

## HAMPSHIRE COUNTY COUNCIL

### Decision Report

<b>Decision Maker:</b>	Regulatory Committee
<b>Date:</b>	8 January 2014
<b>Title:</b>	Permanent Secondary Aggregate Recycling Facility with Landscaping at Warren Heath Recycling Facility, The Welsh Drive, Eversley RG27 0QB (Application No: 13/00755/CMA) (Site Ref: HR042)
<b>Reference:</b>	5489
<b>Report From:</b>	Head of County Planning

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#### 1. Executive Summary

1.1. Planning permission is sought for a permanent secondary aggregate recycling facility with landscaping at Warren Heath Recycling Facility. The site has a temporary permission to process 50,000 tonnes per annum of inert construction, demolition and excavation waste and the proposal seeks to increase this on a permanent basis to 250,000 tonnes per annum.

1.2. The main points for consideration are:

- the principle of the countryside location;
- potential impacts on nature conservation;
- the amenity and safety of horse riders, cyclists and walkers using the Welsh Drive;
- highway safety;
- the visual impact on the landscape; and
- the benefits of waste management.

1.3. The proposal is in accordance with the development plan (Hampshire Minerals and Waste Plan (adopted 2013)) as it is acceptable in the rural location (Policy 5 and 29). It would not materially harm the character of the area through visual impact (Policies 10d,13) or cause harm to biodiversity (Policy 3) or the water environment (Policy 11). There will be no significant effect on the local historical asset of the ancient bridleway (Policy 7) or subject to an alternative route secured through a legal agreement cause any adverse highway safety or unacceptable amenity impacts for rights of way users

(Policy 12, 10). The proposal maintains and provides additional capacity for non-hazardous recycling and recovery (Policy 18 and 27). It provides a sustainable waste management solution with a useable end product that diverts waste from landfill and reduces the reliance on primary aggregates (Policy 25).

- 1.4. The recommendation includes a legal agreement to secure a highway contribution, long term management of mitigation land and an alternative bridleway route.
2. **The site**
  - 2.1 Planning permission is sought for a permanent secondary aggregate recycling facility with landscaping at Warren Heath Recycling Facility, The Welsh Drive, Eversley.
  - 2.2 The site extends across 11.8 hectares of land at Warren Heath, Bramshill, near Yateley. It is a worked out sand and gravel quarry (permissions No.s 0000349CMA and 00/00679/CMA) currently being operated under a temporary permission as an inert construction, demolition and excavation waste and secondary aggregate recycling facility (permission No 06/02863/CMA). Due to the previous quarry working, the site lies between 4-5 metres lower than the boundary.
  - 2.3 The Warren Heath Recycling Facility (WHRF) is located to the south and east of the current CEMEX office and weighbridge and processing plant for Bramshill Quarry, which has permission to operate until 31 December 2013. It is known that CEMEX will be submitting a planning application to extend the temporary permission for an additional seven years, to enable further extraction and restoration of the neighbouring quarry.
  - 2.4 To the south of the site, on the opposite side of the A327 is Eversley Haulage Park which operates as a Waste Transfer Station (permission 10/02547/CMA) and currently provides inert waste to the Warren Heath recycling facility for processing.
  - 2.5 The site lies adjacent to the Thames Basin Heaths Special Protection Area (SPA) and approximately 400 metres from the Castle Bottom to Yateley Heath Site of Special Scientific Interest (SSSI).
  - 2.6 The WHRF is located within National Landscape Character Area 129 'Thames Basin Heaths', which is a distinct area of commonly unenclosed heathland and coniferous forestry developed on the acidic soils in the west of the Thames basin.
  - 2.7 The nearest houses are the caravans associated with the quarry, opposite the site entrance and Hawkers Lodge (30 metres from south east corner of site). The northern boundary and a length of the western boundary of this property are enclosed by a 1.8m high brick wall.
  - 2.8 Access to the site is via an informal priority T-junction arrangement from A327. The access is alongside the Welsh Drive which is a bridleway and

public right of way which borders the site to the north. The access is also currently used as the main haul route and access to Bramshill Quarry, located to the west of the site.

- 2.9 To the south of the site is a bridleway known as Sir Richard's Ride. The footpath known as Eversley No.27 is 200 metres to the north east, and connects to the area across the A327 known as Busta Triangle.

