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NOTICE OF MEETING

Meeting	Regulatory Committee
Date and Time	Wednesday, 20th March, 2019 at 10.00 am
Place	Ashburton Hall, The Castle, Winchester, SO23 8UJ
Enquiries to	members.services@hants.gov.uk

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

FILMING AND BROADCAST NOTIFICATION

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

AGENDA

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence received.

2. DECLARATIONS OF INTEREST

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

3. MINUTES OF PREVIOUS MEETING (Pages 5 - 8)

To confirm the minutes of the previous meeting

4. DEPUTATIONS

To receive any deputations notified under Standing Order 12.

5. CHAIRMAN'S ANNOUNCEMENTS

To receive any announcements the Chairman may wish to make.

6. FOREST LODGE HOME FARM HYTHE (Pages 9 - 48)

To consider a report of the Director of Economy, Transport and Environment regarding a planning application for Variation of Conditions 19 and 20 of planning permission 16/10450 to allow screening operations to take place at Forest Lodge Home Farm, Fawley Road, Hythe.

7. BASINGSTOKE AD FACILITY DUMMER (Pages 49 - 112)

To consider a report of the Director of Economy, Transport and Environment regarding a planning application to amend conditions 2, 3, 4, 5 and 6 of planning permission 17/01876/CMA at Basingstoke AD Facility LTD., Dummer. (Hours of working, timing of HGV site access, timing of HGV access along Woodbury Road, approved Traffic Management Plan, removal of the temporary time period element relating to vehicle movements, reduction of the aggregate number of permitted vehicle movements)

8. APPLICATION FOR DEREGISTRATION OF COMMON LAND AT BLACKBUSHE AIRPORT, IN THE PARISH OF YATELEY - UPDATE REPORT (Pages 113 - 118)

To receive an information report from the Director of Culture, Communities and Business Services. Hampshire County Council is the Commons Registration Authority ('CRA') for the purpose of exercising functions under the Commons Act 2006. In 2016, an application was made under section 19 of the 2006 Act by the freeholder of Blackbushe Airport, to deregister common rights recorded on the section of Yateley Common (CL 24) on which the Airport stands. The application relates to an area of approximately 115 acres of registered common land.

ABOUT THIS AGENDA:

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

ABOUT THIS MEETING:

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

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Agenda Item 3

AT A MEETING of the Regulatory Committee of HAMPSHIRE COUNTY
COUNCIL held at the castle, Winchester on Wednesday, 13th February, 2019

Chairman:

* Councillor Peter Latham

* Councillor Judith Grajewski	* Councillor Russell Oppenheimer
* Councillor Christopher Carter	Councillor Stephen Philpott
* Councillor Mark Cooper	* Councillor Roger Price
* Councillor Rod Cooper	* Councillor Lance Quantrill
* Councillor Roland Dibbs	* Councillor David Simpson
Councillor Jane Frankum	Councillor Jackie Branson
Councillor Marge Harvey	* Councillor Roger Huxstep
* Councillor Keith House	Councillor David Harrison
* Councillor Gary Hughes	Councillor Wayne Irish
* Councillor Alexis McEvoy	Councillor Michael Westbrook

*Present

93. APOLOGIES FOR ABSENCE

Apologies had been received from Councillor's Jane Frankum, Marge Harvey and Stephen Philpott. Councillor Roger Huxstep attended as a deputy for Marge Harvey.

94. DECLARATIONS OF INTEREST

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

95. MINUTES OF PREVIOUS MEETING

The minutes of the last meeting were reviewed and agreed.

96. DEPUTATIONS

It was confirmed that two deputations had been received for the meeting.

97. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman announced that Planning Officer Lisa Kirby-Hawkes had given birth to a girl, Sophie Elizabeth. Congratulations were sent to Lisa and her family.

Committee were also informed that the Forest Lodge Quarry application was due to return to the March 2019 Committee meeting and an additional Site Visit was going to be arranged.

98. **CONSTRUCTION OF A SINGLE STOREY, 3 FORM ENTRY PRIMARY SCHOOL, WITH ASSOCIATED CAR PARKING AND EXTERNAL WORKS AT WHITELEY LANE, BURRIDGE**

Councillor Roger Huxstep declared a personal interest as pupils from the school would be from his division's catchment area.

The Committee considered a report from the Head of Strategic Planning (Item 6 in the Minute Book) regarding an application for a new Primary School in Whiteley.

The officer introduced the item and summarised the proposals. Committee was shown a location plan of the area, along with a site plan and 3D elevation plans of the school. It was explained that some elements, including landscaping, had been tailored at request of the Diocese.

