

HAMPSHIRE COUNTY COUNCIL

Regulatory Committee Meeting - 17 July 2024

Update Report from Assistant Director of Waste & Environmental Services

Item No: 6

Variation of conditions 3 (Layout), 5 (Hours of Working & Temporary Period), 11 & 12 (Noise, Dust & Odour), 16 (Storage), 18 (Types of Materials) & 25 (Plans) of Planning Permission 51471/008 at Unit 5 Waterbrook Estate, Waterbrook Road, Alton, GU34 2UD (Application No. 51471/009 Site Ref. EH156)

1) Amendments to the report and clarification (changes marked in *italic*):

Update to Paragraph 3 (to clarify that both nighttime importation of road planings and exportation of a single waste container was allowed for a temporary period under the extant planning permission) as follows:

3. Planning Permission 51471/007 was approved by Regulatory Committee on 29 July 2020 to provide for a temporary period to allow *a trial of importation of 5 HGVs of road planings (10 movements total) and exportation of a single waste container at the existing Waste Recycling Centre at Unit 7 Waterbrook Estate, between the hours of 18:00 – 07:00 Monday to Saturday. The proposal would generate a maximum of 12 heavy good vehicle (HGV) movements during these evening/nighttime hours.*

Update to Paragraph 6 (to clarify that rubber stoppers were not a requirement of extant planning permission but were added by operator to address complaints about nighttime noise) as follows:

6. Conditions 11 and 12 are proposed to be updated to reflect that new Noise and Dust Management have been submitted to and approved by the Environment Agency as an update to the Environmental permit. Crucially, this document includes the provision for 'night-mode' controls on the delivery practice of the nighttime road planing deliveries. As part of the previous extension to the trial period (51471/008), the HGV tippers were required to have power tailgate closers and *in addition to the planning condition the operator also agreed to add rubber stoppers to minimise noise during the deliveries.*

Updates to paragraphs 42 and 60

Conflicting heights were included in the report in relation to the noise attenuation fencing. The additional fencing along the PL Waste site is 4m high not 5m and in one place the report the fencing alongside the Grey Fox Trommel is reported as

7m and not the 4m reported elsewhere in the report. The relevant paragraphs shall be updated as follows:

42. An additional ~~5m~~ 4m high noise attenuation fence would be constructed within the adjacent PL WTS area. This is outside of the red line development area but has been identified as a wider site improvement to address neighbour complaints regarding noise.
60. Landscape mitigation required under current planning permission has not been implemented. The trommel and bays are located where part of the new bund would have been located. In this area it is now proposed to provide a ~~7m~~ 4m high fence on the existing boundary retaining wall to provide noise attenuation, dust containment and visual screening. The remaining southwestern boundary would be a planted screening bund as currently approved.

The location of the fencing was incorrectly described as being on the 'eastern' part of the southern bund instead of correctly as 'western'.

Amendments to paragraphs 4, 7, 33, 105, 144, 161 and 166 (in relation to the removal of scrap metal sorting and segregation from application)

The applicant has informed the Minerals and Waste Planning Authority that use of the site for scrap metal sorting and separation should no longer form a part of the planning application. As a result the following paragraphs are amended as follows to remove reference to scrap metal sorting and segregation (shown as strikeout text).

4. The variation of conditions 3, 16 and 25 would allow for an update to the site plan referenced in the noted conditions. This would be updated to reflect retrospective permission for new fixed plant (trommel and picking station to support existing waste transfer station use), designated area for new glass recycling, ~~and a designated area for sorting and segregation of scrap metals.~~
7. Condition 16 would be updated to reflect a wider range of materials for processing on the site. The extant planning permission currently allows for the importation and processing of inert CDE waste, uncontaminated soils, rubble, concrete, wood and road planings. The proposed amended condition would retrospectively allow for mixed waste to be imported for processing by the new picking station and trommel, the glass recycling, ~~and the sorting of scrap metal.~~
33. The proposal seeks to amend the extant planning permission planning conditions to allow the following four activities:

...

