

## HAMPSHIRE COUNTY COUNCIL

### Decision Report

<b>Decision Maker:</b>	Regulatory Committee
<b>Date:</b>	20 November 2013
<b>Title:</b>	Retrospective application for waste transfer and recycling, and waste picking station and parking of lorries, combined with the existing biomass facility and associated operations granted under planning permission number BDB/72250 at Armstrong Road, Daneshill, Basingstoke, RG24 8NU. (Application No. 13/01239/CMA) (Site Ref: BA161)
<b>Reference:</b>	5378
<b>Report From:</b>	Head of County Planning

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#### 1. Executive Summary

- 1.1 This report considers a retrospective application for waste transfer and recycling, and waste picking station and parking of lorries, combined with the existing biomass facility and associated operations granted under planning permission number BDB/72250 at Armstrong Road, Daneshill, Basingstoke.

The main issues raised by the proposal are:

- a) Retrospective application
- b) Size of site
- c) Highway safety and lorry routing
- d) Amenity impacts and hours of working

#### Reasons for decision

- 1.2 It is considered that this part retrospective proposal is sustainable waste management development (Policy 1, 25, 27), located within an existing industrial estate (Policy 29) and that subject to conditions, it also accords with the policies of the Hampshire Minerals and Waste Plan (2013) as it is considered it would not materially harm the character of the area (Policy 13) or the amenity of local residents in terms of air quality and noise (Policy 10) and would be acceptable in terms of highway safety and convenience (Policy 12).

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

- 2.1 The application site, as shown on the attached plan, comprises an industrial building and outside yard on the industrial estate at Armstrong Road, totalling an area of 0.4 hectares. The building occupies about a quarter of the site and measures about 31 metres by 30 metres by eight metres high. The yard is enclosed by five metre high metal fencing. Access to the site is from Armstrong Road. The site was previously used before the applicants took control by SCA for waste paper sorting and baling as part of their waste paper recycling operations.
- 2.2 The site has permission for the operation of a Biomass plant and a Waste Transfer Station (WTS) under the 2010 permission. Although the majority of the biomass permission is geared to the Biomass plant, the WTS use is mentioned in the application and the waste storage bays are clearly shown on the approved plans. The variation granted earlier this year for earlier hours for vehicle movements did not replace the 2010 permission. The original 2010 permission is still the permission which established the change of use of the land for the Biomass plant and Waste Transfer Station. This application seeks to consolidate these permissions as well as deal with retrospective picking station and ancillary matters. The biomass permission secures a 4,800 kilowatt thermal biomass plant within the industrial building. The plant can provide up to 750 kilowatt of electricity to the national grid via an existing substation to the north of the site. The plant also has the capability of providing heat for use in nearby properties and businesses. The waste wood for the biomass plant comes from the applicant's waste recycling and transfer facility at Wade Road, Basingstoke.
- 2.3. Because the site is within an industrial estate the neighbouring properties are in industrial/commercial use. The nearest houses to the east are at Lychpit, Old Basing, about 240 metres from the site. There are also houses to the south at Cowdery Heights approximately 220 metres from the site.
- 2.4. The River Loddon and Basing Fen with associated areas of nature conservation interest are approximately 550 metres to the south east of the site.
- 2.5. The Biomass Plant commenced commissioning, and was subject of noise complaint but stopped operation during April 2012. It became operational this year following modifications and an associated PPC permit being issued in December 2012 by the Environment Agency. The Biomass Plant operated continuously from January into March this year with no further noise complaints. However for economic reasons the plant shut at the end of March and has not run since.
- 2.6. No complaints have been received relating to the site's operations between July 2012 until 9 January 2013 when a complaint was received regarding vehicles leaving the site before 7.00 am. The applicant was advised this was a breach of an existing permission and was advised to stop vehicles leaving early. Shortly after this an application to vary existing vehicle hours was received and granted in April 2013 (BDB 77550) but this was only valid for

vehicles associated with the permitted development on the site and not for vehicles at the applicant's nearby Wade Road site in Basingstoke. It was noted at this time, that a picking station was operational on the site and this was not covered by any planning permission – accordingly this application was submitted retrospectively to regularise the picking station and to consolidate all activities on the site under one permission. During August 2013 vehicle movements leaving the site were queried by a resident and investigated using the site's CCTV and electronic tracking devices on the HGV's but no breaches were substantiated. No new complaints/queries have been received since September 2013.