### **3 Proposal**

- 3.1 The applicant seeks to have a permanent permission for a secondary aggregate recycling facility. The current site has temporary permission (06/02863/CMA) until 31 December for "the development and operation of a secondary aggregate recycling facility." A condition of the temporary permission is that the site is restored to forestry after completion. The waste capacity is proposed to increase from 50,000 tonnes to 250,000 tonnes per annum.
- 3.2 The proposal includes changes to the site boundary by way of screening bunds, re-contouring and landscaping. The screening bunds would gradually rise to just over 6m high on the inner slopes of the eastern boundary bund and with a gradual rise of 3.3m above ground level of 94.0m AOD at the Sir Richards Ride side to the South. Here there would be a 3m stand off from the existing fence line. The proposed bund at the western boundary ranges in height from approximately 2.5m to 4m above ground level. This would mean that the level difference between the inner base of the bund and the top of the bund on the eastern edge of the site is approximately 6.5m, which would indicate that stockpiles across the site could in theory be of 6 - 6.5m high and not seen over the top of the bunds, provided they are level with the top of the bund. The actual site's topography is lower than the surrounding road, however, for the purposes of certainty, the applicant has not taken this into account and is proposing a height restriction on stockpiles of 5m.
- 3.3 The slopes of the bunds will be engineered to support native woodland planting on the outer slopes and the inner slopes will be populated with scots pine plantations. The access area and boundary to the north would also benefit from enhanced planting of a similar type.
- 3.4 To manage surface water on site, both a surface water drainage lagoon and wildlife pond would be managed in the south east corner of the site.
- 3.5 New processing and dry screening plant, and aggregate washing systems would be included in the proposal, specifically designed to recover aggregates from high silt content excavation wastes that would previously have been sent to inert landfill. These proposed operations extend the existing operational site footprint by over a third, into the open land to the south of the current operational area.

- 3.6 Also forming part of the proposal are the following plant and machinery which are already being used on site under the temporary permission:
- (a) X2 Jaw Crushers crushing concrete/hardcore (Pegson XR400 or similar) (one crushing concrete, the other crushing hardcore);
  - (b) X2 x Powerscreen Warrior 1400 dry screens (One screening sand, one screening topsoil);
  - (c) X1 Powerscreen Powertrack 800 dry screen (Screening crushed concrete to make Type 1 roadbase); and
  - (d) X1 Powerscreen Chieftain 2100X.

The existing buildings on site are also proposed to remain as part of this permanent proposal; including a large portacabin, site office, weighbridge (footprint of 4 x 17 metres) a site mess rooms and a small toilet block. No new buildings are proposed.

The lighting would remain as existing, namely the use of Power Tower power generated by Super Silent Diesel (1500rpm), and Dusk-Dawn sensor based security lighting at the north of the site.

- 3.7 The proposal would generate 68 two-way daily lorry load trips (68 in/68 out) per day which is an increase of 54 trips that are currently being generated, as the existing temporary permission is restricted to 42 movements per day (21 trips in and 21 trips out).
- 3.8 As under the temporary permission, no heavy goods vehicles shall enter or leave the site and no plant or machinery shall be operated except between the following hours: 0730-1800 Monday to Friday and 0730-1300 Saturday. There shall be no working on Sunday or recognised public holidays.
- 3.9 The operation currently employs ten people and this would remain the case if the proposal was given permission.
- 3.10 The proposal is an EIA Development under the Environmental Impact Assessment Regulations 2011 and an environmental statement has been submitted.

#### **4. Development plan**

- 4.1. The most relevant policies from the Hampshire Minerals and Waste Plan (HMWP) (adopted 2013) are;
- (a) Policy 3: Protection of habitats and species;
  - (b) Policy 5: Protection of the countryside;
  - (c) Policy 7: Conserving the historic environment and heritage assets
  - (d) Policy 10: Protecting public health, safety and amenity;
  - (e) Policy 11: Flood risk and prevention;

- (f) Policy 12: Managing traffic;
- (g) Policy 13: High-quality design of mineral and waste developments;
- (h) Policy 18: Recycled and secondary aggregates development
- (h) Policy 25: Sustainable waste management;
- (i) Policy 27: Capacity for waste management development;
- (j) Policy 29: Locations and sites for waste management.

4.2. The National Planning Policy Framework (NPPF) is not part of the development plan but is a material consideration. In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development. A set of core land-use planning principles should underpin decision-taking. The core principles of key importance for this decision are:

- (a) proactively drive and support sustainable economic development to deliver the homes, businesses and industrial units, infrastructure and thriving local places that the country needs;
- (b) seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- (c) recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;
- (d) support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy);
- (e) contribute to conserving and enhancing the nature environment and reducing pollution, and
- (f) encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.

4.3 In addition to this the NPPF advocates the promotion of the development and diversification of agricultural and other land-based rural businesses to support a prosperous rural economy.

4.4 The NPPF also requires that the contribution that substitute or secondary and recycled materials to be taken into account, before considering extraction of primary materials.

## **5. Consultations**

5.1. **Councillor Simpson** is aware of the application.

