

## HAMPSHIRE COUNTY COUNCIL

### Decision Report

<b>Decision Maker:</b>	Regulatory Committee
<b>Date:</b>	13 February 2013
<b>Title:</b>	Variation of Condition 19 of planning permission 10/0/992/CMAS to extend the time for completion of the waste recycling building for a further period of 18 months at Yokesford Hill Waste Transfer, Belbins, Romsey
<b>Reference:</b>	4702
<b>Report From:</b>	Head of County Planning

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#### 1. Executive Summary

- 1.1 Planning permission is sought to vary condition 19 of planning permission 10/0/992/CMAS to extend the time for completion of the construction of the waste recycling building for a further period of 18 months at Yokesford Hill Waste Transfer, Belbins, near Romsey.
- 1.2. In 2007 planning permission No. 07/01429/CMA was granted for the enlargement of the existing recycling centre including the erection of a new waste building (building No. 3), outside processing of concrete (crushing for 28 days only), wood shredding, storage of inert screen materials, and associated parking on land at the Waste Centre, Yokesford Hill Industrial Estate, Yokesford Hill, Belbins, Romsey. This permission was varied in 2010 by permission no. 10/0/992/CMAS and includes a condition requiring that the building be completed by the end of October 2012.
- 1.3. The operator has been unable to complete the building by cladding the walls and roof because of litigation with building contractors. After completion of the frame, it is understood the applicants structural advisers concluded that the structure was unsound. Due to ongoing legal proceedings the building has not been clad nor roofed and consequently the structure on site is an open steel frame.
- 1.4. Accordingly due to ongoing legal proceedings the operator has applied to vary the existing permission to enable the company to have a further period of 18 months in which to complete the building No. 3.

- 1.5. The Environment Agency and the Environmental Health Officer attend a site liaison panel chaired by local members that has been running for a number of years - since the main recycling permission was granted for the site . It has been reported to the liaison panel that the applicant has tried to ameliorate any impacts for local residents and neighbours. Additional mitigation measures agreed with the Environment Agency have been implanted to further reduce noise and dust impacts.
- 1.6. Members undertook a site visit on Monday 28 January 2013. The equipment and machinery was not operational at the time of the visit.
- 1.7 The key issue raised is the temporary noise and dust mitigation proposed by the applicant through this application and whether that is satisfactory. The proposed mitigation involves cladding the rear elevation nearest to Belbins Industrial estate (which has been the source of some complaint), further information on noise and dust related issues has been requested of the applicant.
- 1.8 It is recommended that the permission be granted subject to conditions including a full temporary scheme of noise and dust mitigation to include part cladding of the side of the building to be submitted to the Waste Planning Authority for approval in writing and thereafter implemented within two months of the date of such approval.

## **2. Site and planning history**

- 2.1. The site comprises the footprint of a building known as waste building No. 3, on Yokesford Hill Industrial Estate-together with its steel building frame and roof joists (45 metres wide x 68 metres long x 14.3 metres high). It is fully open and not clad at all. Waste plant and machinery is situated within it and is operational. It forms part of the waste recycling permission operated by the applicant. The applicant controls the entire Yokesford Hill Industrial Estate which comprises a waste recycling facility and associated offices, a concrete batching plant, and a Borough Council depot. The building No. 3 is located at lower ground level in the base of an old quarry along with approximately 50% of the Yokesford Hill Industrial Estate.
- 2.2. The nearest residential properties to the site the subject of this application are located approximately 230 metres to the south-east at Abbotswood Farm; a property to the west on Yokesford Hill some 330 metres away to the west; and a property approximately 280 metres to the south-west on Yokesford Hill. Mature woodland borders the Yokesford Hill Industrial estate to the north-west and north-east; whilst some hedgerow planting runs along the south eastern boundary. The site the subject of this application, building No. 3 immediately adjoins Belbins industrial Estate/Wynford Farm to the east which is approximately 5 metres or so above the base level of building No. 3. It is separated from it also by acoustic fencing that the applicant has erected to help mitigate against dust and noise impacts from building no. 3.

