

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Regulatory Committee
Date:	22 March 2011
Title:	Continued use of land for recycling and storage of inert excavation materials at Tile Barn Farm, Upton Grey, Basingstoke RG25 2RS (Application No: BA166BDB) (Site Ref: 72278)
Reference:	2752
Report From:	Head of Planning and Development

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1. Executive Summary

- 1.1. Retrospective planning permission is sought for the continued use of land for recycling and storage of inert excavation materials at Tile Barn Farm, Upton Grey.
- 1.2. Objections have been received from Basingstoke and Deane Borough Council, Highways Authority and Upton Grey Parish Council. The main issues raised are: impact on landscape character (DC3 – Impact on Landscape and Townscape), highways (DC6 - Highways), impact on local amenity (DC8 – Pollution, Health, Quality of Life and Amenity) and proximity to waste sources.
- 1.3. The planning application was originally considered at the Committee meeting on 29 September 2010 where the decision was taken by Members to defer the decision for a site visit due to concerns over the heavy good vehicles using the nearby roads, in particular, Little Dean Lane. Consequently a site visit was carried out on 11 October 2010. The planning application was returned to Regulatory Committee on 27 October 2010, Members resolution was to defer the decision to provide further information on the issues raised in the Members questions. During questioning the Applicant stated he would consider providing passing places along Little Dean Lane. It was noted that whilst improvements to the road would benefit the application, the junction was still considered substandard.
- 1.4. It is considered that the proposal would not materially harm the landscape character (DC3) and on balance the proposals are satisfactory on highways grounds (DC6) it will not harm the amenity of local residents (DC8) and therefore it is recommended that planning permission for the continued use of

land for recycling and storage of inert excavation materials at Tile Barn Farm, Upton Grey, Basingstoke be granted subject to the conditions.

2. Site and proposal

- 2.1. The proposed waste recycling and storage site (see attached location plan) is already in operation at Tile Barn Farm, Upton Grey and has been on this site and an adjacent site for around 15 years in total.
- 2.2. The 0.87 hectare site lies within an undulating farmland and woodland landscape setting between the villages of South Warnborough and Upton Grey. The site is accessed via Little Dean Lane, which is a single width carriageway with few passing places and serves solely Tile Barn Farm and Little Dean Cottage.
- 2.3. Bunds on the eastern and western side of the site define the development's boundary. The northern and southern site boundaries are undefined, however permission has recently been granted for a pig barn to the north and a new farm house has been constructed 100 metres to the south of the site. Land surrounding the site is agricultural.
- 2.4. The site is currently operated by A J Harris. Material is brought to the site from Cobra's sites. Cobra operate as a regional sub-contractor for BT and undertake small scale works on the public highways and other land across which the BT landlines are laid. They operate in Hampshire, Surrey and West Sussex. The soils and aggregates from these sites are processed at Tile Barn Farm, before being returned for use on the Cobra sites. In addition to the use of the site by A J Harris, local landscape contractors bring along material for processing and collect processed and screened soil and aggregates from the site.
- 2.5. The site operates between 8am and 5pm Monday to Friday with up to two members of staff operating the machinery on site. The machinery on site includes two mobile finger screeners, two diggers and a mechanical shovel. Concrete crushing takes place on site, for an average of three days every six months. All material that is brought to the site for processing is inert. Wood and metals are deposited into a skip. Approximately 20,000 tonnes of materials are processed on site per annum. Once permission is granted an Environmental Permit will be required from the Environment Agency to allow the site to operate.
- 2.6. The vehicles which serve the site are a three tonne flatbed lorry and three 16 tonne six wheel tipper lorries. It is proposed that there will be five lorry loads of material brought to the site per day and five lorry loads of material removed, therefore totalling 10 vehicle movements per day. The lorry route is proposed to be along Little Dean Lane to the north of the site reaching Ford Lane and then the B3349 Alton Road. Vehicles are loaded in the afternoon of the previous day, stored on site overnight and then leave site fully loaded from 6:00am onwards. In addition to this 10 landscape contractors vehicles per week are proposed.

