

# Public Document Pack



## NOTICE OF MEETING

<b>Meeting</b>	Regulatory Committee
<b>Date and Time</b>	Wednesday 13th December, 2023 at 10.00 am
<b>Place</b>	Ashburton Hall - HCC
<b>Enquiries to</b>	members.services@hants.gov.uk

Carolyn Williamson FCPFA  
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 and available for repeat viewing, it may also be recorded and filmed by the press and public. Filming or recording is only permitted in the meeting room whilst the meeting is taking place so must stop when the meeting is either adjourned or closed. Filming is not permitted elsewhere in the building at any time. 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 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 Personal Interest in a matter being considered at the meeting should consider, having regard to Part 5, Paragraph 4 of the Code, whether such interest should be declared, and having regard to Part 5, Paragraph 5 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 - 8)

To confirm the minutes of the previous meeting.

**4. DEPUTATIONS**

Deputations are taken at the relevant item in which they apply.

**5. CHAIRMAN'S ANNOUNCEMENTS**

To receive any announcements the Chairman may wish to make.

**6. THE A303 RECYCLING FACILITY, DRAYTON ROAD, BARTON STACEY (Pages 9 - 60)**

To consider a report from the Assistant Director of Waste and Environmental Services regarding an application for an ancillary storage area at the A303 Recycling Facility, Drayton Road, Barton Stacey SO21 3QS.

**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, 15th November, 2023

Chairman:

\* Councillor Peter Latham

- |                                 |                               |
|---------------------------------|-------------------------------|
| * Councillor Lance Quantrill    | * Councillor Stephen Parker   |
| * Councillor Lulu Bowerman      | * Councillor Roger Price      |
| * Councillor Steven Broomfield  | * Councillor Kim Taylor       |
| * Councillor Mark Cooper        | * Councillor Stephen Philpott |
| * Councillor Rod Cooper         |                               |
| Councillor Christopher Donnelly |                               |
| * Councillor Michael Ford       | * Present                     |
| * Councillor Pal Hayre          |                               |
| * Councillor Keith House        |                               |
| * Councillor Adam Jackman       |                               |
| * Councillor Lesley Meenaghan   |                               |
| * Councillor Sarah Pankhurst    |                               |

## 87. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Chris Donnelly. Councillor Stephen Philpott attended as a deputy.

## 88. 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 5 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.

## 89. MINUTES OF PREVIOUS MEETING

It was noted that there was some duplication in the attendance list, but the minutes of the last meeting were then agreed.

## 90. DEPUTATIONS

The Chairman confirmed that seven deputations had been received for the meeting along with one County Councillor.

91. **CHAIRMAN'S ANNOUNCEMENTS**

The Committee was reminded of upcoming training sessions and informed that previous training slides and recordings could be viewed on the Members Regulatory Toolkit.

92. **ECOGEN RECYCLING LIMITED, KINGS WORTHY**

***Revised Application - Variation of condition 7 (volume of waste) and 13 (HGV Movements) of Planning Permission 19/00200/HCS at Ecogen Recycling Limited, Stoke Charity Road, Kings Worthy, Hampshire SO21 2RP (No. 23/01338/HCS) WR240***

The Committee considered a report from the Assistant Director of Waste and Environmental Services (item 6 in the minute book) on a revised application in Kings Worthy that had come to Committee earlier in 2023.

It was raised that a highway officer was not present at the meeting and Members discussed whether the meeting should be adjourned if a highway officer could not attend. The meeting proceeded on the basis that it was premature to defer the item before it had been heard. Members would therefore hear the item and if they subsequently considered unable to make a decision they would be free to move for deferral at that point.

The lead officer summarised the report, highlighting the update report that had been published (see minute book). This covered some amendments to the original report and further information received since the publication, but did not affect the recommendations. As detailed in the report, the applicant had taken some proactive measures in response to local concerns (including the installation of signage for HGV's upon exiting). The site has been actively monitored and no formal complaints have been received by the Waste Planning Authority since the last planning application was heard.

The Committee was shown aerial photographs of the site and surrounding area, and the nearest properties were highlighted. It was confirmed that the speedbumps on site had since been removed with the whole site being resurfaced to help mitigate noise from vehicles manoeuvring.

The Committee received seven deputations on this item along with the County Councillor. Local residents Amanda Hassell, Rosamund McCarthy, Ann Edwards and Steve Waters all attended and spoke against the application along with Councillor Signe Biddle from Kings Worthy Parish Council and Councillor Steve Cramoysan from Winchester City Council. The applicant attended to speak in support of the proposals and County Councillor Jackie Porter also shared her concerns regarding the application and potential impact on the local area.

During questions of deputations, the following points were clarified:

- A HGV survey had been done by local residents, but it was unclear how many of the HGV's recorded had left or entered the site.

- The applicant had an email address for the community to use to report any concerns or complaints, which was regularly monitored.
- The increase in noise levels would be less than 1dB, resulting in no audible or discernible difference to the current arrangements, should the application be approved.
- Utilising the rail connection was not feasible due to the topography of the area and steep bank.
- The majority of waste material came from within Hampshire but a small proportion came from outside of the County. Should the application be successful, it was thought that the ration would likely remain the same but in potentially higher quantities going forward.
- Noise analysis had been undertaken on both laden and unladen vehicles.
- The applicant was in regular contact with the haulage company to ensure breaches did not happen by HGV drivers.
- A liaison panel was set up following the last planning application and is operational and HGV's remained the main concern of local residents, but any issues had been addressed in a timely manner as much as possible and where within the control of the applicant.

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

- A previous planning application was approved by Winchester City Council in 2017 which had no restrictions set on vehicle movements.
- No formal accidents had been reported to the County Council.
- The Environment Agency request that tonnages and usage of the weighbridge be recorded as part of the environmental permit and this had been incorporated into the conditions along with hours of working and when HGV's could arrive and leave the site.
- The proposal would double the number of current vehicle movements, but it was noted that this was a maximum and the average levels would be much lower, particularly in the shorter term.
- The mitigations for HGV's were found fit for purpose and Highways had no objection to what had been proposed subject to delivery of the mitigation. Concerns had been raised about a claim that some mitigation works required were outside of the highway boundary and on third-party land. It was confirmed that the mitigation would need to be in place before the permission was implemented.
- Air quality had been previously looked at by Committee when the application had come in January 2023 and was found to be acceptable with the main concern being that around noise.

During debate, Members agreed that attendance of Highways officers would have been helpful for the meeting due to most of the issues being around HGV's and the road adjoining the site. Whilst the Committee empathised with the local residents, it was also acknowledged that a previous lapsed application for the site had included no vehicle restrictions, which set a precedent. Some Members had concerns regarding the creep of vehicle permissions and emissions and road damage as a result of HGV's, whereas others noted that the HGV's using the road were from other sites as well as the applicant and so not all responsibility fell to the site specifically.

Officers reminded Members that it was important to focus on the application that had been presented to Committee and not any of the previous applications and Members were reassured that a revised Environmental Permit would be required and that there had been no previous issues with the application, who were an accountable operator.

An amendment was proposed by Councillor Mark Cooper and Seconded by Councillor Stephen Parker. Following consultation with officers, this was finalised and put to the vote:

*“Prior to the commencement of the development hereby approved, a Traffic Management Scheme will be submitted to and approved in writing by the Waste Planning Authority.*

*The scheme shall cover freight management measures (including the maintenance and retention of Heavy Good Vehicle (HGV) routing and speed limit signage along the haul road), management of HGVs queuing prior to site opening) and the communication of measures to all HGV drivers entering and departing the site.*

*The scheme shall be implemented as approved for the duration of the development.*

*Reason: To ensure the satisfactory use of the highway in accordance with Policy 12 (Highway impacts) of the Hampshire Minerals & Waste Plan (2013). This a pre-commencement condition which relates to the use of the highway and therefore goes to the heart of the permission.”*

This was supported by 14 Members of the Committee and therefore approved. The recommendation as amended was then put to the vote.

RESOLVED

Planning permission was GRANTED subject to:

- a) The conditions listed in **Appendix A**
- b) The completion of legal agreements to ensure that the required mitigatory works to the public highway are completed to ensure levels of road safety are maintained along the Heavy Goods Vehicle (HGV) route between the site’s vehicular access with Stoke Charity Road and at the agreed locations along Stoke Charity Road and Lovedon Lane
- c) The update report
- d) The amendment supported by Committee as follows:

*Prior to the commencement of the development hereby approved, a Traffic Management Scheme will be submitted to and approved in writing by the Waste Planning Authority.*

*The scheme shall cover freight management measures (including the maintenance and retention of Heavy Good Vehicle (HGV) routing and speed limit signage along the haul road), management of HGVs queuing prior to site opening) and the communication of measures to all HGV drivers entering and departing the site.*

*The scheme shall be implemented as approved for the duration of the development.*

Voting

Favour: 9

Against: 5

Abstentions: 2

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Chairman,

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## HAMPSHIRE COUNTY COUNCIL Decision Report

<b>Decision Maker:</b>	Regulatory Committee
<b>Date:</b>	13 December 2023
<b>Title:</b>	Ancillary storage area at The A303 Recycling Facility, Drayton Road, Barton Stacey SO21 3QS (No. 21/02681/CMAN) (Site Ref: TV231)
<b>Report From:</b>	Assistant Director of Waste and Environmental Services

**Contact name:** Tim Felstead

**Tel:** 07761 330557

**Email:** [planning@hants.gov.uk](mailto:planning@hants.gov.uk)

### Recommendation

1. That planning permission be GRANTED subject to the conditions listed in Appendix A.

### Executive Summary

2. The planning application is for an ancillary storage area at the A303 Recycling Facility, Drayton Road, Barton Stacey SO21 3QS.
3. This application is being considered by the Regulatory Committee as it is a major waste development. It was also called in by County Councillor Drew.
4. The proposed development will be a permanent construction that will provide an increase in material storage capacity at the A303 Enviropark. The site is ancillary to the Incinerator Bottom Ash (IBA) processed on the wider site. The facility provides essential IBA recycling capacity in Hampshire, supporting the Project Integra integrated partnership approach to waste disposal. The IBA is predominantly from the three municipal energy recovery facilities (ERF) in Hampshire (in Marchwood, Portsmouth and Chineham) as well as a smaller contribution from Jersey. The IBA is used to produce a secondary aggregate known as Incinerator Bottom Ash Aggregate (IBAA), the use of which is considered a sustainable use of waste residues from the incinerators. Use of the IBAA as a secondary aggregate prevent is being sent to landfill.
5. The ancillary storage area is requested by the applicant in order to reduce existing constraints on stocking and allowing for significantly greater flexibility in the distribution of IBAA.
6. Key issues raised are:
  - Impact on amenity;
  - Impact on adjacent habitat
  - Impacts on the water environment; and
  - Visual and landscape impacts and impact on the countryside setting.

7. A committee site visit by Members took place on 4 July 2022 and 20 November 2023 in advance of the proposal being considered by the Regulatory Committee.
8. The proposed development is not an Environmental Impact Assessment development under the [Town & Country Planning \(Environmental Impact Assessment\) Regulations 2017](#).
9. It is considered that the proposal would be in accordance with the relevant policies of the adopted Hampshire Minerals and Waste Plan (2013) and the Test Valley Borough Local Plan 2011-2029 (2016). Although the site is located within the countryside, (Policy 5), the nature of the development requires a more isolated location, there is a special need for the site to be located in immediate proximity to the existing Incinerator Bottom Ash (IBA) facility, and its good transport connections mean that it is deemed an acceptable site location (Policy 29) and a condition will ensure that the site is restored if the IBAA waste use ceases (Policy 9). The proposal provides capacity for the recycling and recovery of recycled and secondary aggregate (Policies 17, 18, 25, and 27). It provides a sustainable waste management solution with a useable end product that diverts waste from landfill (Policy 28) and reduces the reliance on primary aggregates (Policies 25 and 30).
10. The site is not considered to be significantly visually intrusive as it is not located within a designated landscape, and the development proposes bunds that incorporate planted screening (Policies 5, 10, 13). The proposal will not give rise to significant adverse amenity impacts as the odour, noise and dust levels will be acceptable (Policy 10) and mitigated by conditions and regulated where necessary through Environmental Permitting. Drainage proposals for the site are designed appropriately and will not result in increased flood risk (Policy 11). The nature of the development would not give rise to an adverse impact on protected species or local ecological designations (Policy 3) and will allow for enhanced habitat management of the bordering woodland. Taking all of this into account, the proposal is considered to constitute a sustainable waste development in line with Policy 1.
11. That planning permission be granted subject to the conditions listed in **Appendix A**.