- 2.7 The site planning history with electronic links to associated documents is listed below:

Application No.	Site Reference	Location	Proposal
<a href="#">13/01239/CMA</a>	BA161	Armstrong Road, Daneshill, Basingstoke RG24 8NU~~	Retrospective application for waste transfer and recycling, and waste picking station; and, parking of lorries, combined with the existing biomass facility and associated operations granted under planning permission number ( BDB/72250)
<a href="#">BDB/77550</a>	BA161	Southern Waste Management, Armstrong Road, Basingstoke RG24 8NU	Variation of condition 4 of Planning Permission BDB/72250 to change the permitted hours
<a href="#">BDB/72250</a>	BA161	Former SCA Building and Yard, Armstrong Road, Basingstoke Hampshire RG24 8NU	Change of use from waste paper recycling to Biomass Plant (sui generis) for the importation of wood waste (biomass) for the purpose of providing electricity (750kw) to the national grid
<a href="#">SCR/2010/0023</a>	BA161	Former SCA Site, Armstrong Road, Basingstoke	Screening Opinion: Change of use from waste collection to 1000k/w biomass plant

### 3. The proposal

- 3.1 Planning permission is sought for retrospective waste transfer and recycling, and waste picking station and parking of lorries, combined with the existing biomass facility and associated operations granted under planning permission number BDB/72250 at Armstrong Road, Daneshill, Basingstoke.

The development comprises:

- Operation, maintenance and overnight parking of eight HGVs (not associated with the biomass operation). The applicant considers it can accommodate all vehicles and activities comfortably on the site.
- Regulating use of material recovery and recycling in the yard- since the biomass permission was granted the applicant states the yard no longer benefits from permission for small scale waste recovery and recycling.
- Regulating use of the picking station, the applicant states this has been in operation since 2009.
- The following working hours- Monday- Friday 500 hrs- 2200hrs and Saturdays 0500 – 1300 hours No working on Sundays and bank holidays.

3.2 The applicant states that the site has been used by the previous owner for recycling of paper and card for many years and it was not anticipated that the relatively recent permission for the biomass plant would preclude this established facility. However such uses were not fully included in the permission for biomass hence this part retrospective application to regularise and consolidate matters on the site under one permission. The applicant states the activities not covered are the waste importation, storage transfer and recycling as well as the picking station and the overnight parking of lorries not associated with the biomass. The recycling operations recover reusable materials from dry, mixed paper, card and plastics, which are selectively collected by specialist companies for re-use. No spreading or baling currently takes place but baling of certain recyclates may be necessary in future to meet customer requirements. The biomass plant has a throughput of wood waste of 12,000 tonnes per annum and the waste transfer and recycling has a throughput of 10,000 tonnes per annum giving a total throughput of 22,000 tonnes. The biomass plant is restricted by permitted hours of working. The proposed hours for the waste recycling, transfer, picking station and lorry access are 0500-2200 hours Monday-Friday; 0500 to 1300 Saturday. Overnight lorry parking is proposed.

#### **4 Development plan**

##### **4.1 Hampshire Minerals and Waste Plan (2013)**

Policy 1: Sustainable minerals and waste development

Policy 10: Protecting public health, safety and amenity

Policy 12: Managing traffic

Policy 13: High-quality design of minerals and waste development

Policy 25: Sustainable waste management

Policy 27: Capacity for waste management development

Policy 29: Locations and sites for waste management

4.2 **National Planning Policy Framework (March 2012)** is a material consideration. In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

4.3 **Planning Policy Statement 10: Planning for Sustainable Waste Management (PPS10)**

Note: In March 2012 the National Planning Policy Framework (NPPF) superseded the existing national policy statements upon its publication. The NPPF however, does not contain specific waste policies, as national waste planning policy will be published as part of the National Waste Management. Until that time PPS10 will remain applicable.