~~• **Activity 4 – Scrap Metal Recycling.** This operation could potentially be located in the southernmost part of the site. Assorted scrap metal would be brought into the site for sorting and segregating. The sorted metals are then sent away for further recycling to an appropriately permitted facility.~~

105. The relationship with the adjacent site at the entrance to the subject site – and under the same ownership as the subject site - is important when considering this current application. The adjacent site, which uses the same site entrance, has a separate planning permission (33089/032) for a trommel and picking station to process non-hazardous commercial and industrial waste. The new waste types proposed to be added under the current application - mixed waste processing using a picking station and trommel, *and* glass recycling, ~~and scrap metal segregation and sorting~~ – would be considered to be included under the waste types allowed on the adjacent PL Waste site waste site.
144. Based on the evidence provided, and accounting for the consultation response from the EHO, and the existing waste processing activities allowed on both the site and the adjacent PL Waste site, the proposed glass, ~~scrap metal~~ and trommel/picking station operations are not considered to result in adverse impacts.
161. The extant planning permission allows the site to import inert CDE waste, uncontaminated soils, rubble, concrete, wood and road planings. The applicant has requested that mixed waste, *and* glass, ~~and metals~~ are added to the allowed wastes.
166. It is considered that ~~metals and~~ glass materials are acceptable. It has been specified that only non-hazardous mixed waste is appropriate so the term ‘non-hazardous’ has been added to recommended condition 18 as set out in Appendix A.

Updates to paragraph 86 and 131 (in relation to the updated consultation response from County Landscape Architect) as follows:

86. **County Landscape Architect:** Has no objection subject to conditions.

Initially, an objection was raised requesting a revision of the site layout to reflect the previously approved landscape plan under the earlier permission. Additional photos of the re-profiled bund along with a detailed planting plan, specification, schedule and maintenance as thereafter requested. Subsequently, the applicant submitted additional landscape information including the location of the bunds, a planting plan and locations of proposed fencing. The planting plan amended the tree species being proposed to include native species instead of some of the non-native species previously approved. The applicant also provided further information in regards the appearance of the proposed noise fence, on which the landscape officer did not raise any objection. However, the County Landscape Architect requested additional details on how it will be

fixed and exactly where it will be located. ~~The revised planting plan including amended tree species has not been approved in the Landscape Officer's consultation responses.~~

131. The County Landscape Architect has reviewed the application. The County Landscape Architect initial consultation response required the bund to on the southern perimeter to be landscaped in accordance with the Landscaping Scheme approved under the earlier planning permission 51471/007. However, the County Ecologist noted that some of the species proposed in the previously approved landscaping scheme included non-native species. The updated Planting Plan still includes included extending the bund on the eastern part of the southern permitter as previously agreed. The updated Planting Plan also still includes planting location per the earlier approved planting plan on the inside face of the bund to reinforce the existing mature trees. However, it now includes an alternative planting mix using native species. The County Landscape Architect has *no objection to the application subject to a condition that requires implementation of the revised planting plan and screening features. A condition to this effect has been recommended.*

~~not provided any comment on the revised planting mix. The approved and newly proposed landscaping schemes are very similar in nature in terms of bund shape and location of planting. However, to allow the County Landscape Architect the opportunity to approve the proposed planting and to ensure the aftercare of the appropriate species a condition has been recommended.~~

Update to paragraph 101 (to correct an incorrect reference to road planings being temporary under subject application has been removed) as follows:

101. Policy 27 (Capacity for waste management development) of the HMWP (2013) states the need for additional waste infrastructure capacity was for non-hazardous recycling and recovery capacity in Hampshire. The policy supports proposals where they provide additional capacity for non-hazardous recycling and recovery through the use of existing waste management sites. The proposal will provide for additional capacity, ~~for a temporary period,~~ for the processing of road planings, as part of a wider waste management site.

Update to paragraph 149 (to clarify that reference to Paragraph 190 of NPPF was 2019 version not the current 2023 version) as follows:

149. ... The inspector took the view that the proposal would comply with Paragraph 180 (appropriate development taking into account pollution on health, living conditions and the natural environment) of the [NPPF \(2019\) \(2023\)](#). ... Then as per the Officer Report.

Update to paragraph 152 (to reflect additional measures which have been taken to reduce noise from nighttime road planing deliveries) as follows:

152. ... The proposed nighttime operations and measures taken to mitigate the effects of noise remain the same as those permitted in 51471/007 have been added to.

