Agenda item:

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Regulatory Committee
Date:	18 June 2014
Title:	The construction and operation of a 8 MWe Pyrolysis Advanced Conversion Technology (ACT) plant including a 2 MWe Anaerobic Digestion Plant associated office, visitor centre, with new access road and weighbridge facilities, solar panels, associated landscaping and surface water attenuation features at Overton Road, Micheldever Station, SO21 3AP. (Application No. 12/02013/HCS) (Site ref: WR227)
Reference:	5915
Report From:	Head of County Planning

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1. Executive Summary

1.1. Planning permission is sought for the construction and operation of a 8 MWe Pyrolysis Advanced Conversion Technology (ACT) plant including a 2 MWe Anaerobic Digestion Plant associated office, visitor centre, with new access road and weighbridge facilities, solar panels, associated landscaping and surface water attenuation features at Overton Road, Micheldever Station, SO21 3AP.

1.2. The main issues arising from this application are:

(a) whether the site is previously developed land;

(b) the principle of the development (movement of waste up the waste hierarchy, the impact on climate change, the production of energy from waste and generation of renewable energy);

(c) the impact of developing on a Site of Importance for Nature Conservation, the CG7 habitat type and protected species of flora and fauna;

(d) the impact on the local highway network including the construction of a new access and localised road widening;

(e) the visual impact of the development and the effect of the proposal on the character of the area and built heritage;

(f) the countryside location of the proposed development; and

(g) the potential public health, safety and amenity impact.

1.3. It is recommended that the development be refused for the following reasons:

i. The development is contrary to the requirements of Policy 29 (2) and contrary to Policy 29 (3b) of the Hampshire Minerals and Waste Plan (2013) in that it is not located on previously developed land as the surface has blended into the landscape in the process of time and no special need for the location and the suitability of the site has been justified.

ii. The development is contrary to Policy 5 of the Hampshire Minerals and Waste Plan (2013) as the development is within the countryside, on a site that is not considered to be previously developed land as the surface has blended into the landscape in the process of time and where the nature of the development is such that it is not directly related to countryside activities and it does not meet the needs of the adjacent local community.

iii. The development is contrary to Policy 3 of the Hampshire Minerals and Waste Plan (2013) and does not follow the principles stated within paragraph 118 of the National Planning Policy Framework (NPPF) as it would result in an unacceptable adverse impact on the Site of Importance for Nature Conservation (SINC).

iv. The development is contrary to Policy 10 (d) and Policy 13 of the Hampshire Minerals and Waste Plan (2013) as the development would be visually intrusive from Micheldever Station and public views and consequently would have an unacceptable adverse visual impact.

2. Site

2.1. The 3 hectare site (as shown on the attached location plan) is located north of Micheldever Railway Station and Micheldever Station Village and south of the A303. To the east the site is bound by mature trees which are covered by a Tree Protection Order (TPO), beyond which lies Overton Road. To the west runs the Winchester to London railway line. The Hampshire County Highways Depot is situated beyond the railway line to the west on top of the embankment. Along the eastern side of the depot runs Rights of Way footpath 23. Approximately 120 metres to the north of the site lies the Micheldever Spoil Heaps Site of Special Scientific Interest (SSSI).

2.2. The surface of the proposed development site is undeveloped and has been designated as the Micheldever Oil Terminal Site of Importance for Nature Conservation (SINC). The SINC was designated for its species-rich unimproved chalk grassland in 1992. Under the National Vegetation Classification (NVC) the site is classed as CG7. This is one of the richest and rarest of the lowland unimproved calcareous grassland communities. It is

also one of the qualifying communities of the Lowland Calcareous Grassland UK Biodiversity Action Plan (BAP) priority habitat type.

2.3. In 1940 Air Ministry fuel storage tanks were constructed immediately to the east of the railway line to support the war effort. The tanks were covered with approximately 5-7m of concrete and then chalk. The proposed development site comprises of various levels with the higher land being at 141-140 metres AOD adjacent to the Overton Road to around 125-131m AOD on top of the fuel storage tanks. The bases of the tanks are on a level with the railway line. The inside of the concrete structure comprises of 30 underground tanks 15m by 6.2m comprising steel cylinder tanks encapsulated in concrete, access tunnels 12m (l) x 1.4m (w) x 1.5m (h) containing fuel pipes and possibly water pipes. The fuel tanks were supplied by the rail sidings. The fuel storage tanks remained in government ownership until 1981 when they were sold to Elf Oil (GB) Limited (Elf). It is understood that the facility was used until 1995. Above the tanks, on the edge of the site are a row of lamps and approximately 14 dip points.

2.4. Access to the site would be gained from Overton Road. The proposed access lies approximately 70m from the nearest house, Western Farm. The nearest point of the waste buildings to Western Farm is approximately 120m. To the north of the A303 lie The Boundary, Home-Lea and The Beaches, these houses are approximately 200m from the site boundary. Approximately 50m north of these properties lies Hampshire Grain Store. The main residential area of Micheldever Station is situated to the south of the site with the nearest properties being located around 500 metres from the site boundary. Micheldever Railway Station is located approximately 650 metres to the south west. The site lies above the Lewes nodular chalk formation, a principal aquifer and is within the groundwater Source Protection Zone 3 for the Norton supply.

3. Site Allocation

3.1 The site is not an allocated site within the Hampshire Minerals and Waste Plan (2013). Micheldever Sidings to the south and east of the site is identified in the Plan as suitable for use as an aggregate rail depot and may have some potential for waste uses.

4. Environmental Impact Assessment Regulations

4.1. The development is Schedule 2 development under the terms of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 and a full Environmental Impact Assessment has been undertaken.

4.2. Accordingly, an Environmental Statement (ES) accompanied the planning application. The ES considers the potential impacts and measures to be taken in mitigation of the development, including traffic, air quality, noise, hydrology, land quality, landscape, ecology and cultural heritage.

5. Proposal

5.1. The proposal is for the construction and operation of a 8 MWE Pyrolysis Advanced Conversion Technology (ACT) plant including a 2 MWE Anaerobic Digestion Plant associated office, visitor centre, with new access road and weighbridge facilities, solar panels, associated landscaping and surface water attenuation features at Overton Road, Micheldever Station, SO21 3AP.

5.2. The Pyrolysis Advanced Conversion Technology (ACT) Plant would recover 100,000 tonnes per annum of residual non hazardous Municipal Solid Waste (MSW) and Commercial and Industrial (C&I) waste and generate 8 megawatt electrical (MWe). All waste would pass through an autoclave process that would sterilise all the waste. All recyclates (plastics, metal and glass) would then be passed through a mechanical separation processing line to systematically remove and segregate the individual waste streams. It is estimated that the facility would recover up to 30% of the feedstock for recycling. The remaining waste would be broken down into a non-recyclable organic material (homogenous fibre) which is then subject to pyrolysis. Pyrolysis is the application of heat to the feedstock in the absence of oxygen. The process causes a chemical transformation which releases synthesis gas and produces a charcoal solid. This can be reused off site as an aggregate material, it is non-hazardous and inert.

5.3. The second waste technology proposed is an Anaerobic Digestion (AD) Facility which would recover 54,000 tonnes per annum of organic digestible (food, green) waste and generate 2MWe. AD is the digestion of feedstock releasing primarily heat and methane and generating a solid digestate that is suitable for use as an agricultural fertiliser. A dedicated AD bay within Zone 1 of the main building would receive the waste; it would be macerated, blended and pumped into the digestion tanks. A slurry tank would receive the liquid wastes for AD. Half of the digestate would be fed back into the front end of the autoclave process or blended directly with the biomass fibre prior to pyrolysis while the other half would be exported off site for use as a fertilising agent.

5.4. The gas produced by the pyrolysis plant would be cooled, scrubbed and dried before being combined with the bio-methane produced from the AD prior to combustion in the combined heat and power plant (CHP plant). Waste heat from the pyrolysers would be used to produce steam for the autoclaves, heating for the AD tanks and provide heating and hot water for the building.

5.5. Approximately 1.5 hectares of the 3 hectare site would be developed (as detailed on plan CPPL-04/10-01). On the western side of the site, above the concrete fuel tanks, the main waste building would be located and have the appearance of a modern warehouse building. The building would measure 130 metres in length and 40 metres in width with a ridge height of nine metres. The building would be separated into four zones (zone 1 – waste reception area, zone 2 – waste processing and treatment area, zone 3 – pyrolysis area and zone 4 – power generation zone). A vegetated roof is proposed on the main building to contribute to the compensation measures

for loss of calcareous grassland. The green roof would be established using the existing seed bank, containing propagules and root fragments to form the basis for the new plant community. It is anticipated that 0.5ha of calcareous grassland could be reinstated upon the green roof. No specific methodology has been prepared to date regarding the green roof however it is thought that it would comprise collection and application of substrate from the area of the development site with a diverse and valued assemblage of calcicolous species. In addition it is stated there would be solar photovoltaics mounted on the roof covering an area of 250m^2 (Habitat Management Plan – Drawing 01 dated May 2014).

5.6. The proposed development would comprise three gas engines utilising syngas and biogas generated from the ACT and AD facilities to generate electricity and heat. Emissions to air would be via three separate gas engine stacks and a pyrolyser stack (comprising four separate flues within a single wind shield) reaching 20m in height. The emissions from the stacks would be regulated by the Environment Agency through the waste permit that would stipulate emission limits for specific pollutants and monitoring requirements. Typical pollutants emitted from the stacks would include particulate matter (PM_{10}, $PM_{2.5}$), nitrogen dioxide (NO_2), and sulphur dioxide (SO_2).