There had been no objections to the proposals and no highways concerns regarding the application. There were three disabled parking spaces in the school car park, which met necessary requirements.

The Committee received one deputation from Nick Yarrow, on behalf of the applicant. Mr Yarrow, who was a Design Manager for the scheme, explained the need of a three-form entry school and how the temporary two-form Primary school would merge across into the new school. The design features of the school were described and it was emphasised how important it was for the school to be part of the local community.

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

- The governing body did not want the responsibility of having solar panels on the roof of the building
- There were four pedestrian entry points around the school, three of which would be closed during school hours with only the north entrance remaining open.
- There were three disabled parking bays proposed, which had been calculated according to guidance and was proportionate to the number of staff.
- The chapel was used by the public and had its own independent access, separate to that of the school.

- There were no proposed parking restrictions in the area and discussions were ongoing with the developer to ensure there would be enough parking in the local area.
- It was anticipated that 42% of those attending the school were within 20 minutes walking distance of the school.
- A proposed draining strategy was in place for beneath the school pitches which would ensure there was no flooding.

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

- The enforcement team would monitor the school and ensure conditions were being met.
- A new site had the advantage of being close to retail areas and other measures were in place to encourage walking to school as part of the travel plan.
- Travel plans were reviewed on a regular basis to see whether they needed updating and reviewing.

Members did have concerns regarding the parking arrangements and lack of drop-off/pick-up spaces, where as others felt that the location was ideal and would allow it to work. It was acknowledged that arrangements were much better than established schools in more urban areas.

RESOLVED:

Planning permission was GRANTED subject to the conditions listed in integral appendix B and any amended or additional conditions required following the receipt of all consultation responses.

Voting

Favour: 13

Against: 1

99. **RE-SUBMISSION OF FORMALLY APPROVED PLANNING APPLICATION (TIME LAPSED) FOR NEW PRIMARY SCHOOL AT BARTON FARM, WINCHESTER**

Councillor Roger Huxstep declared a personal interest as a Member of Winchester City Council.

The Committee received a report from the Head of Strategic Planning (item 7 in the minute book) regarding the re-submission of formally approved planning application at Barton Farm in Winchester.

Permission for the application had lapsed due to there being a slower uptake of residential properties than anticipated. Members were reminded of the site location and proposed plans. There were various pedestrian access points and the developer had plans for lay-bys to accommodate drop-off and pick-up. No objections had been received on the application.

The Committee received a deputation from Martin Hallum from Property Services at Hampshire County Council as the applicant, who confirmed that most elements of the application were the same as when it previously came to Committee, apart from a few cost saving elements as summarised in the report.

During questions of the deputation, it was confirmed that there were public transport links and also that the school would remain as a single storey building to enable outdoor access for all classrooms.

RESOLVED:

Planning permission was GRANTED subject to the conditions listed in integral appendix B.

Voting

Favour: 14 (unanimous)

100. **MONITORING AND ENFORCEMENT UPDATE**

The Committee received a report from the Head of Strategic Planning (item 8 in the minute book).

It was noted that the Fordingbridge appeal was scheduled for the 8 May.

Following a business flyer found regarding operations regarding Newlands Farm in Fareham, it was confirmed that this had been investigated and applied to a different area of business and was permitted.

RESOLVED:

The Committee noted the contents of the report.

Chairman,

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Regulatory Committee
Date:	20 March 2019
Title:	Variation of Conditions 19 and 20 of planning permission 16/10450 to allow screening operations to take place at Forest Lodge Home Farm, Fawley Road, Hythe, SO45 3NJ.
Report From:	Head of Strategic Planning

Contact name: Sam Dumbrell

Tel: 01962 847981

Email: sam.dumbrell@hants.gov.uk

1. Executive Summary

- 1.1. Planning permission is sought for the variation of Conditions 19 (to include a screener on site) and 20 (to allow screening operations) of planning permission 16/10450 (granted 23 March 2017) at Forest Lodge Home Farm, Fawley Road, Hythe, SO45 3NJ.
- 1.2. New Forest District Council and Hythe & Dibden Parish Council objected to the proposal. A total of 10 representations were received from members of the public and local councillors (including a petition with 59 signatures), all objecting to the proposal. The main areas of public concern related to the potential for impacts on: the local landscape, air quality; highway safety and capacity, noise levels and public health.
- 1.3. In summary it is considered that the proposal would:
 - continue to contribute to maintaining an adequate and steady supply of soft sand, sharp sand and gravel for Hampshire through the development of a site allocated for new mineral extraction in the development plan;
 - continue to be a time-limited mineral extraction subject to a requirement for restoration and beneficial afteruse;
 - not cause unacceptable adverse public health and safety or unacceptable adverse amenity impacts;
 - not cause an unacceptable adverse visual impact; and
 - continue to be acceptable in terms of highway capacity and safety.
- 1.4. Therefore, it is recommended that permission be granted subject to the conditions in integral Appendix B and the completion of a Deed of Variation to the Section 106 agreement (signed 14 March 2017) between all parties

