

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Regulatory Committee
Date:	13 July 2016
Title:	Application for development of an inert waste transfer and recycling facility including associated site office and vehicle parking at Knowle Industrial Estate, Knowle Lane, Fair Oak Hampshire. (Application No. S/16/78159) (Site ref: EA108)
Reference:	7658
Report From:	Head of Strategic Planning

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1. Executive Summary

1.1. The proposed development is for an inert waste transfer and recycling facility, with a site office and parking for staff and Heavy Commercial Vehicles (HCVs) overnight. It is proposed to process approximately 40,000 tonnes per annum of inert construction, demolition & excavation (CD&E) waste which would be sorted, processed, recycled and recovered. The initial planning application included the location of a cement silo. The applicant has informed the Minerals and Waste Planning Authority that it no longer intends to locate the silo on the site. It has therefore no longer part of the proposal which is being considered. The site is designated as countryside and is located on previously developed land within a small industrial estate.

1.2. The key issues which have been raised are as follows:

- Development in the countryside;
- Highway Safety and associated environmental impacts of traffic;
- Amenity impacts by way of noise /dust/odour from site operations ;
- Landscape impacts;
- Visual impacts;
- Nature Conservation impacts and;
- Need for the development.

1.3. A committee site visit took place on 27 June 2016 in advance of the proposal being considered by the Regulatory Committee.

1.4. The proposed development is not an Environmental Impact Assessment (EIA) development under the [Town & Country Planning \(Environmental Impact Assessment\) Regulations 2011](#).

- 1.5. It is considered that the proposal would be in accordance with the relevant policies of the adopted Hampshire Minerals and Waste Plan (2013) and Eastleigh Borough Local Plan (EBLP) (2006). Whilst technically in the countryside (Policy 5 and Policies 1.CO (Protection of the Countryside) and 17.CO (Established Employment Sites Outside the Urban Edge of EBLP (2006)), the development is on previously developed land (Policy 29). The proposal provides capacity for the recycling and recovery of recycled and secondary aggregate / construction, demolition and excavation wastes (Policies 18, 27 and 30). It provides a sustainable waste management solution with a useable end product that diverts waste from landfill and reduces the reliance on primary aggregates (Policy 25). The proposal is not considered to be visually intrusive due to the neighbouring buildings, natural screening and proposed landscaping (Policies 5, 10 and 13). The proposal will not give rise to significant adverse amenity impacts as the odour, noise and dust levels will be acceptable (Policy 10) and mitigated by taking place within the building and regulated where necessary through Environmental Permitting. The nature of the development would not give rise to an adverse impact on protected species or local ecological designations (Policy 3). The proposal is acceptable in highway impact terms with capacity in the immediate junctions and roads (Policy 12) and good access to the Strategic Road Network. There is no significant flood risk or surface water increase as a result of the proposal (Policy 11). Taking all of this into account, the proposal is considered to constitute a sustainable waste development in line with Policy 1.
- 1.6. It is recommended that planning permission be granted subject to the conditions listed in integral Appendix B.

2. The Site

- 2.1. The proposed development is 0.5 kilometres (km) south east of Fair Oak. The site occupies 0.5 hectares (ha) and is located within Knowle Industrial Estate. The site is regarded as previously developed land. The existing site is comprised of permeable hardstanding and contains a 2-storey office building made of portacabins, sheds and parking spaces. The site is situated on the south eastern part of Knowle Industrial Estate. Until May 2016, a scaffolding operation (allowed under a Certificate of Lawfulness of Existing Use of Development (CLUED) by Eastleigh Borough Council for unrestricted B8 - Open Storage) was located on site. The site is currently utilised for office space within the double storey porta cabins which remain on the site since the cessation of other uses. There are 9 20 tonne tippers / grab lorries associated with the current operation.
- 2.2. Vehicles access and leave the site via the haul road that is shared by the two other industrial units, onto Knowle Lane, off the B3037 (Mortimers Lane). There is a vehicle weight restriction on Knowle Lane just to the south of the site (to the left) which prevents vehicles over 7.5 tonnes entering the road. From Knowle Lane the vehicles can travel east or west for approximately 5

miles on roads of appropriate width and capacity for large vehicles, to access the [Strategic Road Network](#).

- 2.3. The site shares an entrance with a B SkyB (Sky) facility, which is situated to the south of the site. This B SkyB Disaster Recovery Centre comprises of 2 large and 1 smaller buildings and 5 satellite dishes, which are orientated to the south east. This Centre is understood to be rarely used and the operator has been informed of the proposal.
- 2.4. The site also shares an entrance with the industrial unit adjacent to the east, which is also operated by the applicant for this proposal. The adjacent site was previously used as part of the former minerals operations in the area. Recently, the site was granted planning permission for B1 (Business) and B2 (General Industrial) uses through the erection of 2 detached industrial buildings with ancillary offices; comprising of Unit A 743 sq. metres and Unit B 1114 sq. metres and associated parking, associated access road and hard and soft landscaping) ([F/10/66975](#)). The permitted buildings on this site are 9m and 11m in height respectively. This permission included highway restrictions which only allow lorries (vehicles over 7.5 tonnes) to travel north of Knowle Lane but can travel either left or right on Mortimers Lane. The agreed two-way trip rates peaked at 48 in the morning and 47 in the afternoon, giving a daily amount of 455 movements. For clarification, this site lies outside of the planning unit considered as part of this application. There are no highway restrictions or limit to vehicle movements for the proposed site's current uses or the B SkyB (Sky) site which is also within Knowle Industrial Estate.
- 2.5. The former East Horton (Fair Oak) quarry and landfill (HCC Reference: EA083) site is located adjacent to the south of the site. The site has been fully worked and filled. It is currently in the process of being restored to woodland and agricultural land but due to some settlement issues, the gas and leachate pipework has not yet been buried. There is active landfill gas monitoring of the site, leachate collection and a power generation plant and associated sub-station. This ensures that no gases escape into the environment as they are actively contained and monitored. The Environment Agency has issued an Environmental Permit for the site which considers issues such as methane levels. The permit is monitored by the Agency and is separate to the planning permissions granted. Once the restoration is complete with the approved hedge/tree planting the aftercare period will commence. The restoration is expected to be completed in 2017. At present there are usually two operatives going in and out of the site to monitor the landfill.
- 2.6. The proposed site is bounded to the north by arable farmland stretching to Mortimers Lane and to the east and south east by the access road to the former quarry and landfill site. East Horton Golf Club lies immediately to the east of the former landfill site access road.
- 2.7. The site is screened by mature ash and oak trees along the northern and eastern boundary and an established hedgerow along the southern boundary. The site is situated at an elevation of approximately 43 metres (m) AOD. The

natural topography of the land falls slightly from west to east with the site sitting below the level of Knowle Lane. There is a ditch for water drainage along the border to the north.

- 2.8. Approximately 40m east of the site is a Site of Interest of Nature Conservation (SINC) known as Knowle Lane, Fair Oak. This is designated for its marshy grassland and pond habitats which provide potential foraging habitat for birds and bats, and suitable aquatic habitats for invertebrates and common species of amphibians and reptiles. The land between the proposed development and this SINC is subject to a planning condition (under [S/15/76020](#)) and a S106 legal agreement for ecology management under permission [F/10/66975](#) to ensure the site is restored to previous levels, planted with a native hedgerow and woodland to aid the success of the nearby SINC and remove the threat of Japanese Knotweed. Approximately 370m to the south west is Knowlehill Copse, another SINC.
- 2.9. The distance to the nearest residential property (Sandalwood) is 80m to the south-west from the application boundary (red line). The closest group of residential properties are in Bradshaw Close, approximately 100m to the west of the site, and on Mortimers Lane approximately 200m to the north.
- 2.10. A new housing development site is located 130m to the north of the site at 'Land at the Corner of Knowle Lane and Mortimers Lane, Fair Oak'. The site was granted outline planning permission on appeal for 78 dwellings (original application [O/13/72490](#) and associated appeal ref: [APP/W1715/A/14/2219953](#)). A Public Right of Way (PROW) footpath (Fair Oak and Horton Heath footpath 17) is 250m from the site and runs from Mortimers Lane to the north east across the golf course at East Horton Golf Centre towards Alma Lane to the east.
- 2.11. The existing drainage for the site utilises the natural slope of the ground and surface water is channelled into the ditch on the northern side.
- 2.12. The industrial units permitted to the north west of the site have a foul drainage system that collects the waste water via pipes and then treats it within a sewage treatment plant to the south east. This is then discharged into a ditch. There is also an approved surface water drainage scheme for the industrial units. This requires that all surface water is collected into attenuation units before being discharged to the drainage ditch, retaining any pollutants for controlled disposal offsite.

3. Planning History

- 3.1. The application site was issued a Certificate of Lawfulness of Existing Use or Development (CLUED) for unrestricted B8 (Open Storage) (ref: [U/08/64229](#)) by Eastleigh Borough Council on 31 March 2009. Until May 2016, the site was in active use as a scaffolding and civil engineering operation.