### **The Site**

12. The application site (the 'Site') occupies approximately 1.7 hectares of land adjacent and to the west of the existing Enviropark and MRF offices, to the east of Drayton Road.
13. The A303 Enviropark lies approximately 8 kilometres (km) southeast of the town of Andover, about 1.8 km north of the village of Barton Stacey and

about 1.9km south-east of the village of Longparish, Hampshire (see **Appendix C - Location Plan**).

14. In response to the Covid-19 pandemic, the applicant sought a relaxation of planning control to temporarily increase operating hours and stockpile height limits on the existing site to help manage supply and demand issues during the pandemic. Further relaxations were also agreed for the proposed site for the storage of IBAA to allow for extra storage. Prior to this use, the land was comprised of undeveloped grassland as shown on the Existing Site Plan (**Appendix D – Existing site plan (prior to temporary use)**).
15. The Site has a slight downward slope towards the south and centre of the Site. The north-western corner of the site stands at 65 metres Above Ordnance Datum (mAOD) and the south-centre at 59.7 mAOD.
16. In April 2020, topsoil was stripped from Site to a depth of 300-500mm and placed to form bunds surrounding the temporary IBAA storage area. The temporary bunds were formed around 2 metres high and around 20 metres wide.
17. In order to comply with Environment Agency requirements for the containment of surface water run-off and leachate at the site, additional groundworks were undertaken in April 2021 comprising the laying of an impermeable High Density Poly Ethylene (HDPE) liner and protective geotextile and geosynthetic layers. To facilitate this, approximately 0.5 metres depth of chalk bedrock was excavated across the site area and temporarily placed on the southern and western perimeter bunds.
18. Access to the Site is currently achieved from its southern boundary onto the Enviropark private haul road. There are also currently a further two vehicular accesses on the eastern boundary of the site which connect to an access track to the north of the MRF offices.
19. Outside of the application site, the Enviropark haul road runs parallel with and abuts the southern boundary of the site, bordered by a low-level bund that runs along the southern boundary of the Site. Grassed bunds and a hedgerow are located around the MRF offices (operated by Collards) in the south-eastern corner. A hedgerow continues along the eastern boundary. To the north lies the remaining area of deciduous plantation and to the west a further area of young deciduous plantation.
20. The Enviropark lies approximately 200 metres (m) north of the A303 Strategic Road and is accessed from the Longparish to Barton Stacey Road (Drayton Road) about 35m north of the northern slip road of the grade-separated junction with the A303. The A303 connects to the A34 and M3 to the east and the A338 to the west.
21. The Enviropark site currently comprises a Materials Recycling Facility (MRF) and associated offices and car park, operated by R Collard and located in the southern and western parts, and an IBA recycling facility operated by Fortis in

the northern part. The Enviropark extends across an area of approximately 10 hectares including landscaped areas.

22. Access to the existing IBA facility is through the MRF, which itself is accessed on its southern boundary via a c.470m long private concrete access road from Drayton Road.
23. Adjacent and to the north of the Enviropark is a solar farm. To the east, a shooting range and a gas pipeline service station that provides machinery access to the main southwest gas pipeline for cleaning and inspection. To the south-east, a go karting club, and to the south, open space controlled by the Ministry of Defence (MoD) which is bordered by the A303. To the west of Drayton Road lies further MoD controlled land and north of this, land in agricultural use.
24. Barton Stacey Service Station is located approximately 325m to the south west of the Site on the westbound carriageway of the A303. The site includes a petrol station, a hotel and a small number of chalet-style residential properties.
25. The next closest residential property is Owls Lodge Farm, located approximately 900m to the northwest.
26. The existing Enviropark development benefits from earth mounding to the north, south and west, planted with native shrubs and trees to visually screen and integrate the facility into the landscape and deliver significant biodiversity enhancement. The nearby shooting school includes similar grassed mounding formed for landscape, noise and safety purposes.
27. The site lies within Flood Zone 1 and overlies the Seaford Chalk which is designated as a Principal Aquifer.
28. The site is not located within any national or local landscape designation. The nearest nationally designated area is the North Wessex Downs Area of Outstanding Natural Beauty (AONB), the southern boundary of which is located approximately 3.6km to the north of the site.
29. Whilst there are no ecological designations overlying the site, Drayton Down (Drayton Down Area 1) a Site of Importance for Nature Conservation (SINC), lies approximately 330m to the southeast. The site also lies approximately 900m north of the River Test Site of Special Scientific Interest (SSSI) at its closest point.
30. The site was formerly part of a recently withdrawn Nationally Significant Infrastructure Projects (NSIP) for an Energy from Waste facility (locally known as the 'Wheelabrator development').
31. The site has an existing and operational Liaison Panel.

## Planning History

32. There is no formal planning history associated with the proposed Site. The Site and immediate surrounds were historically owned by the MoD, purchased by what was then the War Department in 1943 from the McCreagh family. Four army camps were developed at Drayton: 'A', 'B' & 'C' Camps to the north of the A303, and 'D' Camp to the south. In recent history, prior to the current temporary use of the land, the Site was undeveloped and comprised grassland. Based on historic aerial photography between 2004 and 2014 the northwest corner was planted woodland which appears to have been removed after 2014.
33. The development will be directly associated with the adjacent and existing IBA recycling facility. In 2007, a five-year temporary permission was granted by Hampshire County Council for inert recycling on an area of the Enviropark site. Following the granting of permission for an MRF on the site in 2009, the wider Enviropark site development commenced. The project was part-funded by the Waste and Resources Action Programme (WRAP). In 2013, permanent planning permission for an IBA recycling facility was granted (13/01643/CMAN). The IBA facility has permanent planning permission (22/00937/CMAN) for waste management.
34. In 2020, a temporary increase in allowed annual throughput from 180,000 tonnes to 205,000 per annum was granted to allow the site to process IBA being produced by an ERF in Ridham, Kent (20/01480/CMAN). The increase was an interim measure due to delays between completion of the ERF and the completion of an IBA processing plant in Kent. Material from Kent is no longer being processed by the subject site and IBAA resulting from this import was back hauled to Kent by the importing HGVs.
35. The planning history of the site is as follows:

<b>Application No</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date Issued</b>
22/00937/CMAN	Variation Of Condition 2 (Working Hours) Of Planning Permission No. 20/01480/CMAN	Granted	28/07/2022
20/01480/CMAN	Variation of Condition 14 of Planning Permission Number 17/00172/CMAN to allow a temporary increase in annual throughput at The A303 IBA Recycling Facility, Drayton Road, Barton Stacey SO21 3QS	Granted	21/10/2020
NMA/2018/0770	Erection of minor additional fixed plant to PP	Granted	28/09/2018

	17/02024/CMAN		
17/02024/CMAN	Variation of condition 17 of planning permission 17/00172/CMAN to erect an in line screening plant and additional picking station	Granted	25/10/2017
17/00172/CMAN	Variation of Condition 2 (Hours of Working) 14 (Annual Tonnage) and 17 (Approved Plans to include mobile pre-screening Plant) of Planning permission 16/00241/CMAN	Granted	19/04/2017
16/00242/CMAN	Retrospective application for additional lorry parking associated with the adjoining IBA processing facility and MRF	Granted	04/03/2016
16/0241/CMAN	Variation of condition 3 of planning permission 13/01643/CMAN (working hours)	Granted	13/04/2016
13/01643/CMAN	Permanent facility for the processing and recycling of incinerator bottom ash to produce aggregates (IBAA) and the recovery of metals	Granted	24/10/2013

36. The existing A303 site, located to the east of the proposed ancillary storage area, is identified in the adopted Hampshire Minerals and Waste Plan (2013) as a safeguarded site under Policy 26 (Safeguarding – waste infrastructure). The existing site has two separate waste operations; to the south is a commercial material recovery facility (MRF) and north of this, via access through the MRF site, is the IBA processing site.
37. Planning application 21/00812/CMAN for the development of an ancillary storage area at the A303 Enviropark was submitted to Hampshire County Council in February 2021. The proposal included the area of land currently in temporary use and part of an adjacent area of semi-mature woodland plantation to the north of the site. This was withdrawn on 29 June 2021. The new application presents an amended design.
38. The site has an existing and operational Liaison Panel.

### **The Proposal**

39. The application is for the construction and operation of an ancillary storage area on land at the A303 'Enviropark', Drayton Road, Barton Stacey, Andover, Hampshire, SO21 3QS (see **Appendix C - Location Plan**).

40. The proposed development comprises the construction of a 1 hectare concrete pad for the storage of materials, a drainage lagoon (extending to c.1,000m<sup>2</sup>) and perimeter planted screening bunds utilising soils stripped from the site. Bunds will be 4m high on south and west, 3m high on east and 0.8m high on north with 3m fencing and dust netting.
41. Materials will be moved in and out of the storage area via the existing haul road to the south of the site utilising eight-wheel tipper lorries. The processed Incinerator Bottom Ash Aggregate will be placed in storage to a maximum height of 5m. The placement and loading of materials within the site will be undertaken with the use of an excavator and loading shovel.
42. The existing Incinerator Bottom Ash (IBA) recycling facility at the A303 Enviropark, provides for the management of IBA arising from municipal Energy from Waste (EfW). The IBA is predominantly from the three municipal energy recovery facilities (ERF) in Hampshire (in Marchwood, Portsmouth and Chineham) as well as a smaller contribution from Jersey. The facility provides essential IBA recycling capacity in Hampshire, supporting the Project Integra integrated partnership approach to waste disposal. IBAA is the aggregate component remaining after the removal of metals from IBA.
43. Continued operations on the site are required to be sited upon a robust impervious surface in order to manage long-term environmental risks. The site is currently covered with an impervious liner which would be retained and covered with a concrete base should planning permission be granted.
44. The proposed development will be a permanent construction that will provide an increase in material storage capacity at the Enviropark, reducing existing constraints on stocking and allowing for significantly greater flexibility in the timely distribution of IBAA. This will ensure that IBAA can be consistently distributed to appropriate onward projects, facilitating its re-use or recovery in a sustainable manner.
45. IBA recycling comprises the receipt and processing of IBA to remove a significant proportion of the metal content. Metals are then forwarded from the site for refining elsewhere before being re-used. The remaining material - Incinerator Bottom Ash Aggregate (IBAA), is sold from the site as an aggregate substitute and used as a direct replacement for primary aggregates in road construction.
46. As already noted, in light of the Covid-19 pandemic, planning restrictions were temporarily relaxed to allow for the storage of IBAA on the proposed site in 2020 until March 2021. (see **Appendix D – Site plan before temporary storage**). Disruption to the construction sector resulted in interruption to the markets for the outlet of IBAA from the Enviropark facility. With the need for a continuation in municipal waste management during the pandemic, IBA from EfW facilities within Hampshire has continued to be received and processed at the Enviropark site. This situation resulted in stocks of IBAA on site building at an unprecedented rate, unfortunately

exceeding the existing storage capacity of the facility which also caused IBA stockpile heights limits to be exceeded.

47. The Authorities advised that any use of the site beyond this date would require planning permission from the Waste Planning Authority and an Environmental Permit from the Environment Agency. This is the focus of the application being considered. The applicant has indicated that the temporary relaxation provided essential additional storage capacity for IBAA and continuing to have this storage capacity would provide operational benefits.
48. The site comprised of 1.71 hectares of undeveloped grassland and approximately 0.4 hectares of deciduous plantation prior to its use for storage as noted above (see **Appendix E - Proposed Site Layout**).
49. The majority of the operational area will be occupied by stockpiled material. The Site will be able to store approximately 29,000 cubic metres of material up to five metres in height from base of pad at any point in time. Based on a typical IBAA density of 1.4 tonnes/m<sup>3</sup>, this would equate to a maximum capacity of approximately 40,600 tonnes.
50. The Site will be operated in conjunction with and under the existing throughput limits contained within the planning conditions for planning permission 22/00937/CMAN will be used to store a maximum annual throughput of 180,000 tonnes of IBAA.
51. Site-based, eight-wheeled 20 tonne payload tipper lorries would be used to shuttle material generated at the adjacent IBA processing facility internally along the private access/haul road development to the proposed development. However, IBAA would be directly exported from the storage site. The proposed development will therefore not generate any new/additional lorry movements on the public highway network beyond that already approved for the Enviropark site.
52. The internal site access is located approximately 85m east of the private haul road junction with the public highway. Sufficient internal lorry manoeuvring/turning space will be maintained at all times within the Site to avoid any conflict with private haul road use. The applicant has a right of access along this haul road in accordance with its existing operations on the wider Enviropark site.
53. No additional HGV movements beyond what is already associated with the existing IBA facility are proposed.
54. Existing planting, new bunding, and fencing will be used to mitigate proposed development (see **Appendix E - Proposed layout** and **Appendix F - Site cross-sections**).
55. This planning application presents an amended design to what was previously presented under withdrawn application 21/00812/CMAN and



seeks to address comments received from consultees while seeking permission only for what the business needs.

