

HAMPSHIRE COUNTY COUNCIL
Decision Report

Decision Maker:	Regulatory Committee
Date:	24 January 2018
Title:	Variation of conditions 4, 7, 9 & 12 of planning permission 16/11117 (to increase vehicle movements; to allow retention of soil screener for external separation of soil and rubble; and to allow continuation of existing concrete panel fence); and retention of existing welfare units at Ringwood & Fordingbridge Skip Hire Courtwood Farm, Court Hill, SANDLEHEATH SP6 1QD (No. 17/10612) (Site Ref: NF262)
Applicant:	Ringwood and Fordingbridge Skip Hire
Report From:	Head of Strategic Planning

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1. Recommendation

1.1 That planning permission be REFUSED for the following reasons:

1. 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;
2. 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.
3. 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;
4. 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)).

- 1.2 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.

2. Executive Summary

- 2.1 The planning application is for the variation of a number of planning conditions attached to planning permission 16/11117 to: retrospectively increase permitted HGV movements from 50 per week to 234 per week; retrospectively allow the external treatment of waste on site (soil screening) and to increase the designated external area within which waste may be stored; to allow the erection of a three metre high concrete panel fence along the north-western boundary of the site; and permission to regularise the placement of an additional welfare cabin on the site and surface part of the site with concrete pads.
- 2.2 This application is being considered by the Regulatory Committee as the applicant requested to make a deputation at the meeting in respect of the item.
- 2.3 Key issues raised are;
 - Whether the site has good transport connections to the sources of and/or markets for the type of waste being managed, and the applicant has demonstrated a special need for the site's location;
 - Impact on the character and tranquillity of the Cranborne Chase Area of Outstanding Natural Beauty and surrounding countryside and settlements;
 - Impact on residential amenity as a result of noise and dust arising from the operation; and
 - Impact on highway safety and capacity as a result of increase in number of HGV movements.
- 2.4 A committee site visit by Members took place on 4 September 2017 in advance of the proposal being considered by the Regulatory Committee.
- 2.5 The proposed development is not an Environmental Impact Assessment development under the [Town & Country Planning \(Environmental Impact Assessment\) Regulations 2017](#).
- 2.6 It is considered that:
 - the proposal would not be appropriately located, given the rural character of the area and distance/connections to the Primary/Strategic Road Network, for the scale of increase in HGV movements sought;

- the applicant has not demonstrated a special need for the particular location as opposed to relocating the activity to a more suitable location (with more suitable links to the Primary/Strategic Road Network) for such increase;
- the proposal would adversely impact on the tranquillity and noise environment of the area undermining the objectives of the AONB designation as well as having a significant adverse impact on residential amenity;
- 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 would be harmful to highway/pedestrian safety.

3. The Site

- 3.1 The site lies within south-west Hampshire, approximately 0.67 kilometres to the north-west of the village of Sandleheath and 3.1 kilometres to the west of the town of Fordingbridge. The development occupies approximately 0.32 hectares (3,200 square metres) of land within Courtwood Farm yard. The Courtwood Farm complex is occupied by a number of agricultural buildings and open yard storage areas. The applicant occupies a former agricultural building and area of land within the west part of Courtwood Farm.
- 3.2 Access to the site is from Court Hill; a C class road, through the existing Courtwood Farm yard and buildings. The nearest A road is the A338 Ringwood-Salisbury road which lies to the east of Fordingbridge, approximately four kilometres (2.2 miles) by road. Access to the A338 from the site is primarily (most directly) by way of C class road through the villages of Sandleheath and Ashford and the town of Fordingbridge (where Station Road meets the B3078 approximately 0.5 kilometres from the A338). The next closest A road is the A354 Salisbury-Blandford Forum road which lies to the north-west of the site, approximately nine kilometres (5.5 miles) by road via the villages of Damerham and Martin, or Rockbourne.
- 3.3 The site lies within the countryside within the Cranborne Chase & West Wiltshire Downs Area of Outstanding Natural Beauty (AONB). The AONB designation extends to the north/north-west of the site encompassing the villages en route to the A354. The boundary of the AONB runs through the Courtwood Farm site approximately 75 metres to the south-east of the site, and was established when the AONB was designated in 1981. The boundary of the AONB was originally drawn at a 1:50,000 scale and excludes the nearest residential properties to the south-east of the site.
- 3.4 Lower Court Wood Site of Importance for Nature Conservation (SINC) borders the site to the north, west and south, with an area adjacent to the south designated as both SINC and Ancient/Semi-Natural Woodland. Land to the north-east the opposite side of Court Hill (Lower Breach Copse) is also designated as SINC and Ancient/Semi-Natural Woodland. The closest Public

Right of Way; footpath Damerham 4, lies within the AONB approximately 230 metres to the north-west of the site.

- 3.5 Grade II Listed Building The Old Ship lies 200 metres south-east of the site with access to Main Road (Court Hill changes to Main Road at this location). The building lies 20 metres from the edge of the highway at its closest point.
- 3.6 The nearest residential properties lie approximately 85 metres to the south-east of the site with further properties located on Tanners Lane; a small residential lane to the south-east, at a distance of approximately 130 metres. The nearest residential property to the north-west of the site lies at a distance of 570 metres.