4. The Proposal

- 4.1. The proposal is for development of an inert waste transfer and recycling facility including associated site office and vehicle parking.
- 4.2. The planning application as originally submitted included the siting of a cement silo. The applicant has confirmed that they no longer intend to locate the silo on the site. It has therefore been removed from the application and is no longer part of the proposal which is being considered.
- 4.3. The proposed building and storage bays sit central within the site and the development would comprise of:
 - external concreted yard area primarily utilised for waste acceptance, soils screening;
 - proposed building situated at the centre of the site;
 - retention of double storey office;
 - vehicle parking on the northern boundary;
 - weighbridge situated along the western boundary;
 - two storage containers along the western boundary; and
 - 4m high acoustic fence (minimum density of 12kg/m²) to south west.
- 4.4. The proposed plant for use in the waste transfer and recycling facility is not yet finalised. However the applicant has supplied information regarding likely plant selections as follows:
 - Terex Finlay 873 material screen;
 - Terex Finlay J960 crusher;
 - JCB JS130 13t tracked excavator; and
 - Case 621F loading shovel.
- 4.5. It is proposed to process 40,000 tonnes of inert waste from construction, demolition & excavation (CD&E) per annum comprising rubble, concrete and soils. It is proposed that the crusher and screener will operate within the building for approximately 1-2 days a week on a campaign basis as the applicant will wait until there is a large enough amount of waste to make it worthwhile. The crusher and screener will only work one at a time. Both the crusher and screener have water bars on them so as the material moves through the machines a fine water mist is sprayed which damps down any dust.
- 4.6. The various waste streams would be separated, stored and bulked up for onward transportation to specific waste recovery and recycling processors. Once processed, these would be placed into stockpiles in bays on the western side of the site, near the boundary and against the waste building. Some waste streams would be recycled on site allowing them to be distributed directly to sites for their re-use. These waste streams can be treated on site to form products for re-use such as BS 3882 topsoil, type 1, and type 2 fill material.

- 4.7. The proposed waste building would measure 40m x 20m x 11m (height to the eaves) with a ridge height of approximately 12.8m and 2 vents within the roof. It would be of steel frame construction, finished and constructed using steel cladding material in either standard grey or a camouflage green. The roof vents will be screened to prevent dust escaping. The building is orientated with the doors facing the eastern boundary of the site. These doors would be left open during operational hours.
- 4.8. The double storey office building would be retained on site, measures 12.3m x 11.6m x 5m and is dark grey in colour.
- 4.9. A [surface water drainage scheme](#) for the development has been supplied with the application. This shows that all surface water is collected into interceptors and holding tanks before being discharged to the drainage ditch, retaining any pollutants for controlled disposal offsite. There is a kerbed bank and vegetation area between the site and the watercourse (ditch) to the north so any ponding water would be contained on the site prior to it being collected within the storm water system and discharged in a controlled manner, therefore even during intense storms there will be no uncontrolled run-off.
- 4.10. The applicant proposes that the hours of operations would be Monday to Friday 07.30 – 18.00, Saturdays 07.30-13.00, with no working on Sundays, or recognised Public Holidays.
- 4.11. The proposed development includes the creation of a belt of landscape planting approximately 3-4m deep along the northern boundary, adjacent to the ditch. This linear belt of trees and shrubs with grassland understory would include a native tree and shrub mix (comprising 30% trees and 70% shrubs) using transplant size stock planted at approximately 2m spacings. The landscaping scheme is shown in [Drawing No. LA09/CD](#).
- 4.12. The site would process approximately 150 tonnes of inert CD&E waste per day, generating up to 130 vehicle movements. The sizes of the large vehicles are set out in the applicant's supporting information (page 5 of the [Transport Statement](#)) and are summarised as Transit style tippers/3-10 tonne tippers and 20-tonne tippers/grab lorries. Around 30 of the traffic movements are for smaller private transit style tipper trucks and staff. The detailed calculation of the predicted vehicle movements is provided in the Transport Statement and [further highways](#) information provided with the planning application.
- 4.13. The applicant would have direct control of the 10 20-tonne tipper vehicles associated with the site. All company drivers are instructed to drive with due care and attention and in accordance with traffic regulations. The applicant's 20-tonne tippers are fitted with tracking devices which records: i) route taken; ii) speed information; iii) incidences of heavy braking; and iv) incidences of harsh cornering. All the operator's 20-tonne tippers are branded with the company logo and have the phone number of the company displayed on the cab of the vehicle. Therefore if any specific complaints are received regarding the route taken or speed of their 20-tonne tippers, these can be investigated

by management. The tracking data is stored by the applicant and could be viewed by the Waste Planning Authority on request.

- 4.14. The applicant would not have direct control over the transit style tipper and smaller vehicles, as these would belong to third party customers. A large percentage of these will be below the 7.5 tonne weight limit associated with the southern part of Knowle Lane. It is suggested by the applicant that these customers are already familiar with the local road network, being established customers of the existing a neighbouring waste operation. Whilst it is not within the gift of the applicant to control any third party vehicles that utilise the site, if any complaints were received by the applicant these would be acted upon by the management.
- 4.15. As shown on [LAY/01B](#), the proposed development includes vehicle parking provision along the northern boundary with 20 no. daytime staff car parking spaces connected with activities at Knowle Industrial Estate and 10 no. over night car parking spaces for the company's fleet vehicles.
- 4.16. The proposed development is not an Environmental Impact Assessment (EIA) development under the [Town & Country Planning \(Environmental Impact Assessment\) Regulations 2011](#). Screening under the EIA Regulations has been carried out by the Waste Planning Authority. The development is classified as a Schedule 2 development as it falls within Category 11 (b) and does not exceed the size threshold. However, whilst being identified under the Regulations, it is not deemed an EIA development requiring an Environmental Statement as it is not within a sensitive area and is unlikely to give rise to significant environmental impacts.

5. Development Plan

- 5.1. The following plans and associated policies are considered to be relevant to the proposal:

[National Planning Policy Framework \(NPPF\) 2012](#)

- 5.2. The following sections of the NPPF are relevant to this proposal:

- Paragraph 11: Determination in accordance with the development plan unless material considerations indicate otherwise;
- Paragraph 14: Presumption in favour of sustainable development;
- Paragraph 28: Support economic growth in rural areas in order to create jobs and prosperity; and
- Paragraph 118 (Conserving and enhancing the natural environment).

[National Planning Policy Guidance \(NPPG\) \(Live\)](#)

- 5.3. Paragraph 005: How to recognise when noise could be a concern?

[National Planning Policy for Waste \(2014\) \(NPPW\)](#)

5.4. The following paragraphs are relevant to the proposal:

- Paragraph 1 (Delivery of sustainable development and resource efficiency); and
- Paragraph 7 (Determining planning applications).

National Waste Planning Practice Guidance (NWPPG) (Live)

5.5. The following paragraphs are relevant to the proposal:

- Paragraph 007 (Self sufficient and proximity principle);
- Paragraph 0046 (Need); and
- Paragraph 0050: (Planning and regulation).

Hampshire Minerals & Waste Plan (HMWP) 2013

5.6. The following policies are relevant to the proposal:

- Policy 1 (Sustainable minerals and waste development);
- Policy 3 (Protection of habitats and species);
- Policy 5 (Protection of the countryside);
- Policy 10 (Protecting public health, safety and amenity);
- Policy 11 (Flood risk and prevention);
- Policy 12 (Managing traffic);
- Policy 13 (High-quality design of minerals and waste development);
- Policy 17 (Aggregate supply – capacity and source);
- Policy 18 (Recycled and secondary aggregates development);
- Policy 25 (Sustainable waste management);
- Policy 27 (Capacity for waste management development);
- Policy 29 (Locations and sites for waste management); and
- Policy 30 (Construction, demolition and excavation waste development).

Eastleigh Borough Local Plan (EBLP) (2006)

5.7. The following saved policies are relevant to the proposal:

- 1.CO Protection of the Countryside; and
- 17.CO (Established Employment Sites Outside the Urban Edge).

6. Consultations

6.1. **County Councillor Lyon:** Has raised strong concerns over amenity and traffic.

6.2. **Eastleigh Borough Council** have made the following comments:

While the Council's Transportation and Engineering unit has raised no objection in principle to the proposed use, this reflects the intention to re-locate the use on the existing CWM site (corner of Knowle Lane and Mortimers Lane). The re-location of this use, thereby freeing up the existing site for residential development (currently the subject of a planning application

F/16/78074) and relocating the use further away from existing, approved and proposed residential uses can be seen as a positive. There are concerns that granting of planning permission for this change of use without tying this into the cessation of the use on the existing waste transfer site could result in both sites being kept in operation. This does not benefit the wider area and raises concerns regarding in combination noise impacts, vehicle movements and the associated impact on the existing and future residential uses. Careful consideration should be given to appropriate measures to ensure the wider benefits associated with the relocation of the use are secured. It is suggested that a Grampian condition could be used to facilitate this (subject to the existing site being in the ownership of the applicant and included within the red/blue line boundary).

A response from the Council's Environmental Health unit has been provided to you directly. I request that the conditions recommended within their response are imposed, should planning permission be granted.