**5 Consultations**

5.1 **Councillor Mrs Still-** has been in touch with County planning regularly regarding the application and has been updated as requested.

5.2 **Councillor Mrs Frankum** – has been informed of the proposal.

5.3 **Basingstoke and Deane Borough Council** raises no objection.

5.4 **Basingstoke and Deane Borough Council Environmental Health Officer** does not require further noise/dust assessments to be submitted as the applicant has confirmed that all operations on the site had been taken into consideration in the previous noise/dust assessments relating to the previous applications.

5.5. **Environment Agency** – raises no objection. It states that the site has a current Environmental Permit and is regulated by the local authority.

5.6 **Highway Authority** raises no objection in principle to the proposal. The Highway Authority states:

The applicant has demonstrated that the recycling and overnight parking operations of the site will generate 26 vehicle trips per day. Considering the industrial estate location of the site, this addition to the highway network is considered acceptable. Of these 26 trips, eight are parked overnight that leave the site prior to 7am and arrive back at the site prior to 4.30pm. These movements occur outside the peak hour.

**HGV Routing**

The applicant suggested a planning condition to limit the movement of vehicles leaving the site before 7am to turning right out of the site towards the A339 Ringway East. The highway authority considers this acceptable.

**Site Access**

The applicant is not proposing any alterations to the existing site access. In light of the existing permitted use and Armstrong Road connects with the surrounding highway network via bellmouth junctions. Due to the industrial

nature of the area, the junctions have appropriate geometry and design for lorries to regularly use and as such the access to the site is considered to be appropriate.

### **Personal Injury Accidents (PIAs)**

Due to the retrospective nature of the application, the accident history of the site has been investigated to determine if the operation of the site has resulted in an increase in PIAs. This investigation identified 19 accidents occurring on the local highway network, of which only one involved a goods vehicle under 3.5 tonnes and one involved a goods vehicle of between 3.5 and 7 tonnes. Whilst any accident is regrettable, the highway authority does not consider there to be a trend in the accident data related to the development's operation in the site's immediate vicinity in the past five years.

### **Construction Traffic**

As this is a retrospective application, this planning application will not generate any construction traffic and as such a Construction Traffic Management Plan is not required.

**Recommendation:** no objection to the application subject to the following condition:

- i) Any and all vehicles leaving the site between the hours of 0500 and 0700 shall leave the site using the A339 via Armstrong Road and there shall be no use of Swing Swang Lane.

### **5.7 Old Basing and Lychpit Parish Council object to the proposal for the following reasons as summarised by the Parish Council:**

'Whilst it is acknowledged that the applicants have a right to apply for retrospective permission the Parish Council considers it should not be granted for the following summarised reasons:

- (i) The applicants have been knowingly operating in breach of what was permitted under BSDB/72250 and BDB/77550.
- (ii) the proposals would lead to an unacceptable impact on local amenity by virtue of noise, adverse highway impact and the potential for smell and vermin problems.
- (iii) The site does not have necessary floor space in the yard to accommodate the proposed recycling activities.'

### **5.8 Chineham Parish Council raises no objection to the proposal.**

## **6 Representations**

- 6.1 Letters have been received from three local residents objecting, and one letter of comment on the following grounds: lorry traffic impacts, hours of lorry movements, breaches of permission, and amenity impacts. One resident states their house is downwind of the biomass plant but the biomass plant is already permitted and not the subject of this application other than it is to be consolidated into one permission.

