

# Public Document Pack



## NOTICE OF MEETING

<b>Meeting</b>	Regulatory Committee
<b>Date and Time</b>	Wednesday, 14th February, 2018 at 10.00 am
<b>Place</b>	Ashburton Hall, The Castle, Winchester, SO23 8UJ
<b>Enquiries to</b>	members.services@hants.gov.uk

John Coughlan CBE  
Chief Executive  
The Castle, Winchester SO23 8UJ

## FILMING AND BROADCAST NOTIFICATION

This meeting may be recorded and broadcast live on the County Council's website. The meeting may also be recorded and broadcast by the press and members of the public – please see the Filming Protocol available on the County Council's website.

## AGENDA

### 1. APOLOGIES FOR ABSENCE

To receive any apologies for absence received.

### 2. DECLARATIONS OF INTEREST

All Members who believe they have a Disclosable Pecuniary Interest in any matter to be considered at the meeting must declare that interest and, having regard to the circumstances described in Part 3 Paragraph 1.5 of the County Council's Members' Code of Conduct, leave the meeting while the matter is discussed, save for exercising any right to speak in accordance with Paragraph 1.6 of the Code. Furthermore all Members with a Non-Pecuniary interest in a matter being considered at the meeting should consider whether such interest should be declared, and having regard to Part 5, Paragraph 2 of the Code, consider whether it is appropriate to leave the meeting while the matter is discussed, save for exercising any right to speak in accordance with the Code.

### 3. MINUTES OF PREVIOUS MEETING (Pages 3 - 6)

To confirm the minutes of the previous meeting

### 4. DEPUTATIONS

To receive any deputations notified under Standing Order 12.

**5. CHAIRMAN'S ANNOUNCEMENTS**

To receive any announcements the Chairman may wish to make.

**6. FOUR DELLS FARM POLES LANE OTTERBOURNE (Pages 7 - 40)**

To consider a report of the Director of Economy, Transport and Environment regarding a retrospective application for material changes to the biomass boiler scheme approved under planning permission 15/02770/HCS, at Four Dells Farm, Poles Lane, Otterbourne. Application No. 17/01081/HCS. Site Ref: WR215.

**7. MONITORING AND ENFORCEMENT UPDATE (Pages 41 - 48)**

To consider a report of the Director of Economy, Transport and Environment regarding the Monitoring and Enforcement work undertaken by Strategic Planning during the period October 2017 – December 2017.

**ABOUT THIS AGENDA:**

**On request, this agenda can be provided in alternative versions (such as large print, Braille or audio) and in alternative languages.**

**ABOUT THIS MEETING:**

**The press and public are welcome to attend the public sessions of the meeting. If you have any particular requirements, for example if you require wheelchair access, please contact [members.services@hants.gov.uk](mailto:members.services@hants.gov.uk) for assistance.**

County Councillors attending as appointed members of this Committee or by virtue of Standing Order 18.5; or with the concurrence of the Chairman in connection with their duties as members of the Council or as a local County Councillor qualify for travelling expenses.

# Agenda Item 3

AT A MEETING of the Regulatory Committee of HAMPSHIRE COUNTY  
COUNCIL held at the castle, Winchester on Wednesday, 24th January, 2018

Chairman:

\* Councillor Peter Latham

- |                                 |                                  |
|---------------------------------|----------------------------------|
| * Councillor Judith Grajewski   | * Councillor Gary Hughes         |
| * Councillor Christopher Carter | * Councillor Alexis McEvoy       |
| * Councillor Charles Choudhary  | * Councillor Russell Oppenheimer |
| * Councillor Mark Cooper        | * Councillor Stephen Philpott    |
| * Councillor Roland Dibbs       | Councillor Roger Price           |
| * Councillor Jane Frankum       | Councillor Lance Quantrill       |
| * Councillor Marge Harvey       | * Councillor David Simpson       |
| * Councillor Keith House        |                                  |
| * Councillor Gary Hughes        |                                  |

\*Present

## 37. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Price and Councillor Quantrill.

## 38. DECLARATIONS OF INTEREST

Members were mindful that where they believed they had a Disclosable Pecuniary Interest in any matter considered at the meeting they must declare that interest at the time of the relevant debate and, having regard to the circumstances described in Part 3, Paragraph 1.5 of the County Council's Members' Code of Conduct, leave the meeting while the matter was discussed, save for exercising any right to speak in accordance with Paragraph 1.6 of the Code. Furthermore Members were mindful that where they believed they had a Non-Pecuniary interest in a matter being considered at the meeting they considered whether such interest should be declared, and having regard to Part 5, Paragraph 2 of the Code, considered whether it was appropriate to leave the meeting whilst the matter was discussed, save for exercising any right to speak in accordance with the Code.

## 39. MINUTES OF PREVIOUS MEETING

The minutes of the last meeting were reviewed and agreed.

## 40. DEPUTATIONS

The procedure was explained to deputations and it was confirmed that each deputation would have 10 minutes to speak. There were three deputations in attendance at the meeting.

41. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman confirmed that there would be an update after the meeting regarding a recent Supreme Court decision related to going against officer recommendations.

42. **RINGWOOD & FORDINGBRIDGE SKIP HIRE COURWOOD FARM COURT HILL SANDLEHEATH**

The Committee considered a report from the Head of Strategic Planning (Item 6 in the Minute Book) regarding variations to conditions and retention of existing welfare units at Ringwood & Fordingbridge Skip Hire in Sandleheath.

The officer introduced the item, confirming that a Site Visit had taken place by Committee towards the end of 2017. Proposals were for an increase in HGV movements from 50 vehicle movements per week to 234 per week, resulting in an increase in throughput of material from 3,225 to 16,000 tonnes per annum. Committee was shown a location plan, which highlighted the local road network and the relationship of the site to nearby settlements, dwellings and environmental designations..

The Committee received three deputations on the item. Councillor Philip Stockton spoke as Chairman of Sandleheath Parish Council in support of the officer recommendation to refuse the application. The Parish had concerns regarding safety with the number of proposed vehicle movements as well as the risk of contamination to the nearby SINC and ancient woodland. There was also a lot of noise on site. Jerry Davies and Ben Wyatt spoke on behalf of the applicant. Mr Davies spoke of how the initial permission allowed for as little as four skip lorries to enter and leave the site per day, but this was not a realistic and not feasible for the business. The increase in traffic movements was not raised as an issue by the Council until 2016 despite regular monitoring. The proposal was to now use larger vehicles which would help minimise the number of vehicle movements required. Site improvements have been looked at and the northern site access is now used as the primary access. Mr Wyatt told committee how the original conditions regarding vehicle movements had been breached between 2010 and 2016 without realising and he had always supported the local community, with 20 people being employed on the site.

Hampshire County Councillor Edward Heron addressed Committee as the local member. Whilst Councillor Heron acknowledged that traffic in the area was an issue, he had never received a complaint about the company itself. The site was an important recycling facility and Councillor Heron proposed granting a temporary consent whilst the business looked to move to a more suitable location.

During questions of the deputations, the following was clarified:

- The applicant accepted that the breach regarding vehicle movements was not picked up on and queried.
- The original planning consent given was not appealed.

- 'Throughput' had been confused with vehicle movements, which had been a genuine misunderstanding.
- The site was currently operating at 300 vehicle movements per week, which was proposed to reduce to 234 using larger vehicles that could carry more.
- Many alternative sites had been looked at by the applicant but most so far were not suitable

During questions of the officer, the following points were clarified:

- Planning policy requires a special need to be demonstrated for a company to operate from a countryside site such as this. However, the operator has permission to operate a small scale facility at the site and could not be forced to move.
- The larger vehicles referred to by the applicant were the same width as the standard skip lorries but longer, so could take greater loads.
- 4.7 in the report detailed the only complaints received regarding the site.
- The site had been on the list for monitoring but issues regarding the increase in vehicle movements hadn't been detected until 2016.
- The applicant was also responsible for monitoring his own vehicle movements in accordance with his permission

In debate, Members agreed that there was a clear and significant breach of conditions applied to the original permission and a risk in setting a precedent should the application be approved. Whilst there was some sympathy towards the applicant and a temporary permission was considered, it was agreed overall that the personal circumstances of the applicant were not a planning consideration and that planning permission should be refused for the reasons set out in the recommendations.

RESOLVED:

1. Planning permission was REFUSED for the following reasons:

- a. The development is not in accordance with Policies: 4 (Protection of the designated landscape) and 13 (High-quality design of minerals and waste development) of the Hampshire Minerals & Waste Plan (HMWP) (2013) as it would adversely impact on the tranquillity and noise environment of the area undermining the objectives of the AONB designation;
- b. The development is not in accordance with Policy 10 (Protecting public health, safety and amenity) of the HMWP (2013) as it would have a significant adverse impact on residential amenity by reason of noise.
- c. The development is not in accordance with Policy 12 (Managing traffic) of the HMWP (2013) and Policy DM22 (Employment development in the countryside) of the New Forest Sites and Development Management (part 2) (2014) as the scale of increase in HGV movements sought will have an adverse impact on the amenity and character of settlements through which these vehicles pass and it has not been demonstrated that the traffic generated by the proposal and

the increase in vehicle movements will not cause severe highway safety and capacity impacts on the existing transport network;

- d. The development is not in accordance with Policy 29 (Locations and sites for waste management) of the HMWP (2013) as it is not located in the locations identified for the development to provide recycling, recovery and/ or treatment of waste (pursuant to Policy 29(1)); the applicant has not demonstrated that the site has good transport connections to sources of and/or markets for the type of waste being managed (pursuant to Policy 29 (3)); and a special need for that location and the suitability of the site has not been demonstrated (pursuant to Policy 29 (3)).

Voting:

Favour: 14 (unanimous)

2. That authority be given to take appropriate enforcement action to bring the site into compliance with condition four, seven and nine of planning permission 16/11117.

Voting:

Favour: 13

Abstentions: 1

#### 43. **REVISIONS TO PLANNING APPLICATION VALIDATION GUIDANCE**

The Committee considered a report from the Head of Strategic Planning (Item 7 in the Minute Book) regarding revisions to the Planning Application Validation Guidance, following a consultation. The last updates were done in 2012.