5.7. Outside the main waste building there would also be two anaerobic digester tanks (20 metre diameter) and two digestate tanks (25 metre diameter) both with a height of 9.5 metres. These would be located to the east of the waste building. Other related infrastructure for the development would include an electrical substation, a district heating connection point, a gas holder tank, gas flare stack and weigh bridge. The proposed building is to appear as a modern industrial building. It is proposed that the building would be finished in green cladding. External lighting would be required on the site. The pedestrian walkways would be lit by low level pillars and access roads would use LED cats eyes and way markers to remove the need for street lighting. All lighting would be inward facing and at a low level. External lighting above the doors to the main building is necessary.

5.8. A new access from Overton Road into the site would be created. From Overton Road the vehicles would travel down into the site, over a weighbridge and into the main waste building. The roller shutter doors would be closed prior to unloading of the waste being undertaken. Parking on site for 16 cars is detailed and this includes disabled spaces. Electric vehicle charging points would be installed at a 20% active, 20% passive ratio. There would be 102 HGV movements a day with 34 light vehicle movements a day. Road widening on Overton Road would take place to the north of the site access to facilitate the turning of HGVs to the north towards the A303. It is stated that all vehicles would turn right into the site and left out of the site where they would join the A303. Monitoring of the proposed routing of vehicles could be achieved by the installation of a CCTV camera at the site access. It is stated that the transport assessment was based on 50% of the digestate being processed through the energy recovery centre thereby reducing the number of vehicle movements associated with transporting digestate off site. There is

potential for utilisation of the rail sidings in the future however at this stage the application has not included details of any rail loading/unloading facilities. A plan has been provided (Drawing number D2.1) that demonstrates that a vehicle link from the site down onto the rail sidings could be provided.

5.9. The site consists of two levels, the higher level adjacent to Overton Road being 140m AOD and the lower level which ranges between 125m and 131m AOD. The proposed building and tanks would be located on a level of 128m AOD. The existing fuel tanks beneath the site would be purged and infilled with foam concrete so that they can be retained in situ. A floor slab would be designed to take 50kN/m^2 or plant loading as required.

5.10. Information was requested on the underground fuel storage tanks; a visual inspection was therefore undertaken to obtain information on the layout and facilities at the former fuel storage tanks to determine the implications of constructing the proposed development on land above the tanks. No detailed geotechnical or structural survey/assessment works have been undertaken. The applicant states that the fuel tanks will not present an unacceptable constraint on the development, but it is recommended that options for stabilisation of the tanks are considered and that the principles and techniques for such stabilisation are well established in the UK.

5.11. All areas of the site where new buildings would be constructed shall be underlain by an impermeable concrete pad. All run off arising from the operational areas of the site would be contained and treated through a water treatment plant. A significant amount of water collected within the operational area would be re-circulated through the process prior to treatment and subsequent discharge. There are no discharges from the site proposed into controlled waters.

5.12. Additional ecological information was provided that confirms that the Cut-leaved Germander, *Teucrium botrys*, is present on the lower terrace and comprises of a population of between 300-400 plants. This is a legally protected plant which is listed on Schedule 8 of the Wildlife & Countryside Act 1981 (as amended) (WCA). Populations of this plant have been recorded at the nearby Micheldever Spoil Heaps SSSI. The information stated that the lichen assemblage in the SINC is of regional importance would qualify as a SINC on its lichen interest alone. Bat and Dormouse surveys were completed. The bat survey found that there was no evidence of roosts during the survey however trees were identified that had potential roost features. It was found that there were low numbers of bats foraging and commuting along the northern and eastern site boundaries. The dormouse survey concluded that dormouse utilise the scrub habitats within the site as evidence of dormouse was recorded within scrub along the eastern margin of the site. In addition to this the ecological studies confirmed the presence of a small population of slow worm within the site due to the presence of grassland in the eastern habitats. There is a peregrine falcon nest on the chalk cliff face of the tunnel north of the application site. This species is protected as it is listed on Schedule 1 of the WCA.

5.13. The trees located along the eastern boundary of the site are covered by a TPO (ref 1113A1). An arboricultural survey was completed which identified that to enable the construction of the proposed access onto Overton Road that three Category B Beech Trees would require removal as well as one Category C Beech Tree. An area of possible replacement planting is identified adjacent to the site access. Where the access enters the site further semi-mature Silver Birch trees would need to be removed. To enable the construction of the access road it would be necessary to remove an area of Category C scrub woodland.

5.14. The waste management processes would take place 24 hours a day, seven days a week. It is proposed that deliveries would be restricted to a 10 hour working day and take place Monday to Friday (0800 to 1800) and on Saturday mornings (0800 to 1300). It is anticipated that the proposed development would sustain around 30 members of staff. Some staff members would be required to work during the night.

5.15. Construction of the proposed development would take place over an 18 month period. Construction traffic hours would be limited to 0700 to 1900 hours Monday to Friday and 0700 to 1600 Saturday with no construction taking place on Sundays and or Bank Holidays.

6. Development plan

6.1. The appropriate Development Plan Documents are the Hampshire Minerals and Waste Plan (2013) and the Winchester Local Plan Part 1 – Joint Core Strategy (March 2013) and Local Plan Review (2006).

6.2. The relevant policies of the Hampshire Minerals and Waste Plan (2013) are:

- Policy 1 (Sustainable Minerals and Waste Development),
- Policy 2 (Climate change – Mitigation and Adaptation),
- Policy 3 (Protection of Habitats and Species),
- Policy 5 (Protection of the Countryside),
- Policy 7 (Conserving the Historic and Heritage Assets),
- Policy 10 (Protecting Public Health, Safety and Amenity),
- Policy 12 (Managing Traffic),
- Policy 13 (High-quality Design of Minerals and Waste Development),
- Policy 25 (Sustainable Waste Management),
- Policy 27 (Capacity for Waste Management Development),

- Policy 28 (Energy Recovery Development), and
- Policy 29 (Locations and Sites for Waste Management).

6.3. The relevant policies of the Winchester District Local Plan Part 1 are:

- MTRA4 (Development in the Countryside),
- CP16 (Biodiversity), and
- CP20 (Heritage and Landscape Character).

6.4. The relevant saved policies of the Winchester District Local Plan 2006 are:

- DP4 (Landscape and the Built Environment (inc views VDS, vegetation),
- DP10 (Pollution Generating Development),
- DP11 (Un-neighbourly Uses), and
- CE5 (Landscape Character).

6.5. The National Planning Policy Framework, Planning Policy Statement 10 (Planning for Sustainable Waste Management), Government Review of Waste Policy in England (2011) and Waste Management Plan (WMP) for England (December 2013) are material considerations.

7. Consultations

7.1. **Councillor Porter** raises following concerns about the application:

'1. The site is very near to a main railway line and railway tunnel. The processes include the production of gas which could cause an explosion. I note that although the Railways Health and Safety Executive have been consulted, they have not responded. Can we confirm that they have acknowledged the consultation request and that they realise what is involved in this application?
I believe there is a significant element of risk because the site has tunnels underneath it, in which gas could build up undetected and create an explosive environment. This could endanger train passengers and inconvenience a large number of passengers greatly if the line were closed, even for one hour. The complete lack of reply from the Safety Executive is extremely worrying and shows a failure of duty by Network Rail.
In part, this may be because Network Rail stands to profit from the development, but as a Councillor, my concern is for the passengers on the train, local residents and the staff at the site, not the revenue of Network Rail.

2. The site is an SSSI because of the rare species of plant that grows upon it. I understand that it is the best environment for the cut leaved germander. It is also one of the few areas of unmanaged open land alongside

Overton Road before the main A303. There are a number of fauna listed in the report that exist on the land too.
It has been queried whether the site is considered as a brown or greenfield site. There is no doubt that tunnels were dug *under* it, but this was decades ago, and the surface is now greenfield: despite looking over the railway sidings, the environment has the appearance of a greenfield site across most of it.
This site is not identified on the Minerals and Waste Plan for any waste management or energy production unit.
The land identified for that purpose is not here, but on the sidings below this site.

3. Unlike the application for a similar case in Eastleigh, this application is being made contrary to the policy set out in the Minerals and Waste plan, for a greenfield site on which there is no expectation or plan for a waste management plant here.

4. The application says that there are no households nearby. This is not true. There are a number of households within 400m of the proposed plant and the AD plants across the county have been proved to be smelly. The 'bowl' of the rail sidings and the site itself may well create an odour area similar to that around a water treatment plant. Employees get used to it, but residents and visitors do not.

5. This is an energy production plant which uses imported waste. The rail link is on a different level to the site. The simplest proposal is to bring waste in by lorry. The junction from which this site would be accessed floods frequently and there appears to be no known way to prevent this in future (except by pumping away the water). A photo of the site is attached to this reply, and evidence should be sought from Hampshire County Council on this matter. On occasions the road has had to be closed. This puts the transportation of goods in at risk. It is vital that the site takes in a constant supply of fuel- but this would be a problem if the way-in is blocked.

6. There are no large conurbations nearby which will produce the food waste. Transportation for long distances is inevitable. Unlike the Eastleigh site, this proposed plant is in the countryside and all waste will have to be transported from Andover, Basingstoke, Winchester and beyond to feed the digester and pyrolysis plants. Food waste (as this will take) can currently be accommodated at the Chineham plant, which I understand has the capacity to take waste of this type'.