## **7 Commentary**

- 7.1 The operations of wood waste importation for the biomass, waste paper and card recycling and the biomass plant itself with associated lorry movements, offices, weighbridge and storage bays, are already covered by existing permissions. It is stated that a picking station has been operating since 2009. This application seeks to regularise this operation and the increase in throughput not currently permitted with the associated range of recyclables. The dry recyclable material imported is collected from recycling containers from retail outlets and industrial premises. The site does not deal with general builders skips or any domestic household type of waste.
- 7.2 Concerns and objections raised about retrospective development are noted, however there has been some confusion about this site with regards the waste recycling, as the current consent permits certain waste importation and recycling. As it is not that clear, including in terms of throughput and because the picking station is clearly retrospective the applicant was requested to submit this application that consolidates all activities on the site so it would be easier to monitor and diversification of the waste activities would be clearly regularised.
- 7.3 The location and the principle of the recycling activities comply with policy and the site is within an existing industrial estate. Objections raised about noise and air emissions are noted but neither the Environmental Health Officer nor Environment Agency raise an objection on amenity or pollution grounds. The objections raised on lorry movements and hours of working are also noted but again this site is on an existing industrial estate and there is a routing condition that prevents early morning use of Swing Swang Lane. Lorries travel via the industrial estate Armstrong Road onto the main road. It is noted there is no Highway objection to the proposal.
- 7.4 On balance it is considered that this part retrospective proposal is sustainable waste management development (Policy 1, 25, 27 ), located within an existing industrial estate (Policy 29) and that subject to conditions, it also accords with the policies of the Hampshire Minerals and Waste Plan (2013) as it is considered it would not materially harm the character of the area (Policy 13 ) or the amenity of local residents in terms of air quality and noise (Policy 10) and would be acceptable in terms of highway safety and convenience (Policy 12).

**8 Recommendation**

- 8.1 That permission for retrospective application for waste transfer and recycling, and waste picking station and parking of lorries, combined with the existing biomass facility and associated operations granted under planning permission number BDB/72250 at Armstrong Road, Daneshill, Basingstoke, RG24 8NU. (Application No. 13/01239/CMA) be approved subject to the conditions listed in Integral Appendix B.

**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):	
<b>Maximising well-being:</b>	yes
Corporate Improvement plan link number (if appropriate):	
<b>Enhancing our quality of place:</b>	no
Corporate Improvement plan link number (if appropriate):	

**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

Retrospective application for waste transfer and recycling, and waste picking station and parking of lorries, combined with the existing biomass facility and associated operations granted under planning permission number BDB/72250 at Armstrong Road, Daneshill, Basingstoke, RG24 8NU. (Application No. 13/01239/CMA) (Site Ref: BA161)

County Planning  
ETE Department  
E II Court West  
The Castle  
Winchester

## CONDITIONS

### Commencement

1. The development hereby permitted shall be begun, before the expiration of 12 months years from the date of this permission.

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

### Plans and Particulars

2. 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 including layout plan 002 (June 2013).

Reason: To ensure that the development is carried out in accordance with the approved details.

### Waste Types

3. The only biomass to be used in the plant shall be chipped waste wood, and the volume of chipped waste wood shall not exceed 12,000 tonnes per year. The waste transfer and recycling has a throughput of 10,000 tonnes per year so the total capacity of the site is 22,000 tonnes per year. Waste imported to the site other than wood waste for the biomass shall be dry recyclables only as detailed in the approved plans and particulars.

Reason: The assessment of impacts has been on the basis of specific quantity and type of biomass.

4. No chipped waste wood shall be tipped or stored outside the building, other than in the inspection bay provided. All other waste brought to the site shall only be stored in the waste sorting area as shown on Block Plan received 26 May 2010, as permitted under BDB/72250.

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

### Hours of Working

5. No heavy goods vehicles (other than those allowed under condition 6) shall enter or leave the site and no fixed or mobile plant or machinery, other than the Biomass Power Plant, shall be operated except between the following hours: 0700-1800 Monday to Friday and 0700-1300 Saturday. There shall be no working on Sundays or recognised public holidays.

Reason: In the interests of local amenity.