- 5.2. **Rights of Way officer** objects to the proposal, as it is felt that the proposed development would have an adverse effect on users of the public bridleway (Welsh Drive). However if the development is approved the increased use of the bridleway by vehicles associated with the development, and the resultant risk to bridleway users, would make it necessary to divert the bridleway. The applicant is aware of this, and preliminary discussions as to how to best achieve the diversion have been held. It is recommended that any approval is subject to an appropriate section 106 agreement covering the making of an order to divert the bridleway and the creation of the new route.
- 5.3. **Environment Agency** has no objection.
- 5.4. **Natural England** objects to the proposed development pending further information on European Protected Species (EPS) (great crested newt), but does not object in relation to protected sites, other protected species or landscape. The proposal is not likely to have a significant effect on the interest features for which the Thames Basin Heaths SPA has been classified. Natural England therefore advises that the waste Planning Authority is not required to undertake an Appropriate Assessment to assess the implications of this proposal on the site's conservation objectives
- 5.5. **Highways Authority** has no objections to this application from a highways perspective subject to conditions (A Construction Traffic Management Plan and Details of the Bridleway crossing on the A327) and subject to the applicant entering into a Section 106 agreement to secure the following package of mitigation: Transport Contribution of £24,840 to be used towards the A30/A327 –Hartford Bridge flats Junction improvement works.
- 5.6. **Hart District Council** objects to the original application on the following grounds:
- i. The proposal does not meet policy 29 (location of waste) of the HMWP. The proposal does not benefit from the sustainability presumption in the NPPF as it needs an Appropriate Assessment under the Habitat Regulations.
  - ii. There is no evidence of alternative sites looked at or source/markets and the location near to Eversley Haulage Park WTS is not sufficient justification to support principle of development on Greenfield site.
  - iii. The need for additional recycling capacity is not sufficient to outweigh other disadvantages.
  - iv. There is a lack of information on impacts on Special Protection Area birds and on site ecology and mitigation for reptiles and EPS.
  - v. Application only includes 3 Listed Buildings when there are more within 10k of site.
  - vi. The proposed inclusion and levels of lighting unclear and could have impacts on wildlife, for example Nightjars.

- vii. It incorrectly uses the effects of the current mineral workings as a landscape basis to justify the proposal in the countryside and does not supply enough information or plans to assess the impacts.
- viii. The Authority has concerns that, based on the current levels of noise as given in the survey, data are above that max in Condition 10 of temporary permission.
- ix. There should be a financial Highways contribution.

5.7. **Environmental Health Officer** Hart District Council has no comment.

5.8. **Eversley Parish Council** raises the following objections to the original application:

- (a) The proposal is contrary to adopted plan policies of both the Minerals Local Plan and the Hart District Local Plan and, therefore, contrary to the current Development Plan and also the NPPF;
- (b) The proposal is contrary to the Draft Hampshire Minerals and Waste Local Plan (incl. Policy 29: Location of Waste Management Development, specifically) and the draft Hart Local Plan: Core Strategy and, therefore, contrary to emerging local plan policies;
- (c) The granting of permission for a permanent facility, contrary to both the approved Development Plan and emerging local plan policies, would undermine public confidence in the democratic planning system;
- (d) There is still no adequate analysis of sources and markets to justify the location of this proposal or its suitability to accommodate a large percentage of Hampshire's annual recycled aggregates target of 1,000,000 tonnes per annum (tpa);
- (e) Despite clear pre-application advice from HCC, the applicant has failed to approach EPC or to "seek to foster a productive and transparent relationship with the Parish Council";
- (f) Few of the Parish Council's previous objections to broadly similar proposals have been addressed in the current plans;
- (g) The current proposals include the doubling of the land area dedicated to industrial activity, increasing the area of impact and approaching far closer to Hawkers Lodge;
- (h) The current proposals are for a five-fold increase in the tonnages handled per annum and, hence, will involve a five-fold increase in HGV traffic associated with the site;
- (i) The traffic impact study area has been restricted to the immediate vicinity of the site and fails to analyse any of the environmental or social impacts, of the greatly increased HGV traffic flows, on residents, residential properties and the four Eversley Conservation Areas;

- (j) The re-introduction of high screen bunds, re-introduces the adverse impacts on the natural plateau landscape;
- (k) The construction of the bunds involves the introduction of soils that may be atypical to the natural geology, involving a risk of pollution to the natural hydrology, and involves further, unnecessary, increases in HGV movements;
- (l) There is inadequate mitigation for the on-going adverse impacts on protected wildlife and biodiversity, especially in the SPA, and the permanent loss of any of the current site as a restored heathland/woodland habitat;
- (m) There is inadequate mitigation for the permanent adverse impacts on the users of the Welsh Drive bridleway and the surrounding Forestry Commission woodlands, which have the benefit of public access for quiet countryside uses;
- (n) The site cannot be considered as “co-located” with Eversley Haulage Yard by any proper interpretation of the word.