3. Additional Information

- 3.1. Following deferral of the planning application from the October Regulatory Committee, discussions have taken place between Officers and the Applicant. As a result, an undertaking has been submitted to address the Members questions. Firstly the applicant will provide one passing bay on the southern edge of Gaston Copse and secondly, he will take responsibility for ensuring that any tree re-growth affecting the visibility of the junction with Bidden Road will be trimmed back to provide safe sight lines.

4. Site History

- 4.1. Planning permission was granted on 16 February 2010 by Basingstoke and Deane Borough Council for the erection of a pig shed, hardstanding, bund, associated landscaping and access track (part retrospective). The bund which runs along the eastern boundary of the site currently being considered was permitted under this Basingstoke planning permission. A landscaping scheme has been approved by Basingstoke and Deane Borough Council, and involves the planting of a native woodland strip on the eastern slope of the bund.
- 4.2. The waste recycling and storage activities have been taking place on this site and an adjacent site for the past 15 years. No complaints have been received by the County Council in this time.

5. Development plan

- 5.1. Hampshire Minerals and Waste Core Strategy (2007): Policies S4 (Recycling and Composting), DC3 (Impact on Landscape and Townscape), DC6 (Highways), DC8 (Pollution, Health, Quality of life and Amenity), DC13 (Waste Management and Recycling (including Aggregate Recycling Facilities)).
- 5.2. Basingstoke and Deane Borough Local Plan Review (2006): Policy E1 (Development Control).
- 5.3. Planning Policy Statement 10 'Planning for Sustainable Waste Management'.

6. Consultations

- 6.1. **The Local Member, Councillor Mrs McNair Scott** has been consulted on the proposal and no comments have been received.
- 6.2. **Basingstoke and Deane Borough Council** objects to the proposal for the following reasons:
 - (i) the proposal would have an adverse impact on the landscape character of the area due to the industrial nature of the activities, which would conflict with the quiet, unspoilt, rural character of this countryside, contrary to Policy E6 of the Basingstoke and Deane Borough Local Plan 1996-2011,

Planning Policy Statement 10 'Planning for Sustainable Waste Management' and Policy W17 of the Regional Spatial Strategy;

- (ii) the local highway network is considered inadequate to serve the proposed development, by reason of its width, alignment and general geometry. The proposal, if permitted, would result in the generation of uncontrolled numbers of additional vehicles of an inappropriate size, weight and type entering and leaving Little Dean Lane to and from the north, which is signed "No vehicles over 6 foot 6 inches width except for access" at its junction with Ford Lane. The proposal will therefore interfere with the safety and free flow of traffic on the local highway network and fails to provide safe and convenient access for potential users giving rise to conditions detrimental to highway safety. As such the proposal is contrary to Planning Policy Statement 10 'Planning for Sustainable Waste Management', Policy W17 of the Regional Spatial Strategy and Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

6.3. Environment Agency - No comments are made in relation to the planning application. The Environment Agency identify that the proposal would no longer benefit from an exemption and state that the sites undertakings must, by 6 April 2012, either apply for an environmental permit or cease the operation.

6.4. Highway Authority are of the opinion that the additional information satisfies their previous reasons for refusal, subject to the applicant entering into a Section 278 Agreement with the County Council to ensure the highways works are carried out, and subject to planning conditions restricting the number of vehicles entering and leaving the site per day, and the provision of visibility splays at the junction of Little Dean Lane and Bidden Road.

6.5. Upton Grey Parish Council raises objection to the planning application for the following reasons: noise pollution, dust pollution, increased traffic, erosion to the edges of the carriageway and impact on the quality of life of nearby residents.

7. Representations

7.1. No representations have been received from those residents notified.

8. Site Visit

8.1. Thirteen Members of the Regulatory Committee, Councillors Allgood, Beagley, Cooper, Gurden, Hockley, Joy, Neal, Pearce, Price, Simpson, Wall and Mrs Wheale with Councillor McIntosh in the Chair, undertook a site visit on 11 October 2010 to view the site.

8.2. Members visited the site after the item was deferred at the 29 September 2010 Regulatory Committee meeting, due to concerns over the heavy good vehicles using the nearby roads, in particular, Little Dean Lane.