56. The proposed development has been assessed under [Town & Country Planning \(Environmental Impact Assessment\) Regulations 2017](#). The development was screened and was classified as a Schedule 2 development as it falls within Category 11(b) (ii) and exceeds the size threshold [0.5ha]. However, whilst being identified under the Regulations, it does not lie within a sensitive area and is not deemed an EIA development requiring an Environmental Statement.

### **Development Plan and Guidance**

57. The following plans and associated policies are considered to be relevant to the proposal:

#### **National Planning Policy Framework (2023) (NPPF)**

58. The following paragraphs are relevant to this proposal:
- Paragraphs 10-12: Presumption in favour of sustainable development;
  - Paragraphs 38, 47: Decision making;
  - Paragraphs 55 – 56: Planning conditions;
  - Paragraphs 81: Support of sustainable economic growth;
  - Paragraphs 84-85: Rural economy;
  - Paragraphs 153-158; Planning and climate change;
  - Paragraphs 174, 176-178: Contributions and enhancement of natural and local environment;
  - Paragraphs 180-181: Biodiversity and planning;
  - Paragraphs 183-188: Ground conditions and pollution;
  - Paragraph 209, 211: Facilitating the sustainable use of minerals;
  - Paragraphs 213: Steady and adequate supply of aggregates;
  - Paragraphs 214: Steady and adequate supply of industrial minerals.

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

59. 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)**

60. The following paragraphs are relevant to the proposal:
- Paragraph 007 (Self-sufficient and proximity principle);
  - Paragraph 0046 (Need); and
  - Paragraph 0050: (Planning and regulation).

## Hampshire Minerals & Waste Plan (2013) (HMWP)

61. The following policies are relevant to the proposal:
- Policy 1 (Sustainable minerals and waste development);
  - Policy 2 (Climate change – mitigation and adaptation);
  - 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 8 (Protection of soils);
  - Policy 9 (Restoration of quarries and waste developments);
  - 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 17 (Aggregate supply – capacity and source);
  - Policy 18 (Recycled and secondary aggregates development);
  - Policy 25 (Sustainable waste management);
  - Policy 26 (Safeguarding - waste infrastructure);
  - Policy 27 (Capacity for waste management development);
  - Policy 28 (Energy recovery development)
  - Policy 29 (Locations and sites for waste management).
  - Policy 30 (Construction, demolition and excavation waste development)

## Update to the Hampshire Minerals and Waste Plan (emerging) (draft)

62. Hampshire County Council and its partner Authorities (Southampton City Council, Portsmouth City Council, New Forest National Park Authority and South Downs National Park Authority) are working to produce a partial update to the Hampshire Minerals and Waste Plan (2013) which will guide minerals and waste decision making in the Plan Area up until 2040. The partial update to the Plan will build upon the adopted Hampshire Minerals and Waste Plan (2013), eventually providing new and updated policies based on up-to-date evidence of the current levels of provision for minerals and waste facilities in the Plan Area.
63. Plan making is currently moving for the Regulation 18 to Regulation 19 public consultation stages. The update to the Plan and its associated policies are only emerging policy. As stated in Paragraph 48 of the [National Planning Policy Framework \(2023\)](#) (NPPF), this means that the policies cannot be given any weight in decision making at this early stage. However, where proposed changes relate to making current policies more consistent with the NPPF then these NPPF changes should be given consideration.
64. The following draft and emerging policies are of the relevance to the proposal:

- Policy 1 (Sustainable minerals and waste development);
- Policy 2 (Climate change - mitigation and adaptation);
- Policy 3 (Protection of habitats and species);
- Policy 5 (Protection of the countryside);
- Policy 8 (Water resources);
- Policy 9 (Protection of soils);
- Policy 10 (Restoration of minerals and waste developments);
- Policy 11 (Protecting public health, safety, amenity and well-being);
- Policy 12 (Flood risk and prevention);
- Policy 13 (Managing traffic);
- Policy 13 (High-quality design of minerals and waste developments);
- Policy 17 (Aggregate supply – capacity and source);
- 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).
- Policy 30 (Construction, demolition and excavation waste development)

### [Test Valley Borough Revised Local Plan \(2011 - 2029\) \(TVBLP \(2016\)\)](#)

65. The following policies are relevant to the proposal:

- Policy COM2 (Settlement Hierarchy);
- Policy E1 (High Quality Development in the Borough);
- Policy E2 (Protect, Conserve and Enhance the Landscape Character of the Borough);
- Policy E5 (Biodiversity);
- Policy LWH4 (Amenity);
- Policy E8 (Pollution);
- Policy E9 (Heritage); and
- Policy T1 (Managing movement).

### **Consultations**

66. **Lead Local Flood Authority:** No objection. Noted that surface water collection will need to be recirculated and if water levels reach a point they cannot be accommodated then it should be tankered from site. It is not suitable for discharging to general watercourses. Requested condition to ensure appropriate water management.

67. **Public Health (Hampshire County Council):** No objection.

68. **County Landscape Architect (Hampshire County Council):** No objection subject to conditions addressing the following:

- detailed planting plan and management;

- tree protection measures;
  - test certificates for fill and top soil material prior to bund construction to ensure suitable for proposed planting; and
  - woodland management plan incorporating all woodland immediately north and west of site and new planting.
69. Had initial concerns regarding the steepness and composition of the bunds and how this would impact on the proposed planting and allow for maintenance. There were also discrepancies in the drawings regarding presence of swales.
70. Applicant subsequently amended the proposal which provided for a lower, wider 4 metre bund on the on the south (originally proposed to be 3 metre) and west (originally proposed to be 5 metres) edges of the site with less steep faces. To retain the operational area, the bunding on the north was reduced in height of 0.8 metre with 3 metre fencing (replacing the originally proposed 3 metre bund). Netting would be added to control dust reaching the planted woodland immediately north of the site. Some existing immature planting to the west of the site will be transplanted to allow space for a swale. Further details on the internal construction of the bund and engineering assessment were also provided. Updated Landscape and Visual Assessment submitted taking account of revisions.
71. In review of revised detail Landscape Officer noted that with reduced bund height on southern edge, the efficacy of the screening will rely heavily on the proposed planting.
72. **County Archaeologist (Hampshire County Council):** No objection. Noted that any archaeological remains were lost when the site was stripped during use as emergency storage area.
73. **County Ecologist (Hampshire County Council):** No objection subject to conditions securing compliance with measures in the Preliminary Ecological Assessment, and the submission of a long-term Habitat Creation and Management Plan for the site and adjacent Woodland.
74. Raised concerns when reconsulted on revised bund designs. Concern regarded effectiveness of proposed dust netting as opposed to originally proposed planted bund in protecting planted woodland habitat immediately north of the site. Applicant submitted additional ecological assessment and dust and air quality technical note examining these concerns.
75. **County Arboriculture (Hampshire County Council):** No objection subject to conditions ensuring compliance with Arboricultural Method Statement and Tree Protection Plan. Had no concerns about revisions to bund and fence arrangements.
76. **Environment Agency:** No objection. Noted the need for an Environmental Permit.

77. **Popham Airfield:** Was notified.
78. Defence Infrastructure Organisation: No objection.
79. **Natural England:** No objection. considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.
80. **Environmental Health Test Valley North:** No objection, subject to conditions regarding hours of operation and implementation of dust management measures of a dust management plan.
81. **Barton Stacey Parish Council:** Object on the grounds of land creep, HGV movements damaging roads and dust amenity impacts.
82. **Longparish Parish Council:** Object on the basis of ongoing dust and odour complaints, a lack of need, landscape impacts, visual amenity, ecological impacts, water environment and air quality.
83. **Test Valley Borough Council:** No objection. Considered that the development accords with the relevant Local Plan policies.
84. **Councillor Drew:** Requested that the application go to Regulatory Committee for determination.
85. **Litchfield & Woodcote Parish Council:** Object on the grounds of justification of need for the site, non-compliance with planning policies, health risks, and ecological and landscape impacts.

## Representations

86. Hampshire County Council's [Statement of Community Involvement \(2017\)](#) (SCI) sets out the adopted consultation and publicity procedures associated with determining planning applications- this document has since been superseded by Statement of Community Involvement (2023) adopted on 9 November 2023.
87. In complying with the requirements of the SCI, Hampshire County Council:
  - Published a notice of the application in the [Hampshire Independent](#);
  - Placed notices of the application at the application site and local area;
  - 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.
88. Some public representations have been received regarding lack of notification regarding amendments made to the planning application after it

was first submitted. The planning application and amendments were submitted when the provisions of the [Statement of Community Involvement \(2017\)](#) was in effect. Publicity of amendments is addressed under Paragraphs 4.2.15 to 4.2.18 of the SCI (2017). This gives discretion to the case officer as to whether amendments are significant and if further publicity or notification is required.

89. The amendments submitted since the original application (25 May 2023, 13 October 2023, and 3 November 2023) were deemed technical in nature and addressed construction of the bunds and dust control for the immediately adjacent woodland. The changes did not alter the previously assessed off-site impacts related to landscape and visual impacts, or off-site dust impacts as raised in earlier public representations or consultation responses. The amendments were reviewed by those consultees that specifically requested the additional information (County Landscape Architect, Ecologist and Arboriculturist).
90. Some concern was raised about there being two planning applications and what is currently being reviewed being separate application which has not been publicised. Two reference numbers are assigned to each planning application. The first is an internal reference number assigned by Hampshire County Council when the application is first received and publicised. The second official application number is provided by the District, as the public register holder, at a later date. The current application was valid on 2 September 2021 and was fully publicised within two weeks. As described above, some updated items relating to technical changes to the application have been received and reviewed by specific consultees since the application was first publicised. All new items have been available on the application webpage soon after receipt. All those who have provided public representations and Parish Councils are given more than 14 days notice of an application being scheduled for Regulatory Committee. Further comments from the public can be considered within this time.
91. As of 4 December 2023, a total of 130 representations (from 124 respondents) objecting to the proposal have been received. The main areas of concern raised in the objections related to the following areas:
  - process of determining application
  - impact on wildlife/designated ecological sites
  - impact of the site and its activities on the rural location
  - visual amenity and landscape impact
  - Impact on the amenity of local residents
  - noise impacts
  - impact on air quality and associated health impacts
  - pollution and emissions associated with the development
  - lack of demonstrated need for the development in Hampshire
  - highways safety and traffic impacts
  - impacts to local businesses
  - not appropriate development in countryside

- impact on public access and rights of way
- impact on the water environment
- dust.

92. The above issues will be addressed within the following commentary, (except where identified as not being relevant to the decision).

### **Habitats Regulation Assessment [HRA]**

93. The [Conservation of Species and Habitats Regulations 2017](#) (otherwise known as the 'Habitats Regulations') transpose European Directives into UK law.

94. In accordance with the Habitats Regulations, Hampshire County Council (as a 'competent authority') must undertake a formal assessment of the implications of any new projects we may be granting planning permission for e.g. proposals that may be capable of affecting the qualifying interest features of the following European designated sites:

- Special Protection Areas [SPAs];
- Special Areas of Conservation [SACs]; and
- Ramsars.

95. Collectively this assessment is described as 'Habitats Regulations Assessment' [HRA]. The HRA will need to be carried out unless the project is wholly connected with or necessary to the conservation management of such sites' qualifying features.

96. It is acknowledged that the proposed development includes environmental mitigation essential for the delivery of the proposed development regardless of any effect they may have on impacts on European designated sites.

97. The HRA screening hereby carried out by the MWPA considers the proposed development to have **no likely significant effect** on the identified European designated sites due to it not being located at a distance to be considered to have proximity to directly impact on the European designated sites; the site is not considered to have any functional impact pathways connecting the proposed works with any European designated sites.

### **Climate Change**

98. Hampshire County Council declared a climate change emergency on 17 June 2019. A [Climate Change Strategy and Action Plan](#) has since been adopted by the Council. This proposed development has been subject to consideration of Policy 2 (Climate change – mitigation and adoption) of the [HMWP \(2013\)](#) and paragraph 152 of the NPPF (2023). Policy 2 states that Minerals and waste development should minimise their impact on the cause of climate change and reduce and provide resilience to climate change. The

policy supports development of energy recovery facilities and low carbon technologies.

99. The applicant has submitted a Climate Change and Sustainability Statement. The nature of the proposal hereby considered seeks to recycle aggregates and push waste further up the Waste Hierarchy. Un-recycled IBA would otherwise be unsuitable for re-use and consequently, sent to landfill. Also, by locating the proposed development adjacent to the parent facility, the new site maximises transport efficiencies associated with the IBA recycling operation. The site drainage has been designed to rely on gravity for drainage although this is then pumped to be resprayed onto the stockpile. The site has also been designed without escape below the 61.5mAOD contour which is sufficient to accommodate the modelled flood scenarios and allow seasonal storage in extreme wet years for use in subsequent dry periods. As described below the use of secondary aggregates can reduce reliance on excavation of land-won minerals and there are potential carbon reductions though this has not been quantified by the applicant.
100. The development is in accordance with Policy 2 Climate change – mitigation and adaptation) of the [HMWP \(2013\)](#).