5.9. **Blackbushe Airport** has been consulted but no comments received.

5.10. **Ramblers Association** has been consulted but chosen not to respond.

5.11. **British Horse Society** responded to the original application with the following comments: “the main entrance to the site is actually BW11 Welsh Drive. This means that vulnerable road users are sharing the right of way with heavy industrial traffic. The close proximity of such traffic produces considerable noise and dust to the detriment of users of the bridleway, and does not make it an enjoyable or safe route for non motorised users and in many instances has meant that users are reluctant to use it as much as they would like to. Consideration needs to be given to providing a suitable diversion of this bridleway to ensure that the bridleway can be used safely by all who want to use it, whether that be on foot, bicycle or on horseback. There is also a safety issue where the bridleway crosses the A327 at the point where the bridle path that runs through the land at Buster Triangle and crosses the main road to get onto the Welsh Drive. The British Horse Society therefore objects to this planning application.”

## 6. Representations

6.1. As at 18 December 2013 there have been nine letters from local residents and interested parties raising the following concerns:

- i. Highway safety. A shared access of the bridleway with the lorry traffic will be more dangerous as the number of vehicles increase as horses will be spooked and there could be accidents for all recreational users. There is no signage or barriers to safeguard the recreational bridleway users.

- ii. Loss of amenity for horse riders, walkers and cyclists. In particular, the increased traffic movements will increase dust and fumes to be experienced by the road users. The surface of the bridleway will be damaged and become unsuitable for horses.

## **7. Commentary**

- 7.1. The proposed development is located within the countryside on forestry land which although quarried for minerals, is not classified as previously developed land and could therefore be contrary to Policy 5 and 29 of the Hampshire Minerals and Waste Plan (adopted 2013) as it is still countryside. Both Hart District Council and Eversley Parish Council have raised objections on this basis that waste sites are not appropriate in rural locations. However, both of these key policies afford consideration to the particular circumstances of a proposal and if there is a demonstrated need for a countryside location, a waste operation can be acceptable.
- 7.2. Hampshire Minerals and Waste Plan (adopted 2013) Policy 5(b) makes provision for development if the nature of the development requires an isolated location in the countryside. As the site requires a large amount of land and the scale and nature of the waste processes would not be appropriate near houses or other sensitive receptors, it is considered that the countryside location is acceptable. The policy also requires that a condition is applied that would restore the site back to agriculture should the approved use cease. A condition has been attached to this recommended approval to this effect. Therefore, the proposal meets the tests within Policy 5.
- 7.3. Policy 29 also guides the suitability of waste developments locations as it sets out the types of locations where waste operations would be supported. In this proposal, the location would benefit from the support of the policy as it has good transport links to its main sources of waste via the A327 and other A roads approaching the M3, whilst the principle of a special need for the location can be justified and the site is suitable for the activities proposed. .
- 7.4. Taking these points into account, the proposal is an acceptable form of diversification from commercial forestry and is supported by the National Planning Policy Framework; as the guidance seeks to “recognise the intrinsic character and beauty of the countryside whilst support thriving rural communities within it” and this proposal is regarded as acceptable in the countryside and would provide employment.
- 7.5. It is acknowledged that the site is within an extensive area of forestry and heath land with many sensitive and designated areas and accordingly, under the current permission (06/02863/CMA) there is an expectation of restoration to forestry, via condition. Looking ahead to the future, the site would be surrounded by restored forestry and heathland, as over time the neighbouring quarry activities finish and enter aftercare. This means that the site would be distinctive from the immediate and wider land uses and extra effort to ameliorate its appearance so that it does not detract from the character of the area, would be necessary for it to be considered acceptable. The proposal has addressed these landscaping concerns as the site is on a lower ground level, which is to be screened with bunds and an extensive native planting appropriate to the landscape would include a wooded understory and

rotational Scots Pine to further mitigate views into the site, as over time this planting will develop to provide further higher level screening. It will not affect the setting of the natural features of the Thames Basin Heath, as the planting will blend in with the surrounding landscape of forestry and heathland. The existing strip of forested trees at the boundary would be retained and managed permanently to bolster the site with natural and harmonious screening all year round, as the layers and heights create a naturally dense visual barrier. The machinery being used to create the stockpiles and variation of floor levels have been taken into account and so stockpiles of approximately 5m high seem appropriate and have been restricted by condition.