7.2. **Winchester City Council** raises strong objection to the proposed development for the following reasons:

1) The proposal would result in development within the countryside for which no overriding justification has been put forward and on this basis it would be contrary to policy MTRA4 of the Winchester District Local Plan Part 1 – Joint Core Strategy damaging to the North Dever Downs Landscape Character Area.

2) The proposed development will generate a level of traffic, and will require a new access and widening of an existing country lane, which would be detrimental to the character and appearance of the rural area and damaging to the North Dever Downs Landscape Character Area contrary to saved policies DP4 and CE5 of the Winchester District Local Plan 2006 Review.

3) The scale and industrial nature of buildings and associated development proposed in connection with the Energy Recovery Centre would be detrimental to the character and appearance of the countryside and this could not be overcome by landscaping of the site. The proposal is therefore contrary to Policy CP20 of the Winchester District Local Plan Part 1 – Joint Core Strategy.

4) The site is identified as a SINC and maybe worthy of SSSI designation and the proposed development would result in harm to the nature interest of the site to the detriment of the amenities of the area and identified species contrary to saved policy CP16 of the Winchester District Local Plan Part 1 – Joint Core Strategy.

5) The application contains insufficient information regarding potential height of the chimney, odour and noise impacts. Until these matters are resolved the Local Planning Authority cannot be satisfied that the development can be undertaken without material harm to the local environment and occupiers of neighbouring sites. The proposal is therefore contrary to saved policies DP10 and DP11 of the Winchester District Local Plan 2006 Review.

7.3. **Winchester City Environmental Health** At this stage cannot provide sufficient assurances regarding potential noise impacts and therefore recommend that the application is still refused on grounds of potential noise impacts. If however, you are minded to grant permission then I would recommend that any permission includes a suitably worded boundary noise condition. This is in addition to the conditions recommended in previous memorandum.

Air Quality/Odour Impacts it is noted that the application now shows the height and location of flues and also includes a proposed odour management plan. However, no further information has been submitted to support the proposed chimney heights of 20m. The applicant in their covering letter dated 6 December 2013, states that these have been demonstrated to meet the relevant emission standards that will be required by the Environment Agency and therefore do not consider sensitivity testing of different stack heights is required. As a minimum, I suggest it is specifically confirmed with the Environment Agency that the stack heights shown will be acceptable for their permitting purposes.

Noise Impacts The addendum does now show the modelled input data across Octave bands. However there is still absolutely no discussion or data on what noise data sources were used to derive these values. This is a complex

site with many potential noise sources. At this stage I cannot have any confidence in the accuracy of the derived specific noise value used, without much greater detail being submitted on its derivation. By extension I cannot therefore have any confidence in the conclusions reached. This specific point was raised in my previous memorandum. In addition I have criticism on the background noise data used in making the assessment. It is considered monitoring should have been performed over a period of time to demonstrate a representative background value was obtained. Further it appears the background values used are an average of discrete 5 minute readings as obtained instead of being representative of the lowest results obtained. As an example for Western Farm the value presented for the night time L_{A90} is 37.7dB (table 8-2) but if we look at the 5 minute monitoring data sets now presented in Appendix 8/D the $L_{A90, 5\ min}$ is as low as 29dB. No justification is presented as to why this is considered reasonable and why this is not a case of "averaging out a problem".

Previous Memorandum – Contaminated Land: potential contaminated land issues have been identified. It is accepted that these can be resolved during the proposed redevelopment. Light Nuisance: I am satisfied in general terms with the proposals for external lighting. Additional conditions: Hours of delivery and external vehicle movement restrictions. Contaminated Land investigations/remediation. External Lighting/ Implementation of proposed noise mitigation measures (e.g. all doors to be shut at night). Submittal and approval of a construction management plan to include dust and noise mitigation measures.

7.4. **Natural England** raise objection to the proposed development.

Nationally designated sites – This application is in close proximity to Micheldever Spoil Heaps Site of Special Scientific Interest (SSSI). Natural England objects to the development on the grounds that the application, as submitted, is likely to damage or destroy the interest features for which Micheldever Spoil Heaps SSSI has been notified.

The development site, which is wholly within the nearby county wildlife site/Site of Importance for Nature Conservation (SINC) is the nearest downland habitat and therefore should be considered to support the SSSI itself. Therefore, vie versa, it could also therefore be concluded that the SSSI supports the SINC. There is no other downland within at least 3.5km radius of these sites of which we are aware.

The proximities of the SSSI to the SINC and vice versa therefore safeguards the core of the population of outlier populations of the rare plant species and communities found on the site. The open habitat of the development site/SINC is vital to the viability of rare plants for which the SSSI is designated.

County wildlife site (Sites of Importance for Nature Conservation/SINC) – The application site is within the Micheldever Oil Terminal SINC, which is designated for its species rich unimproved calcareous grassland which has

established on exposed/excavated chalk and also includes pioneering calcareous grassland and calcicolous scrub. Development on this site would lead to direct habitat loss, fragmentation and isolation of plant species and communities, and cause populations to become demographically unstable or unsustainable. Much of the habitat where it is proposed to place the development is classed under the National Vegetation Classification (NVC) as CG7, which is one of the richest and rarest of the lowland unimproved calcareous grassland communities. It is also one of the qualifying communities of the Lowland Calcareous Grassland UK Biodiversity Action Plan (BAP) priority habitat type. UK BAP priority habitats and species are the most threatened in the UK, requiring conservation action under the UK BAP, being identified as the highest priority of conservation in the UK. Reference is made to paragraph 18 of the NPPF which states the hierarchy of avoid, mitigate and only as a last resort compensate. It also states the need to avoid alternative sites as a means of avoiding harmful impacts, which has not been done in this instance.

Specific advice regarding the presence of a Schedule 8 Plant species – Cut-leaved Germander is protected under Schedule 8 of the Wildlife and Countryside Act 1981 (as amended). In isolation from any other matter the threat of destruction of individual plants of Schedule 8 species is a serious matter and is statutorily regulated.

A potential licensing solution could be available for such activities as translocation, collection or seeds etc. for the purpose of conservation. Licenses cannot be issued to move Schedule 8 plants prior to determination of development applications and that the planning authority will need to take account the destruction of a Schedule 8 plant when making its decision. It is a material consideration. Development approval, if given, needs to be given in the knowledge that the development will destroy the location of a Schedule 8 species, and the possibility of creating a new population elsewhere should be immaterial to that consideration. Only once the development proposal has got approval should NE begin any engagement about how a license translocation might be used in an attempt to rescue the plants from extinction on that site. Although the applicants have addressed the impacts of the development on the species in question, they have not provided details that support the need for development on this site and in the location proposed (including the discounting of alternative solutions), which in its current form, supported by the information submitted, would negatively impact on a Schedule 8 plant species and be unlikely to gain a license for such activity.

Protected Species – We have not assessed this application and associated documents for impacts on protected species.

Air quality – The ES has been considered with regards to air quality and aerial deposition and we accept that the predicted impacts, in terms of both critical levels and critical loads are not significant and no further assessment is required.

Landscape – The proposal does not appear to be either located within, or within the setting of, any nationally designated landscape. All proposals however should complement and where possible enhance local distinctiveness and be guided by your Authority's landscape character assessment where available, and the policies protecting landscape character in your local plan or development framework.

7.5. **Network Rail Asset Protection** raise no objection for the following reasons:

1. The site is off our operational railway and does not affect directly the day to day operations of the railway. Lighting pollution could be an issue during construction and post construction of the site and the designer or developer need to take account of this.

2. The Asset Protection team will need to be engaged from the start of the proposals though to the commissioning to ensure that the railway assets are protected during the project development and post construction.

3. We do not have any objections as there is no direct impact on the railway operations, all we need to do is make sure the project does not impact on the operations and on the integrity of the railway.

7.6. **Highway Authority** raise no objection to the proposed development from a highways and transportation perspective subject to conditions and subject to the applicant entering into a Section 106 Legal Agreement to secure the following package of mitigation – A transport contribution of £31,280 and Delivery by Section 278 agreement of the site access works including the widening of Overton Road. Conditions: A construction traffic management plan, HGV traffic accessing or leaving the site only be from or to the A303 to the north of the site access and CCTV cameras shall be provided on the site to monitor HGV movements.

Initial comments – The proposed access has been modelled using PICADY software to determine the operation of the junction for the anticipated year of opening in 2013 and a horizon year of 2017. The modelling of the junction demonstrates that it will operate with considerable reserve capacity for both 2013 and 2017 with the highest Ratio of Flow to Capacity (RFC) in the PM peak for 2017 which is 37%. The results demonstrate that the provision of the new access will have a minimal impact upon the operation of Overton Road. The traffic generated by the site would represent an increase of 9.7% of traffic on Overton Road. Whilst this does represent a fairly significant increase upon the existing traffic on Overton Road, it is noted that the current flows are low. Further to this the proposed access works including the widening and re-profiling of Overton Road will reduce the impact of the development traffic, therefore it is not considered that the additional traffic generated by the development will impact upon the safety or operation of Overton Road. Personal Injury Accident data within close proximity to the site has been provided for the period between 1st March 2007 to 29th February 2012. The data shows that seven accidents occurred within this period on the local highway network, of which five were classified as 'slight' and two were

'serious'. An analysis of the accident summary demonstrates that there are no significant patters of accidents that are likely to be exacerbated by the traffic generated by the proposed development. It is estimated that the construction phase of the development will last between 26 to 30 weeks. During construction the most intensive period for traffic movements will take place during the earth works and construction of the foundations. It is estimated that there will be maximum of five goods vehicle movements per hour throughout the working day within this period, which is lower than the estimated trip generation for the operational phase of the development. Whilst the total volume of HGV traffic during the construction phase is less than will be expected during the operational phase of the development, it will be critical to ensure that the construction phase is well managed, and that there are appropriate controls to ensure that any traffic impact during this time is controlled. It is considered that the proposed level of parking is considered sufficient for the proposed numbers of staff likely to be on site at any one time. It is noted that the site is not well located in terms of public transport access, therefore the proposed Travel Plan should seek to maximise the opportunities for car sharing among staff and visitors to the site. The details of both Travel Plans should be submitted for approval prior to commencement. As the proposed development will result in an increased number of trips upon the highway network, the application is subject to a Transport Contribution in line with Hampshire County Council's Transport Contribution Policy. Due to the increase in HGVs using Overton Road it is likely to impact upon the carriageway construction and also the verge deterioration. Further to this there is an existing flooding issue on Overton Road under the A303. Therefore a contribution will be necessary to reduce the impact the development would have upon the highway network.