8.3. Members were shown the site itself and it was confirmed that planning permission had already been granted for a pig shed, hardstanding, bund,

associated landscaping and access track by Basingstoke and Deane Borough Council. The Development Control Manager confirmed that there was no residential housing in the immediate vicinity.

- 8.4. Upon leaving the site, Members took the route that the lorries would ordinarily use along Little Dean Lane, which is a single track road.
- 8.5. There were no questions or requests for further information to be included in the final report.

9. Commentary

- 9.1. The main issues raised are: impact on landscape character (DC3), highways matters (DC6), impact on local amenity (DC8) and proximity to waste sources.
- 9.2. Basingstoke and Deane Borough Council's comments regarding the development being contrary to policy E6 of the Basingstoke and Deane Borough Local Plan 1996-2011 are noted. However, the site is located within an undulating rural country landscape and is well screened. Owing to the bunds and woodland surrounding the site, as well as the additional planting approved by Basingstoke and Deane Borough Council on the bund to the east of the site, the impact on the landscape character is judged to be minimal. If permission was to be granted, restrictions on the height of stockpiles would be conditioned to prevent the stored inert waste being seen above the bunds. The activities on the site are not contrary to Policy DC3.
- 9.3. Highways concerns have been raised by Basingstoke and Deane Borough Council, the Highways Authority and the Parish Council. Policy DC6 states consideration should be given to highway capacity, road and pedestrian safety, congestion and environmental impact as well as the proposed volume and nature of traffic generated and the suitability of the proposed access and road network.
- 9.4. It is noted that the level of traffic generated by the proposal is low, and a traffic count has been supplied to illustrate this. Little Dean Lane is a single track, with evidence of verge degradation and overrunning along its length. Sections of the carriageway have poor visibility and whilst there are a limited number of existing informal passing bays, there remain stretches of the lane where passing provision and visibility remain inadequate. The provision of one passing bay at the south of Gaston Copse helps to address this issue. If planning permission is approved it is recommended that the applicant enters into a Section 278 Agreement with the County Council to ensure that the passing bay is constructed to the required specifications.
- 9.5. Whilst Bidden Road is of national speed limit classification, it is anticipated that actual vehicle speeds are low. The visibility at the junction of Little Dean Lane with Bidden Road is substandard at present and additional vegetation removal is required to provide a visibility splay of 2.4 metres by 45 metres to the left. An undertaking from the applicant has been submitted stating he will ensure that the vegetation is trimmed to ensure safe sight lines are provided.

- 9.6. It is recommended that if planning permission is granted, conditions are also attached to the decision notice to; ensure vehicles turn right into the site and left out of the site, restrict vehicle movements to 5 in to the site and 5 out of the site per day, and to ensure that the visibility splay of 2.4 metres by 45 metres is maintained free from obstruction at all times.
- 9.7. Issues of noise and dust from the operation of the site have been raised by the Parish Council. However, the site is situated over 400 metres from the nearest housing not under farm ownership. A combination of this distance and the small scale nature of the development lead to a conclusion that the issues of noise and dust are not significant and not contrary to Policy DC8.
- 9.8. The site operators have no specific site from which they work, so whilst it is noted that the location may not be close to the waste sources at all times, it is considered to be a central location for the applicant's catchment area for recycling and storage of materials. The issue of proximity is an insufficient ground for refusal of permission.
- 9.9. The proposal is contrary to Policy DC13 as it does not fall within any of the categories specified by the policy. Notwithstanding this, the recycling and storage of waste has been taking place on the farm complex for a substantial period that leads to the conclusion that the land is not required for agriculture. On this basis, the scale of the development and, lack of issues concerning the landscape and amenity impact of the site this departure from policy would be difficult to sustain as a ground for refusal.
- 9.10. No new issues were raised at the site visit on 11 October 2010, or following the October Regulatory Committee.
- 9.11. In conclusion it is noted that there although Little Dean Lane is very narrow with poor visibility, taking into consideration the small scale of the development and lack of complaints, and the provision of an additional passing bay and undertaking to ensure safe sight lines are provided, on balance it is considered the proposal is acceptable.