4. Planning History

4.1 The planning history of the Site is as follows:

Application no.	Proposal	Decision	Date of decision
10/96151	Change of use of building to Material Recovery Facility and Use of Land for Storage of Skips	Granted	14/12/2010
11/97340	Application for portacabin for office use and container for welfare facilities and storage	Granted	25/07/2011
16/11117	Extension to material recovery facility to allow storage of waste, skips and parking of vehicles	Granted	08/11/2016
16/11544	Erection of a building on site to house a biomass boiler and ancillary equipment along with 3 x 50m ² drying bays for material storage	Withdrawn	02/02/2017

- 4.2 The site currently benefits from planning permission for the importation, sorting, treatment, storage and transfer of skip waste, including the storage of skips and parking of vehicles (16/11117). The permission requires all sorting or treatment of waste/materials to take place internally within the main building. This permission included the incorporation of the remaining third of the existing materials recycling building for waste management uses.
- 4.3 During the determination of planning permission 16/11117 the Waste Planning Authority queried whether the proposal was for an increase in the throughput of waste at the site. The applicant confirmed that they were not seeking an increase in the permitted throughput, therefore at the time it was not necessary to consider the impact of this in planning terms. The existing restriction on vehicle movements was subsequently carried forward to the new permission

- 4.4 External storage of waste in designated bays was permitted in November 2016. Prior to this date and since the original grant of permission for a waste use on the site, all waste deposition, sorting, treatment and storage was required to take place within the building.
- 4.5 The site is not a safeguarded site in the adopted Hampshire Minerals and Waste Plan (2013) nor benefits from automatic safeguarding as it has an annual throughput capacity of less than 50,000 tonnes.
- 4.6 A Lawful Development Certificate (existing use) was granted for a small area of adjacent land within the Courtwood Farm complex for light industrial use (servicing of bandsaw/saw blades for sawmills and joinery works) on 12 Jul 2000. A Lawful Development Certificate (existing use) for an area of land within Courtwood Farm was also granted in 2001 for use as a heavy goods vehicle operating centre. Details of the level of use recognised as lawful at that time are unavailable.

Monitoring & Enforcement

- 4.7 The formal enforcement history of the site is as follows:

Type	Reference	Concern	Date Received
Complaint	CMP/2016/0040	Excessive vehicle movements.	11 December 2016
Complaint	CMP/2017/0014	Vehicle movements in excess of that permitted.	16 February 2017
Complaint	CMP/2017/0032	Skip lorry entering site after permitted working hours.	31 March 2017

- 4.8 A monitoring visit was undertaken by the Waste Planning Authority on 13 December 2016. During this visit the following breaches of planning control were identified:
- HGV movements in excess of that permitted;
 - Treatment/processing of waste externally;
 - External storage of waste outside of locations permitted; and
 - Welfare cabins not benefiting from planning permission.
- 4.9 The operator was notified that the Waste Planning Authority had become aware of these breaches by letter dated 15 December 2016. A planning application was subsequently submitted by the operator on 20 April 2017 and this Decision Report relates to that application.

- 4.10 Details required by conditions five and six of planning permission 16/11117; relating to the submission of a Dust Management Plan and Premises Rodent Control Plan, were required to be submitted by 8 February 2017. These were submitted by the applicant on 11 October 2017 and approved by the Waste Planning Authority on 6 November 2017.

5. The Proposal

- 5.1 The planning application is for the variation of a number of planning conditions attached to planning permission 16/11117, to regularise the placement of an additional welfare cabin on the site and to allow changes to the surfacing of the site.
- 5.2 A previous iteration and the original version of this application (received on 20 April 2017), proposed a retrospective increase in the permitted number of Heavy Goods Vehicle movements (vehicles over 3.5 tonnes gross weight) to and from the site from 50 per week (25 in and 25 out) to 320 (160 in and 160 out) per week. Work was subsequently undertaken by Strategic Planning officers in order to take the application to the September 2017 Regulatory Committee meeting for a decision. Prior to the item making the September committee meeting the applicant notified Strategic Planning to advise that they wished to revise their application to seek retrospective planning permission for a lower number of weekly HGV movements.
- 5.3 The amended application, received on 7 December 2017, now seeks the following variations to the planning conditions:
- Retrospective change to increase the permitted number of Heavy Goods Vehicle movements (vehicles over 3.5 tonnes gross weight) to and from the site from 50 per week (25 in and 25 out) to 234 (117 in and 117 out) per week;
 - Retrospective change to allow the external treatment of waste on site (soil screening) and to increase the designated external area within which waste may be stored; and
 - Change to allow the erection of a three metre high concrete panel fence along the north-western boundary of the site (instead of a two metre high steel palisade fence).
- 5.4 The application is required to be considered as a whole. Permission may only therefore be granted or refused for all of the development/amendments sought and not individual elements of this, even though individually they might be considered acceptable.

Increase in HGV movements

- 5.5 Following identification of the site as being in breach of condition the applicant is seeking a retrospective amendment to condition four to allow an increase from 50 to 234 movements per week (average of 42/day over 5.5 days/week). This would constitute an increase of 184 weekly trips above the existing limit.