- 7.6. Due to the topography and proposed sensitive screening the proposed plant, buildings and the bunds themselves would not be visually intrusive in the landscape from the public highway, rights of way or informal rides within the surrounding countryside, as the only view into the site would be from immediately in front of the site access.
- 7.7. Therefore, taking into account the landscaping and land management proposals, the retention of the operations and extension to the site area and activities, would not materially harm the character of the area through visual impact (Policies 10d,13).
- 7.8. Objections have raised concerns that the natural features and biodiversity of the adjacent designated sites could be harmed through this proposal. However, the possible impacts to the biodiversity value of the site and surrounding areas have been assessed within the Environmental Statement and further documents submitted to the Waste Planning Authority. In response Natural England are satisfied the proposals are not likely to adversely affect the interest features of the adjacent Special Protection Area, Bramshill SSSI and Castle Bottom to Yateley and Hawley Commons SSSI.
- 7.9. Although the evidence has shown no presence of European Protected Species, absence of great crested newts (GCN) has not been proven to the satisfaction of Natural England. Sufficient data has been provided to indicate that there is only a small chance of this species occurring on site, despite a good population of more common species of amphibians occurring on site. Therefore, further detailed assessments and appropriate mitigation methods will be required to be implemented prior commencing the landscaping works, and prior to works in the southern extension area. This will prevent harm to any protected species that could be present on site. In light of the information provided the Waste Planning Authority considers that there has been enough evidence supplied to accept a phased approach to the implementation of the extension area and landscape bunds, whilst protecting the GCNs.
- 7.10. A Section 106 Legal Agreement includes the long term management of an area of compensation land, including additional connecting habitat to other open heathland. Whilst Natural England have no concerns relating to the status or purpose of the designated sites (heathland habitat and Annex 1 birds), the provision of compensation open heath habitat would offset any potential impact on the Annex I birds (by disturbance and loss of feeding and habitat ground). In addition, the provision of compensation land will provide

permanently managed open land to offset the loss of countryside. Hart District Council has raised concern that the lighting to be used could have impacts on wildlife, for example Nightjars, but this has been assessed as part of the application and is not thought to be the case. A condition controlling the light use is recommended and any changes would need to be approved. The landscaping of the site and drainage works will provide biodiversity benefits as the new planting and water body will offer habitats and green corridors. The long-term conservation management provisions within the proposed Section 106 Agreement and attached conditions satisfy the duty of the Waste Planning Authority and Natural England to mitigate potential impacts to European Sites, and safeguard European Protected Species. The landscaping of the site and drainage works will provide biodiversity benefits as the new planting and water body will offer habitats and green corridors, and therefore the proposal is in accordance with Policy 3.

- 7.11. Due to the nature of the activities and water management systems proposed by the applicant, the Environment Agency has not raised any objections on flooding or surface water grounds. There are conditions proposed to secure the protection of the water environment (Policy 11) and it is anticipated that the applicant will have to secure a revised Environmental permit to cover the operations with the Environment Agency.
- 7.12. The Parish Council has raised concerns that the proposal brings development closer to the nearest house and could disturb the residents, but the Environmental Health officer has not raised any objections nor has the occupier. The boundary of Hawkers Lodge benefits from good screening and a noise condition is attached to the recommendation. Therefore the local resident's amenity is not thought to be harmed through the extension of the site or on-going activities, complying with Policy 10.
- 7.13. Objections from the Parish Council and local recreational users have been received on Highway safety grounds. There is also objection from Rights of Way because of the shared access of the Welsh Drive Bridleway. This concern is understood, and in response the applicant has agreed to provide an alternative route to separate it from the haul road. The principle of an alternative route has been discussed with Rights of Way and such a route could be provided, albeit following a less direct line and therefore less convenient for public use. The diversion/alternative route of the Welsh Drive Bridleway 11 would be separated from the haul road by an island of lower and higher storey planting. The details for the alternative bridleway route, surfacing, signage and rights for public use and an application for diversion can be secured by a legal agreement and conditions. These measures will safeguard the use of the right of way in accordance with Policy 10, although it is acknowledged that there would be a reduction in the amenity value to users of the rights of way.
- 7.14. In the wider locality, the Highways Authority does not consider the proposal will have an adverse impact on the local highway network in terms of safety and amenity as there are good transport links and suitable roads via the A327 and other A roads approaching the M3. The increase of traffic is offset by a financial contribution which will go towards improving the safety of nearby roads and junctions. A Construction Traffic Management Plan (CTMP),

inclusive of the phase to build the landscaping bunds, is recommended to be approved and implemented before the ground works commence. Therefore the proposal meets the requirements of Policy 12.