- 2.3. Access to the Yokesford Hill Industrial Estate is via a surfaced haul route of approximately 160 metres from the public highway known as Yokesford Hill.
- 2.4. The site currently employs over 60 staff, the majority of whom live locally.
- 2.5. The site was granted planning permission for the enlargement of the existing recycling centre comprising erection of a building (No. 3), walls, hardstandings, remodelling of land levels, installation of plant and machinery, outside processing of concrete (crushing for 28 days only) and wood shredding, storage of inert screen materials, skips and portaloos and associated parking on land at Building 1 and Building 2 and land to the north-east of the Waste Centre, Yokesford Hill Industrial Estate, Yokesford Hill, Belbins, Romsey in 2007 (07/01429/CMA).
- 2.6. This permission was varied in 2010 by permission no. 10/0/992/CMAS and includes a condition requiring that the building be completed by the end of October 2012.
- 2.7. The site has a long standing liaison panel that meets regularly and its members have understood the situation as to why the building No. 3 has been unable to be completed. However submission of this application has now caused some objections to be submitted from neighbours on Yokesford Hill and from the adjacent Belbins industrial estate.
- 2.8. The building frame was put up following the permission in 2007 but a safety issue was identified by the applicant resulting in the operator having to proceed with litigation against companies involved in the design and construction of the framework. The litigation has not yet reached court and the matter is ongoing. This has also put the County Council and the Environment Agency in a difficult position of having an operator not able to comply with the original intention of the recycling operations being undertaken within an enclosed building.
- 2.9. For the above reasons regular and frequent meetings have been taking place on the site with the operator, the County Council and the Environment Agency and Environmental Health Officer. Dust complaints were received from the adjacent industrial estate at Belbins/Wynford farm throughout this and last summer from dust it would appear emanating from building No. 3. This has resulted in the following actions being agreed with the operator, the Environment Agency and the County Council and implemented:
  - (i) dust suppression system commissioned January 2009 and effectively monitored by Ace Liftaway. Diary notes site managers had been vigilant and migrating dust had stopped;
  - (ii) Summer 2009 fitted fogging systems on plant and this created problem with water pressure causing dust performance to deteriorate;
  - (iii) temporary cladding was put on eastern building elevation and two 30,000 litre water tanks installed to assist in making sure adequate water pressure for dust suppressions maintained;
  - (iv) bottom end of crusher unit has been enclosed to prevent dust migration;
  - (v) full time road sweeper operative employed to sweep and damp the entire site in dry weather;

- (vi) the fence line separating the site at higher level from buildings 1, 2 and 3 has had automated dust suppressions systems installed; and
- (vii) other measures undertaken by applicant to try and ensure no dust emanated from the building.

### **3.0 Proposal**

- 3.1 Planning permission is sought to vary condition 19 of planning permission 10/01992/CMAS to extend the time for completion of the construction of the waste recycling building No. 3 for a further period of 18 months at Yokesford Hill Waste Transfer, Belbins, near Romsey. The building was due to be completed by 30 October 2012.
- 3.2 The building frame was put up following the permission in 2007 but the operator has been unable to fully construct the building by 30 October 2012 as required by condition, the applicant states that this was because of litigation with building contractors. This has meant the building No. 3 (the application site) has not been clad nor roofed. All that exists on site is an open steel frame.
- 3.3 Accordingly the operator has applied to vary condition No. 19 to give further time to complete the building.
- 3.4 Although the building has not been completed the site is used for waste recycling. Noise and dust complaints have been received from businesses on the adjacent industrial estates throughout this and last summer emanating from building No. 3., despite measures being taken by the applicant to limit noise and dust.
- 3.5 As part of this application the applicant has submitted an updated working Plan to monitor and Review possible noise and Dust pollution. A Noise Impact assessment has also been submitted together with a cladding proposal to reduce noise impact. Cladding is proposed to the rear elevation of the building adjacent to Wynford Farm/Belbins Industrial Estate.
- 3.6 The proposal is not an EIA Development under the Environmental Impact Assessment Regulations 2011 and an environmental statement has not been submitted.
- 3.7 In response to consultation responses and comments the applicant states that Ace Liftaway's legal case is progressing and whilst it cannot guarantee completion by April 2014 the company is continuing to face increased costs to it's production as a result of the building not being completed. The applicant states it is not in Ace Liftaway's interest to delay the completion. The requested variation will only permit an extension to April 2014 so the applicant states it does not see this to be a concern to residents. It has the cut off point of April 2014.