- 5.6 Condition four of planning permission 16/11117 originates from the primary planning permission for waste management use on the site (10/96151), granted in 2010, and states the following:
- ‘4. Heavy Goods Vehicles (vehicles over 3.5 tonnes gross weight) (HGV) movements to and from the site shall be restricted to 50 per week (25 in and 25 out). A daily record of HGVs entering and leaving the site shall be kept at the site and made available to the Waste Planning Authority on request.
- Reason: In the interests of local amenity in accordance with Policies 10 (Protecting public health, safety and amenity) and 12 (Managing traffic) of the Hampshire Minerals & Waste Plan (2013)’.
- 5.7 The application is retrospective and the site is currently operating at and in excess of the level of movements sought by way of the application. The applicant’s Planning Statement states that ‘the applicant is currently operating at around 300 vehicle movements per week (*150 in and 150 out*), and has been doing so for some time’ and that ‘traffic movements have increased steadily since 2005’. The applicant states that to achieve the proposed number of movements that permission is sought for (234/week), they will invest in a larger ‘walking-floor’ type trailer for bulk removal of waste from the site. The walking-floor trailer provides significantly more volume (120 cubic metres) than their existing method of roll-on-roll-off (‘ro-ro’) container (37 cubic metres), allowing a consequential reduction in movements.
- 5.8 The applicant states that the site primarily serves a local catchment area comprising of Sandleheath, Damerham, Fordingbridge, Alderholt, Rockbourne, Whitsbury, Breamore, Ashford, Martin, Cranborne, Bickton, Harbridge, Somerley, Ringwood and Verwood. The applicant states that the site can and does accept contracts from further a field. The applicant’s trip distribution data shows that 81% of all HGV trips generated by the site travel east out of the site and through Fordingbridge (in the direction of the A338).
- 5.9 The application form accompanying planning permissions 10/96151 (2010) and 16/11117 (2016) stated that the annual waste throughput of the site was 3,225 tonnes. The application form accompanying the current planning application states that the site will now have an associated annual throughput of 16,000 tonnes. The applicant therefore proposes an increase in throughput at the site of 12,775 tonnes of waste per annum.
- 5.10 The applicant has offered to enter into a Section 106 legal agreement to require all HGVs to access and egress the site from the northern access to Courtwood Farm to reduce both noise and dust disturbance caused to residents of the nearest properties.

External treatment of waste (soil screening)

- 5.11 Following identification of the site as being in breach of conditions seven and nine of planning permission 16/11117, the applicant is seeking a retrospective amendment to the conditions to remove the restriction on the external treatment of waste and to increase the designated external area within which waste may be stored.

5.12 Condition seven of planning permission 16/11117 states the following:

‘7. All sorting or treatment of waste and/or materials shall take place within the building shown on drawing: ‘Block Plan’.

Reason: To prevent noise disturbance to the residents of the nearest houses in accordance with Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013)’.

5.13 Condition nine of planning permission 16/11117 states the following:

‘9. There shall be no external sorting or treatment of waste and/or materials. External storage of waste or materials shall only take place in the hatched bays shown on drawing ‘Block Plan’.

Reason: To ensure the development is implemented as assessed and in accordance with Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013)’.

5.14 The existing permitted layout of the site is shown on plan ‘RF Block Plan’, approved under planning permission 16/11117. The proposed new site layout is shown on plan ‘Site Layout’.

5.15 The soil screener is an item of plant that allows soil and rubble to be separated. Rubble is tipped into/onto the soil screener by excavator and processed into separate output streams by the machine. The application is retrospective and therefore the operator is already, and continues to, treat waste externally in the form of soil screening.

Fence

5.16 Planning permission is sought for an amendment to condition 12 to allow the erection of a three metre high concrete panel fence along the north-western boundary of the site.

5.17 Condition 12 of planning permission 16/11117 states the following:

‘12. A 2 metre high steel palisade fence shall be erected along the north-western and south-western boundaries of the site except for the section occupied by the building and rear of the concrete bays.

Reason: To prevent the encroachment of site activities into adjacent land and habitats and to ensure the development is in accordance with Policy 3 (Protection of habitats and species) of the Hampshire Minerals & Waste Plan (2013)’.

5.18 The proposed concrete panel fence will be a continuation of the existing panel fence (which forms the rear wall of the external bays) and will be the same height and appearance. The existing fence is galvanised and unpainted.

Welfare building & surfacing

5.19 The applicant is seeking retrospective planning permission for the placement of an additional welfare building on the site. Permission is sought for a WC/shower block measuring five metres in length, three metres in width and 2.25 metres in height. The building is coloured blue and yellow and is located adjacent to one of the internal vehicular accesses to the site.

5.20 In addition the application proposes the re-surfacing of trafficked areas of the yard with concrete pads in place of the existing compacted hardcore surface. The area under the proposed soil screener and stockpiles will be poured concrete. Surface water run-off from this area will drain into centrally located collecting tanks.

5.21 Working hours will remain as permitted: 07.00 - 18.00 Monday to Friday and 07.00 - 13.00 Saturday with no working on Sundays or recognised Public Holidays. A further condition precludes the transfer of waste or materials by plant or machinery from or to the external waste storage bays prior to 07.30 hours Monday-Friday and 08.00 hours on a Saturday.

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 17: Set of core land-use planning principles which should underpin decision-taking;
- Paragraph 19: Support of sustainable economic growth;
- Paragraph 34: Sustainable transport;
- Paragraph 109: Natural and local environment;
- Paragraph 115: National Parks, the Broads and AONBs;
- Paragraph 116: Major developments in AONBs; and
- Paragraph 118: Conserving and enhancing the natural environment.

[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)

6.4 The following paragraphs are relevant to the proposal:

- Paragraph 0046 (Need); and
- Paragraph 0050: (Planning and regulation).

[National Planning Practice Guidance \(NPPG\)](#)

6.5 The following paragraphs are relevant to the proposal:

- Paragraph: 005 (Major development in National Parks and Areas of Outstanding Natural Beauty).

