

## **Relevant Development Plan Policies**

Item **[add number]** – Application for proposed development of a logistics depot comprising a workshop/office building, driver welfare building, hardstanding for vehicle parking, soft landscaping and other associated infrastructure.

Land South of Fareham Waste Transfer Station, Enterprise Park, Military Road, Fareham. (Application number P/16/1047/CC) (Site Ref: FA083)

**Regulatory Committee – 22 February 2017**

### **National Planning Policy Framework (NPPF) 2012**

#### **Paragraph 11- Presumption in favour of sustainable development**

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**

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- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless: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.

The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

**Paragraph 28 – Support economic growth in rural areas in order to create jobs and prosperity.**

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
- support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres
- promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship

**Paragraph 30- Promoting Sustainable Transport**

Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. In preparing Local Plans, local planning authorities should therefore support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport.

**Paragraph 94- Meeting the challenge of climate change, flooding and coastal change**

Local planning authorities should adopt proactive strategies to mitigate and adapt to climate change,<sup>16</sup> taking full account of flood risk, coastal change and water supply and demand considerations.

**National Waste Planning Practice Guidance (NWPPG) (last updated 15/04/2015)**

**Paragraph 050: (Planning and environmental regulation).**

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 2: Climate change - mitigation and adaptation**

Minerals and waste development should minimise their impact on the causes of climate change. Where applicable, minerals and waste development should reduce vulnerability and provide resilience to impacts of climate change by:

- a. being located and designed to help reduce greenhouse gas emissions and the more sustainable use of resources; or
- b. developing energy recovery facilities and to facilitate low carbon technologies; and
- c. avoiding areas of vulnerability to climate change and flood risk or otherwise incorporate adaptation measures.

#### **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 7: Conserving the historic environment and heritage assets**

Minerals and waste development should protect and, wherever possible, enhance Hampshire's historic environment and heritage assets, both designated and nondesignated, including the settings of these sites.

The following assets will be protected in accordance with their relative importance:

- a. scheduled ancient monuments;
- b. listed buildings;
- c. conservation areas;
- d. registered parks and gardens;
- e. registered battlefields;
- f. sites of archaeological importance; and
- g. other locally recognised assets.

Minerals and waste development should preserve or enhance the character or appearance of historical assets unless it is demonstrated that the need for and benefits of the development decisively outweigh these interests.

### **Policy 8: Protection of soils**

Minerals and waste development should protect and, wherever possible, enhance soils and should not result in the net loss of best and most versatile agricultural land.

Minerals and waste development should ensure the protection of soils during construction and, when appropriate, recover and enhance soil resources.

### **Policy 9: Restoration of quarries and waste developments**

Temporary minerals and waste development should be restored to beneficial after-uses consistent with the development plan.

Restoration of minerals and waste developments should be in keeping with the character and setting of the local area, and should contribute to the delivery of local objectives for habitats, biodiversity or community use where these are consistent with the development plan.

The restoration of mineral extraction and landfill sites should be phased throughout the life of the development.

### **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 15-Safeguarding - mineral resources**

Hampshire's sand and gravel (sharp sand and gravel and soft sand), silica sand and brick-making clay resources are safeguarded against needless sterilisation by non-minerals development, unless 'prior extraction' takes place.

Safeguarded mineral resources are defined by a Mineral Safeguarding Area illustrated on the Policies Map.

Development without the prior extraction of mineral resources in the Mineral Safeguarding Area may be permitted if:

- a) it can be demonstrated that the sterilisation of mineral resources will not occur; or
- b) it would be inappropriate to extract mineral resources at that location, with regards to the other policies in the Plan; or
- c) the development would not pose a serious hindrance to mineral development in the vicinity; or
- d) the merits of the development outweigh the safeguarding of the mineral.

The soft sand / potential silica sand resources at Whitehill & Bordon (Inset Map 5), further illustrated on the Policies Map are included within the MSA and are specifically identified for safeguarding under this policy.