It was agreed that on the second page of the guidance under 'How to use this Guidance', the word '**MUST**' would also be added before 'applicable local validation requirements' to emphasise the importance of compliance with the requirements. Members voted on the recommendation with this minor amendment to the document.

RESOLVED:

1. The committee noted the outcomes of the public consultation.
2. The updated guidance was approved for implementation with immediate effect

Voting:

Favour: 12 (unanimous)

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Chairman,

## HAMPSHIRE COUNTY COUNCIL Decision Report

<b>Decision Maker:</b>	Regulatory Committee
<b>Date:</b>	14 February 2018
<b>Title:</b>	Retrospective application to regularise the biomass boiler and associated development and the waste operations at Four Dells Farm, Poles Lane, OTTERBOURNE SO21 2DY (Application No. 17/01081/HCS) (Site Ref: WR215 )
<b>Report From:</b>	Head of Strategic Planning

**Contact name:** Philip Millard

**Tel:** 01962 846496

**Email:** Philip.millard@hants.gov.uk

### 1. Recommendation

- 1.1 It is recommended that planning permission be granted subject to the conditions listed in integral Appendix B.

### 2. Executive Summary

- 2.1 The planning application is for retrospective permission to regularise the biomass boiler and associated development at Four Dells Farm, Poles Lane, Otterbourne.
- 2.2 This application is being considered by the Regulatory Committee as there is significant public interest in the operation of the site.
- 2.3 Key issues raised are:
- Regularisation of the permission for a biomass boiler on the site. The use of the site for waste recycling and for 2 biomass boilers has been established in previous planning permissions;
  - Regularisation of the waste operations on the site. The biomass boiler operation is now the key operation on the site, therefore any permission should seek to ensure enforceable waste operation on the site;
  - Countryside location. The site is established as a waste operation within a farm complex utilising a previous agricultural building in the open countryside;
  - 24 hour operation. The Site Management Plan, submitted as part of the application, sets out unmanned 24 hour operation of the biomass boiler on the site;
  - Noise. There are 3 forms of noise issue on the site. Night-time biomass plant noise from the 24 hour operation, waste operation noise, including wood shredding, and the emergency steam release issue. The steam release issue has caused noise nuisance events over a number of

months resulting in public complaints and a Statutory Noise Nuisance Notice from Winchester City Council Environmental Health. The Environmental Health Officer [EHO] in their consultation response recommends conditions to enable acceptable operation of the site, including a condition to limit working hours and non working hour noise levels, and another to require the submission and approval of a revised Environmental Management Plan for the site; and

- Landscape impact and visual amenity. The proposed development does have an impact on the landscape and visual amenity of the area. However, it is considered that this impact is not sufficiently significant to conflict with policy. Lighting impact is to be mitigated by condition.

2.4 A committee site visit took place on Monday 2 October 2017.

2.5 The proposed development is not an Environmental Impact Assessment development under the [Town & Country Planning \(Environmental Impact Assessment\) Regulations 2011](#).

2.6 It is considered that the proposal would be in accordance with the relevant policies of the adopted [Hampshire Minerals & Waste Plan](#) [HMWP] (2013). It is considered, on balance, that the adverse impacts of the proposed development, on the landscape and public amenity, can be mitigated through the use of conditions and therefore do not significantly outweigh the benefits in accordance with Policy 1 (Sustainable minerals and waste development) of the HMWP 2013.

### **3. The Site**

3.1 The proposed development is located in the open countryside north of Poles Lane, approximately 0.7 kilometres [km] southwest of Compton Down, 0.8km west of Otterbourne, 2.4km east of Hursley and 2km north of Chandler's Ford. The site occupies 0.7 hectares [ha] and is an existing waste recycling development within Four Dells Farm. The 'farmyard curtilage' of Four Dells Farm has been developed to include a number of industrial and waste uses. The site itself has flat topography, the surrounding land has a gradual rise from Poles Lane to the south up to Shepherds Lane to the north, which results in Shepherds Lane overlooking the site. The land is generally open with runs of mature woodland and hedges dividing up arable fields, particularly to the north of the site.

3.2 The existing application site comprises of the following:

- An existing waste operation for the recycling of waste wood, plasterboard, and green waste, including the shredding of waste, permitted by Planning Permission [PP] 10/01128/HCS;
- An existing agricultural building to the centre of the site, constructed in 2002 and now permitted for waste use, known throughout this report as the 'waste building';
- A hardpacked earth external work area surrounding the building;



- An existing bund with planting to the site's north perimeter, originally 4metres high, with planting upon its outside facing slope;
- The western area of the proposed site is currently permitted for industrial B2 and B8 use under PP06/02429/FUL; and
- The site is accessed via a 240metre long shared haulage road onto Poles Lane.

3.3 The current planning permissions for the site, 10/01128/HCS and 15/02770/HCS, allow for:

- Permission to import up to 32,000 tonnes of wood, plasterboard and green waste, of which no more than 10,000 tonnes shall be plasterboard;
- 15/02770/HCS gives ancillary planning permission, for the installation of 2 biomass boilers within the existing waste building for drying wood chip and the generation and export of electricity;
- A limit of 4metre high external stockpiles;
- Plasterboard, gypsum and similar to only be processed and stored inside the waste building;
- Shredding, processing and recycling of wood and green waste to the area east of the waste building;
- Vehicular access via Poles Lane only. There is no condition limiting number of HGV movements to and from the site;
- Hours of operation where HGVs, plant and machinery shall only enter, leave or operate between 0700-1800 Monday to Friday and 0700-1300 on Saturday, with no working on Sunday or recognised public holidays;
- Conditioned timing for all mechanical chipping and pelleting operations, and plasterboard processing, to be between 0800-1700 Monday to Friday with no work on Saturday, Sunday or recognised public holidays;
- Permission for out of hours unmanned operation of the biomass boilers and associated chip dryer, limited to inside the building;
- Permission to burn fuel in the biomass boilers, no other burning on the site; and
- Operation of the site in accordance with the approved environmental management scheme for the control of noise, dust and odour as per the conditions of PP 10/01128/HCS.

3.4 The site has the following constraints:

- 600metres south; Otterbourne Waste Transfer Station, Poles Lane (Hampshire County Council Site Reference WR018). This is a safeguarded waste site in the HMWP 2013. The application site is within the buffer of the transfer station which is also an historic landfill site;
- It is adjacent to Four Dell Waste Facility (Hampshire County Council Site Reference WR205). This site is a safeguarded aggregate recycling waste site in the HMWP 2013;
- 730metres from the M3 motorway, part of the Hampshire [Strategic Road Network](#) (nearest junction is 12, 3.6km south);
- 190metres southeast; Dean Copse ancient woodland;

- 200metres south; Ampfield – Baddesley – Chilworth – Lordswood Biodiversity Opportunity Area [BOA];
- 70metres northwest; Public footpath right of way;
- 480metres north; Shepherds Lane public bridleway right of way; and
- The site is within the Eastleigh airport Airfield Safe Guarding Zone.

3.5 The nearest residential properties to the site are:

- 65metres southwest; Four Dells Farmhouse;
- 425metres southeast; Dean Croft, numerous dwellings;
- 530metres northeast; Shepherds Lane, numerous dwellings;
- 650metres west; Silkstead Lane, numerous dwellings; and
- 680metres east; Windrush Cottage.

#### 4. Planning History

4.1 The planning history of the site is as follows:

Application no.	Proposal	Decision	Date issued
<a href="#">15/02770/HCS</a>	The installation of 2 biomass boilers to provide heat for the drying of wood chip to produce a more marketable product, and the generation and export of electricity, with the erection of 2 flues to the existing building	Granted	10.02.16
<a href="#">10/01128/HCS</a>	Variation of conditions 2 and 3 of Planning permission 08/02657/HCS to allow processing of gypsum from waste plasterboard	Granted	8.10.10
<a href="#">08/02657/HCS</a>	Development & operation of the facility for the recycling of waste wood and other recycled materials	Granted	16.03.09

#### 5. The Proposal

5.1 Planning Permission [PP] 15/02770/HCS, granted in 2016, permitted the installation for 2 biomass boilers on the site. This application seeks retrospective permission for development not permitted by PP 15/02770/HCS. The applicant states that the previous application was not fully informed by industry expertise and so does not present a buildable or workable biomass boiler scheme for the site.

5.2 The proposal is for the following, as shown on Site Layout Plan 106/63A (Appendix D) and the waste building plans and elevations shown on Proposed Drawing 106/62C:

- Internal waste building arrangement including a single biomass boiler in a new location at the western end of the existing building, generating 420kW electrical and 4MW of thermal energy, and a woodchip dryer and dry chip storage area;
- External developments to the existing waste building consisting of:
  - 2 walking floor fuel feeders and frames to the north elevation, 6.7metres high;
  - A dry product elevator (approximately 9metres high), transformer building, ash conveyer and cladding projection (approximately 4.5metres high) to accommodate the woodchip dryer to the south elevation; and
  - A new 13metres high flue, a dormer roof projection and dryer outlet ducts to the roof;
- A new, tanked excavation into the floor of the existing waste building to accommodate the biomass boiler;
- Rearrangement of the external storage and processing areas;
- Extension of the waste site to incorporate an area to the west currently permitted for industrial B2 and B8 use;
- A water storage tank to the northern bund to support the dust management scheme;
- Cutting back into the existing northern bund to allow for a new steel post and concrete panel retaining wall to improve access to the building;
- Installation of mobile concrete block walls to a height of 4metres to contain external stockpiles; and
- Installation of concrete hardstanding to the primary wood processing area.

5.3 The proposed operation on the site will consist of the following, as set out in the submitted Site Management Plan, dated 30 November 2017:

- Importation of general tree surgeon waste, large roundwood logs, pallets and construction timber, predominantly via Light Good Vehicles [LGVs];
- Daytime operations 0700-1800 Monday to Friday, 0700-1300 Saturdays consisting of deliveries and site vehicle operations;
- Wood chip shredding 0800-1700 Monday to Friday, consistent with existing conditions;
- 24 hour, 7 day per week unmanned boiler and dryer operation, including the external walking floors, elevators and conveyors;
- The use of 1 JCB on Sundays and public holidays for maximum of 1 hour in exceptional circumstances to load the walking floor should it run out of wood chip;
- 4metres high, sorted external stockpiles;
- Parking for cars, number unknown, beyond the south edge of the site for staff and visitors;
- Dust, noise, odour and mud management are proposed as per the Site Management Plan. A noise assessment has been submitted as part of the application; and
- Lighting, security and drainage are proposed as per the Site Management Plan.