6. No more than eight vehicles shall leave the site between 0500 and 0700 hours on any day, such vehicles being used exclusively in accordance with condition 4. A daily record and CCTV footage of lorries entering and leaving

the site between these hours, shall be kept at the site and made available to the Waste Planning Authority on request.

Reason: In the interest of Highway safety.

### **Site Security**

7. The measures for site security, particularly outside of the hours specified in condition 5 above, shall be carried out as detailed in the Environmental Management Scheme (approved 17 May 2011 by the Waste Planning Authority under BDB/72250) for the duration of the site's operation.

Reason: To ensure site security as plant operates continuously.

### **Noise, Dust and Odour**

8. When the plant is operational, noise shall not exceed a level of 38.8 dBLAeq between 0700 and 2300 hours, and 37.3 dBLAeq at all other times when measured at the facade of residential premises. It shall not exceed 50 dBLAeq when measured at the nearest commercial premises.

Reason: To prevent noise disturbance to the residents of the nearest houses and neighbouring commercial premises.

9. The noise mitigation scheme as detailed in NOICO Environmental Noise Survey and Plant Noise Assessment Report 300228/Issue C dated 24 May 2010 under BDB/72250, shall be maintained as implemented. The mitigation scheme shall be maintained in accordance with the details as approved.

Reason: To ensure that the building, structures and plant are adequately soundproofed in the interests of the amenities of the occupants of the nearby premises and residents.

10. The Environmental Management Scheme, for the control of dust and odour at the site, shall be carried out as detailed in the Environmental Management Scheme (approved 17 May 2011 by the Waste Planning Authority under BDB/72250) for the duration of the site's operation.

Reason: In the interests of local amenity.

### **Materials**

11. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match, in type, colour and texture those on the existing building.

Reason: In the interests of visual amenity.

## Highways

12. Lorries associated with the biomass and waste operations at the site, shall be allowed to park within the site.

Reason: To control the land use of the site.

13. The vehicle parking, turning and loading area as marked out in accordance with the approved details shall not be used for any purpose other than parking, loading and unloading of vehicles.

Reason: In the interests of highway safety.

14. Any and all vehicles leaving the site between the hours of 0500 and 0700 shall leave the site using A339 via Armstrong Road and there shall be no use of Swing Swang Lane.

Reason: In the interests of highway safety and amenity.

## Protection of Water Environment

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

Reason: To prevent pollution of the water environment.

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

**Hampshire Minerals and Waste Local Plan**

**Policy 1: Sustainable minerals and waste development**

The Hampshire Authorities will take a positive approach to minerals and waste development that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF). Minerals and waste development that accords with policies in this Plan will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the proposal or the relevant policies are out of date at the time of making the decision, the Hampshire Authorities will grant permission unless material considerations indicate otherwise, taking into account whether:

- Any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or
- Specific policies in that Framework indicate that development should be restricted
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**. Policy 10: Protecting public health, safety and amenity**

Minerals and waste development should not cause adverse public health and safety impacts, and unacceptable adverse amenity impacts.

Minerals and waste development should not:

- a. release emissions to the atmosphere, land or water (above appropriate standards);
- b. have an unacceptable impact on human health;
- c. cause unacceptable noise, dust, lighting, vibration or odour;
- d. have an unacceptable visual impact;
- e. potentially endanger aircraft from bird strike and structures;
- f. cause an unacceptable impact on public safety safeguarding zones;
- g. cause an unacceptable impact on:
  - i. tip and quarry slope stability; or
  - ii. differential settlement of quarry backfill and landfill; or
  - iii. subsidence and migration of contaminants;
- h. cause an unacceptable impact on coastal, surface or groundwaters;
- i. cause an unacceptable impact on public strategic infrastructure;
- j. cause an unacceptable cumulative impact arising from the interactions between minerals and waste developments, and between mineral, waste and other forms of development.

The potential cumulative impacts of minerals and waste development and the way they relate to existing developments must be addressed to an acceptable standard.