- 7.15. The proposal seeks to retain an existing recycling facility and increase the amount of waste it recycles and types of secondary aggregate it produces from the operation, which further reduces the reliance on primary aggregates. This is encouraged by Policy 18, as the policy encourages “investment and further infrastructure to maximise the availability of alternatives to marine-won and local land-won sand and gravel”. This is also in line with the NPPF guidance which requires that “the contribution that substitute or secondary and recycled materials to be taken into account, before considering extraction of primary materials” and Policy 27 of the HMWP which seeks to maintain and provide additional capacity for non-hazardous recycling and recovery.
- 7.16. Taking the above into account, the development provides a sustainable waste management solution (Policy 25) as it delivers a facility that manages waste at the highest level possible; by processing the waste to create a usable end produce and it will reduce the amount of waste sent to landfill.
- 7.17. It is noted that the Parish Council was disappointed that there was a lack of active consultation and involvement prior to the proposal being submitted. However, the applicant has proposed in their application to set up a liaison panel for the life of the permission.
- 7.18. In conclusion, the proposal is in accordance with the development plan (Hampshire Minerals and Waste Plan (adopted 2013)) as it is acceptable in the rural location (Policy 5 and 29). It would not materially harm the character of the area through visual impact (Policies 10d, 13) or cause harm to biodiversity (Policy 3) or the water environment (Policy 11). There will be no significant effect on the local historical asset of the ancient bridleway (Policy 7) or cause any adverse highway safety or amenity impacts for rights of way users (Policy 12, 10). The proposal maintains and provides additional capacity for non-hazardous recycling and recovery (Policy 18 and 27). It provides a sustainable waste management solution with a useable end product that diverts waste from landfill and reduces the reliance on primary aggregates (Policy 25).

## **8. Recommendation**

- 8.1. That, subject to a legal agreement to secure a highway contribution, long term management of mitigation land and an alternative bridleway route, permission for Permanent Secondary Aggregate Recycling Facility with Landscaping at Warren Heath Recycling Facility, The Welsh Drive, Eversley RG27 0QB (Application No: 13/00755/CMA) (Site Ref: HR042) be approved subject to the conditions listed in integral Appendix B.

**CORPORATE OR LEGAL INFORMATION:****Links to the Corporate Strategy**

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

<u>Document</u>	<u>Location</u>
Permanent Secondary Aggregate Recycling Facility with Landscaping at Warren Heath Recycling Facility, The Welsh Drive, Eversley RG27 0QB (Application No: 13/00755/CMA) (Site Ref: HR042) (Site Ref: HR042)	County planning ETE Department E II Court West The castle Winchester

## CONDITIONS

### Commencement

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

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

### Plans and Particulars

2. The development hereby permitted shall be carried out and completed strictly in accordance with the approved plans, specifications and written particulars identified within the decision notice.

Reason: To ensure that the development is carried out in accordance with the approved details.

### Working programme

3. No development or vegetation removal in the southern wash plant area (as shown on plan 008) or landscaping works (as shown on plan L/1 RevA) shall commence until a scheme and phasing programme has been submitted to the Waste Planning Authority for approval in writing. The approved scheme and programme shall be carried out as approved.

Reason: To enable the Waste Planning Authority to adequately control the development and to minimise its impact on the biodiversity of the local area in accordance with Policy 3 of the Hampshire Minerals and Waste Plan (adopted October 2013).

### Hours of Working

4. No heavy goods vehicles shall enter or leave the site and no plant or machinery shall be operated except between the following hours: 0730-1800 Monday to Friday and 0730-1300 Saturday. There shall be no working on Sundays or recognised public holidays.

Reason: In the interests of local amenity. in accordance with Policy 10 of the Hampshire Minerals and Waste Plan (adopted October 2013).

### Landscape

5. Within three months of the date of this permission, a detailed scheme of landscaping for the perimeter of the site, including bunds, shall be submitted to the Waste Planning Authority for approval in writing. The scheme shall specify the types, size and species of all trees and shrubs to be planted; details of all trees to be retained; and details of fencing/enclosure of the site, phasing and timescales for carrying out the works, and provision for future

maintenance. Any trees or shrubs which, within a period of five years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The scheme shall be implemented as approved within one year of the date of this permission.

Reason: In the interests of visual amenity and in accordance with Policy 10 (d) and 13) of the Hampshire Minerals and Waste Plan (adopted October 2013).

6. No work shall be carried out within the crown spread of existing preserved trees (as identified within the landscaping scheme under Condition 5, either underground or on the surface, including the storage of materials and excavated soil. All existing trees and shrubs retained and/or previously planted around the perimeter of the application site for landscaping purposes shall be maintained in a healthy condition. Any trees or shrubs which die, are removed without permission, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To protect the health and stability of trees to be retained within and on the boundaries of the site and in the interests of visual amenity and in accordance with Policy 10 (d) and 13) of the Hampshire Minerals and Waste Plan (adopted October 2013).