Update to paragraph 155 (to reference the Revised Noise and Dust Management Plan submitted with subject application) as follows:

154. This The **Revised Noise and Dust Management Plan** includes measures to ensure dust is adequately controlled from vehicle movements, stockpiles and the trommel (both PL Waste site and subject site).

Updated to paragraph 189 as follows:

Original condition 6 (*now condition 5*) – updated to reflect the updated planting plan submitted with the application.

2) Revisions to conditions

Condition 5 has been replaced to reflect that the revised planting plan has been considered acceptable by the County Landscape Architect:

5. The landscaping for the perimeter of the site including construction of the perimeter bunds shall be implemented in accordance with the approved Updated Planting Plan (drawing GF-LSC-01 Rev 0) dated March 2024. The landscaping shall be implemented by the first planting and seeding season following the date of the decision hereby approved and maintained as detailed on the approved Updated Planting Plan (drawing GF-LSC-01 Rev 0) dated March 2024.

Any trees or shrubs which, within a period of five years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of visual amenity in accordance with Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013).

Condition 19 has been updated to remove scrap metal from the approved materials allowed to be imported to the site.

19. Material imported to the site shall comprise of non-hazardous commercial mixed waste, glass, ~~scrap metal~~ and inert construction and demolition waste (CDE waste), uncontaminated soils, rubble, concrete, wood and non-hazardous road planings.

Reason: In the interests of pollution control and the amenities of the area in accordance with Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013).

3) Other matters of clarification

Site restoration requirement

Councillor Mark Cooper has noted that a commonly used planning condition requiring restoration of the site once the use ceases has not been included as a recommended condition.

The site is currently operational, and this is a Section 73 application to vary existing conditions allowing use of Previously Developed Land. The extant planning permission does not require restoration of the site should the use cease. The site is also not located within the countryside where restoration would typically be expected. Adding a restoration planning condition is not considered by Officers to be necessary or reasonable when considering the changes proposed under this application.

Item No: 7

Change of use from motocross, to a Construction, Demolition, Excavation Waste Management Facility, involving importation, treatment and storage of waste and aggregates, with offices, structures and vehicle parking (retrospective). Importation and storage of road planings for crushing and screening to create recycled aggregate, including associated buildings, structures and vehicle parking. Provision of silo for concrete batching operation with storage, office and parking. With internal separation bunds and landscaping at Down Farm, Storage Land At Three Maids Moto Cross, Down Farm Lane, Headbourne Worthy Hampshire SO22 6RG (Application No. 23/02126/HCS Site Ref. WR237)

1) Amendments to the report and clarification (changes in *italic*):

Deletion of Paragraphs 21 and 22, 226 and 227 (these paragraphs duplicate other paragraphs immediately below them in the report and so should be deleted).

Update to Paragraph 35 (to correct incorrect suggestion that the subject site is safeguarded due to a missing 'not') as follows:

35. The subject site is *not* safeguarded. While not on the subject site, as a site with planning permission, the road planings site (20/01188/HCS) is safeguarded under the Policy 26 (Safeguarding waste infrastructure) of the Hampshire Minerals and Waste Plan (2013).

Updated to Paragraph 83 (to reflect Councillor Porter has further commented)

83. ... *Further commented stating concerns about Heavy Goods Vehicles (HGVs) using any other road than the A34.*

Updated Paragraph 175 (to reflect missing wording regarding use of lighting) as follows:

175. ... *Lighting will be required* for the operational hours in darkness during the winter months.

2) Other matters of clarification

Site restoration requirement

Councillor Mark Cooper has noted that a commonly used planning condition requiring restoration of the site once the use ceases has not been included as a recommended condition.

Paragraphs 208 and 209 address the consideration of restoration of the site should the use cease. This is a planning application for a new waste use where waste uses had not previously existed and is a countryside location that would normally be subject to a restoration condition. However, the planning history and the previous use as a motocross site has been taken into account. The Winchester City Council planning permission that allowed permanent use of the site as part of wider motocross facility did not require the site to be restored to its original agricultural use should the motocross use cease.

A restoration requirement as part of the subject permission back to agriculture would conflict with an approved planning permission for the motocross use. In addition, restoring back to agriculture would require significant remedial work. Officers did not consider a restoration condition is not considered to be reasonable.

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