10. Recommendation

- 10.1. It is recommended that planning permission for the continued use of land for recycling and storage of inert excavation materials at Tile Barn Farm, Upton Grey, Basingstoke be granted, subject to the conditions set out in Integral Appendix B:

Links to the Corporate Strategy

Hampshire safer and more secure for all:	yes
Corporate Improvement plan link number (if appropriate):	
Maximising well-being:	yes
Corporate Improvement plan link number (if appropriate):	
Enhancing our quality of place:	yes
Corporate Improvement plan link number (if appropriate):	

Section 100 D - Local Government Act 1972 - background documents

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

Document

Location

Planning Application for: Continued use of land for recycling and storage of inert excavation materials at Tile Barn Farm, Upton Grey, Basingstoke RG25 2RS (Application No: BDB72278) (Site Ref: BA166)

Environment Department, Elizabeth II Court West, First Floor

CONDITIONS

Hours of Working

1. Unless otherwise agreed in writing by the Waste Planning Authority no heavy goods vehicles shall enter or leave the site except between the following hours: 0600-1700 Monday to Friday. There shall be no working on Saturdays, Sundays or recognised public holidays.

Reason: In the interests of local amenity.

2. Unless otherwise agreed in writing by the Waste Planning Authority no plant or machinery shall be operated except between the following hours: 0800-1700 Monday to Friday. There shall be no working on Saturdays, Sundays or recognised public holidays.

Reason: In the interests of local amenity.

Highways

3. All vehicles shall turn right into the site, and turn left out of the site. The vehicles shall follow the route detailed on plan RC1 to Alton Road (B3349).

Reason: In the interests of highway safety.

4. There shall be no more than 5 HGV vehicle (10 two-way) movements per day entering or exiting the site. Onsite records shall be maintained recording the time, date and registration number of all vehicles carrying material to and from the site and these records shall be made available for inspection by the Waste Planning Authority on request.

Reason: In the interests of highways safety.

5. For the duration of the development measures shall be taken to clean vehicles leaving the site to prevent mud and spoil from being deposited on the public highway. These measures shall be used by all vehicles leaving the site and maintained in good working order for the duration of the development. No vehicle shall leave the site unless it has been cleaned sufficiently to prevent mud and spoil being carried on to the public highway.

Reason: In the interests of highway safety.

6. Loaded lorries entering and leaving the site shall be fully sheeted.

Reason: In the interests of highway safety and the amenities of the area.

7. Visibility splays of 2.4 metres by 45 metres shall be provided at the junction of Little Dean Lane and Bidden Road, these visibility splays shall be maintained free from obstruction at all times.

Reason: To ensure that appropriate visibility is provided in the interests of highway safety.

8. A passing bay, measuring 6 metres from edge of the carriageway to the edge of the passing bay, 10 metres in length with 45 degree splays shall be provided in Little Dean Lane as shown on Plan RC1. The construction details for the passing bay shall be submitted to the Waste Planning Authority for approval in writing. The details shall be implemented as approved and the passing bay maintained for the duration of the development.

Reason: To ensure that the passing bay is constructed to the required specification, in the interests of highway safety.

9. There shall be no importation or exportation of waste until the passing bay in Little Dean Lane has been constructed in accordance with condition 8.

Reason: To ensure that the passing bay is constructed to the required specification, in the interests of highway safety.

Storage

10. The stockpiles of waste stored on site shall not exceed 2.5m in height. No vehicles or machinery shall work on top of the stockpiles.

Reason: In the interest of visual amenity.

Restoration

11. The site shall be restored to agriculture in accordance with a scheme to be agreed by the Waste Planning Authority in writing. The scheme shall be submitted within six months of the date of this permission and shall include details of:

(i) the thickness and quality of subsoil and topsoil to be used and the method of soil handling and spreading, including the machinery to be used;

(ii) the ripping of any compacted layers of final cover to ensure adequate drainage and aeration, such ripping to take place before placing of topsoil;

(iii) measures to be taken to drain the restored land; and

(iv) details of proposed seeding.