Eastleigh Borough Council Environmental Health Officer (EHO): Our comments in respect of the above application are as follows:

Noise:

The application is supported by an acoustics report by 24 Acoustics, ref R5768-1 Rev 0 October 2015. The report considers two activity scenarios on site (with and without the crusher and screen operating), and assesses impacts at 4 locations deemed representative of residential dwellings. Impacts are assessed to be at worst '*adverse impact depending on the context*', by context the author advises that:

- the site layout has been optimised to minimise noise impacts at receptors (*however only one layout has been proposed and it is not clear why this is the best layout for noise reduction*),
- it is assumed that the crusher and screen operate within the building and for reduced hours for 1 – 2 days per week, and never at the same time (*however given the quantities of material which could be brought onto to site circa 40k tonnes per week it likely that operations will be at a higher level of intensity than assumed (and currently at the existing site) and for longer than assumed, further the application details advise that screening operations will be carried out in the yard, and that crushing may also be carried out externally to the buildings, it is not stated if doors have been assumed to be closed for the purposes of noise modelling, it is not stated if break out noise from the building has been included.*

The assessment of noise impacts is also based on background noise levels obtained on the application site, and not on background noise levels at the receptor locations which I would expect. The assessment has also assumed a penalty of maximum 6dB under BS4142 for the assessment which assumes that impulsivity of noise would be just perceptible, and on intermittency. Given the nature of activities it would have been more appropriate to consider impulsivity to be clearly perceptible leading to a higher rating. Further the character of the background noise at the nearest dwellings is different in character to the noise being generated from these activities. The assessment also assumes that there

will be a screen protecting the dwellings to the north-west, it is my understating that this is not the case and should not be included. There is a clear discrepancy between the description of which activities will be indoors and outdoors between the application details and the acoustics report which would lead to higher noise levels and greater disturbance. On this basis I do not consider that noise has been sufficiently addressed by the applicant, that a significant impact has been avoided and that noise impacts minimised.

Contaminated Land

The applicant includes a Phase 1 report into land contamination. This proposes additional site investigation works as follows:

Intrusive investigation works should be carried out in order to clarify the geotechnical and geoenvironmental issues pertaining to redevelopment of the site.

- Soil and groundwater (if encountered) sampling and analysis should be undertaken to inform subsequent geotechnical and geo-environmental risk assessment.
- Laboratory analysis, on soil samples recovered from the exploratory holes for a range of geotechnical parameters to support foundation design and the like.
- Laboratory analysis, on shallow soil samples and groundwater samples recovered from the exploratory holes, for an analytical suite to include the potential contaminants identified within the desk study and encountered during any intrusive investigation. The suite should include commonly occurring metals, non-metals, asbestos, TPH, PAH, VOCs and Ammoniacal nitrogen.
- Ground gas monitoring to clarify the gassing regime within the subject site. Subject to regulatory consultation, it may be possible to determine the scope of gas protection/mitigation measures without monitoring.
- Subject to regulatory consultation, leachability tests may also be required on a number of samples recovered from across the site to confirm the mobility of any contaminants identified.

It may be necessary to undertake remediation/risk mitigation measures on this site to break pollutant linkages and thus protect key receptors such as human health, controlled waters, built environment, soft landscaping and the like. The scope of any such measures would depend on the outcome of regulatory consultation and the findings of any further stage of assessment on this site. On this basis the EHO recommend the inclusion of conditions relating to the requirements for a report detailing Preliminary Investigation, a site investigation, and remedial works and measures to be undertaken and monitoring and a condition relating to the requirement for the detailed remediation scheme.

6.3. Fair Oak & Horton Heath Parish: The proposed development is incompatible with approved housing development nearby; is an unsuitable location for HGV movements; associated noise issues; control of HGV movements and the proximity of HGV parking to houses.

6.4. Environment Agency: Has no objection.

6.5. **Highway Authority:** Have no objection subject to conditions for a Construction Traffic Management Plan and a Car Park Management Plan.

6.6. **Lead Local Flood Authority (LLFA):** Has no objection.

6.7. **The County Ecologist:** No objection to this proposal based on the inclusion of specific conditions regarding the outcomes of the submitted Ecological Appraisal and a condition for no flood lighting.

7. Representations

7.1. As of 30 June 2016, a total of 18 representations to the proposal have been received. There was 1 representation in support of the proposal and 17 objected to the proposal. The main areas of concern raised in the objections related to the following areas:

- visual amenity and landscape impact;
- proximity to residential properties;
- noise impacts;
- impact on air quality;
- odour associated with the development;
- pollution and emissions associated with the development;
- surrounding highways/local roads not suitable for additional HCV movements;
- too much lorries traffic using local roads and causes congestion and danger to vulnerable people;
- lorries causing vibrations affecting homes; development not in accordance with Policy 29 of the HMWP;
- lack of public consultation;
- lack of benefits for the local community;
- proposal is not allocated in a Local Plan;
- lack of consideration of other / alternatives sites and locations for the development;
- impact on house prices; and
- there is a lack of comprehensive planning vision for the Fair Oak area.

7.2. The adjacent B Sky B (Sky) were consulted on the proposal by the Waste Planning Authority. The applicant has indicated that they had been in discussions with B Sky B prior to the submission of the planning application. At the time of writing this report, no further comments had been received by the Waste Planning Authority.

7.3. The above issues identified in paragraph 7.1 will be discussed and addressed primarily within the following commentary, except where identified as not being relevant to the decision or included as a factual record for clarification.

7.4. The impact of a development on the value of neighbouring property does not constitute a material planning consideration.

7.5. The frustration that is a lack of comprehensive planning vision for the Fair Oak area is noted by the Waste Planning Authority. However, Eastleigh Borough Council has been consulted throughout this process and have commented on the highways and environmental health issues associated with the proposed development. The Highway Authority has looked at the development of the area as a whole and the relevant planning policies from the Eastleigh Borough Local Plan have been taken into consideration.

8. Commentary

Development Plan/Policy context/Principle of the development

8.1. The proposal is being considered by Hampshire County Council as the Waste Planning Authority. The site is identified as countryside in the [Eastleigh Borough Local Plan \(EBLP\) \(2006\)](#) but is located on previously developed land within a small industrial estate.

8.2. Policy 1 (Sustainable minerals and waste development) of the adopted [Hampshire Minerals & Waste Plan](#) (HMWP) 2013 states that the Hampshire Authorities will take a positive approach to minerals and waste development that reflects the presumption in favour of sustainable development contained in paragraph 14 of the [National Planning Policy Framework \(NPPF\)](#) 2012. This is also supported by Paragraph 11 which states that applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

Development in the countryside

8.3. The site is identified as countryside through saved Policies 1.CO (Protection of the Countryside) and 17.CO (Established Employment Sites Outside the Urban Edge) of the [Eastleigh Borough Local Plan \(EBLP\) \(2006\)](#) as well as Policy 5 (Protection of the countryside) of the [HMWP \(2013\)](#). Policy 5 (Protection of the countryside) allows for development in the countryside where it provides a suitable reuse of previously developed land and Policy 1.CO states that “planning permission will not be granted for development outside the urban edge unless it meets the criteria in the other policies of this Plan”. The site itself is regarded as Previously Developed Land (PDL) as it has built structures, made ground and a history of industrial use and so is in accordance with Policy 5 of the HMWP (2013). The [NPPF](#) (2012) offers support for developments which aid a prosperous rural economy (paragraph 28) and so this is also taken into consideration. The development meets the expectations of Policy 17.CO as the proposal is for a use, and of a design, scale and lay-out which is in keeping with its surroundings and it will be constructed in appropriate materials. It can also be considered that the proposal “would not result in a significant increase in traffic generation associated with the site”, as the existing use on site has the potential for unlimited traffic generation, and the proposal would have an acceptable amount which can be controlled through planning conditions. Therefore, the

site complies with Policies 1.CO and 17.CO of the Eastleigh Borough Local Plan (EBLP) (2006) and so does not accord with the policy on this issue.

Demonstration of need and capacity for waste management/mineral resource

- 8.4. Policy 17 (Aggregate supply – capacity and source) of the [HMWP \(2013\)](#) is also relevant as it seeks to maintain an adequate and steady supply of aggregates up to 2030 for Hampshire and surrounding areas. This will be delivered by different sources of aggregates including, recycled and secondary aggregates. The policy identifies states that supply will be augmented by the safeguarding of existing sites and developing infrastructure capacity so that alternative sources of aggregate can be provided, including 1.0mtpa from recycled and secondary aggregates. As this application would further increase the supply of recycled aggregates (crushed hard core and concrete), it would contribute towards meeting this ambition.
- 8.5. Similarly, Policy 18 (Recycled and secondary aggregates development) of the [HMWP \(2013\)](#) recognises that recycled and secondary aggregates development supports recycled and secondary aggregate production and encourages investment and further infrastructure. The policy gives support to recycled and secondary aggregate production by encouraging investment and further infrastructure to maximise the availability of alternatives to marine-won and local land-won sand and gravel extraction. This is emphasised in paragraphs 6.45 and 6.46 of the [HMWP \(2013\)](#) which highlight the important role that recycled and secondary aggregates play as well as their use to blend with primary aggregates or processed to produce a high quality recycled aggregate. In addition, Policy 30 (Construction, demolition and excavation waste development) support development to maximise the recovery of construction, demolition and excavation waste to produce at least 1mtpa of high quality recycled/secondary aggregates will be supported. The proposal will contribute to providing additional infrastructure to maximise the availability of recycled material, thereby supporting the delivery of Policies 17 and 18 and in line with paragraph 47 of the NWPPG which do not require a demonstration of need for suitable waste development (2015).
- 8.6. The [HMWP \(2013\)](#) sets out it's vision for the plan period and states that it is "Aiming for Hampshire to be 'net self-sufficient' in waste management facilities whereby it can accommodate all the waste that arises, whilst accepting there will be movements into and out of the area to facilities..."(paragraph 2.25). This is echoed and expanded upon by the NWPPG in paragraph 7 as it deals with the questions of self-sufficiency and proximity. It focuses on effective and efficient use of capacity and recognises economies of scale and flexibility as important values.
- 8.7. Policy 25 (Sustainable waste management) sets out the approach for the overarching sustainable waste management policy, setting out the long-term aim of enabling net self-sufficiency in waste movements and diversion of waste from landfill. It sets criteria by which all waste development is expected to meet, relating to the waste hierarchy, reducing waste to landfill, proximity to