### **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 26 (Safeguarding - waste infrastructure)**

Waste management infrastructure that provides strategic capacity is safeguarded against redevelopment and inappropriate encroachment unless:

- a. the merits of the development clearly outweigh the need for safeguarding; or
- b. the waste management infrastructure is no longer needed; or
- c. the waste management capacity can be relocated or provided elsewhere and delivered; or
- d. the proposed development is part of a wider programme of reinvestment in the delivery of enhanced waste management facilities.

The infrastructure safeguarded by this policy is illustrated on the Policies Map and identified in 'Appendix B - List of safeguarded minerals and waste sites'.

### **Policy 27 (Capacity for waste management development)**

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

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

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

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

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

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

### **Policy 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.

**Fareham Borough Local Plan - Part 1: The Adopted Core Strategy (2011)**

5.6 The following policies are relevant to the proposal:

**Policy CS6: (The Development Strategy); and**

Development will be focussed in:

- Fareham (Policy CS7), the Western Wards & Whiteley (Policy CS9), Portchester, Stubbington & Hill Head and Titchfield (Policy CS11);
- Land at the Strategic Development Locations to the North of Fareham (Policy CS13) and Fareham Town Centre; (Policy CS8);

Land at the Strategic Development Allocations at the former Coldeast Hospital (Policy CS10) and Daedalus Airfield (Policy CS12).

In identifying land for development, the priority will be for the reuse of previously developed land, within the defined urban settlement boundaries including their review through the Site Allocations and Development Management DPD, taking into consideration biodiversity / potential community value, the character, accessibility, infrastructure and services of the settlement and impacts on both the historic and natural environment. Opportunities will be taken to achieve environmental enhancement where possible.

Development which would have an adverse effect on the integrity of protected European conservation sites which cannot be avoided or adequately mitigated will not be permitted. This will be informed by the results of ongoing surveys and research, including the Solent Disturbance and Mitigation Project, which may result in adjustments to the scale and/or distribution of development set out in policies CS7-CS13 and could reduce the overall level of development.

**Policy CS14: (Development Outside Settlements).**

Built development on land outside the defined settlements will be strictly controlled to protect the countryside and coastline from development which would adversely affect its landscape character, appearance and function. Acceptable forms of development will include that essential for agriculture, forestry, horticulture and required infrastructure. The conversion of existing buildings will be favoured. Replacement buildings must reduce the impact of development and be grouped with other existing buildings, where possible. In coastal locations, development should not have an adverse impact on the special character of the coast when viewed from the land or water.

**Local Plan Part 2: Development Sites & Policies****DSP9: (Economic Development Outside of the Defined Urban Settlement Boundaries).**

Proposals for new economic development outside of the defined urban settlement boundaries (as identified on the Policies Map), will only be permitted provided that a sequential test has been carried out and no more preferable sites have been identified and, subject to the scale of the proposal, an impact assessment has been carried out and it has demonstrated that there are no significant impacts taking account of relevant national planning policy.

Proposals for the expansion or intensification of existing employment sites/areas outside of the defined urban settlement boundaries will only be permitted where:

- i. development is essential to the operation of the existing businesses; and
- ii. development can be accommodated within the curtilage of the existing site.

All new development, expansion and intensification outside of the defined urban settlement boundaries should:

- iii. not be of a disproportionate scale to the operational requirements of the employment site;
- iv. not have an unacceptable adverse impact on the strategic and local road network; and
- v. not have an unacceptable environmental impact.

New buildings should be well designed to respect the character of the area and, where possible, should be grouped with existing buildings.

Proposals should have particular regard to the requirements of Core Strategy Policy CS14: Development Outside Settlements and Core Strategy Policy CS6: The Development Strategy. They should avoid the loss of significant trees, should not have an unacceptable impact on the amenity of residents, and should not result in unacceptable environmental or ecological impacts or detrimental impact on the character or landscape of the surrounding area.