### **Protection of Water Environment**

7. No solid matter shall be deposited so that it passes or is likely to pass into any watercourse.

Reason: To prevent pollution of the water environment in accordance with Policy 11) of the Hampshire Minerals and Waste Plan (adopted October 2013).

8. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The bund capacity shall give 110% of the total volume for single and hydraulically linked tanks. If there is multiple tankage, the bund capacity shall be 110% of the largest tank or 25% of the total capacity of all tanks, whichever is the greatest. All filling points, vents, gauges and sight glasses and overflow pipes shall be located within the bund. There shall be no outlet connecting the bund to any drain, sewer or watercourse or discharging onto the ground. Associated pipework shall be located above ground where possible and protected from accidental damage.

Reason: To prevent pollution of the water environment in accordance with Policy 11) of the Hampshire Minerals and Waste Plan (adopted October 2013).

9. No sewage or trade effluent (including vehicle wash or vehicle steam cleaning effluent) shall be discharged to any surface water drainage system.

Reason: To prevent pollution of the water environment in accordance with Policy 11) of the Hampshire Minerals and Waste Plan (adopted October 2013).

### **Noise, Dust and Odour**

10. Noise at the nearest boundary Hawkers Lodge shall not exceed 45dB(A) one-hour free field.

Reason: To prevent noise disturbance to the residents of the nearest houses in accordance with Policy 10 of the Hampshire Minerals and Waste Plan (adopted October 2013).

11. Within three months of the date of this permission, an Environmental Management Scheme for the control of noise, dust and odour at the site shall be submitted to the Waste Planning Authority for approval in writing. The Scheme shall be implemented as approved for the duration of the site's operation.

Reason: In the interests of local amenity in accordance with Policy 10 of the Hampshire Minerals and Waste Plan (adopted October 2013).

12. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturers' specification at all times, and shall be fitted with and use effective silencers.

Reason: To minimise noise disturbance from operations at the site in accordance with Policy 10 of the Hampshire Minerals and Waste Plan (adopted October 2013)..

### **Lighting**

13. There shall be no lighting on association with the development, other than that as shown on drawing DWG L-3. Should alternative lighting be required, a scheme shall be submitted to the Waste Planning Authority in writing for approval prior to installation. The scheme shall include details of all outside lighting, including floodlighting, safety lighting and illumination from within the plant, and measures to prevent light pollution.

Reason: In the interests of visual amenity and biodiversity in accordance with Policy 3 of the Hampshire Minerals and Waste Plan (adopted October 2013).

### **Highways**

14. No development in the southern wash plant area or landscaping works (as detailed on plan L/1 RevA) shall commence until a Construction Traffic Management Plan, including lorry routes, parking and turning provision to be made on site, measures to prevent mud from being deposited on the highway and a programme for construction has been submitted to and approved by the Waste Planning Authority in writing. The agreed details shall be fully implemented before the above development is commenced.

Reason: In the interests of highway safety and biodiversity in accordance with Policy 12 and 3 of the Hampshire Minerals and Waste Plan (adopted October 2013).

15. Lorry movements to and from the site shall be restricted to 136 per day (68in/68 out). A daily record of lorries entering and leaving the site shall be kept at the site and made available to the Waste Planning Authority on request.

Reason: To limit the volumes of traffic in the interests of the amenity of residents on and near the approaches to the site in accordance with Policy 12 and 10 of the Hampshire Minerals and Waste Plan (adopted October 2013).

16. All loaded lorries entering or leaving the site shall be sheeted.

Reason: In the interests of highway safety and the amenities of the area in accordance with Policy 12 and 10 of the Hampshire Minerals and Waste Plan (adopted October 2013).

### **Storage**

17. There shall be no outside storage of waste other than as shown in site layout plan (drawing no. 002 RevD) dated April 2013.

Reason: To protect the amenities of the area in accordance with Policy 10 and 13 of the Hampshire Minerals and Waste Plan (adopted October 2013).

18. Stockpiles shall be no greater than five metres in height.

Reason: To protect the amenities of the area in accordance with Policy 10 and 13 of the Hampshire Minerals and Waste Plan (adopted October 2013).

### **Rights of Way**

19. Within three months from the date of this permission details of the bridleway crossing on the A327 from the eastern extent of the site, including the layout, construction and sight lines, as shown in principle on drawing 007 shall be submitted to and approved by the Waste Planning Authority in writing. The details for an alternative bridleway route shall be fully implemented as agreed. This shall be maintained for the life of the development.

Reason: To safeguard public rights of way and to ensure a satisfactory means of access to the highway in accordance with Policy 10 and 12 of the Hampshire Minerals and Waste Plan (adopted October 2013).

20. Within one month from the date of this permission signs shall be erected warning lorry drivers of the presence of public rights of way, and directing them to give way to walkers, cyclists and horse riders at all times.