Reason: To ensure satisfactory restoration.

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

HAMPSHIRE MINERALS AND WASTE CORE STRATEGY DPD 2007

S4 - Recycling and Composting

There will be a progressive increase in the average recycling and composting rates for all municipal, commercial and industrial waste to 50% in 2010; 55% in 2015 and; 60% in 2020.

DC3 - Impact on Landscape and Townscape

Minerals and waste development will only be permitted if due regard is given to the likely visual impact of the proposed development and its impact on, and the need to maintain and enhance, the distinctive character of the landscape or townscape. If necessary, additional design, landscaping, planting and screening, including planting in advance of the commencement of the development, should be proposed.

DC6 – Highways

Major mineral extractions, landfills and ‘strategic’ recycling, aggregate processing and recovery and treatment facilities, will be permitted provided they have a suitable access to and/or route to the minerals and waste lorry route as illustrated on the Key Diagram. In all cases, minerals and waste development will only be permitted if it pays due regard to the likely volume and nature of traffic that would be generated by the proposal and the suitability of the proposed access to the site and of the road network that would be affected. Consideration should be given to highway capacity, road and pedestrian safety, congestion and environmental impact, and whether any highway improvements are required and whether these could be carried out satisfactorily without causing unacceptable environmental impact.

DC8 - Pollution, health, quality of life and amenity

Minerals and waste development will only be permitted if due regard is given to the pollution and amenity impacts on the residents and users of the locality and there is unlikely to be an unacceptable impact on health and/or the quality of life of occupants of nearby dwellings and other sensitive properties. Where necessary minerals and waste developments should include mitigation measures, such as buffer zones between the site and such properties.

DC13 - Waste Management and Recycling (including Aggregate Recycling Facilities)

Waste management developments (excluding landfill) will be permitted provided that the site:

- a. Is identified as a site, or within an area suitable for waste management uses, in the Hampshire Waste Management Plan or Minerals Plans, or
- b. Re-uses/redevelops previously developed land and/or redundant agricultural and forestry buildings (including their curtilages), or
- c. Is within a planned area of large-scale development, or
- d. Is on employment land, preferably co-located with complementary activities, and
- e. Has good access to, the minerals and waste lorry route as shown on the Key Diagram, and where possible, the site enables the use of water-borne and rail freight, and
- f. In the case of recovery and treatment sites, incoming waste shall be subject to pre-treatment, either on or off site to maximise the potential for recycling, and where technically possible, energy will be generated and used and the by-products, including heat, will be reused or recycled, and
- g. In the case of sites providing public access, the site shall be accessible for use by disabled people.

BASINGSTOKE AND DEANE LOCAL PLAN REVIEW 2006 (ADOPTED LOCAL PLAN 1996 – 2011)

Policy E1 – Development Control

Proposal for new development will be permitted provided that they are of a high standard of design, make efficient use of land, respect the amenities of neighbouring occupiers, and do not result in inappropriate traffic generation or compromise highway safety. All development proposals should therefore:

- (i) respond to the local context of buildings in terms of design, siting, density and spacing, reinforce attractive qualities of local distinctiveness and enhance areas of poor design; extensions should respect their host building;
- (ii) provide a comprehensive landscaping scheme, where appropriate, enabling the development to successfully integrate with the landscape and surrounds, and not result in the loss of or have a potentially adverse impact on protected trees; and
- (iii) not generate traffic of a type or amount inappropriate for roads, properties or settlements in the locality, and provide safe and convenient access for all potential users, integrating into existing movement networks and open spaces; and
- (iv) provide a co-ordinated and comprehensive scheme that does not prejudice the development of adjoining land; and
- (v) incorporate features to minimise the energy consumed in the construction and future use of the building, conserve water and minimise water use; and
- (vi) create attractive public spaces, which are safe, minimise opportunities for crime, facilitate public enjoyment, and foster the legibility of the built environment; and
- (vii) minimise the potential for pollution of air and soil and not create noise or light which harms living and working conditions or the public's enjoyment of the built and natural environment.