

HAMPSHIRE COUNTY COUNCIL**Decision Report**

Decision Maker:	Regulatory Committee
Date:	12 February 2014
Title:	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)
Reference:	5628
Report From:	Head of County Planning

Contact name: Katherine Snell

Tel: 01962 845938

Email: katherine.snell@hants.gov.uk

1. Executive Summary

1.1. The application for a permanent secondary aggregate recycling facility with landscaping at Warren Heath Recycling Facility, The Welsh Drive, Eversley was heard at the Regulatory Committee on 8 January 2014. It was deferred for further information regarding the justification of the countryside location (in reference to policies 5 and 29 of the Hampshire Minerals and Waste Plan), potential highways impacts to the north of the site and to enable further liaison between applicant, parish council and users of bridleway.

1.2. The main issues with the application are;

- site is classified as countryside and the rural location needs to be considered (Policy 5 and 29)
- the character of the area through visual impact (Policies 10[b],13)
- biodiversity (Policy 3)
- water environment (Policy 11)
- historical asset of the ancient bridleway (Policy 7)
- highway impact (Policy 12)
- amenity impacts, including for rights of way users (Policy 10)

- sustainable waste management solution with a useable end product (Policy 25)
 - additional capacity for non-hazardous recycling and recovery (Policy 18 and 27)
- 1.3. A stakeholder meeting was held on 29 January 2014 between the applicant, Councillor Simpson (local member) Eversley Parish Council (represented by Councillor Todd), Waste Planning Authority, Highways Authority and Rights of Way officer at Hampshire County Council and a local horse rider.
 - 1.4. Further information in relation to Rights of Way, future potential highways usage and impacts to the Eversley area, social benefits and evidence for the justification for the countryside location (policies 5 and 29 of the Hampshire Minerals and Waste Plan) has been supplied since the committee meeting held on 8 January 2014.
 - 1.5. The original report detailing the application particulars is attached for reference. A revised list of conditions accompanies this update report in Appendix B.
 - 1.6. Upon reviewing the additional information and facilitating community engagement, it is the opinion of the Waste Planning Authority that the proposal is in accordance with policy in providing a substantial waste recycling facility which is a sustainable proposal and meets the policy tests for a countryside location.
 - 1.7. 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).
 - 1.8. This recommendation also includes a legal agreement to secure a highway contribution, long term management of mitigation land and an alternative bridleway route.

2. Stakeholder meeting

- 2.1. The main topics of discussion at the stakeholder meeting were:

- the impact on the local residents from increased traffic, in terms of safety and amenity;
- the road improvements in the local area and scope of the applicant's contribution to these;
- potential new sources of waste and markets to the north of the site, generating traffic through Eversley village;
- impact on users of the bridleway and proposed diversion and crossing measures (suitability of Pegasus crossing);
- regulatory process of making a Right of Way diversion order and associated time frames;
- sustainability of the proposal; environment, direct social and economic aspects; and
- compliance with Minerals and Waste Plan in particular Policies 5 & 29.

2.2. Those present were satisfied with the proposed treatment for the bridleway. The potential highways impact on Eversley were still of concern to the Parish Council on behalf of local residents.

3. Representations

3.1. There has been one letter of support and a removal of objection received since Regulatory Committee on 8 January 2014.

4. Commentary

4.1. The applicant has provided further information on the exceptional circumstances that make the site and proposal acceptable under Policy 29, Part 3, (Locations and sites for waste management), whereby "Development in other locations will be supported where it is demonstrated that:

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

4.2. In response to Part 3, (a), the applicant has highlighted that the waste sources and aggregate markets for the site and operation were analysed and presented in a diagram based on a three month snapshot of actual data taken from the site records (Technical Appendix 12 Volume 2B of Environmental Statement).

- 4.3. This data shows that the majority of waste in and materials out from the site are from or to destinations within Hampshire, specifically from Basingstoke, Blackwater, Farnborough, Aldershot and Alton as these are the large conurbations that are within the site's commercially viable catchment area.
- 4.4. The next largest area for sourcing waste and delivering aggregates is Berkshire, and these will be wastes or materials that are coming from or going to towns such as Reading, Wokingham and Bracknell.
- 4.5. The remainder of the throughput is predominantly to or from Surrey, specifically Camberley, Guildford and Woking, with the occasional load coming from West Sussex, Oxfordshire and Wiltshire.
- 4.6. This data shows that around 60% of the throughput material will be from areas that will definitely be accessed by turning right out of the site and heading towards the A30/M3, with all sites in Hampshire, Surrey or West Sussex being accessed this way.
- 4.7. The sites in Berkshire that would be accessed by turning left out of the site would have little impact on Eversley village, as they will be predominantly from Reading as the largest of the three conurbations mentioned, and as such would be accessed via the A33, with vehicles turning right and heading towards Heckfield without passing through Eversley.
- 4.8. In reference to point (b) of Policy 29, Part 3, and Policy 5 (b) (Protection of the countryside) the applicant states that urban, industrial sites are recognised as being appropriate for certain waste management and recycling operations, but are rarely suitable, or financially attainable, for a "virtual quarry" operation for the washing and screening of inert waste to manufacture high quality secondary aggregates.
- 4.9. Secondary aggregates production is "land hungry", particularly with requirements for plant, machinery and discreet stockpiles of inert waste source materials and washed/graded aggregate products. Therefore, locating a suitable site of the necessary size is difficult and would be commercially prohibitive at industrial land prices.
- 4.10. Secondary aggregates production does ideally need to be remote from sensitive receptors, such as houses, due to the working practices and associated amenity impacts (i.e. noise, dust). There are few sites in North East Hampshire permitted or allocated for such uses and when such sites do become available there is significant competition for sites from alternative users or more valuable alternative developments, including housing schemes.
- 4.11. Secondary aggregates production does not lend itself to being accommodated within a large building unlike other waste recycling operations. Accordingly, the operations are unlikely to be welcomed in the urban environment, close to other industrial users or residential settlements.