Reason: To safeguard public rights of way in accordance with Policy 10 and 12 of the Hampshire Minerals and Waste Plan (adopted October 2013).

### **Nature Conservation**

21. No development or vegetation removal in the southern wash plant area (as shown on plan 008) or landscaping works (as shown on plan L/1 RevA) shall commence, until a detailed scheme of amphibian and reptile assessments and mitigation, has been submitted to and approved by the Waste Planning Authority in writing. The scheme shall be implemented as approved within one year from the date of this permission.

Reason: In the interests of biodiversity and to prevent harm to European Protected Species way in accordance with Policy 3 of the Hampshire Minerals and Waste Plan (adopted October 2013).

### **Restriction of Permitted Development Rights**

22. Notwithstanding the provisions of Parts 4, 8 and 25 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order):
- (i) fixed plant or machinery, buildings, structures and erections or private ways shall not be erected, extended, installed or replaced at the site without the prior agreement of the Waste Planning Authority in writing;
  - (ii) no telecommunications antenna shall be installed or erected without the prior agreement of the Waste Planning Authority in writing.

Reason: To protect the amenities of the area in accordance with Policy 10 of the Hampshire Minerals and Waste Plan (adopted October 2013).

### **Restoration**

23. At such time as the development is no longer used for the purpose hereby approved, the aggregate recycling facility including the buildings and associated plant, infrastructure, associated machinery and waste shall be removed from the site and the land restored back to forestry use.

The restoration details for the site shall be submitted within three months of the cessation of use for written approval by the Waste Planning Authority. The restoration shall be completed in accordance with the approved details within six months of approval.

Reason: To prevent the retention of a development in the countryside that is no longer providing a benefit in sustainability terms and contributing to reducing the reliance on primary aggregates and landfill and offsetting the

associated environmental impacts in accordance National Planning Policy Framework and with Policy 5 of the Hampshire Minerals and Waste Plan.

### **Advice notes**

1. In determining this planning application, the Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application by liaising with consultees, respondents and the agent and discussing changes to the proposal where considered appropriate or necessary. 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.
2. A liaison panel is expected to be set up by the applicant for the life of the permission.
3. This application is subject to a long term management for nature conservation, provision of compensation land, a highways financial contribution and to secure an alternative bridleway under a section 106 legal agreement.
4. It is a criminal offence to disturb or harm nesting birds or their nests (Wildlife Act 1981). It is recommended that no tree or shrub clearance should be carried out in the bird nesting season (March to August).

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

**Hampshire Minerals and Waste Plan (adopted October 2013)**

**Policy 3: Protection of habitats and species**

Minerals and waste development should not have a significant adverse effect on, and where possible, should enhance, restore or create designated or important habitats and species. The following sites, habitats and species will be protected in accordance with the level of their relative importance:

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

Development which is likely to have a significant adverse impact upon such sites, habitats and species will only be permitted where it is judged, in proportion to their relative importance, that the merits of the development outweigh any likely environmental damage.

Appropriate mitigation and compensation measures will be required where development would cause harm to biodiversity interests.

**Policy 5: Protection of the countryside**

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

- a. it is a time-limited mineral extraction or related development; or
- b. the nature of the development is related to countryside activities, meets local needs or requires a countryside or isolated location; or
- c. the development provides a suitable reuse of previously developed land, including redundant farm or forestry buildings and their curtilages or hard standings.

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

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

**Policy 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 11: Flood risk and prevention**

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

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

e. if appropriate, incorporate Sustainable Drainage Systems to manage surface water drainage, with whole-life management and maintenance arrangements.

**Policy 12: Managing traffic**

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

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

**Policy 13: High-quality design of minerals and waste development**

Minerals and waste development should not cause an unacceptable adverse visual impact and should maintain and enhance the distinctive character of the landscape and townscape.

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

**Policy 18: Recycled and secondary aggregates development**

Recycled and secondary aggregate production will be supported by encouraging investment and further infrastructure to maximise the availability of alternatives to marine-won and local land-won sand and gravel extraction.

**Policy 25: Sustainable waste management**

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

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

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

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

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

**Policy 27: Capacity for waste management development**

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

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

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

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

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

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

**Policy 29: Locations and sites for waste management**

1. Development to provide recycling, recovery and/ or treatment of waste will be supported on suitable sites in the following locations:

- i. Urban areas in north-east and south Hampshire;
- ii. Areas along the strategic road corridors; and
- iii. Areas of major new or planned development.

2. Any site in these locations will be considered suitable and supported where it:

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

3. Development in other locations will be supported where it is demonstrated that:

- a. the site has good transport connections to sources of and/or markets for the type of waste being managed; and
- b. a special need for that location and the suitability of the site can be justified.