markets and maximising co-location opportunities. This is relevant as the proposal meets the requirements of parts a, b, c and d of the policy as it encourages “waste to be managed at the highest achievable level within the waste hierarchy” and would “reduce the amount of residual waste currently sent to landfill”. This is also compliant with the ambition of the NPPW (2014). The Plan also recognises that “a reality of the waste management industry is the movement of certain wastes (particularly waste from businesses and industry) to different locations for management either into or out of Hampshire. The amount of ‘exported’ and ‘imported’ waste can vary each year but it is important to ensure that enough facilities are provided to manage the equivalent amount of waste generated in Hampshire each year and that Hampshire is ‘net self-sufficient’ in terms of waste management capacity. This helps ensure that waste is managed in one of the nearest appropriate waste facilities and uses the most appropriate methods and technologies. It also helps limit the distance waste has to be transported” (paragraph 6.135). The proposed development is also considered to be located near to the sources of waste and/ or markets for its use as a similar existing site serves a radius of approximately 15 miles and its customer base mostly comprises small to medium sized building companies. A few of the larger regional and national house builders have also used the site on occasions when they have had developments in close proximity. The closest business is now within the applicant’s ownership and so will benefit from this established trade. In the Borough of Eastleigh in which the site is located there is a need to construct an average of 650 new homes per year until 2034. Of these approximately 11,000 new homes a total of 5,000 are earmarked for the area of Fair Oak and Bishopstoke. As such, it is reasonable to conclude that demand for an inert waste transfer and recycling operation in this location will only increase over the coming years. The proposal is therefore considered to be in accordance with Policy 25.

- 8.8. Policy 27 (Capacity for waste management development) of the [HMWP \(2013\)](#) indicates that Hampshire will need to manage 2.49mtpa of inert waste arisings up to 2030. However, the Plan does not allocate any sites for inert recycling, Paragraph 6.172 of the Plan states that inert capacity for the provision of high quality recycled and secondary aggregates could be increased with investment. This application would deal with 40,000 tonnes per annum of inert construction and demolition waste and so contributes to meet this capacity provision. In addition, the proposal will reduce the amount of waste sent for landfill as it will recycle inert waste in accordance with this policy. The proposal is considered to be in accordance with Policy 27.
- 8.9. Policy 29 (Locations and sites for waste management) sets out criteria for where the location of waste developments to provide recycling, recovery and/ or treatment of waste will be supported. The proposal meets the criteria of part 1 (ii); being an area “along the strategic road corridor” as it is within a relatively short distance along suitable roads. The development also accords with the policy in part 2, as it meets several areas where “any site in these locations will be considered suitable and supported where it is (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; and (e). is of a scale compatible with the setting. The proposal is therefore considered to be in accordance with Policy 29.

Visual impact and landscape

- 8.10. Policies 10 (Protecting public health, safety and amenity) and 13 (High-quality design of minerals and waste development) of the [HMWP \(2013\)](#) protect residents from significant adverse visual impacts and requires that waste development should not cause an unacceptable adverse visual impact and should maintain and enhance the distinctive character of the landscape. In this case, whilst the site is located within predominately rural landscape, the proposal would be located on previously developed land within an existing industrial land use. The site comprises made ground and existing industrial structures. The proposed building and stockpile features have been assessed against the existing structures and the trees which surround the site. The proposed building would be 11m high. This is approximately 2m higher when compared to the buildings permitted under planning permission 66975 which is located within the same industrial estate to the north east. However, as the site sits within a discreet valley and the land to the south and the north is on a higher level, the permitted and proposed buildings will appear to be the same height when perceived from the north. The large satellite dishes of the B SkyB (Sky) facility are approximately the same height of the buildings and have a strong impact on the local landscape. Whilst built development is not commonplace in the wider landscape, in the immediate vicinity of the site the buildings exert an influence on the local landscape character. Therefore the changes within the site would be consistent with the existing use as a land use and are not significantly greater in mass, height or scale so do not have a significant adverse impact on the local landscape character.
- 8.11. The main element that contributes to the wider landscape is the belt of mature trees along the perimeter. The trees effectively screen and filter views of the existing and proposed developments at the site. This screening would be unaffected by the proposed development. In addition, a scheme of mitigation is proposed to move the hardstanding away from the base of the trees and undertake a scheme of improvement works which will include management of the trees to crown reduce and encourage stronger inner growth. Improvement works will also include planting of a belt of native trees and shrubs along the northern boundary of the site adjacent to the existing mature trees. This would help protect and strengthen the existing tree planting along the northern boundary and provide additional visual screening of the proposed development and associated operations from potential viewpoints to the north.
- 8.12. A [Visual Impact Assessment](#) has been submitted with the planning application, which shows that there are limited clear views of the proposed development as the site is situated within an undulating landscape and on lower lying land and the surrounding land in general rises away from the site to nearby ridgelines or wooded boundaries. In particular, the few residential

properties near to the site in the east and south east are well screened from the site by the intervening woodland, trees and field hedgerows. Similarly, residential properties at Mortimers Farm to the north are screened by the topography and mature trees. It is accepted that views of the site from Sandalwood will be partially screened in the winter.

- 8.13. Future residents of Knowle Lane to the north of the site have also been taken into account. Overall the existing and enhanced screening proposed together with the permitted buildings (under [F/10/66975](#)) will allow glimpsed views of the site, particularly within winter months. Users of the Fair Oak and Horton Heath footpath (17) will also have occasional views of the site. However, overall, the views obtained of the site are minimal and the changes proposed would only be marginally perceived, and so do not constitute a significant loss of visual amenity.
- 8.14. It is considered that due to the existing landscape and the size and scale of the proposed development, the impact of the redeveloped site and its activities on the landscape and visual amenity are limited. The site will still be adequately screened by planting and the overall landscape strategy takes into account distant visual receptors, local visual amenity and so the proposal is acceptable in accordance with Policies 10 (Protecting public health, safety and amenity) and 13 (High-quality design of minerals and waste development).

Ecology

- 8.15. As already detailed in section 2 of this report, there is a Site for Importance of Nature Conservation (SINC) within 40m of the site. Policy 3 (Protection of habitats and species) of the [HMWP \(2013\)](#) sets out a requirement for minerals and waste development to not have a significant adverse effect on, and where possible, should enhance, restore or create designated or important habitats and species. The policy sets out a list of sites, habitats and species which will be protected in accordance with the level of their relative importance. The policy states that development which is likely to have a significant adverse impact upon the identified sites, habitats and species will only be permitted where it is judged that the merits of the development outweigh any likely environmental damage. The policy also sets out a requirement for appropriate mitigation and compensation measures where development would cause harm to biodiversity interests.
- 8.16. An [Ecological Appraisal](#) was prepared by the applicant on the issue of potential impacts on Land at Knowle Lane, Fair Oak SINC and boundary features on the site which have potential to support birds, bats, badgers and reptiles. In addition, the potential impact of the proposal on the designated sites and wildlife has been considered in detail by the County Ecologist and they have no objection subject to conditions. The County Ecologist has requested that any permission granted included conditions relating to the mitigation measures set out in sections 5.20, 5.31, 5.36, 5.42 and 5.43 of the Ecological Appraisal, appropriate drainage systems to prevent contamination

of the water courses and a restriction on outdoor lighting. These recommended conditions have been included in Integral Appendix B.

- 8.17. In light of the information supplied and the responses from consultees, it is concluded that the proposal will not harm any protected species or designated areas of ecological value and so is in accordance with Policy 3 (Protection of habitats and species) of the HMWP (2013) and Paragraph 118 (Conserving and enhancing the natural environment) of the NFFP (2012).

Impact on amenity and health

- 8.18. As detailed in the representations section, there have been strong concerns raised over the potential for adverse impacts to local amenity and health. These issues are interlinked but have been split into subcategories for the purpose of clarity in this report. Policy 10 (Protecting public health, safety and amenity) of the [HMWP \(2013\)](#) requires that any development should not cause adverse public health and safety impacts, and unacceptable adverse amenity impacts. Also, a proposal should not cause an unacceptable cumulative impact arising from the interactions between waste developments and other forms of development.

Light pollution

- 8.19. Policy 10 (Protecting public health, safety and amenity) states that a proposal should cause impacts from unacceptable lighting. The impact of any additional external lighting associated has also been identified as an area of concern by the County Ecologist, due to the potential for ecological implications. However, there is no outdoor lighting associated with the proposal and so the impact is considered to be acceptable and in accordance with Policy 10. A condition has been requested to control this element of the development, and should be applied if planning permission be granted. This is included in Integral Appendix B.

Noise

- 8.20. Policy 10 (Protecting public health, safety and amenity) states that a proposal should not cause unacceptable noise. Noise has also been raised as an area of concern in objection letters and the Eastleigh Borough Council Environmental Health Officer (EHO) having reviewed the proposal and the application documents has also raised some technical issues. However, the [BS4142 assessment](#) supplied with the planning application (the current British Standard 4142: 2014) has shown that the development will not materially affect the majority of the nearest noise sensitive receptors during the day, as the predicted maximum noise levels will be 43 LAeq, 1hr and the background is 44 LA90, 15min. Penalties have been added for acoustic characteristics which make the noise more noticeable, and these have also been applied. In the case of the nearest neighbour (Sandalwood) to the south west, this presents as a rating level of 49. The guidance provided in BS 4142 is such that an increase in noise +5 dB above background noise levels would be 'of marginal significance' and a difference of around +10 dB as indicating 'that

complaints are likely'. Therefore, taking into consideration the typical background noise level of 44 dB LAeq,1h an increase of 5 dB at nearest house would result in a noise level of 'marginal significance' and is recognised by [lowest observed adverse effect level](#) as defined by paragraph 005 of the [National Planning Policy Guidance \(NPPG\)](#). This accepts that the noise can slightly affect the acoustic character of an area but not to the extent there is a perceived change in quality of life. If the noise exposure is at this level no specific measures are required to manage the acoustic environment.