- 5.4 The operator has an Environmental Permit for operation of the biomass boiler at the site issued by Winchester City Council. No increase in the tonnage of imported waste material is proposed. No employment details were submitted with this application.
- 5.5 The proposed development has been assessed under [Town & Country Planning \(Environmental Impact Assessment\) Regulations 2017](#). Screening under the EIA Regulations has been carried out on the proposed development as supplied. The development is classified as a Schedule 2 development as it falls within Category 11, (b) Installations for the disposal of waste (unless included in Schedule 1) and exceeds the size threshold. However, whilst being identified under the Regulations, it is not deemed an EIA development requiring an Environmental Statement.

## **6. Development Plan and Guidance**

- 6.1 The following plans and associated policies are considered to be relevant to the proposal:

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

- 6.2 The following paragraphs are relevant to this proposal:
- Paragraph 11: Determination in accordance with the development plan;
  - Paragraph 14: Presumption in favour of sustainable development;
  - Paragraph 28: Support economic growth in rural areas;
  - Paragraph 64 (refuse poor design);
  - Paragraph 98 (determining renewable and low carbon energy planning applications); and
  - Paragraph 123 (Health and quality of life).

### **National Planning Policy for Waste (2014) (NPPW)**

- 6.3 The following paragraphs are relevant to the proposal:
- Paragraph 1: Delivery of sustainable development and resource efficiency; and
  - Paragraph 7: Determining planning applications.

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

- 6.4 The following paragraphs are relevant to the proposal:
- Paragraph 050 (Planning and regulation);
  - Paragraph 051 (main role of the environmental permit); and
  - Paragraph 052 (working together with other agencies).

### [Hampshire Minerals & Waste Plan \(2013\) \(HMWP\)](#)

- 6.5 The following policies are relevant to the proposal:
- Policy 1 (Sustainable minerals and waste development);
  - Policy 2 (Climate change – mitigation and adaptation);
  - Policy 5 (Protection of the countryside);
  - Policy 10 (Protecting public health, safety and amenity);
  - Policy 12 (Managing traffic);
  - Policy 13 (High-quality design of minerals and waste development);
  - Policy 25 (Sustainable waste management);
  - Policy 27 (Capacity for waste management development); and
  - Policy 28 (Energy recovery development).

### [Winchester City Council \(Local Plan Part 1 – Joint Core Strategy – Adopted 2013\) \(WCCLPP1\)](#)

- 6.6 The following policies are relevant to the proposal:
- Policy MTRA 4 (Development in the countryside);
  - Policy CP12 (Renewable and decentralised energy); and
  - Policy CP13 (High Quality Design).

### [Winchester City Council \(Local Plan Part 2 – Development Management & Allocations - adopted April 2017\) \(WCCLPP2\)](#)

- 6.7 The following policies are relevant to the proposal:
- Policy DM20 (Development and noise); and
  - Policy DM23 (Rural character).

## **7. Consultations**

- 7.1 Consultation was carried out in accordance with the [Statement of Community Involvement](#). The proposals were subsequently re-publicised on two occasions in order to allow for the consultation and public consideration of further information submitted by the applicant. Set out below are the final consultation responses of the consultees.
- 7.2 **County Councillor Warwick:** Has objection due to 24 hour operation, impact on local residents and businesses, poor management and design, no noise mitigation, overnight noise, shredding noise, over-scaled physical development and dust.
- 7.3 **Planning Policy (Hampshire County Council):** Provided information on the Hampshire Minerals and Waste Plan (2013).
- 7.4 **Winchester City Council:** Has no objection.

- 7.5 **Winchester City Council, Environmental Health Officer (EHO):** Has no objection with conditions to control noise, dust and require a new environmental management plan covering noise, dust and odour.
- 7.6 **County Landscape Architect (Hampshire County Council):** Has objection due to insufficient visual screening to mitigate the visual impact to amenity and the countryside landscape setting.
- 7.7 **Compton and Shawford Parish Council:** Has objection due to recurring impacts on the local community and neighbouring businesses from the operation of the site from night-time noise and light pollution.
- 7.8 **Hursley Parish Council:** Has objection due to night-time noise impacts caused by emergency steam release on a number of occasions.
- 7.9 **Otterbourne Parish Council:** Raises serious concerns about noise, site management, emissions and out of hours and unsheeted vehicle deliveries.

## 8. Representations

- 8.1 Hampshire County Council's [Statement of Community Involvement \(2017\)](#) (SCI) sets out the adopted consultation and publicity procedures associated with determining planning applications.
- 8.2 In complying with the requirements of the SCI, Hampshire County Council:
- Published a notice of the application in the [Hampshire Independent](#);
  - Placed notice of the application at the application site;
  - Consulted all statutory and non-statutory consultees in accordance with [The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#); and
  - Notified by letter all residential properties within approximately 250 metres of the boundary of the site.
- 8.3 As of 31 January 2018, a total of 15 representations to the proposal had been received. All 15 object to the proposal. The main areas of concern raised in the objections relate to the following areas:
- Noise – for the two noise issues; night-time steam releases (multiple occurrences on 4 occasions in 3 months) and, secondly, loud day-time operational noise including vehicles and their reversing alarms, particularly early in the morning, and the shredding of wood;
  - Air pollution from boiler exhaust fumes;
  - Light pollution;
  - Visual impact from Shepherds Lane bridleway;
  - Inappropriate and unacceptable, non-agricultural development in a rural location;
  - Nature of the development; out of scale with surroundings and industrial in appearance;

- No justifiable need for the development;
- Increased vehicle movements and safety impacts of traffic;
- Poor operational management;
- Significant technical issues;
- Site safety and security;
- Safety, health and amenity of local residents;
- Staff being on the site 24 hours a day;
- Lack of community involvement with regard to the application; and
- The application is retrospective.

The above issues will be addressed within the following commentary.

## **9. Commentary**

### Principle of the development

- 9.1 PP 15/02770/HCS established the acceptance of a biomass boiler at the Four Dells Farm site. The site provides an increase in waste management capacity for energy recovery and recycling of green waste on an existing waste site in accordance with Policies 2 (Climate Change – mitigation and adaptation) and 25 (Sustainable waste management) of the HMWP 2013. The Hampshire Minerals and Waste Plan supports Combined Heat and Power [CHP] development that allows for the recovery of energy from waste and increases Hampshire's waste management capacity in accordance with Policies 27 (Capacity for waste management development) and 28 (Energy recovery development) of the HMWP 2013. The proposal is also in accordance with Policy CP12 (Renewable and decentralised energy) of the WCCLPP1 2013.
- 9.2 The NPPF 2012 Paragraph 28 (Support economic growth in rural areas) supports the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings.
- 9.3 Paragraph 98 (determining renewable and low carbon energy planning applications) of the NPPF 2012 states that when determining planning applications, local planning authorities should not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and should approve the application if its impacts are (or can be made) acceptable. Therefore this report considers the impacts of the proposed development and considers whether they are acceptable or can be made acceptable through mitigation.

### Development in the countryside

- 9.4 The site is a previously developed site for waste use, with an area to the west with B2 and B8 industrial use, and is in an area of open countryside.

- 9.5 HMWP 2013 Policy 5 (Protection of the countryside) requires waste development in the open countryside to be a suitable reuse of previously developed land and, where appropriate and applicable, for the development to meet the highest standards of design, operation and restoration.
- 9.6 WCCLPP1 2013 Policy MTRA 4 (Development in the countryside) will only permit development provided that development is proportionate to the nature and scale of the site, its setting and countryside location and that development proposed in accordance with this policy should not cause harm to the character and landscape of the area or neighbouring uses, or create inappropriate noise and/or light and traffic generation.
- 9.7 WCCLPP2 2017 Policy DM23 (Rural character) states that outside defined settlement boundaries, development proposals which accord with the Development Plan will be permitted where they do not have an unacceptable effect on the rural character of the area, by means of visual intrusion, the introduction of incongruous features, the destruction of locally characteristic rural assets, or by impacts on the tranquillity of the environment.
- 9.8 It is considered that the principle of the proposal is in accordance with the above policies; it uses a suitable existing waste site and is therefore acceptable in principle in the open countryside. The quality of the design, operation, scale and impact in the countryside location are considered below.

#### Landscape impact and good quality design

- 9.9 HMWP 2013 Policy 10 (Protecting public health, safety and amenity) states that a waste development should not have an unacceptable visual impact and Policy 13 (High-quality design of minerals and waste development) states waste development should not cause an unacceptable adverse visual impact and should maintain and enhance the distinctive character of the landscape. It states that the design of appropriate built facilities should be of a high-quality and contribute to achieving sustainable development. This policy is supported by the NPPF 2012 Paragraph 64 (Refuse poor design) which states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. It is also supported by WCCLPP1 Policy CP13 (High Quality Design).
- 9.10 The NPPW 2014 Paragraph 7 (Determining planning applications) states that when determining waste planning applications, WPAs should ensure that waste management facilities in themselves are well-designed, so that they contribute positively to the character and quality of the area in which they are located.
- 9.11 The County Landscape Officer has raised an objection on the following grounds:



- Inadequate screening for the proposal; and
- The additional new features to the waste building have made the site appear more industrial and less like the original farm complex. The rural location and presence of a public rights of way network (including Shepherd's Lane, bridleway to the north) makes the sensitivity of the landscape high. The current application does not address the landscape and visual impacts of the proposal.