The applicant states it fully understands the concerns of the local authorities, neighbours and planning department, however, it would like to make the following general points:

1. Ace Liftaway has always been proactive in addressing any concerns or complaint raised.
2. Have worked closely with the Environment Agency ( EA) to ensure that all appropriate measures are taken, monitored and improved as necessary, as detailed in the working document currently in place with the EA (Dust & Noise Controls document submitted with application).
3. Have employed professional consultants throughout the period to address the issues, advice on ways forward etc. Professional fees to date are in excess of £125,000.
4. Ace Liftaway employ approximately 75 staff (mainly from within Test Valley) and also have a responsibility to safeguard their jobs. It is it says working extremely hard to balance the needs of the local neighbours with that of the company staff.
5. Ace Liftaway states it has the support of the Liaison Panel Meeting chaired by Cllr Roy Perry (this includes residents affected by the Building).
6. Ace Liftaway states it contributes a large recycling percentage within Hampshire County and these are all important to the European Landfill Directive.

The applicant adds that if permission is not granted and Ace Liftaway are forced to stop operating the Recycling Plant this would result in the company having to cease trading.

#### **4. Development plan**

- 4.1 Hampshire Core Strategy 2007 - DC1 (Landscape), DC8 (Pollution, Quality of Life, Amenity); DC13 (Waste Recycling and transfer development).
- 4.2 **National Planning Policy Framework-** the NPPF, although not part of the development plan, is a 'material' consideration. It was published by the Government in March 2012 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.

#### **5. Consultations**

- 5.1 Councillor Gibson as **local member** has been informed of the proposal.
- 5.2 Councillor Perry as **adjacent member and chair of Liaison Panel** states he appreciates the difficult circumstances Ace Liftaway are facing with the legal dispute over technical design matters in their building.

5.3. **Romsey Extra Parish Council** raises no objection.

5.4. **Michelmersh Parish Council** states it has no fundamental objection to this application and appreciates that the company is unable to complete Building 3 until legal proceedings are further advanced. However, it is concerned that in the interim period local residents should be protected, as far as is reasonably practicable, from noise and dust impacts.

The Parish Council states it is not clear that the noise issues, in particular, have been adequately addressed. It considers the noise assessment (24 Acoustics' Report R4436-1) does not address the effectiveness of the proposed temporary measures and is therefore of limited relevance to the current temporary situation. It also considers the background noise measurements may also be unrepresentatively high. The Parish Council adds that temporary cladding to the end gable wall, as proposed, is likely to result in some noise reduction at Wynford Farm (Belbins Industrial Estate), but noise emitted to houses in Belbins would not be reduced, and may even be increased because of the reflective inner surface of this end wall.

The Parish Council states that it sympathises with the company's position and does not wish to hinder in any way its efforts to resolve the issues concerning Building 3. However, it suggests that the question of temporary measures to reduce noise affecting local residents during the interim period should be more thoroughly investigated. It therefore requests that a further noise assessment is carried out to specifically address this issue.

5.5. **Braishfield Parish Council** raises no objection to the application.

5.6. **Environmental Health Officer** states that the unfortunate delay associated with the completion of the building has resulted in issues with both noise and dust, and the issue of noise is a particular concern given that the request to delay the cladding by a further 18 months will mean another summer before the plant is enclosed as originally intended. The applicant has indicated that partial cladding of the structure could be undertaken – in particular the south east wall - but there is no supporting information provided to demonstrate the expected impact of this action on noise levels at neighbouring properties. An interim solution is appropriate and information should be provided (in the form of options with an appraisal of the anticipated benefit) to demonstrate how neighbours can effectively be protected from noise until the building can be completed. It appreciates that this will result in some inconvenience and cost, but given the already long delay in this project it seems unreasonable that there should be continued reliance upon the goodwill of neighbours, albeit that it is generally understood how this situation arose.

5.7. **Test Valley Borough Council** objects to the proposal supporting the comments of the Environmental Health Officer.

5.8. **The Environment Agency** raises no objection to the proposal.

5.9. **The Highways Authority** raises no objection to the proposal.

