

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Regulatory Committee
Date:	12 September 2012
Title:	Erection of Replacement Building for Use as part of Lawful Use of the Site for Waste/Scrap Metal Sorting and Recycling and End of Life Vehicles at Barton House Industrial Estate, Upper Wield, Alresford (Application No: 12/01011/HCS) (Site Ref: WR218).
Reference:	4271
Report From:	Head of County Planning

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1. **Executive Summary**

- 1.1. This report considers an application for the erection of a single storey replacement building for use as part of the lawful use of the site as a waste/scrap metal sorting and recycling and End of Life Vehicle (ELV) operations at Barton House Industrial Estate.
- 1.2. The main issues associated with the proposal are land use policy, the amenity impact for the locality and local residents, the visual impact of the building and concerns about pollution.
- 1.3. In conclusion it is considered that the proposal would be in accordance with the Hampshire Minerals and Waste Core Strategy Development Plan Document (2007) as the site has an existing waste recycling use within the Barton House Industrial Estate (DC13). It is considered that there would be an amenity improvement by locating all ELV activities, including the storage of recovered materials inside the building. Consequently proposals would not adversely impact upon the amenity of the public and nearby residents (DC8) and visually the proposed building is in keeping with the existing buildings on site (DC3).

2. **Site and Proposal**

- 2.1. The Barton House Industrial Estate is located near to the village of Wield, Alresford. Barton Copse, a Site of Importance for Nature Conservation (SINC) is situated approximately 90 metres to the north west of the site.

Old Alresford Footpath No.24 also lies to the north and travels east towards the village of Upper Wield. The nearest residential property is Newmer Farm, which is 20 metres to the south of the site. The other nearest properties include Barton House and Highmere Meadow, which are situated 40 metres and 70 metres to the south east respectively.

- 2.2. The site, as shown on the attached plans, is accessed from Ox Drove Way, Upper Wield, Alresford. The site has a Certificate of Lawful Use (CLU) for waste/scrap metal sorting and recycling, which was granted on 25 January 2011. However Barton House Industrial Estate has a number of other small business and commercial premises in addition to the waste uses.
- 2.3. The proposed building is rectangular and is 27.5 metres in length, 7.1 metres in height and a width of 17.6 metres, the total footprint of the building would be 484 square metres situated within the area covered by the CLU. The metal frame of the building is already in situ and was the subject of enforcement action and successful prosecution proceedings undertaken by Winchester City Council as there was not the necessary planning consent. This application seeks permission to construct the building and use it for End of Life Vehicle (ELV) operations.
- 2.4. One of the restrictions imposed under the CLU stipulated that all stripping down of vehicles, including draining of oils and other fluids, dismantling of component parts and removal of plastics, takes place within the existing workshop building situated to the south of the replacement building. Storage of the recovered materials is permitted in the open. This application seeks to locate all ELV activities, including the storage of recovered materials, within the replacement building.
- 2.5. The layout inside the building would comprise the following areas; pre-depollution storage, post-depollution storage, used tyre storage, operational area for car dismantling, skip storage for glass, metal, plastics, wheels and catalytic converters and battery storage bins. Provision will also be made for banded oil and water tanks. A sealed drain around the inside wall of the replacement building is also proposed and will connect to a sealed tank outside.
- 2.6. The proposal has been screened under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 as not requiring an EIA to be submitted and therefore an Environmental Statement has not been requested.

3. **Development plan**

- 3.1. Hampshire Minerals and Waste Core Strategy Development Plan Document (2007) – Policies; DC3 (Impact on Landscape); DC6 (Highways); DC8 (Pollution, Health, Quality of Life and Amenity); DC13 (Waste Management and Recycling).

- 3.2. Winchester District Local Plan Review July 2006 (Adopted 2006) – Policies CE.5 (Landscape Character); CE.18 (Existing Lawful Employment Uses).