- 9.12 Public representations raise the issues of the visual impact of the development from the Shepherds Lane Bridleway (north of the site) and a view that the development is out of scale with its surroundings and is industrial in appearance.
- 9.13 Additional information was submitted by the applicant, stating that the earth bund behind (north of) the site is not in Brooke Energy's possession, and therefore it is outside of their control to offer additional planting on the bund. The applicant does put forward suggested planting, should agreement be made with the landowner.
- 9.14 The bund was secured by condition on a previous permission on the site. This included a 5 year aftercare period for the planting on the bund. This aftercare period has now ended. The bund is outside of the site area (red line area) of the application, and as such is outside the control of the applicant and the determination of this application. There is no proposal to remove the bund, but its retention or enforcement cannot be secured by condition.
- 9.15 The elements of particular concern for visual impact are the 'dormer' roof projection to the south side of the roof, the 13metre high flue and the 2 walking floor fuel feeders and frames to the north elevation, which are 6.7metres high, and so sit above the eaves of the waste building. A partial re-cladding of the roof of the building has highlighted the building in the landscape. No visual impact assessment was provided with the application.
- 9.16 It is considered that the impact of the flue is not significant, being only a little greater in height than the two smaller flues permitted by PP 15/02770/HCS. Its impact can be mitigated in part by a condition to remove the black band from it to allow it to blend better into the landscape.
- 9.17 The dormer roof projection sits below the roof ridge height and faces to the south of the building. It does not have a visual impact on the more sensitive rural landscape to the north and is screened to the east and west by other buildings in the farmyard complex. It is not an example of good quality design, but is of a finish and colour to blend in with the existing roof and it is considered to not have a significant adverse impact on the landscape and visual amenity.
- 9.18 When viewing the site from Shepherds Lane to the north of the site, the closest public view point, the visual impact is predominately due to the

existing waste building. This is a former agricultural barn. The proposed development of the 2 walking floor fuel feeders is considered to make a contribution to visual impact. However, it is not felt to be of sufficient significance, when viewed from public access points and the dwellings to the north, to justify refusal of the application.

- 9.19 Therefore on balance, the proposed development is not considered to conflict with HMWP 2013 policies 10 (Protecting public health, safety and amenity) and 13 (High-quality design of minerals and waste development) with respect to visual impact on amenity, the local landscape and quality of design.

### Lighting

- 9.20 HMWP 2013 Policy 10 (Protecting public health, safety and amenity) states that a waste development should not cause unacceptable lighting.

- 9.21 The Site Management Plan, dated 30 November 2017, states there are two types of external lighting at the site. Security lighting, to be controlled by PIR sensor and so only triggered by motion outside of operating hours. Secondly, yard safety lights, for operations during operating hours. These are to be turned off outside the hours of operation. These are shown on the Security and Lighting Plan, Drawing 106/69. The Site Management Plan also identifies that lighting from within the waste building are visible outside via the building's roof lights and states that these will be turned off outside of hours of operation, other than in the case of an emergency.

- 9.22 The issue of the impact of lighting is raised by a number of public representations and the consultation responses of the Parish Councils. It is considered that, with a condition to ensure the site operates by the approved management plan, lighting on the site can be controlled as to not cause a significant adverse impact on the rural landscape and neighbour's amenity and should be no greater than would be required for a broad range of commercial uses. The EHO consultation response also recommends a condition to restrict external lighting to that approved by the WPA. Therefore, the proposed development can be considered in accordance with HMWP 2013 Policy 10 (Protecting public health, safety and amenity) with respect to lighting.

### Working with other Regulatory Bodies

- 9.23 National Planning Practice Guidance states that Planning Authorities should assume that other regulatory regimes will operate effectively rather than seek to control any processes, health and safety issues or emissions themselves where these are subject to approval under other regimes ([Paragraph 050 Reference ID: 28-050-20141016](#))

- 9.24 Planning and permitting decisions are separate but closely linked. Planning permission determines if a development is an acceptable use of the land.

Permitting determines if an operation can be managed on an ongoing basis to prevent or minimise pollution at an acceptable level.

9.25 In the case of this application, consultees and public representations have raised a number of issues that are generally outside of the regulatory scope of the WPA and this planning application. These issues are non-typical noise, emissions and site safety and security. These issues are typically under the control of the Environmental Permit body, in this case Winchester City Council, and/or the Health and Safety Executive [HSE]. In this case, there are 3 areas that fall primarily to other regulators:

- Non-typical noise from the emergency release of steam (see noise section below).  
This type of noise (as opposed to the general day to day operational noise) is normally not capable of being controlled by planning condition and would be investigated by the EHO officer.
- Emissions.  
Flue emissions from the site are controlled under the environmental permit issued by Winchester City Council; and
- Site safety and security.  
These issues are the concern of the EHO of Winchester City Council and the HSE, but can be influenced by the WPA when considering the design and layout of a facility.

## Noise

9.26 HMWP 2013 Policy 10 (Protecting public health, safety and amenity) states that a waste development should not cause unacceptable noise. WCCLPP2 Policy DM20 (Development and Noise) states that development which generates noise pollution or is sensitive to it will only be permitted where it accords with the Development Plan and does not have an unacceptable impact on human health or quality of life. WCCLPP2 Policy DM23 (Rural Character) also states that development will be permitted where they do not have an unacceptable effect on the rural character of the area, by means of impacts on the tranquillity of the environment.

9.27 Further information in the form of the Abnormal Noise Mitigation Plan (Dated 20 December 2017) and the revised operational noise assessment (report ref SA-5217-1) were provided by the applicant.

9.28 The issue of noise is raised by all public representations and additional information has been sought from the applicant and considered by the EHO.

9.29 The EHO now raises no objection subject to conditions. They are disappointed that the revised information still does not fully assess all the current noise impacts from an amenity perspective. However, the EHO considers, on balance, that the noise issues can be resolved through the use of appropriate planning conditions. This takes into consideration the fact that

permission is already granted for major elements of the waste operation at the site.

9.30 It is identified that there are 3 key forms of noise which are issues for this proposal; 1) that generated by the biomass boiler and associated plant, 2) the general waste operations during normal operating hours (i.e. 0700-1800 Monday to Friday and 0700-1300 Saturdays) and 3) the emergency steam release issue.

1. Biomass boiler plant noise

The biomass boiler and associated plant is proposed to operate 24 hours a day, 7 days per week. Therefore this will generate some noise outside of normal operating times, including during the night; It is considered by the Winchester City Council EHO and the WPA that the noise generated by the biomass boiler and its associated plant would not cause an adverse noise impact during normal operating hours as the plant has a low operating noise. The EHO recommends a condition to any permission hereby granted using stated noise level limits, one for during normal operating hours and one for outside these operating hours, to control the impact of the operation of this plant.

2. Wood shredding and other waste processing operational noise

The site is permitted under its existing Planning Permission for the wood shredding during the period of 0800-1700 Monday to Friday and processing of waste during operating hours. Noise and operating hours are currently conditioned. Wood shredding is proposed in the Site Management Plan, to take place during the same time period. This does not propose a change to the current planning permission, 10/01128/HCS. However, the purpose of the waste processing has changed to providing fuel for the biomass boiler. The wood shredding operation is of particular concern to the EHO who identifies that the type of material being processed has shifted from green waste towards a combination of green waste and wood pallets. It is the EHO's view that this is the most significant daytime noise source and, due to the short term peak noise characteristic of the activity, control of this would be best achieved through a noise condition that requires the submission of a revised environmental management plan and a second noise condition that uses a 15 minute noise criteria rather than a more typical 1 hour. This gives a better weighting to such shorter term noise impacts.

3. Emergency steam release noise

Significant noise has been caused by emergency steam release activities that have occurred at the site. These have occurred on at least 4 separate occasions between July-December 2017 and tend to consist of bursts of very loud noise, reoccurring a number of times during the night. This noise is described as equivalent of a jet engine by the public representations citing this as a reason to reject the application. The applicant states this is noise associated with emergency 'teething problem' events for the biomass boiler caused by a combination of

technology and the management procedure for off site monitoring of the site during out of hours operations.

- 9.31 This form of noise is usually considered non-typical, as referred to in the 'Working with other Regulatory Bodies' section above. In December 2017, Winchester City Council Environmental Health Team issued a Statutory Noise Nuisance Notice to the operator under the Environmental Protection Act 1990 on this issue.
- 9.32 In order to address this issue in the context of the planning application, the applicant submitted a statement titled 'Abnormal Noise Mitigation Plan', dated 20 December 2017. The noise events are caused by a sudden steam blow off to release pressure build up in the plant. The plan states the implementation of the installation of a steam relief valve that would release that pressure in a controlled manner sooner and more gradually and in doing so not cause a significant noise event. The plan also states that the new system would release the steam inside the building through an expansion tank. This should also reduce the visual impact of that steam. The EHO is satisfied that a condition controlling the noise outside of operating hours would be satisfactory to control issues such as this in planning terms.
- 9.33 The EHO response therefore proposes that conditions are added to any permission granted to allow for enforceable control of noise at the site. A condition regarding the submission and approval of a revised environmental management plan covering dust, noise and odour from both material processing and the operation of the biomass plant is also recommended.
- 9.34 The Noise assessment and the EHO response states it is considered that noise impact from the expected operation of the site is acceptable and in accordance with HMWP 2013 Policy 10 (Protecting public health, safety and amenity) when subject to the conditions recommended.
- 9.35 It is highlighted here that any non-typical noise generated by the operation, that would be considered a public nuisance, will continue to be regulated by Local Authority Environmental Health.

#### Dust

- 9.36 Policy 10 (Protecting public health, safety and amenity) of the HMWP requires that any development should not cause adverse public health and safety impacts, and unacceptable adverse amenity impacts, including not causing unacceptable dust.
- 9.37 The issue of dust has been raised by the public representations. The final EHO consultation response states that Winchester City Council environmental health has had to deal with issues regarding the fallout of saw dust from the material processing onto the adjacent industrial premises. Where these are directly associated with the production of fuel for the Biomass plant these can be resolved through the air pollution permitting

regime (Environmental Permitting (England and Wales) Regulations 2016). However there other potential dust sources, such as vehicle movement and green waste not used a fuel in the biomass plant, that fall outside this regulatory control.

9.38 The Site Management Plan, dated 30 November 2017, identifies three primary causes of dust generation on the site. These are listed below with discussion:

- Emissions from the biomass boiler.  
This is regulated by the Environmental Permit;
- Shredding wood material.  
Shredding of wood is currently permitted on site by previous planning permission. The Site Management Plan does not include sufficient information to demonstrate wood shredding will not create an adverse impact and a condition is proposed; and
- Movement around the site.  
The site has a concrete hardstanding. This does not extend to the access route to the site. The Site Management Plan describes managed practice for external operations to control dust.

9.39 It is therefore considered appropriate and proportionate to ensure dust management is included in the requirement for a new revised environmental management plan. With the inclusion of this condition the proposal is considered to be in accordance with HMWP 2013 Policy 10 (Protecting public health, safety and amenity).