## **Commentary**

### Principle of the development and need

101. Policy 25 (Sustainable waste management) of the [HMWP \(2013\)](#) supports development which encourages sustainable waste management and reduces the amount of residual waste currently sent to landfill. This development would drive waste to be managed at the highest achievable level within the waste hierarchy.
102. Policies 17 (Aggregate supply – capacity and source) and 18 (Recycled and secondary aggregates) of the [HMWP \(2013\)](#) both support developments, which will contribute to and invest in infrastructure for the provision of alternative sources of aggregate to marine and land-won. Recycled IBA (IBAA) is specifically identified.
103. Policy 27 (Capacity for waste management development) of the [HMWP \(2013\)](#) states the need for additional waste infrastructure capacity for non-hazardous recycling and recovery capacity in Hampshire. In particular it states that that proposals will be supported where they maintain and provide additional capacity for non-hazardous recycling and recovery. Specifically, Policy 27, Part b (i) allows for extensions to suitable sites that are ancillary to the operation of existing sites and improve current operating standards. The supporting text (paragraph 6.180) states that in cases of developments on existing waste management sites, cumulative impacts will need to be taken into account, and the applicant should explain how proposals will enhance operating standards or reduce the amount of waste sent for landfill.



104. Policy 30 (Construction, demolition and excavation waste development) of the [HMWP \(2013\)](#) explains that uses will be supported where there is a beneficial outcome from the use of inert construction, demolition and excavation waste in developments. It requires that as far as reasonably practicable all materials capable of producing high quality recycled aggregates are removed for recycling. Development to maximise the recovery of construction, demolition and excavation waste to produce at least 1mtpa of high quality recycled/secondary aggregates will be supported.
105. Although the policy text does not explicitly state that IBA is included in the Policy it is implied through the policy supporting text. Paragraph 6.216 of the [HMWP \(2013\)](#) states '*that Hampshire County Council encourages the use of IBAA for beneficial uses such as in road construction and that it will be necessary to make permanent provision for the treatment of IBAA within the Plan period*'.
106. Whilst the proposed storage area is not an allocated site, the associated IBA facility is safeguarded under Policy 26 (Safeguarding – waste infrastructure) of the [HMWP \(2013\)](#).
107. Policy 28 (Energy Recovery development) is supportive of energy from waste developments including incinerators as a means to divert waste from landfill. Part c. of the policy states that the developments should provide sustainable arrangements of the waste residues that arise. Paragraph 6.187 contains supporting for the policy and explains that proposals for the waste residues from energy generation should minimise as much as possible the amount of waste going to landfill.
108. The HMWP is clear that the use of IBAA for beneficial uses is encouraged.
109. The applicant has stated their need case for the development in a **Planning Statement**.
110. The Incinerator Bottom Ash (IBA) processed by the site is predominantly from the three municipal energy recovery facilities (ERF) in Hampshire (in Marchwood, Portsmouth and Chineham) as well as a smaller contribution from Jersey. The IBA is used to produce an aggregate and this is known as Incinerator Bottom Ash Aggregate (IBAA).
111. The temporary use of the site for ancillary storage has demonstrated benefits for the IBA processing plant operations by allowing more storage space for imported IBA. As mentioned under Planning History, there was temporary allowance for the processing site to process additional material due to a need to process material derived from an ERF in Kent. It is recognised that the additional processing of Kent IBA is no longer being stockpiled prior to processing but the shift operations have been scaled down accordingly. The IBAA derived from the Kent IBA was directly exported by the importing HGVs and so did not significantly contribute to the IBAA stockpiles. The IBAA subject to the currently planning application is predominantly derived from Hampshire waste. The ancillary storage area will allow IBAA to be stored in

greater bulk for campaign export. An increase in storage capacity will also decrease the risk of exceeding stockpile heights that may otherwise result in disposal (landfilling) of material.

112. Public representation and consultation comments from Parish Councils have raised concerns about the lack of special or local need for the development and these are noted. The National Planning Policy for Waste (2014) (NPPW) sets out the Government's ambition to work towards a more sustainable and efficient approach to resource use and management. Policy 7 of the NPPW states that when determining waste planning applications, Waste Planning Authorities should only expect applicants to demonstrate the quantitative or market need for new or enhanced waste management facilities where proposals are not consistent with an up-to-date Local Plan. The site is located next to the A303, which is part of the Strategic Road Network as identified in the [HMWP \(2013\)](#) and is therefore considered to be in proximity to the waste sources and markets of Hampshire.
113. The proposal is in accordance with Policies 17 (Aggregate supply – capacity and source), 18 (Recycled and secondary aggregates), Policy 25 (Sustainable waste management), Policy 27 (Capacity for waste management development), and Policy 28 (Energy recovery development) of the [HMWP \(2013\)](#). As described in the above policies, the impacts of the ancillary storage site must be analysed to determine if they are in accordance with other policies. This analysis is provided in the relevant sections of the commentary below. Whilst the [update to the HMWP](#) cannot be given any policy weight in decision making (as it is emerging and only at a very early stage in the process), the proposal is considered to meet the requirements of emerging Policies 17, 18, 25, 27, 28 and 30.
114. 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 (2023). Whether this proposal is considered to be a sustainable waste development will be considered in the remaining part of this commentary section.

#### Development in the countryside

115. Policy 5 (Protection of the countryside) of the [HMWP \(2013\)](#) states that minerals and waste development in the open countryside, outside the National Parks and Areas of Outstanding Natural Beauty, will not be permitted unless it is a time-limited mineral extraction or related development; or the nature of the development is related to countryside activities, meets local needs or requires a countryside or isolated location; or the development provides a suitable reuse of previously developed land, including redundant farm or forestry buildings and their curtilages or hard standings. The policy also includes an expectation that the highest standards of design, operation and restoration will be met and there will be a requirement that it is restored in the event it is no longer required for minerals and waste use.

116. Policy COM2 (Settlement Hierarchy) of the TVBLP (2016) will only permit development in the countryside if it is appropriate in the countryside as set out in Revised Local Plan policy COM8-COM14, LE10, LE16- LE18; or it is essential for the proposal to be located in the countryside. As a greenfield site the proposed development does not meet any of the exception policies. In addition, Paragraph 6.92 of [TVBRLP \(2016\)](#) states that proposals which involve extension of the site boundary into the countryside should be considered on their individual merits and that open storage can be permitted if it is not visually intrusive – the visual impact of the development is discussed under '[Visual Impact and Landscape](#)'.
117. The site comprises a parcel of agricultural land that lies outside the settlement boundary defined within the Test Valley Borough Local Plan (2016) and as such is located in the Countryside. The proposal is requesting development of an ancillary site in the countryside for a waste recycling use. This means that in order to meet Policy 5 (Protection of the countryside) of the [HMWP \(2013\)](#), the nature of the development must require a countryside or isolated location. Applications for such development will be considered against all policies in the Plan, in particular Policy 29 (Locations and sites for waste management).
118. Policy 29 (Locations and sites for waste management) of the [HMWP \(2013\)](#) sets out criteria for suitable sites and locations for waste management. As such, for planning purposes the land is also required to be considered as greenfield. Therefore, the site does not meet the definition of previously developed land in Part 2 of Policy 29 of the [HMWP \(2013\)](#) and instead must be considered in accordance with Part 3. Part 3 of Policy 29 supports development in locations other than those identified in Parts 1 and 2 where it can be demonstrated that the site has good transport connections and a special need for the location and the site is suitable for the proposal. The site could help Hampshire meet its waste management objectives as set out in the [HMWP \(2013\)](#). This site provides benefits that can be difficult to find such as: a remote location from residential areas, direct access to the Strategic Road Network, and a location in proximity to sources of waste. It is therefore considered that the proposal is in accordance with Policy 29 (Locations and sites for waste management) of the [HMWP \(2013\)](#).
119. Concerns raised about non-compliance with Policy 5 of the [HMWP \(2013\)](#) and COM2 of the TVBLP (2016) are noted.
120. Paragraph 6.205 of the [HMWP \(2013\)](#) recognises that recycling and recovery activities that predominantly take place in the open are better suited to countryside locations by virtue of their potential for noise, odour and other emissions. Paragraph 6.195 states that sites which have not previously been developed (i.e. greenfield) but are in well-screened locations away from residential areas may provide opportunities for locating facilities which require a more isolated location. Paragraph 6.209 states that open-air facilities can be justified on sites outside the main urban areas where there is a special need or exceptional circumstances.

121. The consistency with the [HMWP \(2013\)](#) on development in the countryside also provides weight in determining the merits of expansion of the site under Policy COM2 of the [TVBRLP \(2016\)](#).
122. This site merits being located in the countryside both by virtue of its need for an open site, and the fact that it's an ancillary land use relating to the existing permanent safeguarded IBA recycling facility directly adjacent to the east of the proposed site. Subject to the inclusion of a requirement to restore the site should the proposed waste use cease, the proposed development meets the criteria set out in and is in accordance with Policies 5 (Protection of the Countryside) as well as Policy COM2 (Settlement Hierarchy) of the [TVBRLP \(2016\)](#). The as an ancillary extension the proposal is in accordance with the relevant parts of Policy 29 of the [HMWP \(2013\)](#). Whilst the [update to the HMWP](#) cannot be given any policy weight in decision making (as it is emerging and only at a very early stage in the process), the proposal is considered to meet the requirements of emerging Policies 5 and 29.

#### Visual impact and landscape

123. 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. In addition, Policy 10 (Protecting public health, safety and amenity) of the [HMWP \(2013\)](#) protects residents from significant adverse visual impact.
124. Concerns have been raised in representations and by the parish councils relating to the potential landscape and visual impacts of the development.
125. The site is not located within any national or local landscape designation. The nearest nationally designated area is the North Wessex Downs Area of Outstanding Natural Beauty (AONB), the southern boundary of which is located approximately 3.6km to the north of the site.
126. *Policy 13 (High-quality design of minerals and waste development)* of the [HMWP \(2013\)](#) requires that minerals and waste development should not cause an unacceptable adverse visual impact and should maintain and enhance the distinctive character of the landscape. The design should be appropriate and should be of high-quality and contribute to sustainable development. This reinforces the requirement of *Policy 5 (Protection of the countryside)* of the [HMWP \(2013\)](#) for highest-quality design. In addition, *Policy 10 (Protecting public health, safety and amenity)* of the [HMWP \(2013\)](#) protects residents from unacceptable adverse visual impact.
127. *Policies E1 (High quality development in the Borough)* and *E2 (Protect, Conserve and Enhance the Landscape Character of the Borough)* of the [TVBRLP \(2016\)](#) also addresses visual impacts of the proposed developments.

128. The proposal is supported by a **Landscape and Visual Appraisal**. Visually the site is relatively well screened by woodland and other vegetation. There is planted woodland to both the north and west of the development area. There are some limited open views into the proposed storage area from the site access road to the immediate south of the site and some partial views from the site office to the east and from Longparish Road to the west. The landscape in this area is generally of low sensitivity due to the previous MOD use and this site is unlikely to be visible or affect any more sensitive landscapes in the wider vicinity.
129. The proposal includes the construction of 4m high bunds on the south and west of the site which will be planted to provide screening of the 5m high stockpiles from outside views. On the east edge there are existing trees or hedgerows. On the north edge there will be a 0.8m bund with 3m high wire mesh fence supporting additional dust netting.
130. The County Landscape Architect initially raised concerns regarding technical aspects of the proposal rather than the sites visibility and landscape impact. Having assessed revised proposals now the County Landscape Architect has no objection subject to conditions. Initial concerns related to the stability of the bunds and their ability to retain soil and sustain the proposed planting. They also had concerns regarding the suitability of the material being used for the bunds to support the proposed planting. The applicant subsequently submitted the current proposal with wider bunds and shallower slopes on the sides with external views (south and west). To retain the same storage area the north bund was scaled down with fence and netting proposed instead to protect the existing planted woodland from any dust released when working the site.
131. Test Valley Borough Council had no objection to the proposal which included consideration of the potential landscape impacts.
132. Conditions are recommended for a detailed landscaping scheme and testing to demonstrate the suitability of the material for planting, and the adherence of the bund construction to the specifications proposed.
133. Based on the proposed mitigation and planning conditions proposed, the proposal is in accordance with Policies 13 (High-quality design of minerals and waste development), 5 (Protection of the Countryside) and 10 (Protecting public health, safety and amenity) of the [HMWP \(2013\)](#), and Policies E1 (High quality development in the Borough) and E2 (Protect, Conserve and Enhance the Landscape Character of the Borough) of the [TVBRLP \(2016\)](#). Whilst the [update to the HMWP](#) cannot be given any policy weight in decision making (as it is emerging and only at a very early stage in the process), the proposal is considered to meet the requirements of updated Policies 5, 11 (Protecting public health, safety, amenity and well-being) and 14 (High-quality design of minerals and waste development).