4.12. The washing of waste to produce aggregates needs a significant quantity of water. To make the operations viable, a circulatory/recycling water system is required with settlement lagoons to trap fines and recover clean water. Such a system is unlikely to be accommodated at an urban industrial site due to physical and regulatory constraints. This operation lends itself to former quarry sites, where water supplies exist, settlement lagoons can be excavated and drainage regulations can be easily satisfied.

4.13. In summary the applicant asserts that the Warren Heath site is particularly suitable for the proposed development with a collection of attributes that make it a unique case:

- the site is close to the strategic road network and the Highway Authority does not object to the development proposals;
- the site is remote from local settlements and adjoins an existing quarry;
- the site presents 11.8 hectares to accommodate the recycling operations, stockpiles plus significant screening and landscaping;
- the site has an existing water supply and room to accommodate a circulatory water system and settlement lagoons;
- the development would allow operational synergies with the nearby Eversley Haulage Yard MRF;
- the R. Collard business infrastructure is established, providing currently over 100 jobs for local people, plus opportunities for apprenticeships (4 apprentices currently employed) and training;
- environmental impacts would be mitigated via screening and an ecological compensation area;
- bridleway safety would be improved via a new bridleway alignment and road crossing; and
- social and community benefits would be secured by local enterprise and employment, sustainable resource management and continued support for local groups and charities.

4.14. In light of the information supplied above and that as submitted with the application and Environment Statement, the Waste Planning Authority is satisfied that the proposal meets the tests within Policy 5 and 29 as there is a demonstrated need for a countryside location. Therefore the waste operation is acceptable at the proposed site and in accordance with Policies 5 and 29.

4.15. A sensitivity test to consider the potential highway impact of future markets to the north of the site was conducted by the applicant and provided as further information which has been considered by the Highway Authority. This included the consideration of the Arborfield development, as per the Strategic

Development Locations (SDLs). A robust test was applied with the reversal of the trip distribution from the site, with 90% of the total vehicles heading north instead of south. This has identified that the change to the distribution of vehicles heading to and from the site would not significantly increase the total traffic or HGV flows on the A327 north of the site.

- 4.16. A further plan with more details for the diverted bridleway has been provided and is satisfactory. The exact specifications for the bridleway will be agreed through the Section 106 legal agreement should permission be granted.
- 4.17. In response to comments made by the Parish Council, the applicant has provided information relating to the support provided to the local community to date:
- sponsored Eversley Sports Association;
 - made significant Donations to Eversley School;
 - donated topsoil in Fleet; and
 - raised money for local hospital.
- 4.18. Through agreement at the meeting of 29 January 2013, there is no longer an expectation of a liaison panel. It is expected that the applicant will work proactively with the local community and be approached as and when the need arises.
- 4.19. In conclusion it is considered that the proposal is in accordance with policy in providing a substantial waste recycling facility which is a sustainable proposal and meets the policy tests for a countryside location.

5. Recommendations

- 5.1. 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**

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.)

DocumentLocation

Applicant 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) (Site Ref: HR042)	County planning ETE Department E II Court West The castle Winchester
Officers report to regulatory Committee of 8 January 2014.	

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).

4. Until the public bridleway (Eversley 11) has been permanently diverted to an alignment, design and construction approved by the County Council and displayed on the Hampshire County Council Rights of Way definitive map, no more than 50,000 tonnes of waste per annum shall be imported to the site per annum.

After the formal adoption of the diverted bridleway, 250,000 tonnes of waste per annum may be imported to the site.

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).

Hours of Working

5. 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

6. 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).

7. 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

8. 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).

9. 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).

10. 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

11. 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).

12. 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).

13. 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

14. 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

15. 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).

16. Until the public bridleway (Eversley 11) has been permanently diverted to an alignment, design and construction approved by the County Council and displayed on the Hampshire County Council Rights of Way definitive map, lorry movements to and from the site shall be restricted to 42 per day (21 in/21 out).

After the formal adoption of the diverted bridleway, lorry movements to and from the site shall be restricted to 136 per day (68 in/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).

17. 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

18. There shall be no 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).

19. 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

20. Within three months from the date of this permission details of the public bridleway (Eversley 11) 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 through a formal diversion order as agreed.

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).

21. The public bridleway (Eversley 11) shall be permanently diverted to an alignment, design and construction approved by the County Council and displayed on the Hampshire County Council Rights of Way definitive map, prior to any increase in capacity of over 50,000 tpa of waste and prior development of the southern wash plant area (as shown on plan 008).

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).

22. 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

23. 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

24. 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

25. 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 and/or heathland 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. 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.
3. 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).