contamination has been complied with in relation to that contamination.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Contaminated Land: Site Characterisation

21. An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Waste Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Waste Planning Authority.

The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - (a) human health;
 - (b) property (existing or proposed) including buildings, crops, livestock; pets, woodland and service lines and pipes,
 - (c) adjoining land,

- (d) groundwaters and surface waters;
 - (e) ecological systems;
 - (f) archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Submission of Remediation Scheme

22. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and submitted for the approval in writing of the Waste Planning Authority if contamination is found on site prior to the commencement of the development. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2a of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Implementation of Approved Remediation Scheme

23. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Waste Planning Authority. The Waste Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Waste Planning Authority.

Reason: To ensure that risks from land contamination to the future

users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Reporting of Unexpected Contamination

24. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Waste Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, which is subject to the approval in writing of the Waste Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Waste Planning Authority in accordance with condition

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

*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 (ADOPTED 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.

DC4 – Historic Heritage

Minerals and waste development will be granted if due regard is given to the likely effects on the need to protect and safeguard sites of archaeological, historical, and architectural importance, and the settings of these sites.

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 highways 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 impacts.

DC7 – Biodiversity

Minerals and waste developments will only be permitted if due regard is given to the likely effects of the proposed development on biodiversity and, where possible, proposals should conserve and enhance biodiversity.

Development likely to adversely impact upon ‘regionally or locally designated sites or protected species’ – designated in adopted Local Plans or Local Development Frameworks – (including Site of Importance for Nature Conservation (SINCs), Species of Principal Importance for Biodiversity, Regionally Important Geological Sites and Local Nature Reserves) shall only be permitted if the merits of development outweigh the likely impact.

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.

DC13 – Waste Management and Recycling (including Aggregate Recycling Facilities)

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 Minerals Plans, 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 water-borne 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.

NATIONAL PLANING POLICY FRAMEWORK (March 2012)

5. This Framework does not contain specific waste policies, since national waste planning policy will be published as part of the National Waste Management Plan for England. However, local authorities preparing waste plans and taking decisions on waste applications should have regard to policies in this Framework so far as relevant.

2. The National Planning Policy Framework is a material consideration in planning decisions. Planning policies and decisions must reflect and where appropriate promote relevant EU obligations and statutory requirements.

10. Plans and decisions need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas.

THE PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

14. At the heart of the National Planning Policy Framework is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision-taking.

For **decision-taking** this means:¹⁰

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.⁹

SECTION 7 REQUIRING GOOD DESIGN

63. In determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area.

64. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

SECTION 9. PROTECTING GREEN BELT LAND

79. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

88. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

89. A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this include:

- buildings for agriculture and forestry;; or
- the partial or complete redevelopment of previously developed sites (Brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

91. When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.

SECTION 10. MEETING THE CHALLENGE OF CLIMATE CHANGE, FLOODING AND COASTAL CHANGE

98. When determining planning applications, local planning authorities should:

- not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
- approve the application¹⁸ if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should also expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.

SECTION 11. CONSERVING AND ENHANCING THE NATURAL ENVIRONMENT

118. When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles: (including)

- opportunities to incorporate biodiversity in and around developments should be encouraged;

122. In doing so, local planning authorities should focus on whether the development itself is an acceptable use of the land, and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. Local planning authorities should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities.

124. Planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan.

125. By encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

SECTION 12 - CONSERVING AND ENHANCING THE HISTORIC ENVIRONMENT

128. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

NEW FOREST DISTRICT COUNCIL CORE STRATEGY (2009)

Policy CS2 Design quality

New development will be required to be well designed to respect the character, identity, and context of the area's towns, villages and countryside. All new development will be required to contribute positively to local distinctiveness and sense of place, being appropriate and sympathetic to its setting in terms of scale, height, density, layout, appearance, materials, and its relationship to adjoining buildings

and landscape features, and shall not cause unacceptable effects by reason of visual intrusion, overlooking, shading, noise, light pollution or other adverse impact on local character and amenities.

New development will be required to:

(a) provide public and private spaces that are well-designed, safe, attractive, and complement the built form;

(b) be accessible to those with disabilities, and designed to minimise opportunities for anti-social and criminal behaviour;

New Forest District (outside the National Park)

(c) incorporate well integrated car parking, and pedestrian routes and, where appropriate, cycle routes and facilities; and

(d) provide appropriate green spaces and landscaping (see Policy CS7 below).

New buildings should be flexible to respond to future social, technological and economic needs.

All new buildings should be designed to meet sustainable building standards and utilise Sustainable Urban Drainage systems (SUDS) wherever practical.

New homes should be built to a standard capable of adaptation to enable people to remain in their homes in old age. All new homes constructed after 1st January 2013 (2011 for affordable housing) should be built to Lifetime Homes Standard.