4. **Consultations**

- 4.1. **Councillor Kemp-Gee** raises objection to this application. Concerns were raised with regards to the storage and collection of waste and potential groundwater contamination. It was asked whether it could be requested that an Environmental Impact Assessment be submitted by the applicant. Further details on noise and light pollution were requested. Objections were also raised with regards to ground pollution and any potential increase in the frequency of lorry movements as a result of this proposal. It was emphasised that there should be a detailed survey of present and future conditions of the single track lanes, including the transition and much prized sunken lanes. Concerns were raised with regards to the cumulative traffic impact of site operations on the single track roads and any additional traffic which may arise as a result of this proposal. It was highlighted that these types of businesses should be located close to conurbations.
- 4.2. **Wield Parish Council** raises objection to this application. Concerns were raised with regards to previous incidences involving the burning of waste and tyres on site and the lack of a valid permit from the Environment Agency. The Parish stated that it was not clear from the supporting documentation whether the unfinished structure, which was erected without planning permission, is to be completed or a new building constructed on site. Concerns were also raised with regards to the storage and collection of waste and potential liquid contamination arising from the site leading onto neighbouring land and the public highway. Concerns were also raised regarding out of hours working during the week and on weekends and bank holidays, as well any potential increase in the size and frequency of vehicle movements. Clarification on whether there would be an increase in vehicle movements, noise and light pollution as a result of this proposal was requested.
- 4.3. **Old Alresford Parish Council** raises objection to this application. The Parish Council have raised that the Design and Access Statement has insufficient detail with regard to traffic levels, sustainable transport plans, energy conservation and pollution control. It also adds that it is unclear whether the proposed parking area has planning permission for such a use. The Parish stated that the site has a long history of planning breaches and that it is unclear whether these breaches have been resolved, in particular the location of the bund to the rear of the application site. The Parish Council also commented that the site layout plan submitted with the application, appears to be out of date and is not accurate. The Parish considers that no development should take place until the site boundaries have been confirmed, in order to prevent the possibility of operations being carried out on the areas that do not have

the necessary planning permission. Concerns were also raised with regards to previous incidences involving the burning of waste and potential increases in these activities as a result of this proposal. It was also highlighted that the proposed storage area for 250 tonnes of material (as permitted under the LUC) should be designed so that no more than 250 tonnes of material can be stored within it.

- 4.4. **Winchester City Council Environmental Protection** – Raises no objection to the proposal but wished to make the following comments. Complaints have been received regarding the burning of material on site and noise disturbance from vehicles operating on the site. It also adds that they were uncertain as to whether there will be a substantial increase in waste throughput and that consideration should be given to adding conditions relating to the hours of both use and deliveries in order to ensure that the neighbours are afforded the protection from noise disturbance. It was recommended that a condition be added to ensure that no burning is carried out on site.
- 4.5. **Winchester City Council** – Raises no objection to the proposal but wishes to make the following comments. There have been records of complaints alleging burning of material on site and noise disturbance from vehicles operating on the site. It was highlighted that the application does not provide much information on whether there will be an increase in throughput or a change in site operations. It was recommended that conditions be imposed relating to the hours of both use and deliveries to the building, as well as a condition ensuring that no burning is to take place on site.
- 4.6. **Environment Agency** – Raises no objection to the proposal but wishes to make the following comments. The site currently does not have the benefit of any Environmental Permit and to date, no application has been sought or applied for. The activities proposed to take place within the building (primarily End of Life Vehicle de-pollution/dismantling) does require an Environmental Permit to be applied for. If this planning permission is not granted for the building, it does not prevent the applicant from applying for an Environmental permit as the LUC currently in place for the site would be sufficient permission to allow an Environmental permit to be granted for activities carried out within the existing workshop building. The activities proposed to be carried out inside the building are required to be undertaken on an impermeable surface with sealed drainage in order to prevent any pollutants from escaping and causing pollution. It was therefore recommended that a planning condition be imposed requiring an impermeable surface for the floor of the building and a sealed drainage system to be incorporated into the design. It was recognised that the building would be beneficial in mitigating against the impact of noise from site activities.
- 4.7. **Hampshire County Council Highways** - No objection to the proposal providing that the specific import and storage tonnage restrictions, as imposed under the CLU, are applied to this permission.