#### Vehicles movements

9.40 A number of public representations and parish responses raise concern about LGVs and HGVs using the site. They refer to material being deposited on the highway due to vehicles being unsheeted, the number and times of vehicles entering and leaving the site and the noise of the vehicles, particularly from reverse warning beepers.

9.41 The current planning permission has no condition limiting vehicle movement numbers to and from the site. PP 10/01128/HCS includes condition 2 (annual imports) that limits importation to 32,000 tonnes per annum, and this application does not seek to vary this limit. Therefore, it would be considered overly onerous to now seek to limit the number of vehicle movements where no additional importation to or exportation from the site is proposed.

9.42 The issues of unsheeted vehicles and reverse warning beeper noise are significant amenity issues. It is therefore recommended that any permission granted should include conditions to address sheeting delivery vehicles entering or leaving the site, that delivery vehicles should only enter and leave the site during the conditioned operating hours and that all plant and vehicles that operate on the site should be fitted with white-noise type reversing alarms and that no vehicles, including delivery vehicles, shall use conventional reversing alarms on the site. These conditions would allow the

proposal to be considered in accordance with HMWP 2013 Policies 10 (Protecting public health, safety and amenity) and 12 (Managing traffic).

### Summary

- 9.43 The decision of whether to grant or refuse permission for the proposed development is a matter of balance between the established benefits and the considered level of significance of its adverse impacts. The benefits include renewable energy generation and an increase in capacity of waste management for the area on a current waste site. The impacts of the development include landscape impact, and impact on public amenity and health due to appearance, noise, light and dust. The significance of these impacts is increased by the introduction of some night-time operation.
- 9.44 It is considered that appropriate conditions on any permission granted can address the issues of noise, dust, light and operational management as well as enable effective monitoring of the site. The emissions and associated health issues fall under the environmental permit rather than the regulatory control of the planning system. The landscape impacts are increased, but not significantly, relative to the existing permitted uses on the site. On balance, having regard to the range of permitted uses on the site, it is considered that the benefits of the proposal outweigh any harm.

### Conclusion

- 9.45 It is considered that the benefits of the proposed development outweigh the impacts to amenity and the surrounding countryside landscape. It is considered that the visual impact of the proposal is not sufficiently significant to refuse the application and that the amenity impacts of the development, in particular noise and dust, can be mitigated and managed via conditions to the extent to be an acceptable development.
- 9.46 It is therefore considered that the proposal would be in accordance with the policies of the Hampshire Minerals and Waste Plan 2013 when considered with the recommended conditions proposed in appendix B of this report.

### Appendices:

Integral Appendix A – Corporate or Legal Information

Integral Appendix B – Conditions

Appendix C - Location Plan, 106/60.

Appendix D - Site Layout Plan, 106/63A.

Appendix E – Decision Notice for Planning Permission 10/01128/HCS

## Links to the Strategic Plan

Hampshire maintains strong and sustainable economic growth and prosperity:	No
People in Hampshire live safe, healthy and independent lives:	No
People in Hampshire enjoy a rich and diverse environment:	No
People in Hampshire enjoy being part of strong, inclusive communities:	No
<b>OR</b>	
<b>This proposal does not link to the Strategic Plan but, nevertheless, requires a decision because:</b>	
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

17/01081/HCS  
WR215

Hampshire County Council

Four Dells Farm, Poles Lane,  
OTTERBOURNE SO21 2DY  
(Retrospective application to regularise the  
biomass boiler and associated  
development and the waste operations



## CONDITIONS

### Implementation

1. This permission is granted as an alternative to planning permission 15/02770/HCS and the implementation of this permission prohibits any future implementation of planning permission 15/02770/HCS. The effect of this condition is that either one but not both permissions may be implemented.

Reason: To prevent unacceptable intensification of use and cumulative environmental impact resulting from the implementation of both permissions 15/02770/HCS and 17/01081/HCS such that development on the site can be considered in accordance with the Hampshire Minerals and Waste Plan 2013.

2. No more than 32,000 tonnes of wood, plasterboard, and green waste per year shall be imported to the site. Of this 32,000 tonnes, no more than 10,000 tonnes of plasterboard shall be imported to the site per annum. A record of the quantity of waste brought to the site shall be sent to the Waste Planning Authority annually and shall also be made available to the Waste Planning Authority on request.

Reason: In order to ensure there is no unacceptable intensification of the use which would lead to harm to the environment or local amenity in accordance with Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013).

3. The waste material processed at the site shall be restricted to wood, plasterboard and green waste and ancillary material (such as nails, wire and packaging) only.

Reason: In the interests of local amenity and ensure that the development meets Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013).

### Removal of permitted development rights

4. Notwithstanding the provisions of Parts 4, 7 and 16 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (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; and
  - (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 Policies 10 (Protecting public health, safety and amenity) and 13 (High-quality design of minerals and waste developments) of the Hampshire Minerals & Waste Plan (2013).

### **Burning of Material**

5. With the exception of wood fuel burned in the biomass boiler, there shall be no other burning of material on the site.

Reason: To ensure that the development meets Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013).

### **Storage**

6. The external storage and stockpiles of unprocessed and processed green and wood waste shall only take place in the locations shown on approved drawing Site Layout Plan, drawing 106/63A, dated 01 December 2018, and shall be no higher than 4 metres above the existing ground level.

Reason: To limit the impact on landscape and visual amenity and ensure that the development meets Policy 13 (High-quality design of minerals and waste development) of the Hampshire Minerals & Waste Plan (2013).

7. No gypsum or plasterboard shall be stored, stockpiled or processed externally. All plasterboard and gypsum operations and storage shall take place within buildings.

Reason: To limit the impact of dust generated by the process and ensure that the development meets Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013).

### **Hours of Operation**

8. The unmanned 24 hour operation of the biomass boiler and associated chip dryer shall take place in strict accordance with the limitations defined in the Site Management Plan, received 01 December 2017, and any future revision to that document submitted to and approved by the Waste Planning Authority.

Reason: To limit out of hours noise and lighting in the interest of public amenity and ensure that the development meets Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013).

9. No mechanical wood chipping/shredding, pelleting operations, or plasterboard processing shall take place outside of the hours of 0800 and 1700 Monday to Friday with no working on Saturday, Sunday or recognised public holidays.

Reason: To limit noise in the interest of public amenity in accordance with Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013).

10. No vehicles delivering or collecting materials shall enter or leave the site and no plant or machinery (other than the biomass boiler and associated chip dryer) shall be operated except between the following hours: 0700-1800 Monday to Friday and 0700-1300 on Saturday. There shall be no working on Sunday or recognised public holidays.

Reason: To limit noise in the interest of public amenity in accordance with Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013).

### **Environmental Management Plan**

11. Within 2 months of the date of this planning permission, the applicant shall submit to and have approved by the Waste Planning Authority a revised Environmental Management Plan for the control of dust, noise and odour from both material processing and the operation of the biomass plant at the site. This shall include:

- Dust management arrangements both from material processing and vehicular movement;
- Measures to ensure compliance with condition 12 (Noise levels);
- An assessment of additional measures and mitigation to reduce amenity impacts from short duration noise events (i.e. reduction in  $L_{Amax}$  to that reasonably practicable);
- Proposals on how to deliver and maintain the recommended mitigation measures;
- Management and training arrangements;
- Plant and equipment maintenance procedures and record keeping; and
- Site security.

The site shall be run in accordance with the approved Environmental Management Plan, and any future revision submitted to and approved by the Waste Planning Authority, for the lifetime of the development hereby approved.

Reason: To ensure environmental impacts of operation are controlled and minimised in accordance with Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013).

### **Noise**

12. The specific noise levels associated with any on site plant, machinery or equipment shall not exceed:

- Between the hours of 07:00 and 18:00 a  $L_{Aeq}$  (15 minute) of 70dB anywhere on the site boundary; and
- Between the hours of 18:00 and 07:00 a  $L_{Aeq}$  (15 minute) of 60dB anywhere on the site boundary.

Such measurements shall be made in free field conditions in the absence of significant off site noise sources.

Reason: To prevent adverse noise amenity impacts on neighbours in accordance with Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013) of the Hampshire Minerals & Waste Plan (2013).

### **Lighting**

13. Lighting on the site shall be in accordance with the Site Management Plan, received 01 December 2017, and any future revision submitted to and approved by the Waste Planning Authority. The site shall not be lit outside of operating hours as stated in condition 10 above.

Reason: To control the impact on landscape and visual amenity for 24 hour operation and ensure that the development meets Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013).

### **Visual impact**

14. Within 2 months of the date of this planning permission, the black band on the flue, as shown on the plan and elevations on the Proposed Drawing, 106/62C, shall be removed. The flue shall not be painted/re-painted without the prior written approval of the Waste Planning Authority.

Reason: To reduce the impact on landscape and visual amenity and ensure that the development meets Policy 13 (High-quality design of minerals and waste development) of the Hampshire Minerals & Waste Plan (2013).

### **Highways**

15. No vehicle shall leave the site unless it has been cleaned sufficiently to prevent mud and spoil being carried on to the public highway. In the event that mud and spoil from vehicles leaving the site are deposited on the public highway, measures shall be taken to clean the highway.

Reason: In the interests of highway safety in accordance with Policy 12 (Managing traffic) of the Hampshire Minerals & Waste Plan (2013).

16. All vehicles entering or leaving the site loaded with waste or materials shall be securely sheeted.

Reason: In the interests of highway safety to prevent the deposition of material on the public highway or the generation of wind blown dust in accordance with Policies 10 (Protecting public health, safety and amenity) and Policy 12 (Managing traffic) of the Hampshire Minerals & Waste Plan (2013).

17. Means of vehicular access to the site shall be from the road junction with Poles Lane only.

Reason: In the interests of highway safety in accordance with Policy 12 (Managing traffic) of the Hampshire Minerals & Waste Plan (2013).

18. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturers' specification at all times, shall be fitted with and use effective silencers and be fitted with and use white-noise type reversing alarms. When on site, no vehicle shall use conventional reversing alarms.

Reason: To minimise noise disturbance from operations at the site in accordance with Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013).