Additional comments - With regard to the proposed road widening the principle of the works were considered to be acceptable and the removal of the widening works to the south does not impact on the deliverability of the scheme. The proposal to achieve the installation of CCTV cameras at the site is welcomed as it can assist in monitoring adherence on a practical level if required. It would be necessary that the lorry routing agreement be secured by planning condition or legal agreement to ensure it is enforceable. All traffic should enter and exit the site to the north from the A303. The level of Transport Contribution relates directly to the impact of the proposed development through the formulaic approach set out in the Transport Contribution Policy, which attributes a cost per additional trip. In the case of this use a cost per trip of £230 is used as per the policy itself. This development will generate an additional 136 daily trips that are 'new' to the network. This equates to a transport contribution of £31,280.

7.7. **Highways Agency** raises no objection to the proposed development.

7.8. **Environment Agency** raises no objection to the principle. It has been confirmed that the proposed development would require an Environmental Permit and that the developer has applied for an EPR(I) permit. A number of conditions are recommended that relate to a remediation strategy being

produced to include a preliminary risk assessment, site investigation scheme, results of the site investigation and risk assessment as well as a verification plan. A condition ensuring that if the site is found to be present then no further development shall be carried out, the need for express written consent if piling or any other foundation designs using penetrative methods are required, the submission of a scheme for surface water and foul water drainage and a scheme for the containment of liquid from the anaerobic digestion tanks.

7.9. **Basingstoke and Deane Borough Council** raises no objection to the proposed development but respectfully requests that the County Council, as determining Authority, carefully consider the following implications of the development:

- The increased traffic generated by this proposal;
- The proposed routing of vehicles to the site and the impact of any additional HGV vehicle trips north of the A303 on Winchester Street (the C29) towards Overton;
- The need for financial contributions and any necessary highway improvements and/or off-site highway works and the appropriate method of securing such works;
- The imposition of a condition to reduce any potential adverse visual impact of the development from the Borough boundary to the north, with particular attention to Viewpoint no.1, as shown in the Landscape and Visual Impact Assessment document;
- Any impact on Biodiversity, which ahs not been assessed by this Council in providing this response; and
- The comments of this Council's Environmental Health Officer dated 24 October 2012.

7.10. **Basingstoke and Deane Environmental Health** conclude that there will be no adverse impacts on Basingstoke & Deane residents relating to noise and local air quality objectives that ought to be considered as part of the planning application. However, in relation to what is proposed the following observations are made.

Noise – Noise that would be generated by plant in operation at the site has been compared with background noise levels taken for the location. While this is part of the correct approach to take, no evidence is provided by the applicant of the particular plant that would be in use at the site, nor the particular aspects of plant that would be in use which contribute to the overall noise levels predicted. The applicant has relied on data from somewhere to produce these predictions, but this information is not detailed in the report which it should be. Had the circumstances surrounding the noise sensitive dwellings in Basingstoke been differed, this may have concerned me.

However, as the site is 300m + from residential properties in Basingstoke, is set in a butting which will provide significant acoustic screening, and separated by the A303, in my professional opinion noise is vey unlikely to give rise to any adverse impact to residents within the Borough.

Air Quality – In terms of the air quality, the emissions associated with the process itself will be controlled by an environmental permit that will be necessary to allow the process to operate. This would be drawn up and issue by the Environment Agency, and from thereon in, compliance with the permit will be regulated by them. The permit will stipulate particular emissions from the process, along with various other environmental controls. As such the impact of emissions from the process, fall outside the scope of what it is relevant for me to comment on. However, the type of abatement proposed appears to be consistent with the advice on what is required to control emissions for this type of process. The adequacy of the precise technical methods used in practice, and how they will achieve the requisite standards, as already noted, will be determined by the Environment Agency. Any emissions associated with increased vehicle movements to and from the site are not significant, and I am satisfied that they would not have an adverse impact or lead to breaches of local air quality objectives.

7.11. **Hampshire & Isle of Wight Wildlife Trust** raises strong objection to the planning application given the high ecological value. The development site is located wholly within a SINC that supports a nationally scarce and declining habitat type and includes a large number of rare and nationally scarce plant species, and other scarce and legally protected fauna. These species include the Cut-leaved Germander which is protected under Schedule 8 of the Wildlife and Countryside Act 1981 (as amended), Spring Cinquefoil, Mat-grass Fescue, Wall Bedstraw, the Hazel Dormouse which is protected under the Habitats and Species Regulations, and a variety of invertebrate species. Given the rare and scarce nature of the flora and fauna present this site is considered to be of high ecological value and an exceptionally important site nationally. It is also evident that due to the composition and diversity of the rare and scarce species present, the current SINC designation does not afford the site sufficient protection and therefore it should be put forward for SSSI designation.

7.12. **Campaign to Protect Rural England Hampshire** objects to the planning applications as there are a number of issues which cause concern. The site and location of the proposed development seem totally inappropriate, not only is it an area being both rural and residential but also unsuitable for commercial activity. The site next to the main railway line is on a sloping bank and sits on disused oil tanks. Added to that any explosion at the plant could cause considerable disruption to the railway line which is one of the main routes to the west country. The second concern is the traffic increase which will be caused by the development. It is anticipated that 120 HGVs per day will visit the site. This is far too much for the local roads. There is already an example of their unsuitability as one road from the motorway is closed due to recent flooding. The third concern is that there are at present

sufficient plants of this nature handling the needs of the county. Therefore why is there any pressing need to build another site especially in such a rural area as Micheldever Station. It would be better suited nearer to an urban area, if at all.

7.13. **Health and Safety Executive** made no comments as the site is not situated within the consultation distance of any Notifiable Hazardous Installation or Hazardous Pipeline.

7.14. **Member of Parliament for Winchester, Steve Brine** objects to the planning application. It is stated that he is aware of many reasons for objections to the scheme, but wishes to draw particular attention to the following:

Local Need – Hampshire County Council have only recently adopted their Minerals and Waste Plan. This specified the capacity required for each type of waste for the period to 2030 for all elements proposed to be dealt with on this application site. To permit excess capacity would risk the sustainability of these other sites or require most inputs to this site to come from outside Hampshire. Such a prospect would risk turning this beautiful County into a dumping ground for waste from across the wider region.

Proximity to Source – Your plan requires waste plants, such as is proposed here, to be located close to the source of the waste. Micheldever Station is situated close to major trunk roads and a motorway, but is many, many miles from any sizeable urban area that would produce the waste needed to feed this plant.

Proximity to Housing – This application proposes to build a major industrial complex on land that is close to the homes of some of my constituents. One home is just 80 metres from the site and several more are less than 300 metres from the site, with over 200 homes within half a mile of the site. This, with all its vehicle noise, pollution, smells and safety risks, is just too close to these existing homes. This is the wrong place. Through casework I have also found little willingness on behalf of the applicant to fairly compensate affected residents or even engage.

Proximity to Other Businesses – I am advised that there are known safety risks associated with the various technologies that are proposed to be used on this site, include the risk of fire, explosion and release of dangerous toxins and pollutants. The grain drying store that is 300 metres to the North of the site and the main railway line linking Southampton and Weymouth with London just 100 metres from the site would be at significant risk if any of the controls in place were to fail. The damage to these businesses of even a minor incident would have a major impact on the economy and wellbeing of the surrounding area.

Site of Importance for Nature Conservation (SINC) – This application proposes to build a large industrial complex on this site, which is designated as a SINC. No amount of remedial work will alter the fact that this previously

undeveloped land will be built on and the benefits of the SINC and its rural setting will be lost.

7.15. **Micheldever Parish Council** raises objection and requests that the application be refused. It is felt that the site has not been previously developed as it has been deliberately left undeveloped and freed from any man-made intrusion which now benefits from a complex habitat for flora and fauna. The site is therefore not brownfield. Development could lead to groundwater contamination. There is no co-location with other waste management infrastructure. The site is not located close to any major sources of waste. The site is not designated for waste management purposes. The site is not within a large scale development area and whilst close to a main lorry route is access only by local roads. It is close to private residential properties and close to the Hampshire grain storage silos. It is not agreed that the development is low carbon due to the amount of 'greenhouse gases' that are released related to the amount burned. The sources of waste are unknown and the lack of such data makes it impossible to determine whether the nature of the project is the most efficient and appropriate for the County needs. There is concern about the proposed technology and the negative local impact that it may have if not operating in accordance with the anticipated levels. The local road network is unsuitable for HGVs to pass and the potential safety concerns. The site is adjacent to agricultural areas and therefore emissions from the plant could impact the human food chain. The development is not sustainable as it does little for the economy, with most profits accruing outside Hampshire, it does nothing for society, only nuisance, especially in the locality and it does harm the environment. It is contrary to Planning Policy.

