

## HAMPSHIRE COUNTY COUNCIL

Regulatory Committee Meeting 14 July 2021

Update Report from Head of Strategic Planning

### Item No: 6

Revised Application - Variation of condition 2, 9 and 10 of Appeal decision reference APP/Q1770/A/11/2161324 (Planning Application Reference: 10/02712/CMA) to reshape and improve the existing peripheral north eastern landscape bund to facilitate enhanced screening from wider views into the site and improve biodiversity on the site's periphery and to accommodate a temporary wash plant operation in the southern section of the site for a period of twelve months only at Salvidge Farm, Bunny Lane, Timsbury SO51 0PG (Application No. 21/00588/CMAS Site Ref. TV066)

### 1) Amendments to the report and clarification:

Amendments to paragraph 89 (changes noted in *italic* and ~~striketrough~~ text): Only one of these can be 'campaigned' at any time due to potential cumulative noise impacts. ~~and this position would change in the event that planning permission is granted for this proposal.~~ *Foam mix and wood shredding that was allowed in the south west corner now occupied by the wash plant would be removed as allowed activities. The MRF can continue to operate, as an activity, outside of these restrictions.*

Amendments to the end of paragraph 124: *Foam mix and wood shredding that was allowed in the south west corner now occupied by the wash plant would be removed as allowed activities. The MRF can continue to operate, as an activity, outside of these restrictions.*

Amendments to the end of paragraph 126: The noise assessment modelling concludes that the 40dB limit *would be complied with* at properties closer to the wash plant than the Casbrook Field and Cranbrook Farm locations.

### 2) Consultations

Update paragraph 68 of the report to include update comments from the EHO which are as follows:

*Comments are updated further to our meeting today [12 July 2021]. Also, after further discussion this afternoon we are proposing that in fact the receptor locations be amended to include, at this point, just 1 additional site at Hilltop. The other locations are subject to too much traffic interference for the approach being taken by the condition without further discussion. As such the summary of our position is:*

*We do not object to the application, subject to suitable conditions to restrict noise and ensure ongoing compliance with the applicable noise limit.*

*In particular:*

- 1. The mitigation measures (comprising noise screening) should preferably be fully installed prior to commencement of the wash plant operations (otherwise it must be assumed that the limits would not be complied with during the delay period).*
- 2. Verification of compliance with the noise limits should ideally be undertaken prior to commencement of the wash plant operations (subject to limited operation for testing purposes), but if this is not reasonably practicable then this should be done as soon as possible after commencement of operations. This work should not be delayed for 3 months after commencement of operation, as previously proposed, nor should it be delayed in the event of the noise screening works not being completed (see point 1 above) as this may inadvertently give a potential incentive to delay completion of such.*
- 3. The applicable noise limit at each receptor position should be taken to include all site noise combined, not wash plant noise alone, otherwise this would effectively allow an increase of site noise by up to 3 dB and would potentially result in difficulties enforcing the limit.*
- 4. The noise limit should be extended at least to Hill Top (Noise Sensitive Receptor position 1 specified in section 3.2 of the SLR May 2021 noise assessment report) in addition to the existing Receptor positions [Casbrook Fields (Receptor location 6) and Cranford Farm (close to receptor position 5)]. The existing noise limit is expressed as a BS4142:1997 'rating level' and we have no objection to this being updated to a BS4142:2014 'rating level' if agreed with the applicant. [NB. In the event that the applicant should seek extension to the plant operation beyond 12 months then consideration should then be given to expanding the number of receptor positions further to all of those specified in the May 2021 noise report, hence the applicant is encouraged to consider each receptor location for purposes of the verification report].*
- 5. There should be provision in the conditions that, in the event of the WPA receiving complaints and suspecting the applicable noise limits to be breached, then the operator shall at their own expense undertake a noise monitoring exercise, to be undertaken by a suitably qualified acoustician and in accordance with a procedure to be agreed with the WPA, and submit a report of their findings to the WPA within a specified timescale.*

*Amend paragraph 70 of the report to include a further correspondence has been received from Braishfield Parish Council (dated 12 July 2021) giving support to all the concerns raised by Michelmersh and Timsbury Parish Council in their representation letter dated 16th June 2021.*

With regards to the section on noise, as set out in paragraphs 124-132 of the report, any references to BS4142:1997 should be amended to refer to BS4142:2014+A1:2019. This change follows discussions between officers, the applicant and the EHO where it was accepted that BS4142:2014+A1:2019 should be used.