### **Drainage**

19. Surface water draining from areas of hardstanding shall be passed through an oil interceptor or series of oil interceptors, prior to being discharged into any soakaway or other surface water drainage system. The interceptor(s) shall be designed and constructed to have a capacity compatible with the area being drained, and if not present, be installed within 2 months of the date of issue of this planning permission hereby granted and shall thereafter be retained and maintained throughout the lifetime of the development. Clean roof water shall not pass through the interceptor(s).

Reason: To prevent pollution of the water environment in accordance with Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013).

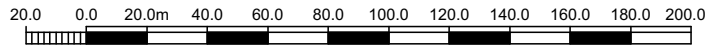
### **Plans**

20. The development hereby permitted shall be carried out in accordance with the following approved plans: **106/60, 106/61, 106/62C, 106/63A, 106/69, 106/72.**

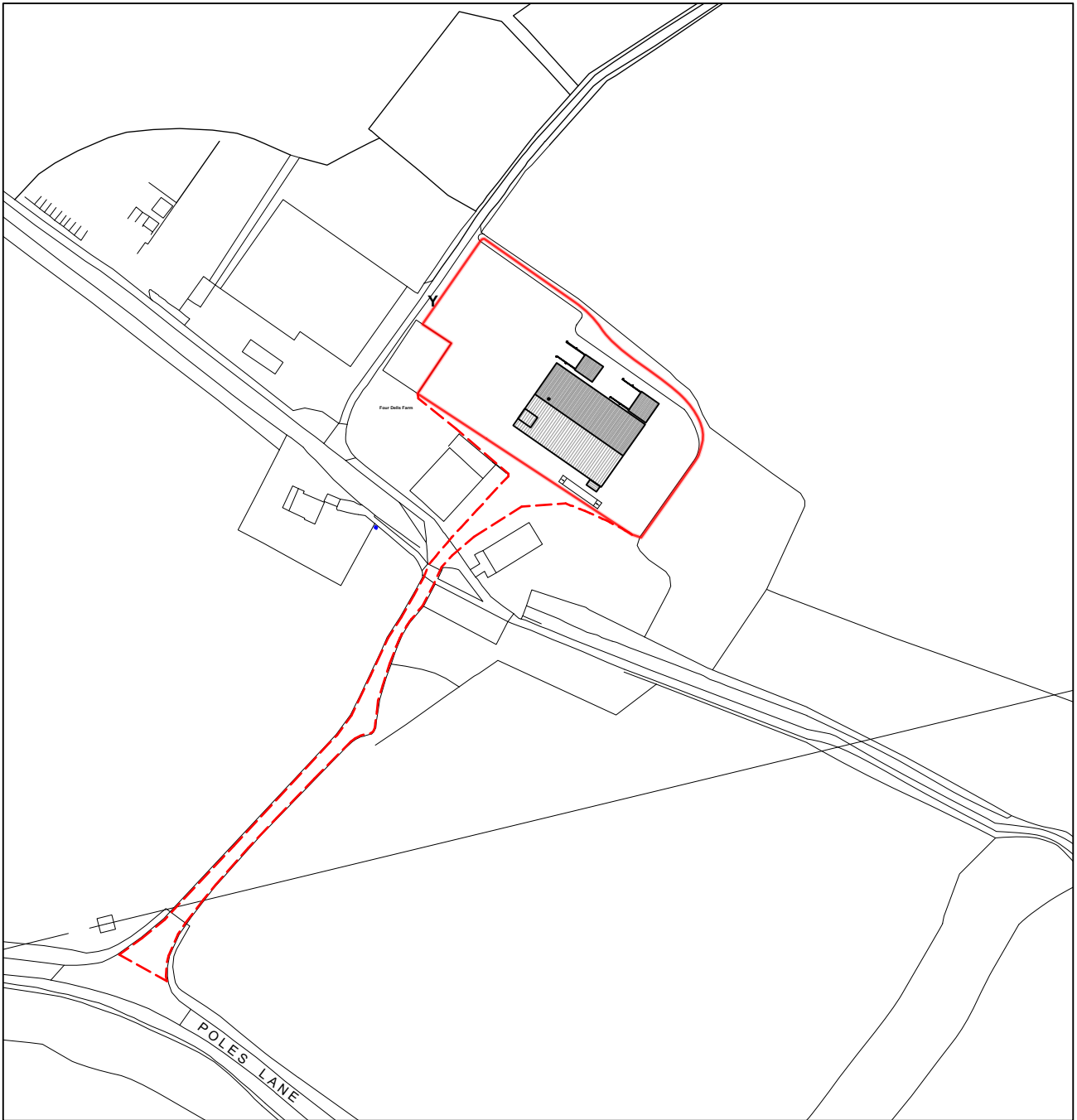
Reason: For the avoidance of doubt and in the interests of proper planning.

## Notes to Applicant

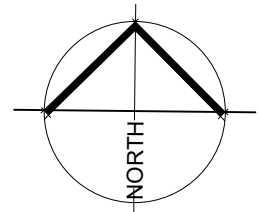
1. In determining this planning application, the Waste Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application by liaising with consultees, respondents and the agent and discussing 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) Order 2015.
2. For the purposes of matters relating to this decision Heavy Goods Vehicles (HGVs) are defined as vehicles over 3.5 tonne un-laden.
3. This decision does not purport or convey any approval or consent which may be required under the Building Regulations or any other Acts, including Byelaws, orders or Regulations made under such acts.



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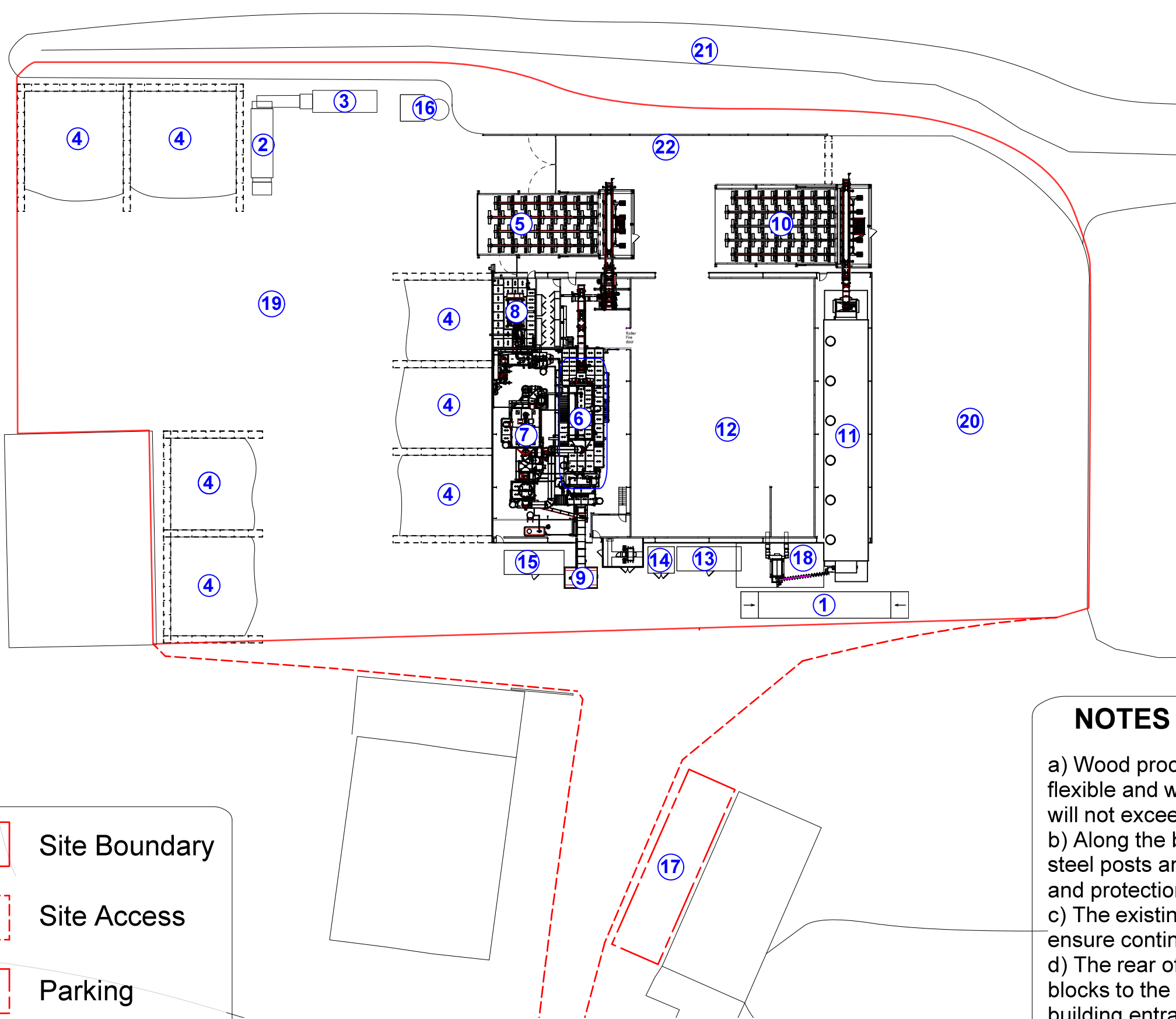


Four Dells Farm  
Otterbourne, Winchester, SO21 2DY  
Proposed Site Lease Plan  
Drawing No. 106/60



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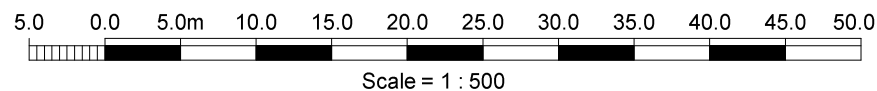
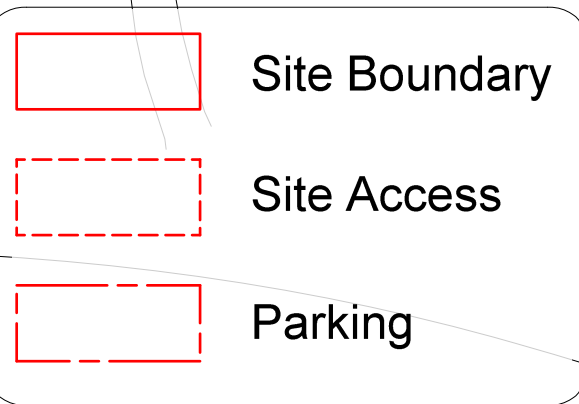


**KEY**

- 1) Weighbridge
- 2) Shredder
- 3) Trommel
- 4) Storage Bays
- 5) Fuel Walking Floor
- 6) Biomass Furnace
- 7) Gas Clean-up & Chimney
- 8) Turbine
- 9) Ash Container
- 10) Dryer Walking Floor
- 11) Belt Dryer
- 12) Dry Product Storage
- 13) Manager/Weighbridge Office
- 14) Western Power Transformer
- 15) Welfare Facilities
- 16) Water Storage for Sprinklers
- 17) Parking for Staff & Other Site Users
- 18) Dry Product Screen & Elevators
- 19) Primary Wood Processing Area
- 20) Secondary Processing Area
- 21) Visual Protection Bund
- 22) Post & Conc. Panel Bund Support

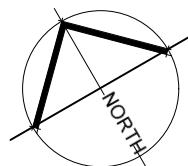
**NOTES**

- a) Wood processing yard layout including storage bays are flexible and will change over time. The concrete lego blocks will not exceed 5 blocks high = 4m
- b) Along the back of the building the bund is supported by steel posts and concrete panels to ensure no earth slippage and protection from vehicle contact.
- c) The existing bund will be maintained and protected to ensure continual visual screening of the site.
- d) The rear of the building will be secured by concrete lego blocks to the east and pallisade gates to the West of the building entrance.