## Soil Protection

134. Policy 8 (Protection of soils) of the [HMWP \(2013\)](#) requires minerals and waste development to protect and, wherever possible, enhance soils. It also states that development should not result in the net loss of best and most versatile agricultural land and gives provisions for the protection of soils during construction. The Agricultural Land Classification (ACL) system classifies land into five grades, with Grade 3 subdivided into Subgrades 3a and 3b. The best and most versatile land is defined as Grades 1, 2 and 3a.
135. Concerns have been raised in some representations about the impact on agricultural land and loss of best and most versatile (BMV) agriculture land. Whilst the use of the land prior to construction of the development would be classed as agricultural, due to the industrial nature of the surrounding sites and the land ownership, it has not been used for agriculture in a number of years. This site is noted as Grade 3 ACL, however it is not known whether it is 3a or 3b good quality agricultural land.
136. Between 2004 and 2013 the northwest of the site was planted woodland and after 2013 part of this woodland was removed and return to managed grassland. The remainder woodland it that immediately to the north of the site. ALC investigations were not performed prior to the stripping of soils before its use as temporary storage. Natural England consider any site less than 20 hectares in size to not represent a significant loss of BMV agricultural land and have raised no objection to the proposal. The site will also utilise the existing soils on site to create the bunds, and so in the event that the use of the site ceases and is restored, there would be minimal loss of soils. Some soil may need to be imported for completion of bunds. Soil management will be an important consideration and a condition is included on this issue.
137. On balance, considering the size of the site, the historic use and subject to the inclusion in **Appendix A** for a condition for restoration of the site if the waste use ceases, the proposal is in accordance with Policy 8 (Protection of soils) of the [HMWP \(2013\)](#) and paragraph 112 of the NPPF (2023).

## Cultural and Archaeological Heritage

138. *Policy 7 (Conserving the historic environment and heritage assets)* of the [HMWP \(2013\)](#) 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.
139. An **Archaeology report** was submitted with the planning application. Unfortunately, the works have already been largely carried out on site to accommodate the previous temporary allowance, meaning that although the site had high archaeological potential stemming from its location between the River Test and Andover with numerous examples of archaeological sites and

landscapes such as field systems, Iron Age and Roman ditches, trackways and enclosures, and Bronze Age ring ditches, no artefacts were recovered during the groundworks and it is not known whether there were any archaeological deposits were present before the development took place.

140. The County Archaeologist agrees that unfortunately the site now has no archaeological potential. However, a condition has been recommended that requires the applicant to demonstrate that there will be no remaining archaeological potential impacted during the construction of the permanent bunds. On this basis, the proposal is in accordance with Policy 7 (Conserving the historic environment and heritage assets) of the [HMWP \(2013\)](#) and Policy E9 (Heritage) of the TVRLP (2016).

### Ecology

141. *Policy 3 (Protection of habitats and species)* of the [HMWP \(2013\)](#) 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.
142. Concerns have been raised in some representations regarding possible impacts to surrounding Ecologically designated sites. These are noted.
143. A **Preliminary Ecological Appraisal (PEA)** was submitted with the planning application and this was supplemented by an **additional PEA** which addressed the efficacy of the use of a fence to prevent dust impacts on the adjacent planted woodland to the north. Collectively the PEA supplied with the application does not suggest there will be adverse impacts. The PEA states that no mitigation is required for the loss of the managed grassland field and recommends some enhancement measures for the woodland to the surrounding woodland which appears to have seen no management since it was planted. The supplementary PEA also recommended continued monitoring of dust at the northern boundary of the site along with the dust management measures below under Impact on amenity and health. A was also submitted with the application. **Habitat creation and management plan** (see **Appendix F**).
144. The County Ecologist raises no objection to the proposal subject to a condition securing enhancement measures and requiring the submission of a long-term Habitat Creation and Management Plan for the site and adjacent woodland – this would include the recommendation in the PEA. This would see some relatively intense management in the first few years with a lighter

level of management required in later years. These have been included in **Appendix A**. The ecology management heavily linked with the landscape management requirements.

145. Natural England have no objection to the application and consider that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.
146. On the basis of the inclusion of the conditions, the proposal is in accordance with Policy 3 (Protection of habitats and species) of the [HMWP \(2013\)](#) and Policy E5 (Biodiversity) of the Test Valley Local Plan (2016).

#### Impact on amenity and health

147. *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.
148. As detailed in the representations section, there have been a number of concerns raised over the potential for adverse impacts to local amenity such as noise, dust and impacts to health. These are noted.

#### *Noise*

149. The nearest residences to the site are at Barton Stacey Service Station which is located approximately 325 metres to the south-west of the Site on the westbound carriageway of the A303. The next nearest is Owls Lodge Farm approximately 900 metres to the north-west.
150. A **Noise Impact Assessment** (NIA) was submitted with the application which concludes that it is likely that the noise impact will fall below Lowest Observable Adverse Effect Level (LOAEL) (as defined in the NPSE/ PPG) at sensitive receptors and should not cause any changes in behaviour or attitude. This conclusion is accepted by the Test Valley Environmental Health Officer (TVEHO) and therefore, the degree of noise impact relating to the proposals is considered to be acceptable.
151. The NIA assumes that the working hours will be restricted in line with planning permission 22/00937/CMAN. A condition is included in **Appendix A** which ensures that this permission would be ancillary to the IBA facility and should be operated in accordance with the wider site's conditions, including those relating to working hours.



## *Dust and Air Quality*

152. The concerns raised by members of the public regarding potential impacts on residential amenity and health as a result of emissions and dust are acknowledged. However, there will not be an increase in Heavy Good Vehicle (HGV) movements travelling to and from the site so emissions would not be significant.

153. The nearest residential receptors are not located close enough to the site to experience significant dust impacts and there are already dust controls in place associated with the existing IBA planning permission. Included with the application was an **Environment Agency Briefing note for the Barton Stacey Community** which specifically addresses concerns regarding dust from the site and notes that:

*'it is very unlikely any dust seen at your property is from the IBA and IBAA wastes stored at the Fortis site. If any dust were produced from the movement of IBA or IBAA it would most likely not travel beyond the licenced area.'*

154. And specifically regarding photos submitted to them regarding dust from operations on the proposed site:

*'Some dust production can be expected due to the nature of the waste activities at the site however in order to comply with the permit the site operator needs to demonstrate that they have taken all appropriate measures to prevent or minimise dust. Whilst it [the photo] does show a localised dust cloud we do not consider this to be pollution or be a breach of the permit.'*

155. The TVEHO has recommended a condition to require ongoing implementation of the dust and odour controls specified in the submitted **Dust and Odour Management and Control Scheme**, and this has been included in **Appendix A**.

156. The proposal is therefore considered to be in accordance with Policy 10 (Protecting public health, safety and amenity) of the [HMWP \(2013\)](#) and Policies LWH4 (Amenity) and E8 (Pollution) of the Test Valley Local Plan (2016). Whilst the [update to the HMWP](#) cannot be given any policy weight in decision making (as it is emerging and only at a very early stage in the process), the proposal is considered to meet the requirements of updated Policies 5, 11 (Protecting public health, safety, amenity and well-being) and 14 (High-quality design of minerals and waste development).

## Potential pollution associated with the development

157. Concerns raised through representations relating to contribution to pollution are noted. 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](#)). 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.

158. According to NPPG for Waste (Paragraph 51), the aim of the permit is to prevent pollution through the use of measures to prohibit or limit the release of substances to the environment to the lowest practicable level. It also ensures that ambient air and water quality meet standards that guard against impacts to the environment and human health.
159. The need for an environmental permit is separate to the need for planning permission. The granting of planning permission does not necessarily lead to the granting of an Environmental Permit. An application for an Environmental Permit will include an assessment of the environmental risk of the proposals including the risk under both normal and abnormal operating conditions. The Environment Agency will assess the application and the adequacy of the impact assessment including whether the control measures proposed by the operator are appropriate for mitigating the risks and their potential impact.
160. The applicant has submitted a public information release by the Environment Agency which states that the Environmental Permit for the IBA processing site was extended to include the proposed storage area.
161. The proposed facility is considered acceptable in terms of planning. As the site is already covered by an Environmental Permit, it will be monitored and enforced in the same manner as any other regulated site by the Environment Agency.
162. The Environment Agency had no objection to the proposal.

#### Water management and flooding

163. *Policy 11 (Flood risk and prevention)* relates to minerals and waste development in flood risk areas and sets criteria which developments should be consistent with relating to flood risk offsite, flood protection, flood resilience and resistance measures, design of drainage, net surface water run-off and Sustainable Drainage Systems.
164. A Flood Risk Assessment and Surface Water Drainage Strategy as well as a Water Management Strategy, Flood Risk Assessment, Hydrogeological Risk Assessment & IBAA Suitability Assessment.
165. Surface Water run-off for this site is not considered suitable for discharge to the environment without prior treatment and as such is proposed to be managed through a drainage lagoon from which water will be re-used to dampen down the stockpiled materials.

166. The proposal includes an impermeable surface with sealed drainage. The hardstanding will be enclosed by a concrete kerb structure erected around the perimeter of the pad to contain surface run-off. Surface water will drain to a low point in the site where it will be captured in the lagoon, in order to re-use it for re-wetting the IBAA stockpile, by spray irrigating the stockpile surfaces. The main input of water to site is via rainfall, and the main output is via evaporation from stockpiles.
167. This solution prevents any contaminants derived from the IBAA from leaving the site and entering the environment or needing costly and energy-intensive treatment. It is also a sustainable way of providing for the water required for the IBAA storage, which would otherwise need to be sourced from mains water or drawn from the aquifer. It is also established as the standard water management practice for IBA and IBAA sites, including the adjacent IBA processing site which has been in operation for 7 years. The applicant states that during this time water has not needed to be disposed of from the IBA processing site.
168. The Lead Local Flood Authority have no concerns regarding surface water falling on the external bunds and surrounding area as this will be appropriately managed by the proposal. They also accept that rainfall within the plant will be reused through pumping onto the IBAA material or disposed of through evapotranspiration and that the provision for tankering is in place should water need to be exported from the site. If the use of the site is changed, it is requested that the site is appropriately restored to appropriately manage surface water and address any contamination risks. This has been conditioned in Appendix A and as such the proposal is in accordance with Policy 11 (Flood risk and prevention) of the [HMWP \(2013\)](#). The update to the HMWP can also be given some weight in decision making (as it is emerging in the consultation process), the proposal is considered to meet the requirements of emerging Policies 8 (Water resources) and 12 (Flood risk and prevention).

### Restoration

169. *Policy 9 (Restoration of minerals and waste developments)* of the [HMWP \(2013\)](#) requires temporary minerals and waste development to be restored to beneficial after-uses consistent with the development plan. Furthermore, *Policy 5 (Protection of the countryside)* of the [HMWP \(2013\)](#) requires restoration of minerals and waste developments should be in keeping with the character and setting of the local area, and should contribute to the delivery of local objectives for habitats, biodiversity or community use where these are consistent with the development plan.
170. The need for the development is connected with the existing IBA processing facility. To ensure restoration of the site when the IBA processing use ceases or the use for IBAA storage is no longer required, a condition has been recommended requiring a restoration scheme to be approved and

ultimately restoration back to agriculture use implemented. This is included in **Appendix A**.

171. On the basis of the planning conditions included on restoration, the proposal is in accordance with Policies 5 (Protection of the countryside) and 9 (Restoration of minerals and waste developments) of the [HMWP \(2013\)](#). Whilst the [update to the HMWP](#) cannot be given any policy weight in decision making (as it is emerging and only at a very early stage in the process), the proposal is considered to meet the requirements of updated Policy 10 (Restoration of minerals and waste developments).

#### Highways impact

172. *Policy 12 (Managing traffic)* of the [HMWP \(2013\)](#) 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.
173. A number of concerns were raised in representations relating to potential highway impacts. However, this development will not alter the number of HGV movements to and from the site and as such will not have an impact on the Highway. There is no specific lorry routing requirement associated with the IBA processing facility (this is limited to the MRF facility operations), however, the sources of the IBA material mean that the A303 is the utilised route. The proposal is in accordance with Policy 12 (Managing traffic) of the [HMWP \(2013\)](#) and Policy T1 (Managing Movement) of the Test Valley Local Plan (2016). The update to the HMWP can also be given some weight in decision making (as it is emerging in the consultation process), the proposal is considered to meet the requirements of emerging Policy 13 (Highways).