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

6.6 The following policies are relevant to the proposal:

- Policy 1 (Sustainable minerals and waste development);
- Policy 3 (Protection of habitats and species);
- Policy 4 (Protection of the designated landscape);
- Policy 5 (Protection of the countryside);
- Policy 7 (Conserving the historic environment and heritage assets);
- Policy 10 (Protecting public health, safety and amenity);
- Policy 11 (Flood risk and prevention);
- Policy 12 (Managing traffic);
- Policy 13 (High-quality design of minerals and waste development);
- Policy 18 (Recycled and secondary aggregates development);
- Policy 25 (Sustainable waste management);
- Policy 27 (Capacity for waste management development); and
- Policy 29 (Locations and sites for waste management).

[New Forest Core Strategy \(2009\) \(part 1\) \(NFCS \(2009\)\)](#)

6.7 The following policies are relevant to the proposal:

- Policy CS21: Rural economy.

[New Forest Sites and Development Management \(Part 2\) \(2014\) \(NFSDM Pt 2 \(2014\)\)](#)

6.8 The following policies are relevant to the proposal:

- Policy DM22 (Employment development in the countryside).

6.9 [The Cranborne Chase AONB Management Plan \(2014-2019\)](#) is relevant to the proposal. The national Planning Practice Guidance [Natural Environment paragraph 004] confirms that the Area of Outstanding Natural Beauty (AONB) and its Management Plan are material considerations in planning.

7. Consultations

7.1 **Councillor Heron** was notified.

7.2 **Sandleheath Parish Council** Very strongly recommends refusal. The proposal to reduce weekly movements from 300 to 234 still represents an increase of vehicle movements on narrow country roads and the centre of Fordingbridge of more than 350% over the original permitted level of 50 movements. The applicant intends to use 120 cubic meter trailers rather than the current 40 cubic yard ro-ro bins to move material off site. This may

mean fewer movements but impact of these much larger vehicles on the rural roads and Fordingbridge will be very significant.

Comparisons with previous users of the site, namely Ings and Mouland are largely irrelevant as those companies operated in a totally different way in terms of vehicle movements and were not responsible for continued noise and dust nuisance. The application states that this is a local business serving a local need, but that is not supported by the vehicle movement information provided. Over 80% of vehicle movements pass through Sandleheath and Fordingbridge Town Centre (Narrow and congested High Street). We take issue with the Planning Statement 3.0 Potential Impacts, that any reduction in vehicle movements would not materialise in terms of impact on the local area because significant HGV movement is generated by Sandleheath Industrial Estate. There is HGV movement to and from the Industrial Estate, but this is not significant. Many of the businesses on that site are small industrial or service providers using vans rather than HGV. Their operating patterns are staggered and often infrequent unlike the constant movement of skip hire vehicles. These comments reinforce previous statements made by Sandleheath Parish Council and residents that this location is totally inappropriate for a skip business of this type, particularly as it predominately services clients to the east and south of Fordingbridge. The rural roads around the village and the narrow high street through Fordingbridge are totally unsuitable for this volume of HGV traffic.

- 7.3 **Damerham Parish Council** The Parish Council is supportive of the effort by the applicant to meet concerns regarding reducing vehicle movements and noise from the site, and for the benefits of employing local people. However, there is some concern regarding the size of the vehicles needed in order to move the same amount of waste in fewer journeys, and the impact of the larger vehicles traveling through Fordingbridge and on the local rural roads.
- 7.4 **Fordingbridge Town Council** While the Council would welcome the reduction of HGVs travelling through the Town Centre, it is recognised that this is a successful local business providing local employment and business to the town and therefore support the application. Members requested that conditions are monitored in the future to ensure that the current proposed journeys are not exceeded.
- 7.5 **New Forest District Council** Was re-consulted. An updated consultation response is sought for an Update Report to committee. New Forest District Council strongly objected to the original iteration of the application.
- 7.6 **Cranborne Chase and West Wiltshire Downs AONB Officer** It should be noted that in all its responses to proposed operations at this site the AONB Partnership has been very concerned about vehicle movements and the importation of waste for treatment. Of specific relevance is the statement by this AONB's Partnership Panel on the 26th October 2016 that 'the principle that the nation's finest landscapes, which have the highest status of protection in relation to landscape and scenic beauty, are not places for the importation of waste for treatment, processing, or disposal'. It is, therefore, clear that any intensification of existing waste handling or treatment processes would be contrary to the position taken by this AONB's

Partnership Panel. Tranquillity is a particular attribute of this AONB, and activities that generate significant quantities of HGV transport and involve noisy processes and equipment impact adversely on that tranquillity. It is clear that this site impacts adversely on tranquillity through all of those items. The AONB Partnership has recently reaffirmed its attitude towards the importation of waste for treatment to sites within the AONB, and adverse impacts on tranquillity would conflict with the AONB Management Plan. This AONB is very concerned that a substantial waste treatment and transfer operation could be confirmed in a rural location, within one of the nation's finest landscapes, and adjacent to Ancient Woodland and a Site of Interest for Nature Conservation. Whilst the AONB recognises the need for welfare units for the existing workforce operating within the current level of approved activities, the proposed change in activities are between five and six fold greater. The intensification of activities that would result from the variations of the conditions is not acceptable. The AONB does, therefore, OBJECT to the relief of the conditions attached to previous permissions. It would not, however, object to the retention of welfare unit at the site.