© Do not scale from this drawing. All dimensions to be checked on site.

Drawn: AM      Date: 30/11/2017      Scale: 1:500@A3



Brooke Energy Winchester  
 Four Dells Farm  
 Site Layout Plan  
 DRAWING No. 106/63A



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Town and Country Planning Act 1990

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To: Jon & Geoff Venn  
Silkstead Farm  
Hursley  
Winchester  
Hants  
SO21 2LG

Application No: **10/01128/HCS**

HCC Ref: WR215

Date of Application: 29 April 2010

**Hampshire County Council**, as Waste Planning Authority, **grants permission** for the following development in respect of the plans and particulars and subject to the attached schedule of 13 conditions:

Development: **Variation of conditions 2 and 3 of Planning permission 08/02657/HCS to allow processing of gypsum from waste plasterboard**

Site address: **Four Dell Farm, Otterbourne, Winchester, Hampshire SO21 2DY**

Plans and particulars: **Plan A**

**Reason for Approval**

It is considered that the proposal complies with policy because it is a sustainable proposal (S1, DC1) that involves the recycling of plasterboard to create gypsum, a source of sulphur that is able to improve the nutritional value of agricultural land (DC13) without causing any significant amenity (DC8- as the plant is contained within an existing building); traffic (DC6) or other environmental impacts, subject to appropriate mitigation.

All enquiries should be referred to the Environment Department, The Castle,  
Winchester, SO23 8UD

Tel: (01962) 846746 Fax: (01962) 847055

on behalf of  
**Director of Environment**  
8 October 2010



## Town and Country Planning Act 1990

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Application No: 10/01128/HCS

### Planning Conditions

#### Commencement

1. The development hereby permitted shall be begun before the expiration of three years from the date on which this planning permission was granted.

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

#### Working Scheme

2. No more than 32,000 tonnes of wood, plasterboard and green waste per year shall be imported to the site. Of this 32,000 tonnes no more than 10,000 tonnes of plasterboard shall be imported to the site per annum. A record of the quantity of waste brought to the site shall be sent to the Waste Planning Authority annually and shall also be made available to the Waste Planning Authority on request.

Reason: In order to ensure there is not an intensification of use at the site which would lead to harm to the environment or local amenity and in accordance with the advice of the Environmental Health Officer to prevent excess dust caused by loading, unloading and processing of plasterboard.

3. The waste to be brought to the site shall be restricted to wood, plasterboard and green waste and ancillary material (such as nails, wire and packaging) only.

Reason: In the interests of local amenity.

## Town and Country Planning Act 1990

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Application No: 10/01128/HCS

### Planning Conditions

4. Stockpiles and storage of unprocessed and processed green and wood waste can be stored externally and no higher than 4 metres above existing ground level in the locations shown on approved layout drawing Plan 'A' received 1 June 2010. Shredding/processing/recycling of green and wood waste can take place outside in the approved external yard area due east and adjacent to the waste building subject of this permission. Plasterboard shall only be deposited, stored and processed within the existing waste building as shown on the approved Plan A. No gypsum, or plasterboard deposition, plasterboard or gypsum storage or its processing/recycling shall take place outside of the waste building. The only materials externally stored, processed or recycled are those used in the green waste composting and wood waste processing approved by way of this permission. Stockpiles of gypsum inside the building shall not exceed three metres in height above barn/building floor level and stockpiles of unprocessed plasterboard in the building shall not be stored higher than five metres above floor level unless otherwise agreed in writing beforehand by the Waste Planning Authority.

Reason: In the interests of local amenity and to reduce visual impact.

### Highways

5. Means of vehicular access to the site shall be from the road junction with Poles Lane only.

Reason: In the interests of highway safety

6. Details of measures to be taken to prevent mud and debris from vehicles leaving the site being deposited on the public highway shall be submitted to and approved by the Minerals Planning Authority in writing.

Reason: In the interest of highway safety



## Town and Country Planning Act 1990

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Application No: **10/01128/HCS**

### Planning Conditions

#### Hours of Working

7. Unless otherwise agreed in writing by the Waste Planning Authority, other than movement of processed material within Silkstead Farm (as shown on Plan No SER 02397), no heavy goods vehicles shall enter or leave the site and no plant or machinery shall be operated except between the following hours: 0700-1800 Monday to Friday and 0700-1300 on Saturday. There shall be no working on Sunday or recognised public holidays. The movement of processed material within Silkstead Farm shall be restricted to between the hours of 0700 and 2300.

Reason: In the interests of local amenity.

8. Notwithstanding condition (7) above, all mechanical chipping and pelleting operations and plasterboard processing operations shall only be conducted between the hours of 0800 and 1700 Monday to Friday with no work on Saturday, Sunday or recognised public holidays.

Reason; In the interests of local amenity.

#### Landscape

9. Any trees or shrubs required to be planted under planning permission no. 08/02657/HCS 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 under that planning permission.

Reason: In the interests of visual amenity and landscape character

#### Noise, Dust and Odour

10. The level of noise emitted from the site shall at no times exceed an LAeq (one hour) of 70 dB measured, when facing the site, at the left hand point of the site entrance, as marked on submitted plan reference GV/A051981/LAY/01 approved under planning permission no. 08/02657/HCS. Any such measurements shall be taken when adjacent industrial sites are not in operation.

Reason: In the interests of local amenity.



## Town and Country Planning Act 1990

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Application No: **10/01128/HCS**

### **Planning Conditions**

11. The measures set out in the Environmental Noise Impact Statement Barnhawk Acoustics report No. 209/2 as approved under planning permission no. 08/02657/HCS remain in force. The measures include acoustic enclosure by walling the southern façade of the barn and extending the wall to the east as shown on Plan BA1, siting the pelletiser on a concrete base and the construction of a 4 metre bund on the northern boundary.

Reason: In the interests of local amenity.

12. Within three months of the date of this permission and before the development commences the applicant shall submit a new environmental management scheme for the site updating that approved under planning permission no. 08/02657/HCS for the control of noise, dust and odour at the site, for the approval in writing of the Waste Planning Authority. The scheme shall be implemented as approved for the duration of the site's operation.

Reason: In the interests of local amenity including the users of Compton and Shawford public footpath no. 3.

### **Protection of Water Environment**

13. The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul water and a drainage scheme to dispose of surface water has been submitted to, and approved in writing by, the Waste Planning Authority. The scheme shall be implemented as approved.

Reason: The site is within the Source Protection Zone 2 for the Otterbourne potable water supply. The applicant needs to ensure adequate drainage is implemented. Sealed drainage must be used in areas of composting activity to prevent pollution of the underlying aquifer.

### **Notes to Applicant**

1. This decision does not purport or convey any approval or consent which may be required under the Building Regulations or any other Acts, including Byelaws, orders or Regulations made under such acts.





## HAMPSHIRE COUNTY COUNCIL

### Decision Report

<b>Decision Maker:</b>	Regulatory Committee
<b>Date:</b>	14 February 2018
<b>Title:</b>	Monitoring and Enforcement Update
<b>Report From:</b>	Director of Economy, Transport and Environment

**Contact name:** David Smith

**Tel:** 01962 845891

**Email:** david.smith@hants.gov.uk

### 1. Recommendation

1.1. That the contents of this report are noted.

### 2. Executive Summary

2.1. This report is to provide information to the Regulatory Committee on the Monitoring and Enforcement work undertaken by Strategic Planning during the period October 2017 – December 2017.

2.2. Officers have been actively ensuring compliance with minerals and waste permissions granted by Hampshire County Council, investigating any complaints received as well as taking enforcement action where it is expedient to do so.

2.3. The report details the number of complaints on authorised and unauthorised sites, and the outcome of negotiations, including, when necessary, enforcement action undertaken.

2.4. The report also details the routine monitoring of chargeable and non-chargeable sites and development control work dealing with Planning Condition (Article 27) applications and Non-Material Amendments.

### 3. Complaints

3.1. The majority of the complaints received during the period October 2017 – December 2017 refer to unauthorised development (7 sites) and breaches of operational planning conditions on existing mineral and waste sites (2 sites). Planning applications are due on 2 of the sites and investigations are continuing on 2 others. The remainder were enquiries made about general site operations, fly-tipping, odour and waste related development that were dealt with in-house or referred to either the Environment Agency (EA) or Local Planning Authorities as non-County matters.

#### 4. Enforcement Actions

- 4.1. In the 3 month period to the end of the year there were no enforcement notices served, as all matters were either addressed through the planning system or remedied through negotiation.
- 4.2. The following provides an update on enforcement activities previously reported to the committee.