**Policy 12: Managing traffic**

Minerals and waste development should have a safe and suitable access to the highway network and where possible minimise the impact of its generated traffic through the use of alternative methods of transportation such as sea, rail, inland waterways, conveyors, pipelines and the use of reverse logistics. Furthermore, highway improvements will be required to mitigate any significant adverse effects on:

- a. highway safety;
- b. pedestrian safety;
- c. highway capacity; and
- d. environment and amenity.

**Policy 13: High-quality design of minerals and waste development**

Minerals and waste development should not cause an unacceptable adverse visual impact and should maintain and enhance the distinctive character of the landscape and townscape.

The design of appropriate built facilities for minerals and waste development should be of a high-quality and contribute to achieving sustainable development.

**Policy 25: Sustainable waste management**

The long-term aim is to enable net self-sufficiency in waste movements and divert 100% of waste from landfill. All waste development should:

- a. encourage waste to be managed at the highest achievable level within the waste hierarchy; and
- b. reduce the amount of residual waste currently sent to landfill; and
- c. be located near to the sources of waste, or markets for its use; and / or
- d. maximise opportunities to share infrastructure at appropriate existing mineral or waste sites.

The co-location of activities with existing operations will be supported, where appropriate, if commensurate with the operational life of the site, and where it would not result in intensification of uses that would cause unacceptable harm to the environment or communities in a local area (including access routes), or prolong any unacceptable impacts associated with the existing development.

Provision will be made for the management of non-hazardous waste arisings with an expectation of achieving by 2020 at least:

- 60% recycling; and
- 95% diversion from landfill.

## **Policy 27: Capacity for waste management development**

In order to reach the objectives of the Plan and to deal with arisings by 2030 of:

- 2.62mtpa of non-hazardous waste;
- 2.49mtpa of inert waste;
- 0.16mtpa of hazardous waste.

The following minimum amounts of additional waste infrastructure capacity are estimated to be required:

- 0.29mtpa of non-hazardous recycling capacity; and
- 0.39mtpa of non-hazardous recovery capacity; and
- 1.4mt of non-hazardous landfill void.

Proposals will be supported where they maintain and provide additional capacity for non-hazardous recycling and recovery through:

- a. the use of existing waste management sites; or
- b. extensions to suitable sites:
  - that are ancillary to the operation of the existing site and improve current operating standards, where applicable, or provide for the co-location of compatible waste activities; and
  - which do not result in inappropriate permanent development of a temporary facility and proposals for ancillary plant, buildings and additional developments that do not extend the timescale for completion of the development; or
- c. extension of time to current temporary planning permissions where it would not result in inappropriate development; or
- d. new sites to provide additional capacity (see Policy 29 - Locations and sites for waste management).

## **Policy 28: Energy recovery development**

Energy recovery development should:

- a. be used to divert waste from landfill and where other waste treatment options further up the waste hierarchy have been discounted; and
- b. wherever practicable, provide combined heat and power. As a minimum requirement the scheme should recover energy through electricity production and the plant should be designed to have the capability to deliver heat in the future; and
- c. provide sustainable management arrangements for waste treatment residues arising from the facility.

## **Policy 29: Locations and sites for waste management**

1. Development to provide recycling, recovery and/ or treatment of waste will be supported on suitable sites in the following locations:

- i. Urban areas in north-east and south Hampshire;
- ii. Areas along the strategic road corridors; and
- iii. Areas of major new or planned development.

2. Any site in these locations will be considered suitable and supported where it:
  - a. is part of a suitable industrial estate; or
  - b. has permission or is allocated for general industry/ storage; or
  - c. is previously-developed land or redundant agricultural and forestry buildings, their curtilages and hardstandings or is part of an active quarry or landfill operation; or
  - d. is within or adjoins sewage treatment works and the development enables the co-treatment of sewage sludge with other wastes; and
  - e. is of a scale compatible with the setting.
  
3. Development in other locations will be supported where it is demonstrated that:
  - a. the site has good transport connections to sources of and/or markets for the type of waste being managed; and
  - b. a special need for that location and the suitability of the site can be justified.