- 7.7 **Highway Authority** Object to the proposal. The local highway network would be affected by the proposed permanent increase in vehicle movements with the potential increased risk to the safety of other highway users. 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.
- 7.8 **Environment Agency** Did not request these conditions to be attached to any planning permission granted for this development and therefore have no comments to make in terms of the suitability of their variation.
- 7.9 **Environmental Health New Forest** Advise that this application be refused based on the significant adverse impact from noise on the nearby noise sensitive properties.
- 7.10 **Natural England** Have no comment to make on the variation of conditions 4, 7, 9, and 12 and retention of existing welfare units.
- 7.11 **County Ecologist** Has no objection, however further clarification is requested in relation to the total area to be affected by the proposed fence works in order to assess any impact on Dormice prior to a decision being made.

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 100 metres of the boundary of the site and further additional properties within the locality at officer's discretion.

8.3 Since re-submission of the application on 7 December 2017, a total of seven representations to the proposal have been received. All of these object to the proposal. The main areas of concern raised in the objections relate to the following issues:

- pedestrian and highway safety as a result of increased HGV movements and the use of larger vehicles, including conflict with the school bus stopping in Sandleheath;
- perceived distress, concern, fear or feeling of peril caused to pedestrians/road users due to the high incidence of skip/HGV movements along the Sandleheath road;
- noise impacts from site operations and HGV movements on nearby residential properties;
- effects on the character of the area and nearby settlements as a result of HGV movements;
- effects on the tranquillity of the area including within the AONB;
- dust impacts from site operations and HGV movements on nearby residential properties;
- increasingly aware and concerned about increased vehicle movements since 2014;
- no comparison between the minor vehicle movements associated with the previous use of the site by tenants (Mouland Haulage) who used an area within Courtwood Farm for storage of goods and machinery for distribution; and
- impact on Grade II Listed Building (The Old Ship) by way of HGV movements.

8.4 The above issues will be discussed and addressed primarily within the following commentary.

9. Commentary

Principle of the development

9.1 Policy 1 (Sustainable minerals and waste development) of the HMWP (2013) states that the Hampshire Authorities will take a positive approach to minerals and waste development that reflects the presumption in favour of sustainable development contained in the NPPF.

- 9.2 Policy 27 (Capacity for waste management development) of the HMWP (2013) supports proposals that provide additional capacity for non-hazardous waste recycling through the use of existing waste management sites. Increasing the number of permitted HGV movements at the site will allow a potential increase in waste throughput, providing additional capacity. As set out above, the applicant states that the site will increase its throughput from 3,225 tonnes per annum to 16,000 tonnes per annum. The proposal would therefore be in accordance with Policy 27 (Capacity for waste management development) of the HMWP (2013).
- 9.3 Policy 25 (Sustainable waste management) of the HMWP (2013) states that all waste development should encourage waste to be managed at the highest achievable level within the waste hierarchy; reduce the amount of residual waste currently sent to landfill; and be located near to the sources of waste or markets for its use. The proposal would support the delivery of Policy 25 through increasing capacity for recycling and recovery of waste at the highest achievable level within the waste hierarchy, subsequently reducing the amount of residual waste sent to landfill.
- 9.4 Policy 29 (Locations and sites for waste management) of the HMWP (2013) is used to assess proposals for all types of waste development and sets the general approach to considering the location and sites for waste management facilities. Policy 29 supports waste management development on suitable sites in urban areas in north-east and south Hampshire and areas along the strategic road corridors as identified in the Key Diagram of the HMWP (2013). The site does not lie within either of these areas and therefore is required to meet Part 3 of Policy 29 instead. To be considered to meet Part 3 of Policy 29 applicants are required to demonstrate that a site will have good transport connections to the sources of and/or markets for the type of waste being managed, a special need for the location and additionally that the suitability of the site can be justified.
- 9.5 As set out in the description of the proposal, trip distribution data provided by the applicant shows that 81% of all HGV trips generated by the site travel east out of the site and through Fordingbridge (in the direction of the A338). Paragraph 6.198 of the HMWP (2013) states that all waste management has transport implications and transport impacts and these should be minimised by prioritising sites with good connections to the strategic road network. The development of waste facilities in areas along the strategic road corridors may provide opportunities to maximise the transport of waste, minimising potential impacts on local roads and the distance to the market. Paragraph 6.193 of the HMWP (2013) recognises that a range of local facilities will also be needed to serve rural areas, and states that the needs of these areas will generally be met by smaller, more community-based facilities.
- 9.6 It is not considered appropriate in planning terms to impose planning conditions restricting the free market movement of goods and/or materials, including the movement of waste, therefore the market area served by sites is unrestricted. The result being that waste may be imported to the site by way of HGV through the countryside/AONB and surrounding settlements from any distance. Indeed the applicant's Trip Distribution data

accompanying the application identifies that HGVs from the site travel as far north as Andover, south as Bournemouth, east as Southampton and west as Gillingham.