*Table 2: Update on enforcement activities*

<b>Site</b>	<b>Update</b>
Homestead Farm, Penton Copse, Andover	Three Enforcement Notices were served against oversized replacement waste handling building and site offices, extension to the site area, and stockpile heights in excess of permitted levels following the refusal of planning application on 23 September 2014. Appeals against all three Notices were lodged, with a Hearing held on 27 May 2015. The Appeals against the first two Notices were allowed, but the third Notice (against stockpile heights) was upheld. Consequently the enlarged waste handling replacement building and site offices and the extension to the site area now have planning permission. The required details have since been submitted and agreed and the building is in the process of being completed. As a result of subsequent site inspections an application was submitted for changes to the layout of the site, relocation of the office building and an extension to the waste handling building. The change to the layout and relocation of the office building were approved, however a further application is required to address the extension of the waste handling building and associated operational matters.
Newlands Farm, Tanners Lane, Fareham, PO14 2HT	A Planning Contravention Notice was served to investigate concerns about the importation, storage and treatment of waste. Following discussion the landowner expressed a desire to submit an application to regularize the situation, but uncertainty over the timetable for the Stubbington By-Pass (which runs through the site) complicated their plans. Therefore, whilst enquiries about the By-pass timetable were made, the operation ceased, the plant and machinery were removed and the materials started being cleared. This clearance work ceased so an Enforcement Notice was served. A planning application was subsequently submitted for a temporary permission, but Highways require the land sooner than expected, so the application was withdrawn and the EN was re-served

	with a 6 month compliance period. Compliance with the requirements of the Notice is being monitored, with site clearance to be completed by 1 March 2018.
Courtwood Farm, Fordingbridge	Following recent refusal of planning application and continued complaints, a Breach of Condition Notice was drafted. However, a further planning application was submitted to address issues on site. This was refused by Committee on 24 January 2018 and enforcement action was authorised. An EN has been drafted ready for service.
Carousel Dairy (Basingstoke AD Plant), Manor Farm, Farleigh Wallop, Basingstoke	Following complaints and further investigation it was determined that there were breaches of the conditions setting out the hours that lorries could access the site. A Breach of Condition Notice (BCN) was served to cease the activity and prevent future breaches. A Planning application was subsequently submitted to address the issue and clarify the permitted times and vehicle numbers. This was approved by the committee in July 2016 with an increase in vehicle movements permitted for an initial trial period of one year. Proactive site management and regular Liaison Panel meetings appear to be improving the situation and monitoring of the traffic movements is ongoing using the vehicle number plate recognition system. The application to make the vehicle increases permanent was considered at the September meeting of the Committee when it was resolved to grant permission for another 1 year period to allow for further monitoring which will be done through continued ANPR monitoring.
Land to the rear of Peacocks Nursery, Ewshot	Following refusal of a second planning application enforcement action was authorised by Regulatory Committee on 22 March 2017. An Enforcement Notice was served on 22 April 2017 to come into effect 24 May 2017. This EN was appealed (on the grounds that it should be granted planning permission) and the Appeal was heard on 12 December 2017.  <b>The Decision was received on 16 January 2018 and the Appeal was upheld.</b> Consequently the operation has planning permission for a temporary period of 20 months with 4 months to complete restoration. The Inspector agreed with the County Council that the site was not previously developed land and so was still agricultural land and in the countryside. However, he put more weight on the local need for such

	developments (given that one of the nearby waste sites has since closed) and so allowed the operation to continue for a temporary period, subject to conditions applying a number of strict limitations that will require monitoring.
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### **Planning Contravention Notice**

A Planning Contravention Notice (PCN) may be issued in order to ask specific questions in relation to an alleged breach in planning control. This enables a decision to be made regarding whether or not formal enforcement action is necessary or should be taken.

There is a legal requirement to respond to a PCN within 21 days of the date of the notice, unless a longer period of time is specified in the notice.

The issuing of a PCN is optional and does not have any bearing on other action taken by the local planning authority. It is especially useful when trying to identify all parties who have an interest in land or have been involved in a suspected breach of planning control. The PCN also provides for a formal meeting between the planning authority and the recipient of the notice, whenever appropriate. This may help to clarify any misunderstandings and assist in resolving the situation.

Non-compliance with completing the requirements of a PCN is an offence punishable on summary conviction to a fine. Knowingly providing false or misleading information in response to a PCN, is also an offence punishable on summary conviction to a fine.

### **Breach of Condition Notice**

A breach of condition notice (BCN) may be issued where there has been a breach of condition that is attached to an extant planning permission. There is no right of appeal against the service of such a notice, although it can be challenged by way of applying to the High Court for a judicial review.

The BCN will set out the necessary remedial action to ensure compliance with the condition(s) being breached, with a minimum period of 28 days for compliance.

The penalty for non-compliance with a BCN is an offence punishable on summary conviction to a fine.

### **Enforcement Notice**

The authority can issue an enforcement notice where there has been an identified breach of planning control and where it is considered expedient to do so. The enforcement notice will define the breach and set out prescriptive steps for compliance, with specific timescales, for remedying the breach.

A notice can be served in respect of operational development, a material change of use of land, or where there has been a breach of a condition attached to an extant planning permission. Such a notice must be served on the owners, occupiers and all other parties with an interest in the land that is affected by the notice.

An enforcement notice must come into effect not less than 28 days after its date of issue. There is a right to appeal to the Secretary of State, and such an appeal must be made before the notice comes into effect. Where an appeal is submitted, the requirements of the notice are held in abeyance until the appeal has been decided.

Failure to comply with the requirements of an enforcement notice is a criminal offence which is liable on summary conviction to a fine per offence, or on conviction on indictment to an unlimited fine.

The full enforcement powers available to the County Council as Minerals and Waste Planning Authority are included in the County's Enforcement and Site Monitoring Plan. This can be found on the Strategic Planning website at: <http://documents.hants.gov.uk/planning-strategic/HampshireCountyCouncilPlanningEnforcementandSiteMonitoringPlanJuly2016.pdf> .

4.3. The following table provides information on the joint enforcement activities which have been undertaken with the Environment Agency, the Police and District Planning Authorities.

*Table 3: Update on joint enforcement activities with the Environment Agency, the Police and District Planning Authorities*

<b>Site</b>	<b>Joint working with</b>	<b>Update</b>
Importation, storage and burning of waste at Mill View Farm, Old Mill Lane, Denmead	Environment Agency	Part of an investigation by the EA's Crime Investigation Team. The prosecution is continuing.
Importation, storage and burning waste at Trampers Lane, North Boarhunt	Environment Agency	Gathering of evidence complicated by existence of mobile home park on the site and lack of available witnesses. The landowner pleaded guilty to charges brought by the EA and received a £3,000 fine for the deposit of trommel fines, but investigations into the importation and burning of general skip waste continues.
Selborne Brickworks	Natural England and Police's Wildlife Crime Team	Further reports of digging holes and burying waste adjacent to settlement ponds on the Brickworks site. Investigation found no evidence of tipping or of removal of clay off site so this was not a County Planning matter, however, this area is a known habitat of Great Crested Newts (a protected species). The

		landowner was prosecuted in the past for similar destruction so knows he cannot undertake such works without approval of Natural England. The Police and NE are investigating with a view to a further prosecution.
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## 5. Site Monitoring

- 5.1. Chargeable sites – under the Town and Country Planning (Fees for Applications and deemed applications) (Amendment) (England) Regulations 2006 the County Council is able to charge fees for the monitoring of quarries and landfill sites in the County. Fees are charged for a set number of monitoring visits, the number of visits being dependent on the stage of operations at each site; whether operational, in aftercare or inactive. The number of visits is agreed with each operator and is in line with an assessment of each site made by the County Council. Active sites were charged at £331 per visit for between four and eight visits per year. Sites in aftercare were charged at £331 for one visit per year. Inactive sites were charged £111 for one annual visit.
- 5.2. However, as from 17 January 2018 fees for planning applications were increased by central Government by 20%. Consequently, going forward, active sites and those in aftercare will be charged at £397 per visit, and inactive sites will be charged at £132.
- 5.3. There are 28 active sites, 12 in aftercare and 5 dormant sites liable for chargeable visits. The County Council also undertakes monitoring of 2 active sites for South Downs National Park Authority.
- 5.4. During this period all chargeable visits were undertaken, bringing in approximately £7,600 in fees.
- 5.5. Non-chargeable sites – these include waste processing sites, wastewater and treatment works and metal recyclers. These vary from the large Energy Recovery Facilities (ERF) and Materials Recovery Facilities (MRF) to the smaller scale recycling and transfer facilities and updating existing wastewater treatment works. The larger developments attract much attention in their locality and require regular monitoring to ensure that the local amenity is not impacted, whereas the smaller, built developments require monitoring during construction and implementation, but once up and running need less regular attention and resources dictate these sites only get further visits should complaints be received. Matrix working arrangements have been made with Waste & Resource Management that their officers undertaking visits to waste sites operating under the County's waste contract also look at planning issues to provide greater coverage.

## 6. Liaison Panels

- 6.1. During this period Liaison Panel meetings were held for the following sites:-
  - (a) Basingstoke AD Plant, Carousel Dairy, Farleigh Wallop.

- (b) Yokesford Industrial Estate, Michelmersh.
- (c) Bleak Hill Quarry, Somerley
- (d) Humbly Grove Oilfield.
- (e) Chineham ERF.

## **7. Development Management**

### ***Planning Condition (Article 27) applications:***

- 7.1. Where conditions of new permissions require details to be submitted and approved for the proper implementation and control of the development, Article 27 applications are required. Under the Town and Country Planning (Fees for Applications and Deemed Applications, Requests and Site Visits) (England) Regulations 2012, a fee per submission is required for the discharge of any details submitted. Following the recent planning fee increase this will now be £116 per submission.
- 7.2. During the period, Article 27 applications were received and approved or are being determined for 11 planning permissions, totalling £1,067.

### ***Non-Material Amendments (NMAs):***

- 7.3. Non-Material Amendments (NMAs) are minor changes to the operation of authorised sites that can be agreed by an application for non-material amendment if the change has no substantial impact on the local amenity. Such an application requires a fee, but does not involve general consultation and determination by Committee.
- 7.4. Over the period the only NMAs submitted were for County Council developments.

**CORPORATE OR LEGAL INFORMATION:****Links to the Strategic Plan**

<b>Hampshire maintains strong and sustainable economic growth and prosperity:</b>	yes
<b>People in Hampshire live safe, healthy and independent lives:</b>	yes
<b>People in Hampshire enjoy a rich and diverse environment:</b>	yes
<b>People in Hampshire enjoy being part of strong, inclusive communities:</b>	yes

**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

None