#### Public Rights of Way

174. Public representations have highlighted that there is currently an application to modify the definitive map to provide for an additional Right of Way connecting an existing T-Class highway which currently dead ends to the east of the site (closer to the entrance of the entrance (DMMO 1196). The current lack of connection is asserted to relate to construction of the A303 and the previous use of the land by the MoD. This would connect beyond the entrance of the adjacent recycling operations. It is noted that the current access road is informally used to connect between the public highway (The Street) and the T-Road. The proposed DMMO route will not be adversely impacted by the proposal.
175. The proposed development would not adversely impact any existing or proposed Public Right of Way and is in accordance with Policies 5

(Protection of the countryside) and 12 (Managing traffic) of the [HMWP \(2013\)](#).

#### Planning conditions – Ancillary use

176. A condition has been recommended which makes it clear that the proposed development is an ancillary development related to the existing IBA processing. As such there are a number of conditions which are extended to the proposed development except where conditions specifically apply to the proposed development for example stockpile heights would be 5m and not the 7m allowed for the processing area.

#### Community benefits

177. A frequent concern of communities that host or might host minerals and waste development is that there are no immediate benefits to 'compensate' for the inconvenience that occurs. In Hampshire there is already a precedent for minerals or waste operators to contribute to local communities' funds. However, this process lies outside of the planning system.

178. Paragraph 5.59 of the [HMWP \(2013\)](#) states that there is an expectation that all 'major' minerals and waste development will be accompanied by a site Liaison Panel. The site already has a Liaison Panel established which meets quarterly and includes both the applicant and the other site operator R Collard. The Minerals and Waste Planning Authority support the continuation of this panel. An informative is included on this matter in **Appendix A**.

#### Conclusions

179. It is considered that the proposal would be in accordance with the relevant policies of the Hampshire Minerals and Waste Plan (2013) and will:

- deliver additional waste management capacity through additional storage space which would help to recycle waste at the highest achievable level within the waste hierarchy, and reduce the volume of waste sent to landfill
- have good transport connections to the sources of and/or markets for the type of waste proposed to be managed at the site and be suited to the isolated location of the application site
- deliver biodiversity gains with the new proposed planting and management of existing planted woodland
- not cause an unacceptable adverse visual or landscape impact
- not cause adverse public health and safety impacts, and/or unacceptable adverse amenity impacts

- will not increase flood risk elsewhere and have an appropriately designed drainage system.

## **Reasons for Approval**

180. It is considered that the proposal would be in accordance with the relevant policies of the adopted Hampshire Minerals and Waste Plan (2013) and the Test Valley Borough Local Plan 2011-2029 (2016). Although the site is located within the countryside, (Policy 5), the nature of the development requires a more isolated location, there is a special need for the site to be located in immediate proximity to the existing Incinerator Bottom Ash (IBA) facility, and its good transport connections mean that it is deemed an acceptable site location (Policy 29) and a condition will ensure that the site is restored if the IBAA waste use ceases (Policy 9). The proposal provides capacity for the recycling and recovery of recycled and secondary aggregate (Policies 17, 18, 25, 27, and 30). It provides a sustainable waste management solution with a useable end product that diverts waste from landfill (Policy 28) and reduces the reliance on primary aggregates (Policies 25 and 30).
181. The site is not considered to be significantly visually intrusive as it is not located within a designated landscape, and the development proposes bunds that incorporate planted screening (Policies 5, 10, 13). The proposal will not give rise to significant adverse amenity impacts as the odour, noise and dust levels will be acceptable (Policy 10) and mitigated by conditions and regulated where necessary through Environmental Permitting. Drainage proposals for the site are designed appropriately and will not result in increased flood risk (Policy 11). The nature of the development would not give rise to an adverse impact on protected species or local ecological designations (Policy 3) and will allow for enhanced habitat management of the bordering woodland. Taking all of this into account, the proposal is considered to constitute a sustainable waste development in line with Policy 1.

## **Recommendation**

182. That planning permission be GRANTED subject to the conditions listed in Appendix A.

### **Appendices:**

- Appendix A – Conditions
- Appendix B – Committee Plan
- Appendix C – Location Plan
- Appendix D – Previous Site Plan (prior to temporary use)
- Appendix E – Proposed site layout
- Appendix F – Cross sections
- Appendix G – Habitat creation and enhancement plan

Other documents relating to this application:

<https://planning.hants.gov.uk/Planning/Display/HCC/2021/0545>

**REQUIRED CORPORATE AND LEGAL INFORMATION:**

**Links to the Strategic Plan**

<b>Hampshire maintains strong and sustainable economic growth and prosperity:</b>	No
<b>People in Hampshire live safe, healthy and independent lives:</b>	No
<b>People in Hampshire enjoy a rich and diverse environment:</b>	No
<b>People in Hampshire enjoy being part of strong, inclusive communities:</b>	No

**OR**

**This proposal does not link to the Strategic Plan 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 or local 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

HCC/2021/0545

Hampshire County Council

TV231

The A303 Recycling Facility, Drayton Road,  
Barton Stacey SO21 3QS  
(Ancillary storage area

## **EQUALITIES IMPACT ASSESSMENTS:**

### **1. Equality Duty**

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

Officers considered the information provided by the applicant, together with the response from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.



## CONDITIONS

### Time Limits

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.

### Completion date

2. Within ten months of the date of the development hereby approved, the construction of bunds, fencing, and impermeable hard standing, as shown on drawing A3/617/01 Rev F 'Proposed site Layout' dated 28 September 2023 shall be completed and retained for the duration of the development.

Reason: To ensure current temporary construction is replaced with the development hereby approved and to ensure the development is accordance with Policies 10 (Protecting public health, safety and amenity) and 13 (High quality design of minerals and waste development) of the Hampshire Minerals & Waste Plan (2013).

### Ancillary development

3. The development hereby approved shall only be used ancillary to planning permission 22/00937/CMAN or any subsequent primary planning permission that supersedes 22/00937/CMAN and shall be implemented and operated in accordance with the conditions applying to such permission excepting for when more specifically required by this planning permission.

Reason: To ensure that the development is consistent with the use of the land as approved by planning permission 20/01480/CMAN.

### Stockpile Heights

4. Stockpiles of waste, materials or goods stored externally shall not exceed five metres in height from base to peak.

Datum levels shall be those shown on drawing A3/617/02 'Cross-sections' dated 29 September 2023.

Reason: In the interests of visual amenity in accordance with Policies 10 (Protecting public health, safety and amenity) and 13 (High quality design of minerals and waste development) of the Hampshire Minerals & Waste Plan (2013).

## Perimeter Bunds

5. The perimeter bunds shall be constructed and maintained in full for the duration of the development in accordance with the approved plans and cross section details as shown on Drawings
  - A3/617/01RevF 'Proposed Site Layout' dated 28 September 2023
  - A3/617/04RevA 'Indicative Bund Cross Section' dated 14 October 2023
  - A3/617/02RevD 'Cross Sections' dated 21 November 2022
  - A3/617/03 'Slab Edging Details' dated 04 October 2023

And

Section 9 of 'Stability Assessment for Proposed Screening Bunds' dated September 2023

Reason: In the interests of ensuring the bunds are stable and suitable for the purposes of screening views into the site for the duration of the development including the provision of screening vegetation in accordance with Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

6. Prior to construction of the bunds, test certificates for fill, subsoil, and topsoil to be used for the bunds shall be submitted to the Minerals and Waste Planning Authority for approval in writing. The depth of uncompacted soils cover to the bunds shall be not less than 1000mm and the topsoil element shall be no greater than 450mm. Subsoil and topsoil shall conform to standards set out in BS8601 and BS3882 respectively. Topsoil shall be 'general purpose' grade.

Reason: To ensure the bunds are suitable for implementation of the landscaping scheme in accordance with accordance with Policies 10 (Protecting public health, safety and amenity) and 13 (High quality design of minerals and waste developments) of the Hampshire Minerals and Waste Plan (2013).

## Ecology

7. The development shall proceed in accordance with the measures set out in Section 5 of the 'Preliminary Ecological Assessment report' Dated August 2021, Discussion and Conclusions section of 'Preliminary Ecological Appraisal' Dated October 2023 and Drawing A3/617/05 Rev D 'Habitat Creation and Enhancement Plan' Dated 14 October 2023, for the duration of the development hereby permitted.

Reason: To ensure there are no impacts to biodiversity in accordance with the Wildlife and Countryside Act (1981), Natural Environment and Rural Communities Act (2006), Paragraph 180 of the National Planning Policy Framework (2021) and Policy 3 (Protection of habitats and species) of the Hampshire Minerals and Waste Plan (2013).

8. Within three months of the date of the development hereby approved, a Habitat Creation and Management Scheme for the site and adjacent woodland to the north and west shall be submitted to and approved by the Mineral and Waste Planning Authority in writing. The Scheme shall include:
- objectives
  - details of the establishment phase and long-term management of the new planting
  - long term management of the surrounding woodland
  - monitoring of dormouse population
  - precautionary measures for dormouse, nesting birds and reptiles during construction and operational phases shall be submitted and approved by the planning authority.
  - a requirement for an annual report of management activities and necessary amendments to be submitted to the planning authority for their approval.

The scheme shall be for 35 years or the duration of the development, whichever ends sooner.

The approved scheme shall be implemented in full for the duration of the development.

Reason: To ensure there are no impacts to biodiversity in accordance with the Wildlife and Countryside Act (1981), Natural Environment and Rural Communities Act (2006), Paragraph 180 of the National Planning Policy Framework (2021) and Policy 3 (Protection of habitats and species) of the Hampshire Minerals and Waste Plan (2013).

### **Pre-commencement Landscape**

9. Prior to the commencement of development including any vegetation clearance, a detailed Landscaping Scheme for the site shall be submitted to and approved by the Mineral and Waste Planning Authority in writing. The scheme shall specify the types, size and species of all trees and shrubs to be planted and should include some larger specimens to provide earlier screening; details of all trees to be retained; and details of fencing/enclosure of the site, phasing and timescales for carrying out the works, and provision for future maintenance and planting condition as required by Condition 8.

Planting shall be implemented as approved in full within the first planting season.

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

Reason: In the interests of visual amenity 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 and Waste Plan (2013).

10. Prior to commencement of the development hereby approved, a Soils Management Plan shall be submitted to the Minerals and Waste Planning Authority for approval in writing. The native soils shall be retained for use on the site.

The Scheme shall be implemented as approved in full for the duration of the permission.

Reason: In the interest of preserving the natural features of the site, the protection of trees, and retaining the landscape character 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 and Waste Plan (2013). This is a pre-commencement condition as in the temporary bunds and/or imported to the site should be handled correctly to ensure they are suitable for the agreed landscaping plan and thus goes to the heart of the planning permission.

## **Landscape**

11. All plant or vehicles loading material onto or off stockpiles, shall operate in a manner that ensures it is entirely below the level of the bunds and associated screening vegetation in that part of the site.

Reason: To ensure the protection of the local landscape in accordance with Policies 5 (Protection of the countryside), 10 (Protecting public health, safety and amenity) and 13 (High-quality design of minerals and waste development) in the Hampshire Minerals and Waste Plan (2013).

## **Pre-commencement - Arboriculture**

12. Prior to commencement of the development hereby permitted, an updated Arboricultural Method Statement and Tree Protection Plan in accordance with BS5837: 2012 and BS3998:2010 shall be submitted to, and have been

approved in writing by, the Minerals and Waste Planning Authority. This shall include the permanent fencing on the north of the site.

The Minerals and Waste planning Authority shall be notified prior to any works so they can inspect the setting out on site of fencing and ground protection.

The development hereby permitted shall then be carried out in full accordance with the approved Arboricultural Method Statement and Tree Protection Plan

Reason: In the interests of biodiversity, landscape character and visual amenity in accordance with Policies 3 (Protection of habitats and species), 10 (Protecting public health, safety and amenity) and 13 (High-quality design of minerals and waste developments) of the Hampshire Minerals & Waste Plan (2013). This condition is pre-commencement to ensure sufficient precautions are taken to prevent damage and/or loss of arboriculture from excavation and soil storage hereby permitted and thus goes to the heart of the permission.

#### **Pre-commencement - Protection of water environment**

13. Prior to commencement, a revised surface water drainage strategy and layout plan shall be submitted to, and have been approved in writing by, the Minerals and Waste Planning Authority. The scheme shall account for the amended design of the bunds and a level area of at least 0.5 metres either side of the swales located around the bunds, shall be created for maintenance purposes.

The approved scheme shall be implemented and maintained for the duration of the development.

Reason: To prevent pollution of the water environment and risk of local flooding and to ensure the development is in accordance with Policies 10 (Protecting public health, safety, and amenity) and 11 (Flood risk and prevention) of the Hampshire Minerals & Waste Plan (2013). This condition is pre-commencement to ensure surface water drainage is appropriately constructed and handled and thus goes to the heart of the permission.