## **6. Representations**

- 6.1 Six letters of objection have been received to the proposal, four from various business operators on the adjacent Wynford Farm Industrial Estate predominantly of adverse impacts from dust and two from residents of Sandy Lane, Romsey predominantly on grounds of visual impact, noise and dust. A separate complaint has been received on grounds of visual impact and dust from a resident of Yokesford Hill.

## **7. Regulatory Committee Site Visit**

- 7.1. On Monday 28 January 2013 members of the Council's Regulatory Committee undertook a visit to Yokesford Hill and viewed the external and internal features (including plant and equipment) relating to building No. 3 the site subject of this application. The plant and machinery inside the application was not operational at the time of the site visit. Members were informed staff were on a work break. Members witnessed waste stockpiled unprocessed and processed within the building and the fact it was neither roofed nor clad. Members also saw the context of the building in its surroundings adjacent to Belbins/Wynford Farm industrial estate which was on higher ground to the east with associated acoustic fencing at the higher level. Members noted that waste building No. 2 was adjacent to the south and that a small section of the building No. 3 extended beyond building No. 2 towards the eastern boundary. They noted that to the North again was higher ground with a wood waste stockpile upon it and that the building was accessed from the yard area on its eastern elevation. Officers highlighted to Members the location of the nearest residential properties and the main haul route leading up to the site that Members had used to gain access for the site visit.

## **8. Commentary**

- 8.1. This application has come about due to litigation and a pending court hearing following the initial construction of the frame of waste building No. 3 to a standard considered by the applicant (supported, it understood, by his engineering advisors) to be unsafe and unfit for purpose. The pending litigation has been ongoing since the construction of the building over recent years due to, it is understood, a detailed legal process requiring a number of engineering reports to be produced.
- 8.2. Throughout this period the site liaison panel for the site, chaired by local Members, has continued to meet regularly where open discussion has taken place with consultees and local residents and the Parish Councils about the delay in the court hearing taking place and the legal complexities of the situation. County Planning together with the applicants, the Environmental Health Officer, local Members and the Environment Agency have worked closely together to try and mitigate any noise or dust issues that were raised locally following one or two complaints. However, as outlined in this report

objections have been received indicating that local people want this matter resolved.

- 8.3. The main issues raised relate to the impacts of noise and dust. It is understood that the applicant has already implemented a number of mitigation measures, as detailed in this report, which have had some success in mitigating against these impacts. However, the temporary cladding with sheeting during summer months to prevent dust blow worked well until there were strong winds. It is understood that the frame itself can only take limited weight and therefore any cladding has to be carefully designed with additional support. It is currently proposed that the end of the eastern elevation is clad. However it is noted that this leaves a small section of the southern elevation at the South east corner of the building unclad and unprotected by the Building No. 2. It is suggested that if permission is granted a full scheme of mitigation options be submitted perhaps altering this so that the cladding wraps right around this corner of the building protecting those that have objected to the south, south east and east.
- 8.4. It is noted that the Borough Council has objected to the proposal and that the Environmental Health officer has requested additional information, in particular mitigation options, of the applicant to address noise. This information has not been submitted at the time of writing this report. However, it is considered that if Members are minded to grant permission, a condition could be attached requiring such information and implemented within 2 months of any subsequent agreement to one of these options. It is also noted that the Michelmersh and Timsbury Parish Councils raised several issues about certain details within the noise reports.
- 8.5 Having considered all the information before the Waste Planning Authority at this time including the information submitted with the application, the reason for the application, the consequences of refusing the application and the level of the impacts caused by continuation of the current situation, on balance it is recommended that permission be granted for a temporary period of only 18 months subject to conditions including a full scheme of noise and dust mitigation to be submitted for approval and implemented in accordance with an agreed time scale and monitored thereafter, again in accordance with an approved scheme.

## **9. Recommendation**

- 9.1. That permission for Variation of Condition 19 of planning permission 10/0/992/CMAS to extend the time for completion of the waste recycling building for a further period of 18 months at Yokesford Hill Waste Transfer, Belbins, Romsey be granted subject to the conditions detailed in Integral Appendix B.