- 8.21. The working hours have been raised as a particular concern in representations from the local residents as beginning too early. The applicant has suggested that these would accord with the existing uses within the industrial area of Knowle Lane. The start time of 07.30 is not considered to be unreasonable for weekdays. However, it is suggested that the working day should begin on 08.00 on a Saturday to protect the amenity of the nearest residents. This is reflected in the condition outlined in Integral Appendix B.
- 8.22. In response to comments raised by the EHO, the applicant has supplied further information to clarify the working methods and the compliance of the assessment with the BS4142 standards. The Waste Planning Authority is satisfied that these answer the queries posed by the EHO. However, it is recommended that any permission includes conditions related to noise to protect amenity. These are outlined in Integral Appendix B and include: no concurrent working of the screener and crusher, working to be within the building, acoustic barrier fencing and control of noise bleepers. The imposition of such conditions will restrict the noise levels associated with the site to an acceptable level.
- 8.23. In summary the [noise assessment](#) concluded that the site is suitable for the intended development as noise is not expected to be a significant issue as the noisiest activities would be contained within the building. The level of noise impact at the majority of the nearest and proposed residential properties will have a low noise impact and with mitigation the noise levels at Sandalwood would be acceptable. The proposal is therefore considered to be in accordance with Policy 10.

Air quality

- 8.24. Policy 10 (Protecting public health, safety and amenity) states that waste development should not release emissions to the atmosphere. In relation to air quality, the following have been considered:
- Impacts of operational and construction generated traffic on a number of local sensitive receptors;
 - Changes in Air Quality as a result of the development and it's impacts on a number of local sensitive receptors;
 - Dust impacts for both construction and operational phases;
 - Odour assessment of the operational phase; and
 - The cumulative Air Quality impact from all local industrial sources.

- 8.25. The concerns raised by members of the public regarding potential impacts on residential amenity and health as a result of emissions are acknowledged. However, the only source of emissions which will be associated with the development will relate to vehicle and plant exhausts, both of which are not of a large scale. Vehicles would be passing by the residents for a brief period of time, so the exposure is not significant. Emissions from the plant and operation will mainly be contained within the building and there are not a large number of houses immediately adjacent to the site to be affected. This has not been identified as an issue by the EHO or the County ecologist and so there are no adverse impacts on the local wildlife designations.
- 8.26. As stated above, Eastleigh Borough Council's EHO has been consulted and has no objection to the proposal on air quality grounds. Emissions to air, noise and odour would be regulated by the Environment Agency through a Waste Permit. Therefore, the proposal is considered to be in accordance with Policy 10.

Dust

- 8.27. Policy 10 (Protecting public health, safety and amenity) states that waste developments should not cause unacceptable dust. Active dust suppression and management is standard within the screening and crushing plant. In addition, management activities such as damping down with a water sprayer during dry periods, and a periodic cleaning of trafficked surfaces with a road sweeper would be employed to reduce the risk of any fugitive dust emissions from the site. These measures will help to mitigate any potential impacts in relation to dust. An Environmental Management Plan is also recommended in a condition to ensure that dust does not reach beyond the site in unacceptable levels. Therefore, the proposal is considered to be in accordance with Policy 10.

Odour

- 8.28. Policy 10 (Protecting public health, safety and amenity) states that waste developments should not cause unacceptable odour. In respect of odour, the Environmental Permit will require that all emissions are free from odour and dust at the site boundary, as perceived by the regulator. As such, Environmental Permit compliance will ensure residential amenity in this respect. In any regard, the inert nature of the waste material means that there is little chance of odour being generated by the development, there is limited exposure of product to the atmosphere and a reasonable distance of sensitive properties from the site. The EHO has not raised odour as an issue. It is therefore not considered to be necessary to include additional conditions on amenity. The proposal is considered to be in accordance with Policy 10.

Vibration

- 8.29. Policy 10 (Protecting public health, safety and amenity) states that waste developments should not cause unacceptable vibration. Representations mention vibrations from lorries shaking their houses along the roads near the

site. As mentioned above, the number of movements would be within the region of 100 a day, of vehicles of varying size. Whilst the Waste Planning Authority has sympathy for the resident's concerns, the number of lorries is not significant on these roads when taken against the current flows and the EHO has not raised this as an issue. The proposal is therefore considered to be in accordance with Policy 10.

Potential pollution associated with the development

- 8.30. Policy 10 states that waste developments should not release emissions to the atmosphere, land or water. Due to the information provided by the applicant (in the form of a [Contaminated Land Assessment](#)) and the site's surrounding land use history, the EHO has recommended conditions on ground investigation to address any potential risks of ground contamination. These conditions have been listed in Integral Appendix B and should be applied if planning permission is granted.
- 8.31. As the Environment Agency has not objected, the proposed facility is considered to be acceptable in terms of planning in relation to potential pollution, these issues would be considered through Environmental Permitting which is undertaken by the Environment Agency.
- 8.32. Paragraph 050 of the [National Planning Practice Guidance](#) states that Planning Authorities should assume that other regulatory regimes will operate effectively rather than seek to control any processes, health and safety issues or emissions themselves where these are subject to approval under other regimes Planning and permitting are two separate systems. Whilst the Environment Agency play a role in both, the need for an environmental permit is separate to the need for planning permission. The granting of planning permission does not necessarily lead to the granting of an environmental permit.
- 8.33. Planning and permitting decisions are separate but closely linked. Planning permission determines if a development is an acceptable use of the land. Permitting determines if an operation can be managed on an ongoing basis to prevent or minimise pollution.
- 8.34. The scope of an environmental permit is defined by the activities set out in the [Environmental Permitting Regulations \(EPR\)](#). The permitted activities may form a part of, but not all, of the development needing planning permission. In these cases, the planning application will need to address environmental considerations from those parts of the development that are not covered by the permit.
- 8.35. The process of applying for and obtaining a permit is relatively straight forward. The operator must complete a series of application forms that cover such issues as site maps, risk assessments and proposed operations. The Environment Agency will publish the decision on its public register.

- 8.36. The Environment Agency will publish online a notice of the application and instructions for how other people can see and comment on it. Members of the public and anyone interested in the application have 20 working days to comment. The Environment Agency may also consult other public bodies, e.g. local authorities, Public Health England, water companies, and Natural England. The Environment Agency's public participation statement explains how and why it will consult on permit applications.
- 8.37. The application to the regulator will, as relevant, include an assessment of the environmental risk of the proposals including the risk under both normal and abnormal operating conditions. The regulator will satisfy itself that the operator's assessment of the risk is sufficiently robust. In particular, any assumptions that the operator has made about its proposals must be clearly justified. The regulator will assess the application and the adequacy of the impact assessment including whether the control measures proposed by the operator are appropriate for mitigating the risks and their potential impact.
- 8.38. Specifically the regulator will be looking at how the proposed operation intends to deal with reception, storage and treatment of waste on site. This includes emissions from the proposed operation.
- 8.39. Should a permit be granted for this operation, the permit will be monitored and enforced in the same manner as any other regulated site. A number of mechanisms are put in place to monitor to ensure compliance such as audits, site visits, data analysis and compliance checks are carried out by the regulator.
- 8.40. In respect of the planning application, the Environment Agency has no objection to the proposal. Their response advises that the applicant guidance on an Environmental Permit.
- 8.41. Taking into account the above, the proposed mitigation measures and the associated environmental permitting regime, it is concluded that the proposal is in accordance with Policy 10.

Flooding

- 8.42. Policy 11 (Flood risk and prevention) relates to minerals and waste development in flood risk areas and sets criteria which developments should be consistent with relating to flood risk offsite, flood protection, flood resilience and resistance measures, design of drainage, net surface water run-off and Sustainable Drainage Systems. According to the EA Flood Map for Planning (Rivers and Sea) the site is located in [Flood Zone 1](#). This is categorised as a low probability of flooding (Land having a less than 1 in 1,000 annual probability of river or sea flooding). A Flood Risk Assessment (FRA) is required when a development is over 1ha. As the site is less than 1 ha in size, a FRA was not required as part of the planning application.
- 8.43. The applicant has supplied a [drainage assessment](#) for the surface water drainage management within the site, paying particular regard to the ditch

and impermeable surfacing, including the new building. The drainage scheme is acceptable to the Lead Local Flood Agency and so complies with Policy 11.