7.16. **Overton Parish Council** raises objection to the proposed development. There is concern about the speculative nature of the development and that the applicant will not own and run the facility and therefore be responsible for upholding the planning conditions. While other similar local facilities are still working under capacity, it is felt that this development is not required. This is a greenfield site situated near a residential area. Concern about the impact of traffic on the residents of Oxford Down (some of whom reside in Overton Parish). Concern about the use of C29 by HGVs going to and from the facility. If the application goes ahead, it is vital that there is a routing agreement that specified that the C29 to the north of the A303 (and going via Overton) should not be used to access the site. Concern that a large number of vehicles are going to use the C29/A303 junction on a daily basis when there is already a fundamental problem with flooding under the A303 bridge. Impact on the environment and wildlife.

7.17. **Laverstoke and Freefolk Parish Council** raises objection to the proposed development. The first concern is the increase in traffic on the roads in and around the parish and the surrounding area on a road infrastructure not developed for traffic levels such as this. There is also concern about local farmers whose businesses may be under threat from the potential contamination of the waste emissions coming from the plant. The

development could adversely affect the businesses of local farmers, especially those specialising in organic farming. Noise is another concern of the Council as the plant is in operation 24 hours a day, with extensive truck movements for 51/2 days every week. The adverse effect on wildlife if these plans go ahead should also be considered and precautions to be put in place to limit these effects. The Parish Council feels that whilst about 30 jobs may be created in the area for the plant, the issues such as traffic, emissions etc. far outweigh the merits of more employment.

7.18. **Councillor Kemp-Gee** objects to the planning application as there is no need for the development within Hampshire following the approval of Anaerobic Digestion Plants across Hampshire. The site is greenfield land as development has only taken place underground. It is not a railway siding. It is not well screened and lies adjacent to a rural village. The increase in HGV movements is unacceptable. There is concern about the spreading of digestate and the exportation distances and consequently carbon footprint. The site is too close to housing.

7.19. **The Dever Society** raises objection to the planning application for the following reasons:

1) The waste facility would represent an unacceptable industrialisation of the rural landscape and community;

2) Micheldever Station is a thriving and growing community, with sufficient new housing built recently and more in the process of construction, resulting in a population considerable higher than that claimed in the application. There is no industry in the village and it is completely inappropriate for a large industrial plant such as this to be located in such close proximity to residential buildings. We are concerned at the misleading statements in the application that the plant is well removed from the nearest dwellings. This is completely untrue.

3) The applicant proposes to operate the plant twenty-four hours a day, seven days a week, with well over one hundred vehicle movements bringing waste to and from the site six and a half days a week along a narrow road from the A303. This will generate massive increases in existing traffic, noise and smells from the waste being transported. Once again, this is inappropriate for a rural community such as Micheldever Station.

4) The site is currently undisturbed and therefore of high value to wildlife. It is designated as a Site of Interest for Nature Conservation, and would be damaged irretrievably by this development. Policy CE.9 of the Winchester Local Plan Review states that development likely to harm a CINS will not be permitted unless the need for the development outweighs the harm to the nature conservation value of the site. 'Need' is always a difficult concept to define, but we would argue that there is no need for the development. It is simply an attempt by Network Rail and Clean Power Properties to gain a financial return. We are also

concerned that this development represents yet another threat to a local SINC. In nearby Black Wood (the whole of which is a SINC), the construction of a holiday camp has destroyed the undisturbed nature of the wood. In that case, planners decided that the economic benefits which the applicant claimed for the development outweighed the harm that would be caused to the SINC. It is unacceptable to us that this important local designation should be treated as of little importance in determining planning applications and that economic issues should take precedence.

5) The Dever Society is not an expert on waste technology, but there are significant concerns with the pyrolysis element of the plant, and we do not accept that residents should be exposed to possible dangers that could result. We are also concerned about harmful emissions, which will vary according to the type of waste being burnt and thus are impossible to determine in advance. Anaerobic digesters are inappropriate close to communities because of smells.

8. Representations

8.1. Micheldever Action Group objects to the proposed development. The concerns raised are:

- Wrong location – sites meets almost none of the County location criteria. It is in a remote, rural location that is not co-located with other waste facilities. It is not in an industrial area.

- Site is not designated – The Hampshire Minerals and Waste plan does not designate this site for waste treatment. The adjacent rail sidings are identified as a suitable rail depot, not the site and there is no practical relationship between the two.

- Nature Conservation – The site is greenfield with no development taking place on the surface for over 70 years. It is a habitat for endangered wildlife on a very rare path of chalk grassland. It is designated as a Site of Importance for Nature Conservation (SINC).

- Impact on wildlife – Development of site would impact on the biodiversity of the area.

- Potential Risk – Land is on several levels and would be difficult to work. The site is adjacent to the railway line and tunnel. Therefore concerned about plant safety and the potential rupture of any storage tanks that could danger the railway line.

- Pollution – Gas emissions from the stacks could potentially be toxic. There are safety concerns with regard to the nearby proximity of food stores.

- Health Hazard – Emissions could impact on the grain storage facilities in the immediate vicinity as outside air is in constant use for drying grain.

- Odour – smells from the Anaerobic Digestion plant would impact local residents.

- Traffic – Increased frequency of vehicles on the local roads is unacceptable. Congestion on site would impact on Overton Road. Local roads are no suitable for HGV's and there would be no control on the HGV routes.

- Unproven technology – no plants in the UK with this combination of technology currently operational therefore decision is based on assertions about performance, emissions and outputs from computer models.

- Lack of Community benefit – there is no benefit. The electricity would enter the National Grid therefore no financial or user benefit for residents of Micheldever.

- Need – There is not proven to be a need for the development.

- Sustainability – the development does little for the economy, most profits accrue outside Hampshire. I will do nothing for society, only nuisance, especially in the locality. It does harm the environment.

8.2. Botanical Society of Britain and Ireland objects to the planning application. The concerns raised are:

- Location of the site on a Site of Importance for Nature Conservation (SINC) – National Vegetation Classification CG7 grassland – site is one of the botanically richest of the lowland unimproved grassland communities that is nationally rare and declining;

- Flora on the site closely mirrors the Micheldever Spoil Heaps Site of Special Scientific Interest (SSSI);

- Cut-leaved Germander, *Teucrium botrys* – nationally listed under Schedule 8 of the Wildlife and Countryside Act 1981and therefore it is illegal to disturb the species. This is one of the largest populations in Hampshire;

- Concern about the translocation of seeds as unsure whether this would work in the long term;

- Presence of Spring Cinquefoil, *Potentilla tabermaemontani* which is nationally scarce and occurs nowhere else within Hampshire. Its destruction is unacceptable;

- Presence of Mat-grass Fescue, *Vulpis unilateralis* is also a nationally and County rare species. Concerned about translocation as hard to transplant;

- Presence of Wall Bedstraw, *Galium parisiense* which is nationally scarce and rare in North Hampshire.

- In addition to the large colony of plant species there are several other notable plants on the site as well as notable mosses and lichens. It is considered that apart from a few SSSIs it would be almost impossible to find another site of this small size within Hampshire.

8.3. Winchester Action on Climate Change Limited (WinAcc) – is not in a position to give the scheme its wholehearted support as there are too many unanswered questions and concerns such as the impact on recycling, source and distance of feedstuff, the destination and transport distance of digestate and other waste away from the site, the accuracy of the information from the applicants and their attitude to community involvement.

8.4. Approximately 426 letters were received from 301 members of the public stating that they object to the proposed development. The letters raised the following concerns;

- Greenfield Site - Developments should be located on brownfield sites, not greenfield sites. It does not comply with Policy 29 as there is no overriding justification put forward and it has not been demonstrated that it would be in the public interest;

- Countryside location - The rural location is inappropriate for a development of this nature and it would cause industrialisation of the area;

- Designated Sites – Development would destroy a Site of Importance for Nature Conservation (SINC), it is in close proximity to the Micheldever Spoil Heaps Site of Special Scientific Interest (SSSI) and could impact upon this designation. The development site could be designated an SSSI due to the populations and mix of plant species;

- Nature Conservation – Destroy rare plant populations, impact upon dormouse, peregrine falcon, bats etc.,

- Need – There is sufficient capacity in the Anaerobic Digestion facilities and Refuse Treatment Plants permitted within Hampshire to meet the needs of Hampshire.

- Sources of Waste – The sources of the waste are unknown. The local population would not generate the significant levels of waste required therefore the major sources of was will not be in close proximity to the site. The development should be located near to the sources of waste as stated within the Hampshire Minerals and Waste Plan (2013);

- Visual Impact – Site will be seen from public Rights of Way, the Grade II Listed Micheldever Station and platform as well as by railway users;

- Impact on the character of the area – Impact on the North Downs Landscape Character Area;

- No site allocation - Site is not allocated within the Hampshire Minerals and Waste Plan (2013), it is not on the Micheldever Rail Sidings;

- Traffic - Roads are not designed to carry such an increase in size and number of vehicles which are already suffering from flooding (in particular under the A303 bridge) therefore there will be a negative impact on the local road network from the increase in HGV movements. Due to the rural location HGV's will need to travel long distances;

- Air Quality – Emissions will impact on the health of the local residents as well as the animal and food quality. Stacks when considered against Overton Road would be of a height that the emissions would be highly unlikely to be buoyant enough to clear the road level. Studies have shown that there could be higher than expected levels of cancer and birth defects in the local population and increased levels of heart disease for incinerator workers;

- Impact on rural businesses – due to the countryside location there would be a negative impact on the local farming community (e.g. Laverstoke Park Farm and Hampshire Grain Store) as crops and animals would be impacted by the emissions generated leading to the food chain being contaminated which in turn would impact upon food quality. The grain store relies on ambient air to ventilate the grain store and this would be contaminated by toxic chemicals;

- Economic impact – development being permitted could lead to the loss of 170+ local jobs;

- Rights of Way – there would be a negative impact of users of public Rights of Way.