RefRpt/4702/JD

**CORPORATE OR LEGAL INFORMATION:****Links to the Corporate Strategy**

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

**Other Significant Links**

<b>Links to previous Member decisions:</b>		
	<u>Reference</u>	<u>Date</u>
<a href="http://www3.hants.gov.uk/mineralsandwaste/application-details.htm?id=14485">http://www3.hants.gov.uk/mineralsandwaste/application-details.htm?id=14485</a> Variation of conditions 13 and 24 of Planning Permission 07/01429/CMA (Site Layout and Height of Stockpiles)	10/01992/C MAS	06/12/2010
<a href="http://www3.hants.gov.uk/mineralsandwaste/application-details.htm?id=13346">http://www3.hants.gov.uk/mineralsandwaste/application-details.htm?id=13346</a> Variation of condition 16 of planning permission 07/01429/CMA (height of stockpiles)		withdrawn
<a href="http://www3.hants.gov.uk/mineralsandwaste/application-details.htm?id=13022">http://www3.hants.gov.uk/mineralsandwaste/application-details.htm?id=13022</a> Enlargement of recycling centre comprising of erection of a building, walls hardstandings, remodelling of land levels, installation of plant and machinery, provision outside processing of concrete (crushing for 28 days only) and wood shredding, storage of inert screen materials, skips and portalos and associated parking	07/01429/C MAS	18/10/2007
<b>Direct links to specific legislation or Government Directives</b>		
<u>Title NPPF</u>	<u>Date</u>	
PPS 10		

**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

<http://www3.hants.gov.uk/mineralsandwaste/application-details.htm?id=15287>

Location

County Planning,  
The Castle  
EII Court West

## CONDITIONS

### Subheading:

### Layout

1. The development shall be set out on site in accordance with the plans and particulars approved under planning permission no. 07/01429/CMA as amended by permission No: 10/01992/CMAS and this permission and in accordance with approved plan no. TV/120/1APa(Rev. A) received 20 August 2010 and all plans and particulars comprising this certificate.

Reason: In the interests of the amenities of nearby residents and businesses and the landscape character of the area.

### Hours of Working

2. Unless otherwise agreed in writing by the Waste Planning Authority, no heavy goods vehicles shall enter or leave the site and no plant or machinery shall be operated except between the following hours: 0630-1900 Monday to Friday and 0700-1430 on Saturday - with the exception of the concrete crusher which shall only operate between the working hours of 0800-1900 hours Monday to Friday only and for no more than a total of 28 days per year (unless otherwise agreed beforehand by the Waste Planning Authority in the rare event that an emergency situation arises.) A record shall be kept logging the use of the crusher which shall be made available to the Waste Planning Authority to view on request. There shall be no working on Sunday or recognised public holidays.

Reason: In the interests of local amenity.

### Protection of Water Environment

3. No solid matter shall be deposited so that it passes or is likely to pass into any watercourse.

Reason: To prevent pollution of the water environment.

4. All areas where waste is stored, handled or transferred shall be underlain by impervious hardstanding with dedicated drainage to foul sewer or sealed tank.

Reason: To prevent pollution of the water environment.

5. 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 greater. 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.

6. Prior to discharge into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall pass through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

Reason: To prevent pollution of the water environment.

7. Inspection manholes shall be provided and clearly identified on foul and surface water drainage systems.

Reason: To prevent pollution of the water environment.

8. No sewage or trade effluent (including vehicle wash or vehicle steam cleaning effluent) shall be discharged to any surface water drainage system.

Reason: To prevent pollution of the water environment.

## **Environmental Management**

9. Within three months of the date of this permission a revised 'site environmental management scheme' for the entire waste management complex subject of the red line permission boundary shown on approved Plan No TV/120/1/AP/5 (received 20 August 2010), incorporating recently installed mitigation not referred to in the EMS approved under planning permission no. 07/01429/CMA has been submitted to and approved in writing by the Waste Planning Authority. The scheme shall incorporate procedures, including provisions for review, a scheme for controlling noise and dust and the monitoring of noise and dust at the boundaries of the site (which shall include location of monitoring points and trigger levels); vibration, lighting, on-site vehicular movements (including restriction on levels machinery will operate on stockpiles), vehicle reversing alarms, and other amenity issues arising from operations on the site. Operations on the site shall not continue except in compliance with this scheme once approved by the Waste Planning Authority unless otherwise approved in writing by the Waste Planning Authority. This condition takes into account the fact that an environmental management scheme and a dust suppressions scheme was approved under Permission No. 07/01429/CMA. This revised EMS shall include the dust suppressions scheme approved under permission no. 07/01429/CMA.