- 9.7 The original permission for waste management development at Courtwood Farm (10/96151) was granted on the basis that the operations would be of a small scale (25 vehicles into and 25 vehicles out of the site per week). The site is located on a C class road to the east of three settlements (villages of Sandleheath and Ashford and market town of Fordingbridge) through which the majority of its HGV traffic presently travels through to access the site. Whilst it is recognised that the existing site provides a smaller community-based facility, the site is not considered to be appropriately located, given the rural character of the area, for the scale of increase in HGV movements now sought. Neither is it considered that the applicant has demonstrated a special need for this particular location as opposed to relocating the activity to a more suitable location (with more suitable links to the Primary/Strategic Road Network) for such increase. The proposal is therefore, in principle, considered to be contrary to Policy 29 (Locations and sites for waste management) of the HMWP (2013). The further suitability of the site, as required by part 3 of Policy 29 will be assessed within the following commentary sections.
- 9.8 Policy DM22 (Employment development in the countryside) of the New Forest Sites and Development Management (part 2) (2014) states that rural employment/business development will be permitted where it results in local environmental benefits and is of an appropriate design, scale and appearance and not harmful to the rural character of the area by reason of visual impact, traffic and other activity generated impacts. The New Forest District Council Core Strategy Part 1 (2009) comprises part of the Development Plan for the area. The Core Strategy identifies Sandleheath as a defined village, where some limited development consistent with maintaining and enhancing its character will take place. Paragraph 5.73 of the New Forest District Local Plan Part 2: Sites and Development Management (2014) states that the Core Strategy makes no provision for new Greenfield employment land allocations at Fordingbridge, Ashford and Sandleheath. The strategy is to retain and make better use of existing employment sites and encourage business development, particularly within Fordingbridge town centre. Approximately one hectare of employment land at Sandleheath Industrial Estate (0.85 kilometres to the east of the site) already has planning permission and is available for development.
- 9.9 The New Forest Sites and Development Management (part 2) (2014) therefore allows proposals for rural economic development within the countryside subject to the effects of the proposal being compatible with the character of the rural area. The effects on character by reason of visual impact, traffic and other generated impacts will be discussed below.

Area of Outstanding Natural Beauty/Character of Area

- 9.10 Paragraph 115 of the NPPF states that 'great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of

protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas’.

- 9.11 Policy 4 (Protection of the designated landscape) of the HMWP (2013) states that major waste development will not be permitted in the Cranborne Chase AONB, except in exceptional circumstances. The Plan states that in respect of this, consideration will be given to; the need for the development; and the impact of permitting or refusing the development upon the local economy; the cost and scope for meeting the need outside the designated area or meeting the need in some other way; and whether any detrimental effects on the environment and landscape can be satisfactorily mitigated. Policy 4 also states that small-scale waste management facilities for local needs should not be precluded from the AONBs, provided that they can be accommodated without undermining the objectives of the designation. The primary purpose of the AONB designation is to conserve and enhance the natural beauty of the area, now and for future generations.
- 9.12 Paragraph 4.33 of the HMWP (2013) states that the potential for significant impacts on the AONBs will be dependent on the individual characteristics of each case’. The HMWP (2013) continues that ‘waste development should reflect and where appropriate enhance the character of the surrounding landscape and natural beauty, wildlife and cultural heritage of the designated area’. The AONB Management Plan (2014-19) states that ‘in pursuing the primary purpose of its designation, account should be taken of the needs of rural industries and of the economic and social needs of local communities. Particular regard should be paid to promoting sustainable forms of economic and social development that in themselves conserve and enhance the environment.
- 9.13 The site’s location on the edge of, but within, the Cranborne Chase AONB is recognised. The AONB Management Plan is therefore a material consideration for the purposes of the determination of this application. The comments and objection from the AONB detailed in the Consultations section above are noted. The AONB Partnership considers that significant HGV transport and noisy processes associated with the development would adversely impact upon the tranquillity of the AONB, and that adverse impacts on tranquillity would conflict with the AONB Management Plan and be contrary to the position in respect of waste management development taken by the AONB’s Partnership Panel.
- 9.14 The term tranquillity is defined in the glossary of the third edition of the Guidelines for Landscape and Visual Impact Assessment (GLVIA) (LI and IEMA 2013) as ‘a state of calm and quietude associated with peace, considered to be a significant asset of landscape’. The attribute is relatively subjective, formed from the combination of a number of physical factors, a primary one being ambient noise levels and their sources (natural/man-made). The AONB Management Plan (2014-19) states that tranquillity comprises important elements of the natural beauty of the AONB.
- 9.15 It is considered, in respect of the impacts on the AONB, that the development will have an adverse impact on the character and tranquillity of the locality, (including neighbouring settlements and highway routes), and

the nearest residential properties including those on Tanners Lane. Impacts on tranquillity will be further addressed in the commentary below. Though technically outside of the AONB designation (which was drawn at 1:50,000 scale), the nearest residential properties lie on its periphery, and therefore are sited on land that for planning purposes informally functions as a buffer to the AONB area within which planning decisions can impact upon the purposes of the AONB designation. Though the applicant's trip distribution figures show that at present 81% of HGV movements travel east through Fordingbridge, this may fluctuate or change. Significantly increasing the permitted number of HGV movements allowed to and from the site within the AONB would result in an adverse effect on the tranquillity of the AONB.

- 9.16 These impacts are not considered to be such that, when considering paragraph: 005 (Major development in National Parks and Areas of Outstanding Natural Beauty) of the Planning Practice Guidance, the site would be considered major development for the purposes of the consideration of Policy 4 (Protection of the designated landscape) of the HMWP (2013). The proposal is therefore not required to be tested against the exception criteria set out within Policy 4 for major development. The impacts identified above are however considered to undermine the objectives of the AONB designation and therefore, notwithstanding regard being had to the needs of rural industries and of the economic and social needs of local communities, the proposal is considered to be contrary to Policy 4 of the HMWP (2013).