- Built cultural heritage – Proximity to the Grade II Listed Building of Micheldever Station.

- Odour impact for nearest resident (Western Farm 80m from site boundary) and residents to the north of the A303 and to the South in Micheldever Station due to the transportation of waste and the operation of the Anaerobic Digestion facility;

- Noise impact for nearest resident (Western Farm 80m from site boundary) and residents to the north of the A303 and to the South in Micheldever Station due to the 24 hour operations and HGV movements;

- Light pollution – Site would increase light levels at night in the dark rural area;

- Railway safety – tank stability questioned, potential for gas leakage and thereby explosion or fire potential which would have a significant impact on the operation of the main Winchester to London rail line, and the potential for emissions to pool at lower levels and within the tunnel that lies adjacent to the north of the site;

- Airport safety – proximity to Popham Airfield;

- Green development – The site is not a 'green' development. The waste should be moved up the waste hierarchy and therefore it should not be burnt it should be recycled. The recyclables that it separates out will be of a lower grade that may not be suitable to recycle within England. The process undermines recycling and composting;

- Watercourse pollution – pollution from the development and also from the fuel tanks;

- Unproven technology - The technology is unproven and therefore the Waste Planning Authority should be provided with additional information such as a life cycle analysis. This would enable an assessment of whether, in practice, the performance of the proposed autoclave/pyrolysis plant, is in environmental terms, better than landfill and other realistic alternatives and is capable of moving management of the waste up the Waste Hierarchy.

- House Prices – decrease in the sales price of residential properties;

8.5. One letter of support was received.

9. Commentary

Waste Hierarchy and Advanced Conversion Technology

9.1. The principle of the Advanced Conversion Technology (ACT) with Anaerobic Digestion (AD) is supported by Policies 25 and 28 of the Hampshire Minerals and Waste Plan (2013) as the development seeks to reduce the amount of residual waste currently sent to landfill and thereby enables Hampshire to move towards achieving its 95% diversion from landfill target. The design of the facility utilising the autoclave enables recyclables to be removed from the system prior to pyrolysis which therefore moves appropriate waste further up the waste hierarchy. The proposal will include electricity connection to the national grid and there would be the capability to deliver heat in the future through the district heat connection point. The residues from the facility will provide a digestate appropriate for spreading on agricultural fields and replace manmade fertilisers.

9.2. Criteria c and d within Policy 25 require waste sites to be located near to the sources of waste, or markets for its use and for the sites to maximise opportunities to share infrastructure at appropriate existing mineral or waste sites. The final location of the sources of waste are not currently known, it is the intention to source waste from greater Hampshire but in particular Winchester, Basingstoke and Andover.

9.3. The location of the site is such that it is not possible to share infrastructure with existing appropriate waste facilities. It is noted that the site is adjacent to an identified potential future aggregate rail sidings (Policy 19) and that there has been a plan provided to demonstrate that there could be a possible link between the two sites taking into consideration the significant change in levels. As the aggregate rail sidings is not operational and the nature of the potential future rail sidings is not compatible with the proposed waste development it is considered that Criteria d. of Policy 25 is not met.

Need

9.4. Paragraph 6.164 of the Hampshire Minerals and Waste Plan (2013) recognises the need for the provision of capacity for increasing recovery of non-municipal waste to facilitate the movement of waste up the hierarchy and also minimising the remaining amount of waste for landfill. This principal is supported by Planning Policy Statement 10. Whilst there has been a declining trend in waste growth there is still a demonstrated demand for new facilities to enable the recovery of value from waste to meet the identified shortfall. Table 6.7 of the Hampshire Minerals and Waste Plan (2013) identifies that for recovery there is a total requirement (2011-2030) of 388,000tpa.

9.5. Policy 27 identifies the additional capacity figures and it is stated that the figures are to be regarded as a minimum requirement. The proposed development would make a significant contribution to the recovery capacity figures, the proposal is therefore considered to be acceptable in terms of need. The policy supports developments that maintain and provide additional capacity for non-hazardous recycling and recovery subject to criteria. Criteria d is relevant when considering this planning application as it would be a new site that would provide additional capacity. However there is a need to then consider the location policy; Policy 29.

Location

9.6. Policy 29 deals with the location and sites for waste management facilities. It identifies suitable locations as those being within the urban areas in south Hampshire, areas along the strategic road corridors and areas where major new or planned development are to take place. This proposal meets ii of Part 1 of Policy 29 as it is located within close proximity to the A303, a strategic road corridor and this is substantiated by the Key Diagram within the Hampshire Minerals and Waste Plan (2013). Therefore consideration should be given to Part 2 of Policy 29. Where sites meet the locational criteria in Part 2 they will be considered as suitable. The only criteria within Part 2 that the

proposal could be considered against is c. C states *is previously-developed land or redundant agricultural and forestry buildings, their curtilages and hardstanding or is part of an active quarry or landfill operation*. There are conflicting views on whether the site is previously-developed land. In forming a view on whether the site constitutes previously-developed land it is necessary to give consideration to the definition within the National Planning Policy Framework (NPPF). It states:

'Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.'

9.7. Through the construction of the fuel storage tanks it is acknowledged that the chalk bank was removed to facilitate the tanks installation. To prevent the identification of the tanks during WWII chalk was laid over the top of the concrete structures. The chalk surface was not reinstated back to previous levels consistent with Overton Road thereby resulting in the differing levels that can be seen on site today. The tanks are and have remained unused for in excess of 18 years. No permanent structures have been located on top of the chalk surfaces covering the tanks to date. However there were lighting columns associated with dip points emanating from the top of the tanks along the western edge and these remain in situ.

9.8. The fuel storage tanks are permanent structures of which the concrete sides can be seen from public viewpoints. Over time natural succession of the chalk surface on top of the tanks has taken place with vegetation having established on the lower level to calcareous grassland, scrub and immature trees. Dense scrub and mature trees have established on the bank of the site leading to the significant and mature belt of trees along Overton Road.

9.9. To establish whether the surface that the proposed development is to be sited upon is previously developed land it is necessary to consider whether "the permanent structure or fixed surface structure has blended into the landscape in the process of time". Case law has been referred to, *Dodd and Hands v SSETR* [2002] EWHC 84, to seek some guidance on how to establish whether the surface of the proposed development site has blended into the landscape and therefore be treated as a greenfield site. Guidance is that planning assessment required is that of a visual one; it is not a matter of planning law but planning judgement.

9.10. Consequently by virtue of the fact that natural succession has taken place on the surface of the site with vegetation forming across the entirety of the site when making a visual assessment the surface would be considered to have blended into the landscape and therefore the surface of the site should no longer be considered to be previously developed land.

9.11. Taking this into consideration, there is a need to consider the proposal under Part 3 of Policy 29. With regard to Criteria a. of Part 3 the site is located within close proximity to the A303 which provides good transport connections to the major areas such as Andover and Basingstoke that the facility would be likely to serve. The main criteria that needs to be considered is b. and whether there is a *special need for that location and the suitability of the site can be justified*. Little information has been provided by the applicant to justify a special need for the proposed location. The site is in the countryside and not close to the urban areas of Hampshire and not sited adjacent to a significant source of waste. Furthermore the site is not located adjacent to existing compatible waste developments that could facilitate co-location. Whilst there is a plan that shows a potential vehicular connection route to the rail sidings this does not form part of the proposal and therefore at this time does not appropriately demonstrate a use of the railway line for importing waste to the site.

Countryside

9.12. The site is located within the countryside therefore Policy 5 requires consideration. The policy seeks to prevent development in the open countryside subject to specific criteria. Part b of this policy identifies that some developments may require a countryside location. Supporting policy text acknowledges that some waste uses are hard to accommodate within urban areas, the example it gives are those such as large-scale facilities requiring open sites. The nature of this development is such that it does not require an open site as all waste is to be stored within buildings to appropriately mitigate against amenity impacts. Nor does it predominantly relate to countryside activities, although it is noted that the digestate from the AD process can be used to replace man-made crop fertilisers. The applicant has not demonstrated any overriding need for the development to be located in this location.

9.13. Part c of Policy 5 requires development to provide a suitable reuse of previously developed land. As stated above following a visual assessment of the surface of the site it is concluded that the surface of the fuel tanks have blended into the landscape through the vegetation and grassland that has established on the surface. Consequently the proposal is not in accordance with Part c. The proposal does not comply with the aims of Policy 5.

Climate Change

9.14. Government Policy (PPS 10, Government Review of Waste Policy of England (2011) and the Waste Management Plan for England (2013) all contain objectives that include the driving of waste up the waste hierarchy and the

aim of a zero waste economy. Within the Government Review reference is made to the relationship between waste and climate change and it notes how carbon calculation has been factored into policy choices. Therefore the setting of the waste hierarchy has considered the greenhouse gas emissions associated with different types of developments as one of a number of factors. Within the hierarchy anaerobic digestion and energy from waste are above incineration without energy recovery and landfill. By virtue of this the proposed development is preferred over landfill in support of reducing the climate change vulnerability.