Highways impact

- 8.44. There have been concerns raised by a large number of the public as well as statutory representatives regarding the increase of traffic as proposed by the development. Policy 12 (Managing traffic) requires minerals and waste development to 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. It also requires highway improvements to mitigate any significant adverse effects on highway safety, pedestrian safety, highway capacity and environment and amenity. In addition, Policy 10 (Protection of public health, safety and amenity) states that waste development should not cause an unacceptable cumulative impact arising from the interactions between developments and other mineral, waste and other forms of development. It also states that potential cumulative impacts of minerals and waste development and the way they relate to existing developments must be addressed to an acceptable standard.
- 8.45. The issue of highway improvements to mitigate any significant adverse effects on highway safety, pedestrian safety, highway capacity and environment and amenity has been considered at length by the Highways Authority and the applicant has supplied further information to respond to all these queries. These comments can be seen in the application documents available [online](#). The [Transport Statement](#) (presented in Appendix F of the planning statement) concludes that 'there would be no impact on the local highway network from the proposed redevelopment of the proposal site'.
- 8.46. Whilst the proposal is expected to generate up to 130 vehicle movements (including 100 vehicle movements over 3.5 tonne un-laden), the previous use of the scaffolding and civil engineering operations generated at least 34 trips per day and there were no restrictions as part of the permitted land use. This means that the development would increase the number of known traffic movements at the site on average by 100 movements a day. The application has been considered by the WPA on this site specific basis to assess the cumulative traffic impact in the local area. As whilst it is the intention of the applicant to remove a similar operation on Mortimer Lane and place it on this site, it is possible that this application could be permitted and the operation commences, while the (CWM) operation on Mortimer Lane continues its operation as a transfer facility.
- 8.47. Also in relation to cumulative impacts, a review of the trips associated with this site and the waste site on Mortimer Lane (CWM operation) has been undertaken. B Sky B (Sky) and Deer Industrial Park will have been included in trip count data associated with this application as they are operational. For a robust assessment the consultant has assumed an 8 hour working day (0730 to 1800 Monday to Friday and 0730 to 1300 Saturdays, with no deliveries on Sundays or recognised Bank holidays). The 100 additional trips linked to this site will be spread throughout the day. It has therefore been calculated that

there will be an increase of 13 trips per hour, or one trip every 5 minutes. This is not considered a significant impact to the local road network and it will have a minimal impact on the capacity of Knowle Lane and Mortimer Lane. Whilst the objections received are noted, it is the opinion of the Highways Authority that the additional movements are well within normal daily fluctuations of traffic volumes and do not represent a material impact, and so are acceptable.

- 8.48. The applicant has provided accident data covering the period of 1st January 2011 to 31st December 2015; this is an acceptable study period. During that time, 12 accidents occurred. Five of which were serious and seven were slight injuries. One of these accidents occurred outside of the application site entrance, this was caused by a car reversing out of the access road onto Knowle Lane causing a cyclist to brake heavily and lose control of their bike, this accident can be put down to driver error. 4 accidents occurred at or adjacent to the Mortimer's Lane/Winchester Road junction, however they can be attributed to poor weather, driver error and mechanical failure. Of the 12 accidents within the study data, there is no pattern of accident which would require mitigation, it is therefore agreed there is no discernible trend that is likely to be exacerbated by the development traffic.
- 8.49. It is acknowledged that the new residential development has been permitted in the surrounding areas and this is a source of concern for current residents as they fear that this will add to the pressure on local roads with the increase of small vehicles coming into conflict with service vehicles and large vehicles. However, the Highways Authority has considered the developments and potential cumulative impacts when responding to this proposal and raises no objections on these grounds.
- 8.50. The possibility of a lorry routing or S106 legal agreement has been considered by the Highways Authority and the Waste Planning Authority. However, the planning process cannot directly control vehicles on the public highway by way of planning condition. Large vehicles are legally allowed to use surrounding roads, bar the southern end of Knowle Lane, and the planning permission cannot impose conditions limiting the use of the public highway. Conditions cannot be imposed which directly seek to manage traffic movements on the public highway. Therefore, a lorry routing under planning condition is not the most effective method of control.
- 8.51. The Highways Authority has no objection to the proposal based on the projected traffic figures and the site has adequate parking within the operational area and the private haul road to prevent congestion on the highway. The applicant is in control of the largest vehicles which form half of the movements and there is a highways restriction in place on Knowle Lane. Whilst the other industrial use permitted adjacent to the site is subject to a highway agreement, in these particular circumstances a S106 agreement is not considered to be appropriate.
- 8.52. The planning process can impose conditions to indirectly manage traffic associated with the development proposals such as limiting the total

throughput of material, number of vehicles, and the times at which vehicles may enter and leave the site. Such conditions are aimed at indirectly managing traffic levels on the local road network. In addition, a Car Park Management Plan is recommended to be secured through a condition to manage the site satisfactorily. Similarly, a condition is proposed to protect the amenity and safety of the users of the Highway during the period of construction. All these conditions are outlined in Integral Appendix B.

- 8.53. To ensure that the development remains true to the scale and expected intensity, a condition to limit the tonnage of waste received at the site is recommended. This is for a maximum throughput of 40,000 tonnes per year. It is hoped that this condition will give reassurance to residents that the site operations will not be expanding beyond that which is approved.
- 8.54. If the waste operation is closed on Mortimer Lane and placed on this site as suggested by the applicant in their [Planning Statement](#), then the proposals do not result in additional trips on the local network, save for a length of Knowle Lane which already accommodates goods vehicles. Should the worse case scenario of both waste sites operating at the same time transpire, it is still considered that the proposals will not have a significant impact on the local road network. Therefore, it is considered that the impact of the proposal on the highway capacity, road safety and amenity of local residents and users of the locality is acceptable. Taking the above into account the development is considered to be in accordance with policies 10 (Protecting public health, safety and amenity) and 12 (Managing traffic) of the adopted HMWP (2013).

Summary

- 8.55. It is considered that the proposal would be in accordance with the relevant policies of the adopted Hampshire Minerals and Waste Plan (2013) and Eastleigh Borough Local Plan (EBLP) (2006). Whilst technically in the countryside (Policy 5 and Policies 1.CO (Protection of the Countryside) and 17.CO (Established Employment Sites Outside the Urban Edge of EBLP (2006))), the development sits within previously developed land (Policy 29). The proposal provides capacity for the recycling and recovery of recycled and secondary aggregate/construction, demolition and excavation wastes (Policies 18, 27 and 30). It provides a sustainable waste management solution with a useable end product that diverts waste from landfill and reduces the reliance on primary aggregates (Policy 25). The proposal is not considered to be visually intrusive due to the neighbouring buildings, natural screening and proposed landscaping (Policies 5, 10 and 13). The proposal will not give rise to significant adverse amenity impacts as the odour, noise and dust levels will be acceptable (Policy 10) and mitigated by taking place within the building and regulated where necessary through Environmental Permitting. The nature of the development would not give rise to an adverse impact on the protected species or local ecological designations (Policy 3). The proposal is acceptable in highway terms of the capacity of the immediate junctions and roads (Policy 12) with access to the Strategic Road Network. There is no significant flood risk or surface water increase as a result of the proposal (Policy 11). Taking all of this into account, the proposal is

considered to constitute a sustainable waste development in line with Policy 1.

9. Recommendation

9.1. That planning permission be GRANTED subject to the conditions listed in integral Appendix B.

Appendices:

Integral Appendix A – Corporate or Legal Information

Integral Appendix B – Conditions

Integral Appendix C – Annexes to Reasons for Conditions

Appendix D - Location Plan

Appendix E – Layout Plan

Other documents relating to this application:

<http://www3.hants.gov.uk/mineralsandwaste/application-details.htm?id=17123>

CORPORATE OR LEGAL INFORMATION:**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):	
OR	
This proposal does not link to the Corporate Strategy but, nevertheless, requires a decision because:	
The proposal does not link to the Corporate Strategy but, nevertheless, requires a decision because the proposal is an application for planning permission and requires determination by the County Council in its statutory role as the minerals and waste planning authority.	

Other Significant Links**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

Planning application S/16/78159
Site EA108

Hampshire County Council

Knowle Industrial Estate Knowle Lane Fair
Oak Hampshire SO50 7DZ
Development of an inert waste transfer
and recycling facility including associated
site office and vehicle parking

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.

Tonnage

2. There shall be no more than 40,000 tonnes per year of inert waste delivered to the site. A record of all tonnage entering and exiting the site associated with the permission hereby granted shall be kept onsite and shall be made available to the Waste Planning Authority for inspection upon request.

Reason: In the interest of the amenity in accordance with Policies 10 (Protecting public health, safety and amenity) and 12 (Managing traffic) of the Hampshire Minerals & Waste Plan (2013).

Hours of Working

3. No vehicles shall enter or leave the site and no plant or machinery shall be operated except between the following hours: 0730-1800 Monday to Friday and 0800-1300 Saturday. There shall be no working on Sundays or recognised Public Holidays.

Reason: In the interests of local amenity in accordance with Policies 10 (Protecting public health, safety and amenity) and 12 (Managing traffic) of the Hampshire Minerals & Waste Plan (2013).

Materials

4. Prior to the commencement of development, samples and/or details of the materials and finishes to be used for the external walls and roofs of the proposed buildings and fencing shall be submitted to and approved by the Waste Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: In the interests of visual amenity and to secure a high quality development in accordance with Policies 10 (Protecting public health, safety and amenity) and 13 (High-quality design of minerals and waste development) of the Hampshire Minerals & Waste Plan (2013).

5. Prior to commencement of the development, samples and/or details of the materials and finishes and construction method to be used for the walls of the proposed stockpile bays (as shown on LAY/01 Rev C) shall

be submitted to and approved by the Waste Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To prevent pollution of the water environment and protect local amenity in accordance with Policies 3 (Protection of Habitats and Species), 10 (Protecting public health, safety and amenity) and 13 (High-quality design of minerals and waste development) of the Hampshire Minerals & Waste Plan (2013).