Impact on residential amenity

- 9.17 Policy 10 (Protecting public health, safety and amenity) of the HMWP (2013) requires that any development should not cause adverse public health and safety impacts, and unacceptable adverse amenity impacts. Also, any proposal should not cause an unacceptable cumulative impact arising from the interactions between waste developments and other forms of development.
- 9.18 As part of the application the applicant submitted a Noise Impact Assessment. This report advises that noise rating level from the currently permitted activities is 19dB above the background level, and the number of movements as requested by the current application will result in 28dB above background level. In accordance with BS4142, a rating of +10dB or more above background is likely to be an indication of a significant adverse impact, depending on the context.
- 9.19 The Noise Assessment indicates that, as a result of the increase in HGV movements, handling of a greater quantity of waste at the site (derived from the increase in permitted HGV movements) and external screening activity, operational noise from the site would change from less than 10 minutes per hour currently permitted to 60 minutes per hour, a significant increase in the intensity of activities on the site.
- 9.20 The New Forest District Environmental Health Officer (EHO) was consulted on the application. They advise that, 'bearing in mind the very high noise levels in comparison to the background level, all reasonable steps must be

taken to ensure that noise levels are kept to a minimum, and do not exceed the existing +19 dB above the background level'. 'The Noise Impact Assessment puts forward a number of suggestions in order to minimise noise. The first list in section 6.3 of the report being good practice management issues that could be easily put in place. These will reduce noise levels to +25dB above background'. The EHO therefore recommends that the application be refused based on the significant adverse impact from noise on the nearby noise sensitive properties.

- 9.21 The Noise Assessment states that further noise mitigation measures have been investigated for practicality and weighed against the site layout and feasibility including site safety, however the majority of these are ultimately considered impractical and unfeasible. They do not therefore form part of the proposal put forward for consideration in this application.
- 9.22 It is considered that predicted noise levels arising from the operation would adversely impact on the tranquillity and noise environment of the area as well as being unacceptable in terms of impact on residential amenity. The proposal is therefore considered to be contrary to Policy 10 (Protecting public health, safety and amenity) of the HMWP (2013) and Policy DM22 (Employment development in the countryside) of the New Forest Sites and Development Management (part 2) (2014).
- 9.23 Comments regarding dust impacts arising from the activity at the site are noted. The site operates under an Environmental Permit granted by the Environment Agency. Dust emissions from the site will be regulated by the Environment Agency under this permit. The site is also required to operate in accordance with a Dust Management Plan approved in November 2017 under planning permission 16/11117. A substantial amount of windblown dust arising as a result of the use is caused by HGVs manoeuvring around the wider un-surfaced Courtwood Farm complex as they leave and return, outside of the site application boundary.

Highway safety, capacity and amenity impact

- 9.24 Policy 12 (Managing traffic) requires minerals and waste development to have a safe and suitable access to the highway network and where possible minimise the impact of its generated traffic through the use of alternative methods of transportation. It also requires highway improvements to mitigate any significant adverse effects on highway safety, pedestrian safety, highway capacity and environment and amenity.
- 9.25 Comments have been received regarding the perceived distress, concern, fear or feeling of peril caused to pedestrians/road users due to the high incidence of skip/HGV movements along the Sandleheath road including the adverse impact on amenity and character of settlements through which these vehicles pass. These issues are more subjective considerations but still remain material considerations for the purposes of planning and the determination of this application.
- 9.26 The application was accompanied by transport information which provided information on the site access, visibility splays, highway capacity and accident data. Based on data identifying that 80% of HGVs associated with

the site travel through Fordingbridge, to assess the impact of the additional HGV trips on Fordingbridge High Street, Junction Turning Count data from 2013 has been provided. It is stated that the current number of HGVs travelling via Fordingbridge High Street per day equates to approximately one every four minutes. Out of this, should this application be permitted, 34 (20%) will be associated with the skip hire site. Therefore, a skip hire vehicle will, on average, travel via the high street approximately every 21 minutes over a 12 hour day.

- 9.27 A swept path analysis of skip vehicles using Court Hill and Fordingbridge High Street was undertaken. From the site access to the A338 junction in Fordingbridge 12 pinch points were identified through this tracking exercise with drawings of the vehicle swept path analysis in each location contained in Appendix C of the Highway Note in drawings 020.0275.001 and 002. To identify the likelihood of skip hire vehicles meeting on the highway, an analysis of hourly inbound and outbound trips from the site was undertaken. The applicant recorded the number of arrivals and departure over the course of a full week to identify the hourly profile of HGV trips generated by the site. Whilst the hourly profile of vehicles identified by these results indicates that there is a low likelihood of two skip hire vehicles meeting at one of the 12 places where vehicles would be unable to pass, the likelihood of a skip hire vehicle meeting another HGV or bus is not considered.
- 9.28 Personal Injury Accident (PIA) data has been further examined for the length of the route from the A338 east of Fordingbridge to the A354 via Sande Heath, Damerham and Martin. This indicates that over a five year period between 1 October 2012 and 30 September 2017 there were 21 accidents of which 19 were classified as "slight" and 2 as 'Serious'. One of the accidents involved a pedestrian on a footway being struck with the wing mirror of an HGV near the zebra crossing on Fordingbridge High Street. The reason is stated as being that the vehicle was close to the footway due to an oncoming unrecorded goods vehicle. There was also an accident involving a van striking a pedestrian with its wing mirror slightly further along the High Street. The Highway Authority are concerned that with the 12 identified pinch points along the route from the site through Fordingbridge and the narrowness of footways along parts of the route the incidence of pedestrians being hit by HGV wing mirrors may increase. The Highway Authority therefore consider that it has not been demonstrated that traffic generated by the proposal and the increase in HGV movements will not cause severe highway safety and capacity impacts on the existing transport network and object to the proposal on this basis.
- 9.29 As set out above, it is also considered that given the location of the facility and distance to the Strategic/Primary Route Network, 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. The proposal is consequently considered to be contrary to Policy 12 (Managing traffic) of the HMWP (2013).