5. **Representations**

- 5.1. Two objections have been made on the following grounds:
- (i) the proposal will have a detrimental impact on the amenity and landscape character of the countryside;
 - (ii) the surrounding road network is unable to cope with any increase in traffic and there are concerns relating to highway safety, particularly in the winter when the roads are not gritted and the cumulative traffic impact of the proposal;
 - (iii) previous incidences involving the burning of waste and these activities increasing; and
 - (iv) the increase and use of this site for waste activities would cause irrevocable damage to the environment.

6. **Commentary**

Waste Management and Recycling (DC13)

- 6.1. The proposed replacement building is situated within Barton House Industrial Estate on land which already benefits from a CLU for waste/scrap metal sorting and recycling and therefore in principle the proposal is in accordance with Policy DC13.

Pollution, Health, Quality of Life and Amenity (DC8)

- 6.2. The main amenity issues concern the noise impact of the proposal on the locality and disturbance for local residents. The proposal is to locate all ELV activities, including the storage of recovered materials, inside the replacement building. Currently, some storage of metals and recovered ELV materials takes place in the open. It is therefore anticipated that the containment of these activities within the replacement building would contain disturbance and improve the operation of the site and would not result in an increase in noise levels. Therefore the development is considered to be in accordance with Policy DC8.
- 6.3. Concerns have also been raised regarding the burning of waste and the lack of a valid permit for the site. The burning of material is not within the terms of the CLU and a condition has also been recommended requiring no burning of material takes place. There is concern that the site does not have a permit for waste activities, however this is an issue for the Environment Agency to pursue with the applicant and would not be a reason for refusal of planning permission for the building.
- 6.4. Additionally, concerns have been raised by Wield Parish Council and the Local Member regarding the storage and collection of the waste and the potential for groundwater contamination.

- 6.5. The building is proposed to have a sealed drain constructed around the inside wall of the building which will connect to a sealed drain/tank outside, this drain would collect any liquid arising from ELV activities inside the building. A condition is proposed, as advised by the Environment Agency, that the floor of the building is to consist of an impermeable surface to prevent groundwater contamination. The layout inside the building has been designed to prevent groundwater and surface water pollution issues arising.
- 6.6. In light of the matters discussed above, it is considered that the proposal is an improvement to the existing waste recycling and ELV operations at Barton House and therefore complies with Policy DC8.

Traffic Impact (DC6)

- 6.7. Concerns were raised with regards to the potential increase in the size and frequency of vehicles delivering waste into the site. This proposal does not seek to increase the daily tonnage and maximum storage levels of waste on site, as permitted under the CLU. As such, it is not anticipated that there will be a material increase in traffic levels or any significant highways impacts as part of this proposal.

Landscape (DC3)

- 6.8. The replacement building is considered to be in character with the existing buildings on site and a condition is proposed that the materials and finishes of the building be agreed with the Waste Planning Authority prior to its construction. Furthermore, as the proposal seeks to locate all ELV activities, including the storage of recovered materials, inside the building, it is considered that this will be an improvement to the existing waste handling operations on site and will reduce the visual impact of site activities.
- 6.9. The concerns from Alresford Parish Council regarding the lack of a definitive site boundary have been noted and it has been recognised that this application presents an opportunity to address this. It has therefore been recommended that a two metre fence be erected on the eastern and northern boundaries of the site. It is recommended the materials and colour of the fencing are to be agreed prior to it being erected. This would contain site activities and provide a definitive site boundary.
- 6.10. In conclusion it is considered that the proposal would be in accordance with the Hampshire Minerals and Waste Core Strategy (2007) as the site has an existing waste recycling site use within the Barton House Industrial Estate (DC13). It is considered that there would be an amenity improvement by locating all ELV activities, including the storage of recovered materials inside the building, consequently proposals would not adversely impact upon the amenity of the public and nearby residents (DC8) and visually the proposed building is in keeping with the existing buildings on site (DC3).