Reason: In the interests of the amenity of the locality.

10. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturers' specification at all times, and shall be fitted with and use effective silencers.

Reason: To minimise noise disturbance from operations at the site.

## Highways

11. The skip park and stockpile area as approved by way of this permission and as indicated on approved plan no. TV/120/1/AP/5 (received 20 August 2010) shall be surfaced with a recycled, permeable, hardcore base. The measures shall be implemented as approved for the duration of the development and no lorry shall leave the site unless its wheels and chassis have been cleaned sufficiently to prevent mud being carried onto the highway.

Reason: In the interests of highway safety.

12. Lorry movements to and from the site, as shown on approved Plan No. TV/120/1/AP/5 (received 20 August 2010) shall be restricted to ensure that the total number of lorry movements related to the site shall not exceed 220 movements per day. A daily record of lorries entering and leaving the site shall be kept at the site and made available to the Waste Planning Authority on request. For avoidance of doubt these movements are the only movements to enter or leave the application site other than those relating to the other industrial uses not associated with the use hereby permitted that can lawfully access their premises through this application site, located within land outlined in blue on approved Plan No. TV/120/1/AP/5 (received 20 August 2010).

Reason: To limit the volumes of traffic in the interests of the amenity of residents on and near the approaches to the site.

13. Lorry movement and management at the site shall be implemented in accordance with the scheme approved on 3 March 2008 under planning permission no. 07/01429/CMA. and thereafter implemented immediately following this approval. The scheme includes measures controlling the speed of lorries within the site and its haul routes; use of effective silencers, maintenance, fumes and emissions, sheeting, reversing alarms, and wheel cleaning.

Reason: In the interests of highway safety and local amenities.

## Storage

14. Stockpiles of material shall be stored in the locations shown on approved plan No. TV/120/1/AP/a (Rev. A), to the maximum heights detailed in this condition, for a period of no longer than two years from the date of this

permission, after which time stockpiles shall be reduced to no greater than five metres above existing ground level unless otherwise agreed in writing beforehand by the Waste Planning Authority. For the duration of two years from the date of this permission, unless otherwise agreed in writing by the Waste Planning Authority, these stockpiles shall not exceed 35.58 metres AOD (the eaves height of Building No. 3) across Areas A2, B2, C, and D as shown on plan No.TV/120/1/AP/a (Rev. A) and stockpiles of materials stored across areas A1 and B1 shall not exceed 31.58 metres AOD (4m below the eaves of Building No. 3) as stated in the approved planning statement to the application. Verification of eaves height and ground levels are as indicated on approved topographic survey dated 23 June 2008. There will be a sloping transition of material heights from 31.58 AOD across areas A1 and B1 to the increased heights of maximum 35.58 metres AOD across A2 and B2 but at no point shall the heights of areas A1 and B1 increase above 31.58AOD (4 metres below the eaves). Any stepping 'down' from 35.58 metres AOD (eaves height of building No. 3) shall take place within Areas A2 and B2.

Reason: To enable further assessment of any environmental impacts caused by the increased stockpiles accumulated during the current economic recession to be evaluated and a view formed as to its suitability as permanent development.

15. No stockpiles shall have a slope gradient greater than 1 in 2. At no point shall any stored material fall under any tree canopies nor beyond the stockpile post and wire perimeter fence, the alignment of which is to be approved by the Waste Planning Authority and the approved fence implemented within one month of the date of this certificate unless otherwise agreed in writing beforehand by the Waste Planning Authority. No material shall be stored any closer than five metres to the centre of any hedgerow bordering the site nor under any tree canopies within such hedgerows. No trees shall be felled within the wildlife reserve area annotated on approved plan no.TV/120/1/APa(Revision A), nor elsewhere within the approved red line boundary as shown on plan no. TV/120/1/AP/5 unless dying or diseased in which case trees shall be replaced with native deciduous tree species in the planting season following the identified failure of the said tree, unless otherwise agreed in writing beforehand by the Waste Planning Authority.

Reason: In the interests of the landscape character of the area.

16. Skips stored across the allocated area shown on approved plan no. TV/120/1/APa (Rev. A) shall not exceed four metres in height above existing ground level.