#### **Protection of water environment**

14. Water management within the storage area shall be implemented in accordance with the 'Water Management Strategy, Flood Risk Assessment, Hydrogeological Risk Assessment & IBAA suitability assessment' dated August 2021.

Reason: To prevent pollution of the water environment and risk of local flooding and to ensure the development is in accordance with Policies 10

(Protecting public health, safety, and amenity) and 11 (Flood risk and prevention) of the Hampshire Minerals & Waste Plan (2013).

### **Pre-commencement - Archaeology**

15. Prior to commencement, the applicant shall secure the implementation of a programme of monitoring in accordance with a written specification that has been submitted to and approved by the Minerals and Waste Planning Authority, unless they have satisfied the Minerals and Waste Planning Authority that previous bund preparation has precluded archaeological survival or that there will be no change to the footprint of the existing temporary bunds.

Reason: In the interests of archaeology in accordance with Policy 7 (Conserving the historic environment and heritage assets) of the Hampshire Minerals & Waste Plan (2013). This is a pre-commencement condition in the interests of the recording of historic environment findings and thus goes to the heart of the planning permission.

### **Dust and odour**

16. The Dust & Odour Management and Control Scheme, dated January 2021, shall be implemented in full for the duration of the development.

And additional dust monitoring shall be undertaken and reported on as required by the 'Preliminary Ecological Appraisal' dated October 2023.

Reason: In the interests of local amenity and to ensure there are no impacts to biodiversity in accordance with Policies 3 (Protection of habitats and species) and 10 (Protecting public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

### **Lighting**

17. There shall be no additional external lighting placed on site in association with the development. Should further lighting be required, a scheme shall be submitted to the Minerals and Waste Planning Authority in writing for approval prior to installation. The scheme shall include details of all outside lighting, including floodlighting, safety lighting and illumination from within the plant, and measures to prevent light pollution.

Reason: In the interests of biodiversity and visual amenity in accordance with Policies 3 (Protection of habitats and species) and 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013).

## Restoration

18. Should the site no longer be required as an ancillary storage to the IBA processing waste use granted by planning permission 22/00937/CMAN, or any subsequent primary planning permission that supersedes 22/00937/CMAN, it shall be restored to agriculture in accordance with a scheme to be submitted to and agreed in writing by the Minerals and Waste Planning Authority. The scheme shall be submitted within six months of cessation of the permitted uses. The scheme shall include details of:
- i. Removal of hard standings and impermeable layers;
  - ii. the thickness and quality of subsoil and topsoil to be used and the method of soil handling and spreading, including the machinery to be used;
  - iii. Re-use and retention of native soils;
  - iv. the ripping of any compacted layers of final cover to ensure adequate drainage and aeration, such ripping to take place before placing of topsoil;
  - v. measures to be taken to drain the restored land;
  - vi. suitable clean-up of any contamination; and
  - vii. details of proposed seeding.

Reason: To ensure satisfactory restoration and that the development is in accordance with Policies 5 (Protection of the countryside) and 9 (Restoration of minerals and waste developments) of the Hampshire Minerals and Waste Plan (2013).

## Plans

19. The development hereby permitted shall be carried out in accordance with the following approved plans: **A3/341/2RevA, A3/341/3RevA, A3/341/4RevA, A3/617/01RevF, A3/617/02RevD, A3/617/05, A3/617/04RevA, A3/617/03.**

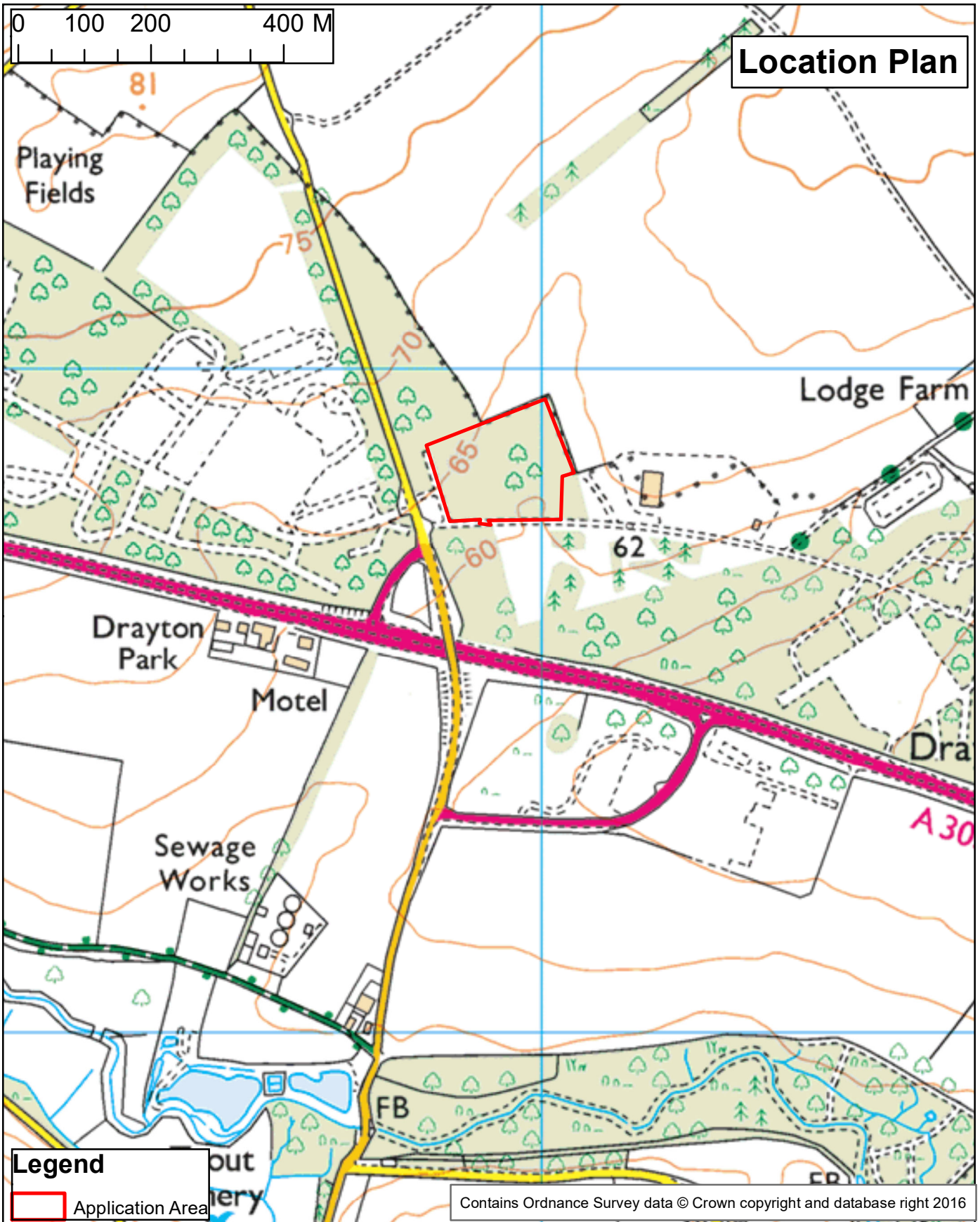
Reason: For the avoidance of doubt and in the interests of proper planning.

## Note to Applicants

1. In determining this planning application, the Minerals and Waste Planning Authority has worked with the applicant in a positive and proactive manner in accordance with the requirement in the National Planning Policy Framework (2021), as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.
2. 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.

3. For the purposes of matters relating to this decision Heavy Goods Vehicles (HGVs) are defined as vehicles over 3.5 tonne un-laden).
4. The existing Liaison Panel set up between the site operator, Minerals and Waste Planning Authority, interested parties and community representatives should continue to meet at a suitable frequency to facilitate effective engagement with stakeholders in the interests of promoting communication between the site operator and local community. The County Council's guidance on the establishment of panels is available to the applicant.
5. The Environmental Permit for the site will need to be varied to account for the development hereby approved.





**Ancillary storage area at  
The A303 Recycling Facility,  
Drayton Road, Barton Stacey SO21 3QS**

**Application No:21/02681/CMAN**

**Site Ref: TV231**

**Regulatory Committee**

**Date: 13 December 2023**

1:8,000



**Hampshire  
County Council**

**Universal Services**

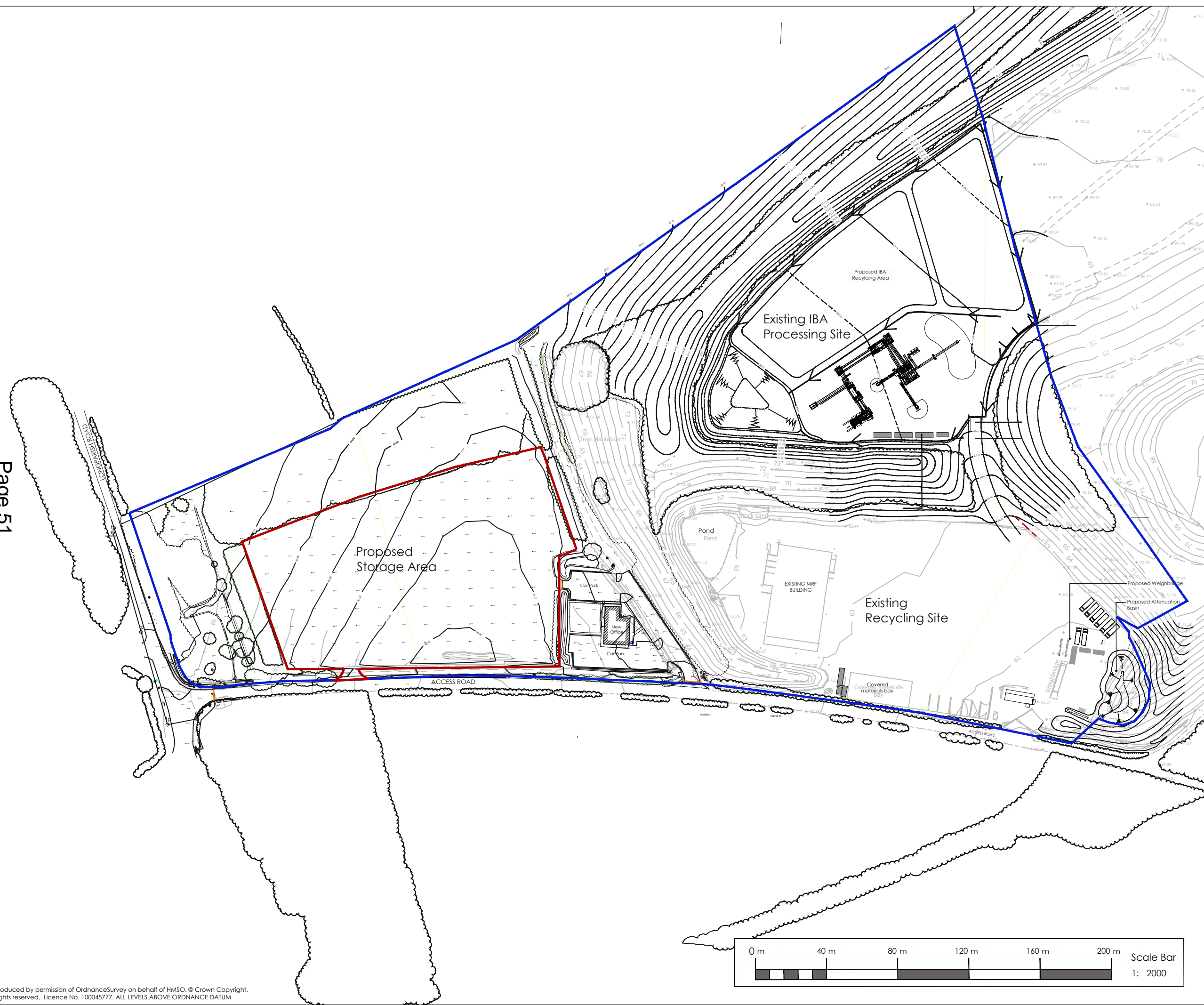
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Key:

 Application Area

 Other Areas within the Applicant's Control



rev: A date: 17/08/21 details: (WP) Amended application area

 **corylus**  
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The Old Dairy  
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client: **FORTIS IBA Ltd**

project: **A303 Recycling Site:**

title: **Application Plan**


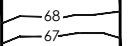


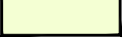

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Project ref: **A3/341** dwg no: **A3/341/3** rev: **A**

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Key:

-  Application Area
-  Existing contours
-  Existing Trees, Woodland & Hedgerow
-  Recent Tree and Shrub Planting
-  Grassland
-  Hard Standing

