

HAMPSHIRE COUNTY COUNCIL**Decision Report**

Decision Maker:	Regulatory Committee
Date:	28 July 2010
Title:	Waste Transfer Station Area to Rear of Existing Yard at 151-153 Long Lane, Holbury, Southampton, Hampshire S045 2NZ (Application No: 10/95719) (Site Ref: NF259)
Reference:	1905
Report From:	Head of Planning and Development

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1. Executive Summary

- 1.1. This planning application is for a Waste Transfer Station Area to the rear of the existing yard at Solent Environmental Services (Asbestos) Ltd, 151-153 Long Lane, Holbury. Small quantities of asbestos are removed from building projects, are bagged for disposal and then brought back by the company for storage in two steel containers. Once the container is full, this is collected and taken to be emptied at a licensed landfill. Whilst the proposal involves the handling of asbestos, near residential and business properties, it is considered acceptable due to the size and scale and nature of the works.
- 1.2. The proposal involves the handling of asbestos, near residential and business properties.
- 1.3. It is considered that the proposal would be in accordance with the development plan, Hampshire Minerals and Waste Core Strategy DPD 2007 (summary attached) as the site is located on previously developed land (DC13 - Waste Management and Recycling) and is acceptable in size, scale and character (DC3 - Impact on Landscape and Townscape). It would not materially harm the amenity or health of local residents (DC8 - Pollution, health, quality of life and amenity). It also provides adequate security provisions (Policy CS5 Safe and healthy communities (b, e ,g) of the New Forest District (outside the National Park) Core Strategy, October 2009) and it acceptable in terms of highway safety and convenience (DC6 - Highways).
- 1.4. The proposal also contributes towards the ambitions of Policy S5 (Capacity Requirements for Recycling, Composting and Recovery and Treatment) of

the Hampshire Minerals and Waste Core Strategy DPD 2007 and towards Policy CS17 (c) Employment and Economic Development of the New Forest District (outside the National Park) Core Strategy, October 2009.

2. Site and proposal

- 2.1. The application seeks permission for the change of use for an area of 130m² concrete from service yard to the siting of two steel containers to act as a small waste transfer station for asbestos. The containers are like those used for transport of freight on ships, lorries and railways.
- 2.2. The site is to the rear of Solent Environmental Services (Asbestos) Ltd, a business which has been operating from the location for over five years. The application site is part of the land used for parking a variety of vehicles and trailers.
- 2.3. The service yard is bound by business properties and the rear gardens of two houses. It is bounded by a two metre high steel palisade fence and security gates. The application site has been fitted as an internal store area with two metre high steel palisade fencing and further security gates.
- 2.4. The nearest houses are approximately four metres to the south west. There are a number of well established trees that screen the site to the south and there is a large silver birch tree adjacent to the application site to the south-east. The New Forest Park Boundary is approximately 0.6 kilometres to the west.
- 2.5. Solent Environmental Services (Asbestos) Ltd offers contractual work in the management of asbestos, including the removal of asbestos from sites. The applicant wishes to continue the removal of asbestos by bagging small quantities of waste, but then bring the waste back to the site for storage in containers. The larger quantities of asbestos would not be brought to the site, as these will be stored in the larger roll on-roll off containers at the work site itself.
- 2.6. The asbestos will be brought back to the site in the work vans, instead of being taken in daily trips to the licensed landfill. It will be transferred into the containers at the end of the working day. When full, the container will be removed by lorry from the site; for disposal of the waste to the nearest licensed landfill (Pound Bottom, Wiltshire).
- 2.7. The containers will be 6.1 metres x 2.4 metres x 2.5 metres and be placed within the secure store area. Two containers will be in full time use, with a space for a third container to be put in place when a full container is collected.
- 2.8. The working hours for the site are proposed to match the existing operations of van drivers arrivals and departures: 07.30-17.30 Monday to Friday and 09.00-13.00 on Saturdays. There is no working on Sundays or

Bank Holidays. The delivery and collection of the containers are suggested to be within the hours of 12.00 to 15.00.

3. Development plan

3.1. The most relevant policies from the Hampshire Minerals and Waste Core Strategy DPD 2007 that the proposal will be determined against are:

- (i) S5 - Capacity Requirements for Recycling, Composting and Recovery and Treatment;
- (ii) DC3 - Impact on Landscape and Townscape;
- (iii) DC6 – Highways;
- (iv) DC8 - Pollution, health, quality of life and amenity;
- (v) DC13(b) - Waste Management and Recycling.