Reason: In the interests of the landscape character of the area.

### **Lighting**

17. Lighting shall be implemented and maintained for the duration of this permission in accordance with the scheme approved on 3 March 2008.

Reason: In the interests of local amenities.

### **Landscaping**

18. Additional tree and hedgerow planting of native species to strengthen planting that exists along the eastern boundary of the site adjacent to areas C and D on approved plan no. TVV/120/1APa (Rev. A) shall be implemented within the first planting season following this approval. Any plants which die, fail or become diseased within three years of planting shall be replaced with a plant of similar size and species.

Reason: In the interests of local amenities.

### **Building**

19. The Building No. 3 approved by way of this permission shall be constructed by 30 April 2014 in accordance with the details approved under permission 07/01429/CMA by way of Plan No. TV/120/1/AP/b and shall include doors/screens on its rear and front elevations to be agreed with the Waste Planning Authority in writing before construction commences.

Reason: In the interests of local amenities and to prevent light pollution of the surrounding area when working during winter months in particular.

20. The materials for the roof and cladding of building No. 3 shall be implemented in accordance with the scheme approved on 5 December 2007 under permission 07/01429/CMA and within the time frame stated in condition 19.

Reason: In the interests of local amenities.

21. The retaining concrete wall shown on plan TV/120/1/AP/a approved under planning permission no. 07/01429/CMA separating the approved skip park from the wood processing and aggregate holding area shall be constructed in accordance with the details illustrated on approved plan TV/120/1/AP/e.

Reason: In the interests of local amenities.

22. The interior of building No. 3 shall comprise the plant and machinery shown on plan TV/120/1/APc and E4679-08 (Rev.0) approved under planning permission no. 07/01429/CMA and shall be laid out in accordance with this plan. The interior layout of Building No.1 shall be constructed in accordance with Plan No. TV/120/1/AP/c1 approved under planning permission no. 07/01429/CMA.

Reason: To control the built development in the interests of local amenities and to ensure the purpose of the development to manage waste and increase recycling is fulfilled in as practical a manner as possible.

23. A Portsdown Universal hopper for bagging one tonne bags shall be sited at the location shown on Plan TV/120/1/Apa (Rev A) approved under planning permission no. 07/01429/CMA and in accordance with the specification sheet 'B' and the applicant's letter of 4 July 2007. It shall be electrically operated.

Reason: In the interests of local amenities.

#### **Other**

24. Outside the waste transfer and recycling buildings Nos. 1, 2 and 3 no waste material shall be tipped onto the ground for storage purposes, sorting or loading into skips other than in those areas designated for this purpose as shown on Plan No. TV/120/1/AP/a approved under planning permission no. 07/01429/CMA.

Reason: To protect groundwater resources.

25. The height of the external stockpiles or stacks of reclaimed or salvaged materials stored in designated bays as referred to in condition 24 shall not exceed the walls of the bays in which it is to be stored/deposited.

Reason: In the interests of local amenities and environmental management of the site.

26. No materials shall be burnt on site.

Reason: In the interests of local amenities.

#### **Interim Noise and dust scheme**

27. Within one month of the date of this permission an interim noise and dust mitigation and monitoring scheme detailing measures that shall be undertaken to effectively protect the nearest noise and dust sensitive properties, shall be submitted to and approved in writing by the Waste Planning Authority. The scheme shall identify monitoring points and include the submission of data to demonstrate that noise and dust impacts have been reduced to within acceptable levels. Immediately following such approval, the said scheme shall be implemented and maintained in accordance with such approval until building No.3 subject of this permission, is completed in accordance with conditions 19, 20 and 22 of this permission. When the final construction of building No. 3 has taken place to the satisfaction of the Waste Planning Authority the interim scheme approved by way of this condition will be immediately replaced by the requirements of the Environmental Management Scheme approved under Condition no. 9 of this permission and accordingly implemented for the duration of the permission.

Reason: In the interests of local amenities.

*Annexe to Reasons for Conditions  
(as required by Article 31 of the Town and Country Planning  
(Development Management Procedure) (England) Order 2010)*

**Hampshire, Portsmouth, Southampton, and New Forest national park  
Minerals and Waste Core Strategy**

**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.

**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.