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ACCESS ROAD

Car Park

Office

Car Park



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rev: A date: 17/08/21 details: (WP) Amended application area



The Old Dairy  
Yanworth  
Cheltenham  
Gloucestershire  
GL54 3LQ  
tel: 01285 721072

client: FORTIS IBA Ltd

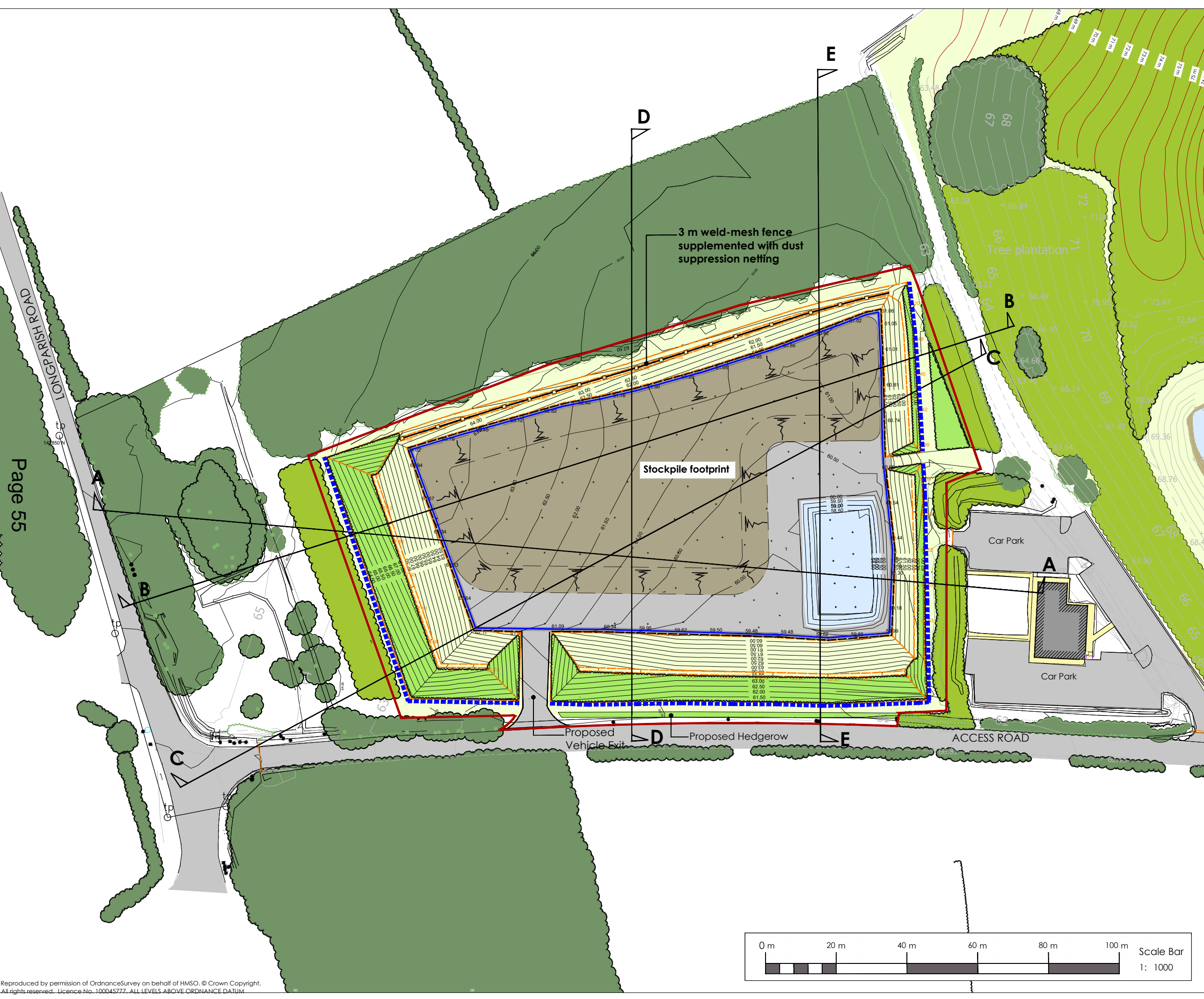
project: A303 Enviropark

title: Existing Site Plan

scale: 1:1000 date: 21/12/20 drawn by: SD checked by: AW use: A3

Project ref: A3/341 dwg no: A3/341/4 rev: A

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**Key:**

- Application Area
- Existing Trees, Woodland & Hedgerow
- Recent Tree and Shrub Planting
- Proposed bunding
- Impermeable Hard Standing
- Proposed Lagoon
- Indicitive Stockpile
- Proposed Tree and Shrub Planting
- Proposed Hedgerow
- Cross Sections (See drawing A3/617/02)
- Swale (1m wide)
- Fence (3 m high) to northern boundary
- Kerb /block edge
- Drainage channel (1m wide)

rev:	Date:	Details:
F	28/09/23	(JLB) Layout and bund design updated
E	13/09/23	(JLB) Layout and bund design revised
D	30/11/22	Fence added swales repositioned
C	15/11/22	(JLB) Swales added
B	15/11/22	(JLB) Layout updated to reflect client comments
A	11/11/22	(JLB) Layout updated to reflect client comments

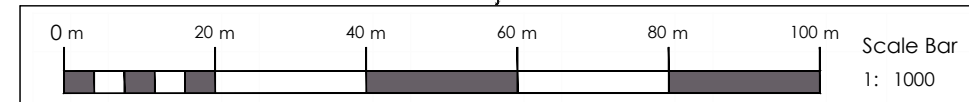
**corylus**  
 Planning & Environmental Ltd.  
 The Old Dairy  
 Yanworth  
 Cheltenham  
 Gloucestershire  
 GL54 3LQ  
 tel: 01285 721072

client: **FORTIS IBA Ltd**

project: **A303 Enviropark Stockyard Redesign**

title: **Proposed Site Layout**

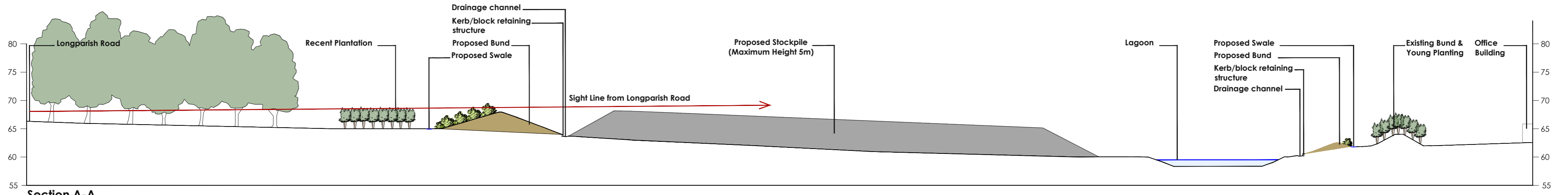
scale:	date:	drawn by:	checked by:	size:
1:1000	10/11/22	JLB	JLB	A3
Project ref:	dwg no:	rev:		
617	A3/617/01	F		



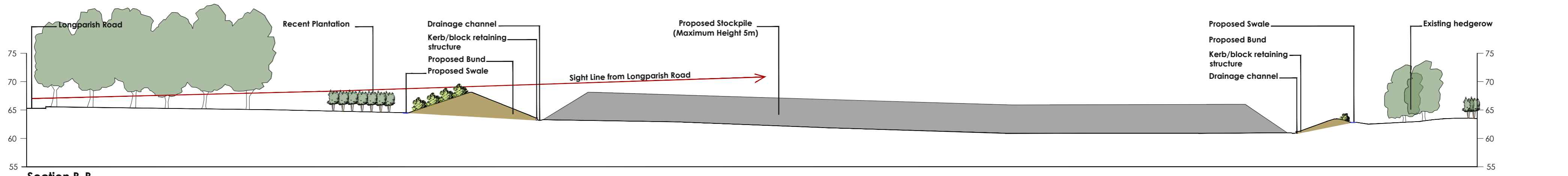
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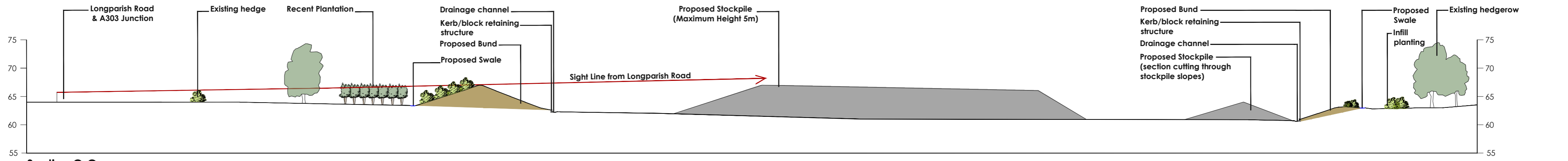




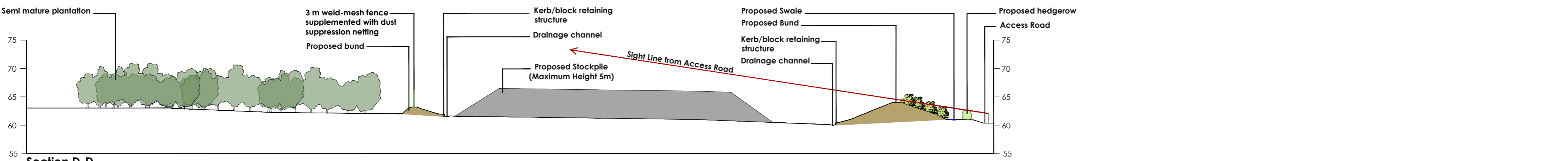
Section A-A



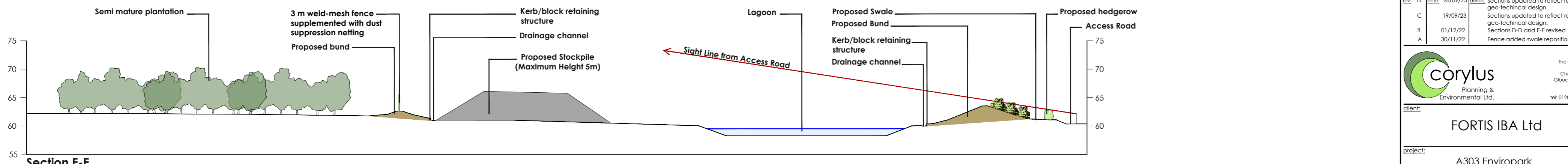
Section B-B



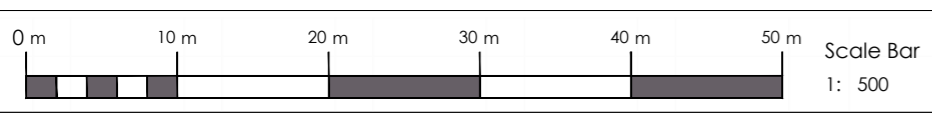
Section C-C



Section D-D



Section E-E



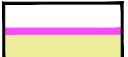



Note: See Dwg A3/617/01F Proposed Site Layout, for section lines.

rev:	D	date:	28/09/23	details:	Sections updated to reflect revised geo-technical design.
	C		19/09/23		Sections updated to reflect revised geo-technical design.
	B		01/12/22		Sections D-D and E-E revised
	A		30/11/22		Fence added swale repositioned
client:	FORTIS IBA Ltd				
project:	A303 EnviroPark Stockyard Redesign				
title:	Cross Sections				
scale:	1:500	date:	21/11/22	drawn by:	JLB
checked by:		date:		scale:	A2
project ref.:	617	dwg no.:	A3/617/02	rev.:	D

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- Key:
-  Mature/semi mature plantation (to be retained)
  -  Proposed Tree and Shrub Planting
  -  Chalk wildflower grassland
  -  Proposed Native Hedgerow Planting

3 m weld-mesh fence supplemented with dust suppression netting

Stockpile footprint

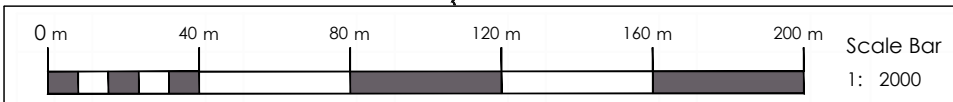
Car Park


Car Park

Proposed Vehicle Exit

Proposed Hedgerow

ACCESS ROAD



rev: -	date: -	details: -
		
The Old Dairy Yarworth Cheltenham Gloucestershire GL54 3LQ tel: 01285 721072		
client: FORTIS IBA Ltd		
project: A303 EnviroPark		
title: Habitat Creation and Enhancement Plan		
scale: 1:2000	date: 14/10/23	drawn by: WP
		checked by: AW
		size: A3
Project ref: A3/617	dwg no: A3/617/05	rev: -

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