3.2. The most relevant policies from the New Forest District (outside the National Park) Core Strategy, October 2009 that the proposal will be determined against are:

- (i) Policy CS5 Safe and healthy communities (b, e, g);
- (ii) Policy CS17 Employment and economic development (c).

4. Consultations

4.1. **The local Member, Councillor Mrs McEvoy** has been informed and chosen not to comment at this time.

4.2. **Environment Agency** have no objection in principle to the proposal as submitted and have no further comments to make.

4.3. **Highway Authority** has no objection subject to conditions.

4.4. **Environmental Health Officer** has no objection subject to hours of use condition.

4.5. **New Forest District Council** has been informed and chosen not to comment.

4.6. **Fawley Parish Council** has raised objection due to concerns that the site is unsuitable for the operations proposed.

5. Representations

5.1. There have been 17 letters of objection from local residents. The reasons of concern have been given as follows:

- (i) waste use inappropriate in a residential area;
- (ii) visual intrusion;
- (iii) danger to health and environment;
- (iv) disturbance to local neighbours;
- (v) security risk; and
- (vi) increased traffic.

6. Commentary

- 6.1. Whilst the objections from the local residents are noted, it is considered that the proposal would be appropriate in this location as the site is located on previously developed land (DC13 - Waste Management and Recycling). The infrastructure is already in place as the vehicles return to the service year to park at the end of the day and the secure area already in place.
- 6.2. The proposal is acceptable in size, scale and character (DC3 - Impact on Landscape and Townscape) as it only requires the provision of two storage containers, which are common features in business and industrial areas. The site is well screened by close boarded fencing to the south and a number of large trees. The containers are only 0.5 metres above the height of the fencing and the site is not visible from the road. There is no visual impact on the New Forest National Park as it is some distance away and the site is in an urban area.
- 6.3. The residents have raised concerns over the potential health and environmental impacts of the proposal. However, the asbestos is removed under controlled conditions at the building sites and so as it comes on to site already bagged. The company is regulated by the Environment Agency which issue the three year licences, and governed by both the Asbestos Removal Contractors Association (ARCA) and the Chartered Institution of Waste Management (CIWM). The storage containers themselves are deemed to be safe by the regulatory bodies and will pose no risk. There is no processing or treatment of the asbestos on site and so there is no harm to the health of local residents or the local environment (DC8 - Pollution, health, quality of life and amenity). In terms of general disturbance, the use of the containers will match those hours already associated with the parking of the vehicles and the running of the business. The delivery and collection of the containers will be further restricted to protect the local resident's amenity.
- 6.4. Also, the potential for vandalism and interference has been raised by residents. However, the two metre high steel palisade fencing and further security gates and secure design of the steel containers are judged as a low risk and so the proposal security provisions comply with (Policy CS5

Safe and healthy communities (b, e, g) of the New Forest District (outside the National Park) Core Strategy, October 2009)

- 6.5. Whilst the concerns from the residents on traffic and road safety grounds is noted, the site currently runs all its vehicles in and out of this yard and there is no highway objection to this proposal. The number of lorry movements is calculated to be approximately once every fortnight to allow for once container being filled every two weeks, and so the increase of vehicle movements is not significant. The unloading and collection of the container is anticipated to take approximately 15 minutes, due to the third space being kept available for this purpose. This procedure is not expected to have any impact on the movement of vehicles using this site or onto the service road. Therefore it would be acceptable in terms of highway safety and convenience (DC6 - Highways).
- 6.6. In summary, whilst the proposal involves the handling of a hazardous waste, this is heavily regulated and managed off site. There is no processing or treatment of the asbestos on site and it will be stored safely, so there is no risk to public health or the environment. The size and scale of the proposal can be accommodated in the previously developed service yard and will not cause any harm in terms of visual impact or amenity to local residents. There are no traffic impacts anticipated due to the low number of additional movements. Therefore, planning permission subject to conditions is recommended.

7. Recommendation

- 7.1. That planning permission in respect of a Waste Transfer Station Area to Rear of Existing Yard at 151-153 Long Lane, Holbury, Southampton, Hampshire S045 2NZ (10/95719) be granted for the following reasons, subject to the following conditions:

Links to the Corporate Strategy

Hampshire safer and more secure for all:	no
Corporate Improvement plan link number (if appropriate):	
Maximising well-being:	no
Corporate Improvement plan link number (if appropriate):	
Enhancing our quality of place:	no
Corporate Improvement plan link number (if appropriate):	
This proposal does not link to the Corporate Strategy but, nevertheless, requires a decision because it links to Aim 4: To ensure the development of resilient, sustainable communities which meet future social, and economic needs without risking the environment	

Section 100 D - Local Government Act 1972 - background documents

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

Document

Location

Waste Transfer Station Area to Rear of Existing Yard at
151-153 Long Lane, Holbury,
Southampton, Hampshire S045 2NZ
(Application No: 10/95719) (Site Ref: NF259)

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

CONDITIONS

Commencement

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

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

Hours of Working

2. Unless otherwise agreed in writing by the Waste Planning Authority, the use hereby permitted shall only be operated between the following hours: 0730-1730 Monday to Friday and 0900-1300 Saturday. There shall be no working on Sundays or recognised public holidays.