### **3) Representations:**

Amend paragraph 85 to as follows (due to typographic error): 'As of the 01 July 2021, 45 representations (*from 38 respondents*) in opposition to the proposal have been received from local residents and interested third parties'.

### **4) Revisions to conditions**

#### Condition 3:

Amend condition wording as follows (*italics and strike out* show the changes):

*Prior to the operation of the plant* ~~Within two months of permission being approved,~~ new or altered perimeter bunds *and retaining wall* shall be constructed as shown on Drawings no. BL-LSC01.2 – Wash plan landscape mitigation scheme – March 2021; and Drawing no. BL LSC02.2 – 'Wash Plant Mitigation Scheme – Sightline Sections' – July 2021.

Excepting the above, no changes to the existing earth screening bunds approved and implemented under Appeal Decision APP/Q1770/A/11/2161324 (allowed 12 July 2012) shall be undertaken.

#### Condition 4 (*italics* show the changes):

New or altered bunds constructed according to Condition 3 shall be planted and seeded according to the Landscape Implementation and Aftercare scheme (dated March 2021); Drawings no. BL-LSC01.2 – Wash plan landscape mitigation scheme – March 2021; and Drawing no. BL LSC02.2 – 'Wash Plant Mitigation Scheme – Sightline Sections' – March 2021 by the first planting season following permission being approved.

Excepting the above, no changes to the planting scheme approved and implemented under Appeal Decision APP/Q1770/A/11/2161324 (allowed 12 July 2012) as depicted on Drawing No. BL002Rev.a – Revised Landscape Mitigation Scheme – Apr 2011 shall be undertaken.

#### Condition 7:

Following further discussions with the Environmental Health Officer, further amendments are proposed to condition 7. Amend condition wording as follows (*italics* show the changes):

*The rating level of noise emitted from the site as determined in accordance with BS4142:2014+A1:2019 shall not exceed 40dB(A) at any of the six noise sensitive*

receptors as identified within SLR Noise Assessment Report Ref; 416.07338.00003, dated May 2021.

Within one month of the date of this permission the approved Cole Jarman Noise Compliance Strategy (dated 28 March 2013; ref: 2011/4841/L2-04), shall be revised and submitted to the Waste Planning Authority for approval in writing.

The revised compliance strategy shall include:

- the noise sensitive receptors 1 (Hill Top, Heron lane), 5 (Cranford Farm), and 6 (Casbrook Fields), as identified within SLR Noise Assessment Report Ref; 416.07338.00003, dated May 2021;
- the identification of three or more proxy noise monitoring positions at publicly accessible points;
- the determination of the difference in site noise level between those proxy noise monitoring positions and at the receptor positions;
- method for noise limit compliance checking following the receipt of a noise complaint and where the waste planning authority upon their own investigation considers it likely for this limit to have been exceeded, a one-off verification exercise at the operator's expense
- the timescale for the submission of the results of this verification investigation to the Waste Planning Authority shall be two weeks from request; and
- a requirement to provide necessary additional noise mitigation measures to ensure compliance.

The approved strategy shall then be implemented in full.

Until the revised noise compliance strategy is approved in writing by the Waste Planning Authority the approved Cole Jarman Noise Compliance Strategy (dated 28 March 2013; ref: 2011/4841/L2-04), shall continue to be implemented in full.

#### Condition 8:

Following further discussions with the Environmental Health Officer, further amendments are proposed to condition 8. The intention of the new condition 8 has been added to address the concerns raised by the Parish Council and Local County Councillor. The new proposed wording as follows (changes marked in *italics*):

Within *1-month* of the development (wash plant) being *operational* ~~fully completed~~, including the construction of the proposed retaining wall, associated bund and any other noise attenuating measures deemed appropriate, a programme of ~~annual~~ noise compliance monitoring shall be undertaken at the nearest noise-sensitive receptors (NSR's) to the Site, as identified within SLR Noise Assessment Report Ref; 416.07338.00003, dated May 2021, *or suitable proxy locations and adjusted rating levels as agreed in Condition 7. This report shall be submitted within 2 weeks after the completion of the programme to the Waste Planning Authority.*

The monitoring shall consist of noise measurements at each of the identified NSR's over representative daytime periods whilst the wash plant and site is operating under normal conditions in conjunction with the guidance contained in

BS4142:2014+A1:2019. Detailed notes shall also be made on the prevailing noise climate and the audibility of the wash plant at each of the NSR's.