7. **Recommendation**

- 7.1. That planning permission in respect of the Erection of Replacement Building for Use as part of Lawful Use of the Site for Waste/Scrap Metal Sorting and Recycling and End of Life Vehicles at Barton House Industrial Estate, Upper Wield, Alresford (Application No: 12/01011/HCS) be approved, 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:	no
Corporate Improvement plan link number (if appropriate): N/A	
Maximising well-being:	no
Corporate Improvement plan link number (if appropriate): N/A	
Enhancing our quality of place:	yes
Corporate Improvement plan link number (if appropriate): N/A	

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

Erection of Replacement Building for Use as part of Lawful Use of the Site for Waste/Scrap Metal Sorting and Recycling and End of Life Vehicles at Barton House Industrial Estate, Upper Wield, Alresford (Application No: 12/01011/HCS) (Site Ref: WR218)

County Planning
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 of this permission.

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

Hours of working

2. There shall be no deliveries, sorting, recycling or removal of waste and no ELV operations taking place within the site except between the following hours: Monday-Friday 0800-18.00, Saturday 08.00-13.00. There shall be no working on Sundays or recognised public holidays.

Reason: In the interests of local amenity.

Plans and Particulars

3. The development hereby permitted shall be carried out and completed strictly in accordance with the approved plans, specifications and written particulars identified within the decision notice.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved drawings.

Capacity

4. There shall be no more than 15 tonnes per day of waste delivered to the site and a maximum of 250 tonnes of waste stored on the site at any one time. Records of the daily deliveries shall be kept at the site and made available to the Waste Planning Authority on request.

Reason: In the interests of local amenity.

Materials

5. Samples and/or details of the materials and finishes to be used for the external walls and roof of the proposed building, shall be submitted to and approved by the Waste Planning Authority in writing prior to construction commencing and implemented as approved.

Reason: In the interests of visual amenity and to secure a satisfactory development.

Landscape

6. Within three months from the date of this permission a two metre high fence is to be erected on the eastern and northern boundaries of the site. Details specifying the materials and the colour of the fencing are to be submitted to the Waste Planning Authority for approval within one month from the date of this permission and implemented as approved.

Reason: To clearly delineate the boundaries of the site and to prevent encroachment of site activities into the countryside.

Protection of the Water Environment

7. The floor of the building shall have an impermeable surface and a sealed drainage system is to be incorporated into the design of the building, as shown on Drawing Number TP.1456:02 B titled 'Proposed Retention & Completion of Replacement Building', dated October 2006.

Reason: To prevent pollution of the water environment.

8. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The bund capacity shall give 110% of the total volume for single and hydraulically linked tanks. If there is multiple tankage, the bund capacity shall be 110% of the largest tank or 25% of the total capacity of all tanks, whichever is the greatest. All filling points, vents, gauges and sight glasses and overflow pipes shall be located within the bund. There shall be no outlet connecting the bund to any drain, sewer or watercourse or discharging onto the ground. Associated pipework shall be located above ground where possible and protected from accidental damage.

Reason: To prevent pollution of the water environment.

9. All stripping down of vehicles including draining of oils and other fluids, dismantling of component parts (engine, battery, brakes and gear boxes) and removal of plastics, shall only take place within the existing workshop building or the replacement building.

Reason: To protect the amenities of the area.

10. There shall be no burning of material within the site.

Reason: To protect the amenities of the environment and prevent air pollution arising from the site.

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

WINCHESTER DISTRICT LOCAL PLAN REVIEW (ADOPTED 2006)

Policy CE.5

Development which fails to respect the character of the landscape, or harms the key characteristics of the Landscape Character Area concerned (as set out in Appendix 2) will not be permitted.

Policy CE18

Within existing lawful employment sites in the countryside (Use classes B1, B2, and B8), the extension or replacement of existing buildings will be permitted where:

- (i) the site is close to an existing settlement and main transport networks (including public transport), and not in a location where continued employment use would be harmful to the local environmental or neighbouring uses;
- (ii) there will be no material increase in employment or traffic levels as a result of any increase in floorspace or built development;
- (iii) the scale and design of the proposed buildings and the site achieves substantial environmental benefits that reflect local distinctiveness and the character of the surrounding countryside.

Applicants should submit a comprehensive plan justifying their requirements, demonstrating how the proposed development meets the above criteria, and how the natural features of the site are to be managed

**HAMPSHIRE MINERALS AND WASTE CORE STRATEGY DEVELOPMENT
PLAN DOCUMENT (JULY 2007).**

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.

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.

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.