9.15. Policy 2 states that waste developments should reduce climate change vulnerability and provide resilience to the impacts of climate change. The nature of the proposed development supports the policy aims through recovering energy from waste and thereby contributing to providing fuel security.

9.16. It is noted that the small area of solar panels proposed on the roof of the building will minimise the energy consumption levels of the proposed building. This micro-generation of renewable energy is supported.

Habitats and Species

9.17. As previously stated the site is designated as a SINC that contains a habitat type CG7 that is one of the richest and rarest of the lowland unimproved calcareous grassland communities. Furthermore it is a qualifying community of a UK BAP priority habitat. These BAP priority habitats are the most threatened in the UK requiring conservation action under the UK BAP, this being identified as the highest priority of conservation in the UK. The SINC is therefore a demonstrably important biodiversity site that contains a priority habitat of national importance. Furthermore within the site there is presence of significant populations of Cut leaved Germander, this is a Schedule 8 plant under the Wildlife and Countryside Act 1981, and Spring Cinquefoil that is a nationally scarce and county rare species.

9.18. Consideration should be given to Policy 3 which seeks to ensure that *'waste developments will not have a significant adverse effect on designated or important habitats and species'*. The policy goes on to state that *'development which is likely to have a significant adverse impact on such sites, habitats and species will only be permitted where it is judged, in proportion to their relative importance, that 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'*.

9.19. Paragraph 118 of the National Planning Policy Framework (NPPF) states that local planning authorities should aim to conserve and enhance biodiversity by applying 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 result, compensated for, then planning permission should be refused'.

- *'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'*.

9.20. The proposed development would result in habitat loss or change in habitat type of approximately 1.5ha of the 3ha present within the application site. It is estimated that this would mean the loss of 0.75ha of calcareous grassland, 0.4ha of scrub, 01ha Bryophyte dominated sward, 0.015ha woodland/tree belt and 0.2ha of bare sand. The ecological report states that the overall mosaic and species composition that would be lost would be considered to be of regional value. Without mitigation it is concluded that this loss of habitat would have a negative impact on a receptor of regional value. Where the loss of habitat is unavoidable within the development footprint, it is proposed that habitat relocation is undertaken in order to maintain the sword and species mix. A landscape strategy plan has been submitted which sets out a scheme to retain and protect areas of the existing grassland habitat which would be subject to enhancement and management works which have been detailed within the Ecological Mitigation Plan (EMP). Furthermore a vegetated roof has been included within the design of the main building to compensate for the loss of calcareous grassland. As stated above this would be established using the existing seed bank, containing propagules and root fragments to form the basis for the new plant community. A specific methodology has not been prepared to date. An outline statement only has been made concluding that 0.5ha of calcareous grassland could be reinstated upon the green roof. It is noted that the applicant has had initial discussions with Natural England regarding the management of the Micheldever Spoil Heaps SSSI to provide beneficial compensation and enhancement measures with additional discussions being had with the Hampshire Wildlife Trust around delivery mechanisms for such measures. To date no formal information has been submitted with regard to the management of the SSSI.

9.21. Natural England are raising objection to the proposal as the applicant has not appropriately demonstrated that there will be no net harm to the CG7 habitat type that is present on site. With internal HCC ecological advice stating that the development contravenes the Wildlife and Countryside Act 1981 (as amended) as it would result in the removal of a Schedule 8 species of plant.

9.22. Dormouse surveys identify that the site provides habitat for a local population of dormice. From assessing the survey and the EMP that has been submitted it is considered that the mitigation measures proposed are such that it would be likely for Natural England to issue a European Protected Species Mitigation (EPSM) License. Should planning permission be granted it is recommended that the EMP be secured through condition and a more detailed plan be submitted prior to commencement of the development.

9.23. It is noted that the bat surveys report that there is not a very large change in the use of the site by bats over the course of the year. This therefore minimises the likelihood of the bats having established roosts in the area. However there remains some potential for small individual roosts to remain. It is felt that the EMP appropriately acknowledges and provides for this. Whilst it is acknowledged that there is to be no flood lighting installed on site there will be low levels of lighting and therefore it is necessary if planning permission is granted to ensure that a lighting strategy is submitted for approval prior to development commencing. This should ensure that the lighting will not impact on the mature belt of tree planting where there remains the potential for small individual bat roosts to consequently ensure that the nature conservation status of the bats is not compromised.

9.24. Therefore it is considered that the development would not have an adverse impact on protected species of dormouse or bats subject to securing the Ecological Mitigation Plan. However, the development would have an adverse impact on the SINC and the CG7 habitat type as the mitigation and compensation measures proposed to ensure they will not cause harm to biodiversity interests on the site do not reduce the impact to no significant adverse impact. It has not been appropriately demonstrated that there is a special need for the development in this location and whilst the principle of energy from waste and movement of waste up the waste hierarchy is supported it does not outweigh the harm caused to the designated SINC, priority habitat type CG7 or cut leaved germander, a Schedule 8 plant of the Wildlife and Countryside Act 1981 (as amended). The proposal does not therefore accord with Policy 3 or follow the principles stated within paragraph 118 of the NPPF. Consequently the site is not suitable for the proposed development.

Emissions

9.25. A chapter within the Environmental Statement covered the potential effects of emissions of dust associated with construction activities, as well as the operational air quality effects associated with emissions from the proposed ACT plant, and the of-site emissions arising from the vehicles serving the site.

9.26. The predicted emissions from the ACT stacks has been considered. It has been confirmed that the abatement system which is designed to reduce emissions to air from the pyrolyser ensures that the emissions standards required by the Environment Agency will be met. Due to the nature of the development the Environment Agency (EA) would be the regulating body for air emissions and they would issue a permit if satisfied that the emissions standards would be met. An application for a permit has been submitted to the EA and the application has been duly made. However no decision has been made on it and there has been no confirmation that the 20m stack height is acceptable. Planning Policy Statement 10 (PPS10) states that the Waste Planning Authority is required to assume that the relevant pollution control regime will be properly applied and enforced by the EA.

9.27. Environmental Health officers have advised that any emissions associated with increased vehicle movements to and from the site are not significant, therefore the HGV movements would not have an adverse impact or lead to breaches of local air quality objectives.

Noise and odour

9.28. Local residents are concerned about the potential for the development to have an amenity impact from noise and odour due to the transportation of waste to the site and the nature of the sites activities and the close proximity to residential properties.

9.29. Winchester City Council's environmental health officer is concerned about the methodology used to establish the potential noise impact for the local residents. Basingstoke and Deane's environmental health officer again has concerns about the methodology and lack of information provided on the particular plant that is to be used at the site. However, due to the location of residents within the Borough of Basingstoke and Deane the officer is satisfied that due to the distance of residents from the site there will not be an adverse noise impact for these residents.

9.30. Whilst there are concerns raised by Environmental Health and Winchester City Council regarding noise it is felt that the distance of the proposed noise generating plant is such that appropriate noise attenuation could be secured and noise conditions attached should planning permission be granted to ensure there was not a significant noise impact from the operation of the facility.

9.31. With regard to the potential for odour, it is acknowledged that the type of waste to be accepted at the site has the potential for it to be odorous. The design of the facility is such that there will be no outside storage of waste and the building will create a 100% sealed environment with negative air pressure and an odour abatement system. Following the submission of the Odour Management Plan no concerns from either of the Environmental Health Officers are being raised with regard to odour.

9.32. Therefore overall, it is considered that with appropriate mitigation measures and conditions to secure these measures it would not be possible to demonstrate that the development would have an unacceptable noise or odour impact.

Contamination of groundwater

9.33. The site lies above the Lewes nodular chalk formation, a principal aquifer and is within the groundwater Source Protection Zone 3 for the Norton supply. Therefore any contamination could pose a risk to groundwater. The Environment Agency are satisfied that subject to conditions being attached to ensure that a remediation strategy, verification plan and report are submitted for approval if planning permission is granted then there will be no

unacceptable risk to groundwater and the aims of part a of Policy 10 would be met.

Landscape visual impact and high quality design

9.34. Policies 10 (d) and 13 state that waste developments should not have an unacceptable visual impact that should maintain and enhance the distinctive character of the landscape. Local residents are concerned that the siting of the facility in this location would industrialise the rural area. Winchester City Council objects on the basis that the development would damage the North Dever Downs Landscape Character Area.

9.35. The site is located within the countryside, the surface being undeveloped. Due to the site being located on land above the railway cutting it can be seen from a range of public viewpoints in the immediate vicinity such as the Grade II listed Micheldever Station building and platform, from the train line itself and also the public RoW that runs along the western edge of the railway line on higher ground. It is noted that from the site itself you can see the Hampshire Highways depot and the buildings within the site boundary. Views into this site can also be gained when on the public RoW. However, there are not views of this site from the Micheldever Station building, platform or railway line due to its location, higher ground level and limited screening.

9.36. Due to the surface of the site on the lower level, where the buildings are to be located, being calcareous grassland there is little boundary treatment when considering the site from the public views to the south or west. There is no planting proposed along these boundaries therefore the proposed buildings would remain clearly visible from these locations.

9.37. Views of the site from the north and east are more limited due to the significant tree planting that surrounds the site and the change in ground levels. It could be possible for views of the stacks to be had from these locations particularly within the winter months. The main viewpoint from Overton Road, to the east of the site, will be as a result of the creation of the new access. The access would require the removal of trees that benefit from a grouped TPO. The loss of trees and understorey vegetation from this established belt of planting would, when coupled with the proposed localised widening to Overton Road, change the character of the area when approaching the site access point.