Reason: In the interests of local amenity.

3. Unless otherwise agreed in writing by the Waste Planning Authority, the delivery and removal of the containers between the following hours: 0800-1730 Monday to Friday. There shall be no deliveries/removals of containers on Saturdays, Sundays or recognised public holidays.

Reason: In the interests of local amenity.

Lighting

4. There shall be no lighting installed in connection with the hereby permitted development.

Reason: In the interests of visual amenity.

Highways

5. All lorries shall access and egress the site in forward gear.

Reason: In the interests of highway safety.

6. Lorry movements to and from the site shall be restricted to one 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.

Reason: In the interests of highway safety.

Restriction of Permitted Development Rights

7. Notwithstanding the provisions of Parts 4, 8 and 25 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order):
 - (i) fixed plant or machinery, buildings, structures and erections or private ways shall not be erected, extended, installed or replaced at the site without the prior agreement of the Waste Planning Authority in writing.

Reason: To protect the amenities of the area.

Storage

8. There shall be no storage of waste outside the containers, unless otherwise agreed in writing by the Waste Planning Authority.

Reason: To protect the amenities of the area.

9. There shall be no storage of waste, other than bagged asbestos as stated in the 'Planning and Design & Access Statement', dated April 2010, as hereby permitted.

Reason: To protect the amenities of the area.

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

HAMPSHIRE MINERALS AND WASTE CORE STRATEGY DPD 2007

S5 - Capacity Requirements for Recycling, Composting and Recovery and Treatment

Waste management capacity (including specialist facilities as detailed in Policy S7) will be provided in the period to 2020, as follows:

- (i) recycling and composting – facilities for the reception, storage, segregation and processing of 1.86 million tonnes a year of municipal, commercial and industrial waste (and associated bulking-up, transfer and contingency storage facilities);
- (ii) recovery and Treatment - facilities for the reception, storage and treatment of 0.93 million tonnes a year of municipal, commercial and industrial waste (and associated bulking-up and transfer facilities).

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:

- (i) is identified as a site, or within an area suitable for waste management uses, in the Hampshire Waste Management Plan or Minerals Plans, or
- (ii) re-uses/redevelops previously developed land and/or redundant agricultural and forestry buildings (including their curtilages), or
- (iii) is within a planned area of large-scale development, or
- (iv) is on employment land, preferably co-located with complementary activities, and
- (v) has good access to, the minerals and waste lorry route as shown on the Key Diagram,
- (vi) and where possible, the site enables the use of water-borne and rail freight, and
- (vii) 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
- (viii) in the case of sites providing public access, the site shall be accessible for use by disabled people.

NEW FOREST DISTRICT (OUTSIDE THE NATIONAL PARK) CORE STRATEGY, OCTOBER 2009

Policy CS5 Safe and Healthy Communities

Development should not result in pollution or hazards which prejudice the health and safety of communities and their environments, including nature conservation interests and the water environment. Appropriate mitigation measures may be required to enable development. Development in the vicinity of hazardous sites and uses, known to present risks to public health and safety, will be restricted to ensure that there are no unacceptable risks to people or to nature conservation or other environmental interests. When the opportunity arises, particularly through development proposals, remedial measures will be taken to address existing problems of land contamination or air quality. To reduce future threats to public safety, vulnerable development will not be permitted within the defined coastal erosion zone which runs along the cliff tops from the District boundary west of Barton-on-Sea to Milford-on-Sea. Development will be planned, designed and managed to create environments in which people feel safe, reducing the fear of crime and opportunities for anti-social behaviour. Encouragement will be given to incorporation of Secured by Design principles in new development and in the design of public spaces. Particular attention will be given to creating places that:

- (i) are structured so that different uses do not cause conflict;
- (ii) where appropriate, offer well designed security features giving physical protection;
- (iii) are managed and maintained to discourage crime in the present and the future.

Policy CS17 Employment and Economic Development

The strategy is to:

Encourage the redevelopment and intensification of existing employment sites, particularly those sites located within the main towns and those with good access by a variety of transport modes;