Visual impact and landscape

- 9.30 Policy 13 (High-quality design of minerals and waste development) of the HMWP (2013) requires that waste development should not cause an unacceptable adverse visual impact and should maintain and enhance the distinctive character of the landscape and Policy 10 (Protecting public health, safety and amenity) protects residents from significant adverse visual impact.
- 9.31 It is considered that based on the existing context of agricultural diversification and use of previously developed land, the physical amendments to the site such as the additional welfare cabin, change to fencing and surfacing will not have any adverse impact on visual amenity or landscape character. It is however considered that the increase in HGV movements will have an adverse impact on the landscape character of the area as identified above. The proposal is therefore considered to be contrary to Policy 13 (High-quality design of minerals and waste development) of the HMWP (2013).

Cultural and Archaeological Heritage

- 9.32 Policy 7 (Conserving the historic environment and heritage assets) requires minerals and waste development to protect and, wherever possible, enhance Hampshire's historic environment and heritage assets (designated and non designated), including their settings unless it is demonstrated that the need for and benefits of the development decisively outweigh these interests.
- 9.33 Comments have been made regarding concern about potential for impact on Grade II Listed Building (The Old Ship) as a result of HGV movements and these are noted. The structure of the property lies 20 metres from the edge of the highway at its closest point. It is not considered that the proposal will result in harm to the setting of the heritage asset. Further it is considered that the siting of the property adjacent to an existing adopted highway together with the setback of the property from the boundary of the highway, is sufficient that any impact arising from vehicular vibration would not be significant.

Ecology

- 9.34 Policy 3 (Protection of habitats and species) sets out a requirement for minerals and waste development to not have a significant adverse effect on, and where possible, should enhance, restore or create designated or important habitats and species. The policy sets out a list of sites, habitats and species which will be protected in accordance with the level of their relative importance. The policy states that development which is likely to have a significant adverse impact upon the identified sites, habitats and species will only be permitted where it is judged that the merits of the development outweigh any likely environmental damage. The policy also sets out a requirement for appropriate mitigation and compensation measures where development would cause harm to biodiversity interests.
- 9.35 The application is accompanied by an Ecological Assessment. This has been reviewed by the County Ecologist who considers that provided the recommendations the Ecological Assessment are adhered to, the proposal will not have an adverse impact on ecology. The resurfacing and drainage

measures proposed will ensure that any surface water run-off filters away from the south-western boundary towards a collecting tank. The County Ecologist has no objection, though further clarification is requested in relation to the total area to be affected by the proposed fence works in order to assess any impact on Dormice prior to a decision being made. This information has not yet been requested from the applicant in order to avoid the applicant incurring further cost, given the Officer's recommendation in respect of the proposal.

Conclusions

9.36 It is considered that:

- the proposal would not be appropriately located, given the rural character of the area and distance/connections to the Primary/Strategic Road Network, for the scale of increase in HGV movements sought;
- the applicant has not demonstrated a special need for the particular location as opposed to relocating the activity to a more suitable location (with more suitable links to the Primary/Strategic Road Network) for such increase;
- the proposal would adversely impact on the tranquillity and noise environment of the area undermining the objectives of the AONB designation as well as having a significant adverse impact on residential amenity; and
- 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 would be harmful to highway/pedestrian safety.

9.37 Therefore the proposal is considered to be contrary to:

- Policies: 4 (Protection of the designated landscape), 10 (Protecting public health, safety and amenity), 12 (Managing traffic), 13 (High-quality design of minerals and waste development), 29 (Locations and sites for waste management) of the HMWP (2013); and
- Policy DM22 (Employment development in the countryside) of the New Forest Sites and Development Management (part 2) (2014).

9.38 The proposal is considered to be acceptable in terms of Policies: 3 (Protection of habitats and species) and 7 (Conserving the historic environment and heritage assets) in that there are not considered to be any significant adverse impacts in terms of ecology and heritage.

Appendices:

Integral Appendix A – Corporate or Legal Information

Integral Appendices B and C – Location Plans

Appendix D – Layout Plan

Other documents relating to this application:

<https://planning.hants.gov.uk/ApplicationDetails.aspx?RecNo=18189>

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
OR	
This proposal does not link to the Strategic Plan but, nevertheless, requires a decision because: The proposal does not link to the Corporate Strategy but, nevertheless, requires a decision because the proposal is an application for planning permission and requires determination by the County Council in its statutory role as the minerals and waste planning authority.	

Section 100 D - Local Government Act 1972 - background documents

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

Document

Location

17/10612

Hampshire County Council

NF262

Ringwood & Fordingbridge Skip Hire
 Courtwood Farm, Court Hill, SANDLEHEATH
 SP6 1QD

(Variation of conditions 4, 7, 9 & 12 of
 planning permission 16/11117 (to increase
 vehicle movements; to allow retention of
 soil screener for external separation of soil
 and rubble; and to allow continuation of
 existing concrete panel fence); and
 retention of existing welfare units