9.38. As required by Policy 13 the design of the ACT facility is such that it is considered to be of a high-quality design that is visually attractive for a waste facility with external lighting that would not cause unacceptable levels of light pollution. However, with the isolated location of the proposed facility alongside the open views to the south towards Micheldever Station it is considered that the development would be intrusive and does not maintain or enhance the rural character of the area and could have an unacceptable impact on the setting of a Grade II listed building. Therefore the proposal would not be in accordance with Policy 7.

Traffic

9.39. The concerns of the local residents regarding the use of Overton Road and the slip roads onto the A303 are noted. Their concerns regarding the potential for HGVs to use local roads has also been taken into consideration. The Highways Agency has considered whether the additional traffic from this development would have an impact on the A303 and associated slip roads. No objection was raised.

9.40. The Highway Authority has considered the development with regard to highways safety and capacity. The Authority has concluded that the additional information provided appropriately demonstrates that the scheme is deliverable and that the road widening appropriately facilitates the left turn out, right hand turn in appropriately with acceptable visibility splays being provided. It is identified that it would be necessary for the operator to issue clear delivery instructions as part of all contracts it enters into in respect of businesses to the south as this is the direction which is susceptible to traffic accessing through Larkswhistle Farm Road and Micheldever Station which is undesirable. It is therefore recommended that a routing agreement is secured by planning condition. Due to the concerns raised by the Highway Authority additional information was submitted to confirm that the monitoring of the routing agreement could be achieved through the installation of a CCTV camera at the site access. This is welcomed and should also be secured by planning condition if planning permission is to be granted.

9.41. As the development would result in an increased number of trips upon the highway network, the application is subject to a Transport Contribution in line with Hampshire County Council's transport contribution policy. The impact is likely to be to carriageway construction and also verge deterioration on Overton Road. Further to this there is an existing flooding issue on Overton Road under the A303. Therefore a contribution of £31,280 would be necessary to reduce the impact that the development would have on the highway network.

9.42. The development therefore meets the requirements of Policy 12 as these are not considered to be any significant adverse effects created by the proposed development subject to the developer entering into a Section 106 and Section 278 agreement for the localised road widening works.

Conclusion

9.43. There is a presumption in favour of sustainable development where proposed developments accord with policies within the Hampshire Minerals and Waste Plan (2013) unless material considerations indicate otherwise.

9.44. The proposal would divert waste from landfill and move waste up the waste hierarchy through further separation of recyclables with provision for district heating being included (Policy 25 and 28). The development would also contribute to the waste capacity targets of Hampshire (Policy 27) but is subject to meeting the locational criteria within Policy 29. The facility would

through its nature contribute to reducing climate change vulnerability and provide fuel security (Policy 2). There could be appropriate mitigation measures secured to ensure that there would not be an adverse impact on public health, safety and amenity (Policy 10). The development would have a safe and suitable access onto the highway network and the site is located within very close proximity to the A303. The route to the A303 is appropriate subject to a routing agreement and S106 legal agreement being entered into by the developer (Policy 12).

However the development is contrary to Policy 29 as it is considered that the surface of the development site has blended into the landscape and as such is not previously developed land. No special need for this location has been justified as the site is isolated from the urban areas of Hampshire with no existing waste sites adjacent to it to enable co-location and there is no provision at this point in time to facilitate the connection of the site to the railway sidings to facilitate the importation of waste by rail. Furthermore there is no source of waste located within close proximity to the site. The development is contrary to Policy 5 as the site is located within the countryside and is not sited on previously developed land. The nature of the development is such that it does not require a countryside location with only the digestate element of the proposal relating directly to the countryside location and does not meet the needs of the adjacent local community. The proposed development is contrary to Policy 3 and does not follow the principles stated within paragraph 118 of the National Planning Policy Framework (NPPF) as it would not give appropriate protection to the Site of Importance for Nature Conservation (SINC), the CG7 habitat type or the Schedule 8 plant of the Wildlife and Countryside Act 1981 (as amended); the cut leaved germander. Whilst the proposed buildings for the ACT facility are of a high quality design for waste facilities with lighting proposed that would not cause unacceptable levels of light pollution, the facility is within an isolated rural location that does have open views from the Micheldever Station village and Micheldever Station Grade II listed building, and therefore would be visually intrusive and does not maintain or enhance the rural character of the area (Policy 10 (d) and 13).

10. Recommendation

10.1. That permission for the construction and operation of a 8 MWe Pyrolysis Advanced Conversion Technology (ACT) plant including a 2 MWe Anaerobic Digestion Plant associated office, visitor centre, with new access road and weighbridge facilities, solar panels, associated landscaping and surface water attenuation features at Overton Road, Micheldever Station, SO21 3AP. (Application No. 12/02013/HCS) (Site ref: WR227) be refused for the following reasons:

(i) The development is contrary to the requirements of Policy 29 (2) and contrary to Policy 29 (3b) of the Hampshire Minerals and Waste Plan (2013) in that it is not located on previously developed land as the surface has blended into the landscape in the process of time and no

special need for the location and the suitability of the site has been justified.

(ii) The development is contrary to Policy 5 of the Hampshire Minerals and Waste Plan (2013) as the development is within the countryside, on a site that is not considered to be previously developed land as the surface has blended into the landscape in the process of time and where the nature of the development is such that it is not directly related to countryside activities and it does not meet the needs of the adjacent local community.

(iii) The development is contrary to Policy 3 of the Hampshire Minerals and Waste Plan (2013) and does not follow the principles stated within paragraph 118 of the National Planning Policy Framework (NPPF) as it would result in an unacceptable adverse impact on the Site of Importance for Nature Conservation (SINC).

(iv) The development is contrary to Policy 10 (d) and Policy 13 of the Hampshire Minerals and Waste Plan (2013) as the development would be visually intrusive from Micheldever Station and public views and consequently would have an unacceptable adverse visual impact.

RefRpt/5915/KK

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.

Section 100 D - Local Government Act 1972 - background documents

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

Document	Location
The construction and operation of a 8 MWe Pyrolysis Advanced Conversion Technology (ACT) plant including a 2 MWe Anaerobic Digestion Plant associated office, visitor centre, with new access road and weighbridge facilities, solar panels, associated landscaping and surface water attenuation features at Overton Road, Micheldever Station, SO21 3AP. (Application No. 12/02013/HCS) (Site ref: WR227)	County planning Elizabeth II West The Castle Winchester

ADVICE NOTE

In determining this planning application, the Waste Planning Authority has worked with the applicant in a positive and proactive manner based on early identification of issues and concerns of consultees and the Planning Authority, seeking solutions to problems arising in relation to dealing with the planning application by liaising with consultees, respondents and the applicant/agent such as the ecological issues. This approach has been taken positively and proactively in accordance with the requirement in the NPPF, as set out in the Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012.

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

HAMPSHIRE MINERALS AND WASTE PLAN (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 while; 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 5: Protected 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 location 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 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 non-designated, 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 10: Protecting public health, safety and amenity
Minerals and waste development should not cause adverse public health and safety impacts, and unacceptable adverse amenity impacts.

Minerals and waste development should not:

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

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

Policy 12: Managing traffic
Minerals and waste development should have a safe and suitable access to the highway network and where possible minimise the impact of its generated traffic through the use of alternative methods of transportation such as sea, rail, inland waterways, conveyors, pipelines and the use of reverse logistics. Furthermore, highway improvements will be required to mitigate any significant adverse effects on:

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

Policy 13: High-quality design of minerals and waste development
Minerals and waste development should not cause an unacceptable adverse visual impact and should maintain and enhance the distinctive character of the landscape and townscape.

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

Policy 25: Sustainable waste management
The long-term aim is to enable net self-sufficiency in waste movements and divert 100% of waste from landfill. All waste development should:

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

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

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

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

Policy 27: Capacity for waste management development
In order to reach the objectives of the Plan and to deal with arisings by 2030 of:

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

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

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

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

a. the use of existing waste management sites; or
b. extensions to suitable sites:
- that are ancillary to the operation of the existing site and improve current operating standards, where applicable, or provide for the co-location of compatible waste activities; and
- which do not result in inappropriate permanent development of a temporary facility and proposals for ancillary plant, buildings and additional developments that do not extend the timescale for completion of the development; or

c. extension of time to current temporary planning permissions where it would not result in inappropriate development; or
d. new sites to provide additional capacity (see Policy 29 - Locations and sites for waste management).

Policy 28: Energy recovery development
Energy recovery development should:

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

Policy 29: Locations and sites for waste management
1. Development to provide recycling, recovery and/ or treatment of waste will be supported on suitable sites in the following locations:
   i. Urban areas in north-east and south Hampshire;
   ii. Areas along the strategic road corridors; and
   iii. Areas of major new or planned development.

2. Any site in these locations will be considered suitable and supported where it:
   a. is part of a suitable industrial estate; or
   b. has permission or is allocated for general industry/ storage; or
   c. is previously-developed land or redundant agricultural and forestry buildings, their curtilages and hardstandings or is part of an active quarry or landfill operation; or
   d. is within or adjoins sewage treatment works and the development enables the co-treatment of sewage sludge with other wastes; and
   e. is of a scale compatible with the setting.

3. Development in other locations will be supported where it is demonstrated that:
   a. the site has good transport connections to sources of and/or markets for the type of waste being managed; and
   b. a special need for that location and the suitability of the site can be justified.