*If it is determined that operational noise from site (including the wash plant) exceeds the 40dB(A) limit specified in Condition 7 of the planning permission at any of the NSRs, then an investigation shall be implemented to determine the cause of the exceedances. The Waste Planning Authority shall be notified of the investigation and remedial actions shall be undertaken where applicable. The noise compliance monitoring survey shall then be repeated once it is confirmed that the remedial measures are in place and assessed against the specified limits accordingly, the results would be included in a report which will be submitted to the Waste Planning Authority.*

#### Condition 10

To reflect that the foam mix and wood shredding activities were previously approved to take place in the southwest corner of the site and that this area is would now be occupied by the wash plant these campaign activities are removed from Condition 10 updated.

The new proposed wording as follows (changes marked in *italics*):

~~The "campaign" foam mix and wood shredding shall only take place in the bunded south west corner of the site as shown on the revised plan required by Condition 1.~~

No more than one campaign activity (washing plant *or* concrete crushing, ~~wood shredding or foam mix~~) shall take place on the site at the same time.

#### **Item No: 7**

Amendment and reprofiling of landfill site final restoration levels at Blue Haze Landfill Site, Verwood Road, Ringwood BH24 3QE (Application No. 21/10083 Site Ref. NF105)

#### **1) Report updates**

Paragraph 12. The current planning permission allows the landfilling of non-hazardous wastes and restoration by 22<sup>nd</sup> March 2029, not 2020 as stated in the report.

Paragraph 102. The reprofiling would involve an increase of 2m in the post-settlement height at the northern part of the site and an increase of 2m (not 1m as stated in the report) in the southern part of the site.

Sections in the report where the reference 19/1066 is used should be 19/10066

## 2) Conditions

Due to condition renumbering some conditions cross referenced in a condition need to be updated.

Condition 3 presently states:

3. The permission hereby granted shall be time limited. The extraction and tipping operations shall cease by 31 March 2029. The site shall be restored by 31 March 2031 in accordance with the approved scheme under Condition 44 (Restoration scheme) and shall be subject to aftercare as set out in Condition 50 (Aftercare).

This will be amended to

3. The permission hereby granted shall be time limited. The extraction and tipping operations shall cease by 31 March 2029. The site shall be restored by 31 March 2031 in accordance with the approved scheme under Condition **45** (Restoration scheme) and shall be subject to aftercare as set out in Condition **51** (Aftercare).

Only change is the condition numbers cross referenced in the report. i.e 45 and 51 not 44 and 50.

### Condition 37

#### Presently states:

37 The approved scheme of landscaping and restoration of areas, other than commercial pine plantation afforested on non-inert waste, shall be carried out in the planting season coinciding with or immediately following preparation of each phase for planting, in accordance with the programme of implementation approved in Condition 4 (Working Programme), and shall be so maintained thereafter. Within 5 years of planting, any trees, shrubs or other plants that die, become diseased, are removed or damaged, shall be replaced in the first available planting season with others of a similar size and species in accordance with the details of the approved scheme. Commercial pine trees on the areas tipped with non-inert waste shall be planted in or by the second planting season following restoration to allow for settlement of land and gas plant/pipe installation. Early screen planting of commercial pine on inert waste shall be covered by Condition 37 (Screen planting scheme).

#### Change to:

37 The approved scheme of landscaping and restoration of areas, other than commercial pine plantation afforested on non-inert waste, shall be carried out in the planting season coinciding with or immediately following preparation of each phase for planting, in accordance with the programme of implementation approved in Condition 4 (Working Programme), and shall be so maintained thereafter. Within 5 years of planting, any trees, shrubs or other plants that die, become diseased, are removed or damaged, shall be replaced in the first available planting season with others of a similar size and species in accordance with the details of the approved

scheme. Commercial pine trees on the areas tipped with non-inert waste shall be planted in or by the second planting season following restoration to allow for settlement of land and gas plant/pipe installation. Early screen planting of commercial pine on inert waste shall be covered by Condition **38** (Screen planting scheme).

Only change is the condition numbers cross referenced in the report. i.e 38 and not 27

**END**

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