Environmental Management

6. 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 in accordance with Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013).

7. All stockpiles of waste material shall be no more than 3 metres in height.

Reason: To prevent pollution of the water environment and protect local amenity in accordance with Policies 3 (Protection of Habitats and Species), 10 (Protecting public health, safety and amenity) and 13 (High-quality design of minerals and waste development) of the Hampshire Minerals & Waste Plan (2013).

8. Prior to the commencement of development, an Environmental Management Scheme for the control of noise, dust and odour at the site shall be submitted to the Waste Planning Authority for approval in writing. The Scheme shall be implemented as approved for the duration of the site's operation.

Reason: In the interests of local amenity in accordance with Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013).

9. Prior to the commencement of development, details of the materials, finishes and location of the proposed acoustic fence (with a minimum surface density of 12 kg/m²) at the south west boundary, as shown on Figure 2, Rev A of the Noise Assessment, shall be submitted to and approved by the Waste Planning Authority. The acoustic fence shall be implemented in accordance with the approved details prior to development commencing.

Reason: To ensure that the acoustic fence can be accommodated and prevent noise disturbance to the residents of the nearest houses in accordance with Policies 10 (Protecting public health, safety and amenity) and 13 (High-quality design of minerals and waste development) of the Hampshire Minerals & Waste Plan (2013).

10. Only vehicles, plant and machinery maintained in accordance with the manufacturers' specifications and fitted with effective silencers shall be permitted to operate within the site.

Reason: To minimise noise disturbance from operations at the site in accordance with Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013).

11. There shall be no concurrent working of the screener and crusher.

Reason: To prevent noise disturbance to the residents of the nearest houses in accordance with Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013).

12. All processing (working of the screener and crusher) shall take place within the approved building, as detailed on drawing LAY/01 rev C.

Reason: To prevent noise disturbance to the residents of the nearest houses in accordance with Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013).

13. No work shall commence on site until the following has been submitted to, and approved in writing by the Waste Planning Authority (WPA):
- a) A Report of Preliminary Investigation comprising a Desk Study, Conceptual Site Model, and Preliminary Risk Assessment documenting previous and existing land uses of the site and adjacent land in accordance with national guidance and as set out in Contaminated Land Report Nos. 11, CLR11, and BS 10175:2011+A1:2013 Investigation of potentially contaminated sites - Code of Practice,
 - b) A Report of a site investigation documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the Preliminary Investigation and in accordance with BS 10175:2011+A1:2013, and BS 8576:2013;
 - c) A detailed site specific scheme for remedial works and measures to be undertaken to avoid the risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such a scheme shall include nomination of a competent person to oversee the implementation of the works.

Reason: To prevent pollution in accordance with Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013).

14. The development hereby permitted shall not be occupied / brought into use until there has been submitted to the Waste Planning Authority verification by the competent person approved under the provisions of condition 13(c) that any remediation scheme required and approved under the provisions of condition 13(c) has been implemented fully in accordance with the approved details (unless varied with the written permission of the WPA in advance of implementation).

Such verification shall comply with the guidance contained in CLR11 and EA Guidance for the Safe Development of Housing on Land Affected by Contamination - R&D Publication 66: 2008. The report should comprise:

- a) A description of the site and its background, and summary of relevant site information;
- b) A description of the remediation objectives and remedial works carried out;
- c) Verification data, including - data (sample locations/analytical results, as built drawings of the implemented scheme, photographs of the remediation works in progress, etc; and
- d) Certificates demonstrating that imported and / or material left in situ is free from contamination, gas / vapour membranes have been installed correctly.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition 13(c).

Reason: To prevent pollution in accordance with Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013).

Lighting

15. There shall be no external lighting.

Reason: In the interests of visual highway safety in accordance with Policies 3 (Protection of habitats and species) 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013).

Nature Conservation

16. The approved drainage layout (drawing 320961/100P) and details (drawing 320961-101) shall be constructed prior to development commencing and retained for the duration of the development.

Reason: In order to ensure no changes to the quality or quantity of water entering the nearby SINC in accordance with Policies 3 (Protection of habitats and species), 10 (Protection of public health, safety and amenity) and 11 (Flood risk and prevention) of the Hampshire Minerals & Waste Plan (2013).

17. Mitigation measures as set out in sections 5.20, 5.31, 5.36, 5.42 and 5.43 of the Ecological Appraisal (dated October 2015, Report Reference EDP926_07b) shall be implemented as approved and retained for the duration of the development.

Reason: In order to ensure no changes to the quality or quantity of water entering the nearby SINC in accordance with Policies 3 (Protection of habitats and species), 10 (Protection of public health, safety and

amenity) and 11 (Flood risk and prevention) of the Hampshire Minerals & Waste Plan (2013).

Landscape

18. Within 12 months of development commencing the landscaping shall be implemented in accordance with the approved scheme illustrated on drawing LA09 D (dated July 2015). Any trees or shrubs which, within a period of five years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The scheme shall be implemented as approved.

Reason: In the interests of visual amenity in accordance with Policies 10 (Protecting public health, safety and amenity) and 13 (High-quality design of minerals and waste development) of the Hampshire Minerals & Waste Plan (2013).

Highways

19. For the duration of the development hereby permitted all HCVs (over 3.5 tonne un-laden) shall turn left into the site, and turn right out of the site onto Knowle Lane.

Reason: In the interests of highway safety in accordance with Policy 12 (Managing traffic) of the Hampshire Minerals & Waste Plan (2013).

20. HCV (over 3.5 tonne un-laden) movements to and from the site shall be restricted to 100 per day (50 in and 50 out). A daily record of all vehicles entering and leaving the site, including CCTV footage, shall be kept at the site for a period of one month and made available to the Waste Planning Authority on request.

Reason: To limit the volumes of traffic in the interests of the amenity of residents on and near the approaches to the site in accordance with Policy 12 (Managing traffic) of the Hampshire Minerals & Waste Plan (2013).

21. For the duration of the development measures shall be taken to clean vehicles leaving the site to prevent mud and spoil from being deposited on the public highway. No vehicle shall leave the site unless it has been cleaned sufficiently to prevent mud and spoil being carried on to the public highway. In the event that mud and spoil from vehicles leaving the site are deposited on the public highway, measures shall be taken to clean the highway. In any event at the end of each working day the highway shall be cleaned to the satisfaction of the Waste Planning Authority.

Reason: In the interests of highway safety in accordance with Policy 12 (Managing traffic) of the Hampshire Minerals & Waste Plan (2013).

22. No development hereby permitted shall commence until a Construction Traffic Management Plan, to include details of provision to be made on site for contractor's parking, construction traffic access, the turning of delivery vehicles and lorry routing as well as provisions for removing mud from vehicles and a programme of works has been submitted to and approved in writing by the Waste Planning Authority. The approved details shall be implemented before the development hereby permitted is commenced and retained throughout the duration of construction.

Reason: In the interests of highway safety in accordance with Policy 12 (Managing traffic) of the Hampshire Minerals & Waste Plan (2013).

23. No development hereby permitted shall commence until a Car Park Management Plan, to include details of provision to be made on site for staff and Heavy Commercial Vehicle parking has been submitted to and approved in writing by the Waste Planning Authority and shall be retained throughout the duration of the development.

Reason: In the interests of highway safety in accordance with Policy 12 (Managing traffic) of the Hampshire Minerals & Waste Plan (2013).

Plans and particulars

24. The development hereby permitted shall be carried out in accordance with the follow approved plans: **PLA/01 Rev A, LAY/01 Rev C, ELE/01, ELE/02, P.063/2 Rev A, P.063/3, LA09 Rev D, 320961-100P, 320961-101, Figure 2, Rev A (of Noise Assessment), Ecological Appraisal (dated October 2015, Report Reference EDP926_07b).**

Reason: For the avoidance of doubt and in the interests of proper planning.

Note to Applicants

1. This decision does not purport or convey any approval or consent which may be required under the Building Regulations or any other Acts, including Byelaws, orders or Regulations made under such acts
2. For the purposes of matters relating to this decision Heavy Commercial Vehicles (HCVs) are defined as vehicles over 3.5 tonne un-laden).

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

National Planning Policy Framework (NPPF) 2012

Paragraph 11 - Determination in accordance with the development plan unless material considerations indicate otherwise

11. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

Paragraph 14 – Presumption in favour of sustainable development

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

For plan-making this means that:

- local planning authorities should positively seek opportunities to meet the development needs of their area;
- Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.

For decision-taking this means:

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

Paragraph 28 - Support economic growth in rural areas in order to create jobs and prosperity

28. Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

- support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;
- promote the development and diversification of agricultural and other land-based rural businesses;

Paragraph 118 – Conserving and enhancing the natural environment

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

- if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- proposed development on land within or outside a Site of Special Scientific Interest likely to have an adverse effect on a Site of Special Scientific Interest (either individually or in combination with other developments) should not normally be permitted. Where an adverse effect on the site's notified special interest features is likely, an exception should only be made where the benefits of the development, at this site, clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of Sites of Special Scientific Interest;
- development proposals where the primary objective is to conserve or enhance biodiversity should be permitted;
- opportunities to incorporate biodiversity in and around developments should be encouraged;
- planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss; and
- the following wildlife sites should be given the same protection as European sites:
 - potential Special Protection Areas and possible Special Areas of Conservation;
 - listed or proposed Ramsar sites;²⁶ and
 - sites identified, or required, as compensatory measures for adverse effects on European sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.

In preparing Local Plans, local planning authorities should:

- identify and include policies for extraction of mineral resource of local and national importance in their area, but should not identify new sites or extensions to existing sites for peat extraction;
- so far as practicable, take account of the contribution that substitute or secondary and recycled materials and minerals waste would make to the

supply of materials, before considering extraction of primary materials, whilst aiming to source minerals supplies indigenously;

- define Minerals Safeguarding Areas and adopt appropriate policies in order that known locations of specific minerals resources of local and national importance are not needlessly sterilised by non-mineral development, whilst not creating a presumption that resources defined will be worked; and define Minerals Consultation Areas based on these Minerals Safeguarding Areas;
- safeguard:
 - existing, planned and potential rail heads, rail links to quarries, wharfage and associated storage, handling and processing facilities for the bulk transport by rail, sea or inland waterways of minerals, including recycled, secondary and marine-dredged materials; and
 - existing, planned and potential sites for concrete batching, the manufacture of coated materials, other concrete products and the handling, processing and distribution of substitute, recycled and secondary aggregate material.

At the lowest extreme, when noise is not noticeable, there is by definition no effect. As the noise exposure increases, it will cross the no observed effect level as it becomes noticeable. However, the noise has no adverse effect so long as the exposure is such that it does not cause any change in behaviour or attitude. The noise can slightly affect the acoustic character of an area but not to the extent there is a perceived change in quality of life. If the noise exposure is at this level no specific measures are required to manage the acoustic environment.

[National Planning Policy Guidance \(NPPG\) \(Live\)](#)

Paragraph 005: How to recognise when noise could be a concern?

As the exposure increases further, it crosses the lowest observed adverse effect level boundary above which the noise starts to cause small changes in behaviour and attitude, for example, having to turn up the volume on the television or needing to speak more loudly to be heard. The noise therefore starts to have an adverse effect and consideration needs to be given to mitigating and minimising those effects (taking account of the

economic and social benefits being derived from the activity causing the noise).

National Planning Policy for Waste (2014) (NPPW)

1. The Waste Management Plan for England¹ sets out the Government's ambition to work towards a more sustainable and efficient approach to resource use and management. Positive planning plays a pivotal role in delivering this country's waste ambitions through:

- delivery of sustainable development and resource efficiency, including provision of modern infrastructure, local employment opportunities and wider climate change benefits, by driving waste management up the waste hierarchy (see Appendix A);
- ensuring that waste management is considered alongside other spatial planning concerns, such as housing and transport, recognising the positive contribution that waste management can make to the development of sustainable communities;
- providing a framework in which communities and businesses are engaged with and take more responsibility for their own waste, including by enabling waste to be disposed of or, in the case of mixed municipal waste from households, recovered, in line with the proximity principle²;
- helping to secure the re-use, recovery or disposal of waste without endangering human health and without harming the environment; and
- ensuring the design and layout of new residential and commercial development and other infrastructure (such as safe and reliable transport links) complements sustainable waste management, including the provision of appropriate storage and segregation facilities to facilitate high quality collections of waste.

National Waste Planning Practice Guidance (NWPPG)

Paragraph 7

Do the self-sufficiency and proximity principles require each waste planning authority to manage all of its own waste?

Though this should be the aim, there is no expectation that each local planning authority should deal solely with its own waste to meet the requirements of the self-sufficiency and proximity principles. Nor does the proximity principle require using the absolute closest facility to the exclusion of all other considerations. There are clearly some wastes which are produced in small quantities for which it would be uneconomic to have a facility in each local authority. Furthermore, there could also be significant economies of scale for local authorities working together to assist with the development of a network of waste management facilities to enable waste to be handled effectively.

The ability to source waste from a range of locations/organisations helps ensure existing capacity is used effectively and efficiently, and importantly helps maintain local flexibility to increase recycling without resulting in local overcapacity.

Paragraph 47

Should existing waste facilities be expanded/extended?

The waste planning authority should not assume that because a particular area has hosted, or hosts, waste disposal facilities, that it is appropriate to add to these or extend their life. It is important to consider the cumulative effect of previous waste disposal facilities on a community's wellbeing. Impacts on environmental quality, social cohesion and inclusion and economic potential may all be relevant. Engagement with the local communities affected by previous waste disposal decisions will help in these considerations.

Paragraph 50

What is the relationship between planning and other regulatory regimes?

The planning system controls the development and use of land in the public interest. This includes consideration of the impacts on the local environment and amenity taking into account the criteria set out in Appendix B to National Planning Policy for Waste.

There exist a number of issues which are covered by other regulatory regimes and waste planning authorities should assume that these regimes will operate effectively. The focus of the planning system should be on whether the development itself is an acceptable use of the land and the impacts of those uses, rather than any control processes, health and safety issues or emissions themselves where these are subject to approval under other regimes. However, before granting planning permission they will need to be satisfied that these issues can or will be adequately addressed by taking the advice from the relevant regulatory body.

[Hampshire Minerals and Waste Plan \(HWMP\) 2013](#)

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.

Policy 3 – Protection of habitats and species

Minerals and waste development should not have a significant adverse effect on, and where possible, should enhance, restore or create designated or important habitats and species.

The following sites, habitats and species will be protected in accordance with the level of their relative importance:

- a. internationally designated sites including Special Protection Areas, Special Areas of Conservation, Ramsar sites, any sites identified to counteract adverse effects on internationally designated sites, and European Protected Species;
- b. nationally designated sites including Sites of Special Scientific Interest and National Nature Reserves, nationally protected species and Ancient Woodland;
- c. local interest sites including Sites of Importance for Nature Conservation, and Local Nature Reserves;
- d. habitats and species of principal importance in England;
- e. habitats and species identified in the UK Biodiversity Action Plan or Hampshire Authorities' Biodiversity Action Plans.

Development which is likely to have a significant adverse impact upon such sites, habitats and species will only be permitted where it is judged, in proportion to their relative importance, that the merits of the development outweigh any likely environmental damage. Appropriate mitigation and compensation measures will be required where development would cause harm to biodiversity interests.

Policy 5 – Protection of the countryside

Minerals and waste development in the open countryside, outside the National Parks and Areas of Outstanding Natural Beauty, will not be permitted unless:

- a. it is a time-limited mineral extraction or related development; or
- b. the nature of the development is related to countryside activities, meets local needs or requires a countryside or isolated location; or

- c. the development provides a suitable reuse of previously developed land, including redundant farm or forestry buildings and their curtilages or hard standings.

Where appropriate and applicable, development in the countryside will be expected to meet highest standards of design, operation and restoration.

Minerals and waste development in the open countryside should be subject to a requirement that it is restored in the event it is no longer required for minerals and waste use.

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 11 – Flood risk and prevention

Minerals and waste development in areas at risk of flooding should:

- a. not result in an increased flood risk elsewhere and, where possible, will reduce flood risk overall;
- b. incorporate flood protection, flood resilience and resistance measures where appropriate to the character and biodiversity of the area and the specific requirements of the site;
- c. have site drainage systems designed to take account of events which exceed the normal design standard;

- d. not increase net surface water run-off; and
- e. if appropriate, incorporate Sustainable Drainage Systems to manage surface water drainage, with whole-life management and maintenance arrangements.

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 17: Aggregate supply – capacity and source

An adequate and steady supply of aggregates until 2030 will be provided for Hampshire

and surrounding areas from local sand and gravel sites at a rate of 1.56mtpa, of which

0.28mtpa will be soft sand.

The supply will also be augmented by safeguarding and developing infrastructure capacity so that alternative sources of aggregate could be provided at the following

rates:

- 1.0mtpa of recycled and secondary aggregates; and
- 2.0mtpa of marine-won aggregates; and
- 1.0mtpa of limestone delivered by rail.

Policy 18: Recycled and secondary aggregates development

Recycled and secondary aggregate production will be supported by encouraging investment and further infrastructure to maximise the availability of alternatives to

marine-won and local land-won sand and gravel extraction.

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:
 - i. 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

- ii. 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 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.

Policy 30: Construction, demolition and excavation waste development

Where there is a beneficial outcome from the use of inert construction, demolition and excavation waste in developments, such as the restoration of mineral workings, landfill engineering, civil engineering and other infrastructure projects, the use will be supported provided that as far as reasonably practicable all materials capable of producing high quality recycled aggregates have been removed for recycling.

Development to maximise the recovery of construction, demolition and excavation waste to produce at least 1mtpa of high quality recycled/secondary aggregates will be supported.

Local Plan Policies

Eastleigh Borough Local Plan (2006)

1.CO Protection of the Countryside

Planning permission will not be granted for development outside the urban edge unless:

- i. it is necessary for agricultural, forestry or horticultural purposes and a countryside location is required; or
- ii. it is for an outdoor recreational use or is genuinely required as ancillary to such a use and does not require the provision of buildings, hardstanding or structures which, are of a form, scale or design which would demonstrably harm the character of the locality; or
- iii. it is essential for the provision of a public utility service or the appropriate extension of an existing education or health facility and it cannot be located within the urban edge; or
- iv. it meets the criteria in the other policies of this Plan.

The extension of private gardens into the countryside will not be permitted.

17.CO (Established Employment Sites Outside the Urban Edge)

Proposals to alter or redevelop existing authorised commercial, industrial or storage sites outside the urban edge will be permitted provided that the development meets all the following criteria:

- i. it is for a use, and of a design, scale and lay-out which is in keeping with its surroundings and it is to be constructed in appropriate materials; and
- ii. it would not result in a significant increase in traffic generation associated with the site.