and the County Council to secure and dedicate a public right of way from west to east across the application site connecting with Footpath no. 3a (Solent Way) following completion of restoration of the site.

2. The Site

- 2.1. The site is an active sand and gravel quarry and extends over 5.6 hectares of land. The Location Plan (see **Appendix D**) shows that the site lies approximately two kilometres to the south of the town of Hythe and to the west of Southampton Water.
- 2.2. Access to the site is from Fawley Road, south of which lies a roundabout junction with the A326. Access to the wider highway network is achieved via the A35 at Totton before continuing north to the M27.
- 2.3. The site lies within the countryside and is bounded by hedgerows and trees, with woodland to the north-east.
- 2.4. To the north of the site lies agricultural land, Forest Lodge Home Farm and associated buildings and residential properties. Further agricultural land is situated to the south of the site.
- 2.5. With the exception of the middle section of the western boundary, all boundaries surrounding the site include mature hedgerows and trees. The middle section of the western boundary includes the current site access which connects to the local road network, namely Fawley Road.
- 2.6. The site is situated 35 metres to the north-east of Gringo's Copse and Crampool Copse Site of Importance for Nature Conservation (SINC) and 115 metres to the south-east of Fawley North SINC. Further ecological designations in the vicinity include the Hythe to Calcot Marshes Site of Special Scientific Interest (SSSI) and Southampton and Solent Water Special Protection Area (SPA)/RAMSAR/Special Area of Conservation (SAC) sites which are located 1000 metres to the north-east of the site. The New Forest SSSI is situated 340 metres to the south-east and 570 metres to the south-west of the site. The New Forest National Park lies approximately 550 metres to the south west of the site.
- 2.7. The Netley View residential estate and settlement of Buttsash lies immediately adjacent to the west of the site beyond Fawley Road. The nearest residential properties are found at Beach Crescent which is located approximately 35 metres south west, 150 metres to the west and north-west and continuing to 480 metres north of the site beyond Frost Lane.
- 2.8. The Solent Way public right of way (Footpath no. 3a) runs outside the site boundary approximately 10 metres to the east. The majority of Fawley Road has a shared footway and cycleway and uncontrolled crossings are provided close to Butts Ash Lane to the north of the site and close to Cedar Road to the south of the site.

3. Planning History

3.1. The planning history of the site is as follows.

Application no.	Proposal	Decision	Date
16/10450	Extraction of soft sand and sharp sand and gravel, the construction of an improved access onto Fawley Road, the importation of inert materials and restoration of the site to agriculture.	Granted	23/03/2017

3.2 This planning application for the site was permitted on the grounds that the proposal would:

- be a time-limited mineral extraction subject to a requirement for restoration;
- contribute to maintaining an adequate and steady supply of soft sand, sharp sand and gravel for Hampshire through the development of a site allocated for new mineral extraction in the development plan;
- be acceptable in terms of highway capacity and safety;
- not cause adverse public health and safety impacts or unacceptable adverse amenity impacts;
- not cause an unacceptable adverse visual impact;
- not have a significant adverse effect on designated or important habitats and species;
- not cause an increase in flood risk off-site;
- protect Hampshire's historic environment and heritage assets, including the setting of those sites;
- protect soils and not result in the net loss of best and most versatile agricultural land;
- be restored in a progressive manner to an after-use consistent with the development plan and in keeping with the character and setting of the area; and
- include a long-term benefit in the form of a requirement for the dedication of a public right of way across the site following completion of restoration.

3.3. Planning permission 16/10450 was granted on 23 March 2017. It permitted the phased extraction of 468,000 tonnes of mineral and the importation of 540,000 tonnes of clean, inert waste/soil and phased backfilling to restore the site to agriculture over a period of 10 years.

3.4. The development commenced on 11 July 2017. Mineral extraction will extend over 4.2 ha of land within the site. The remaining area of the

application site is occupied by soil storage bunds, mitigation/enhancement planting and the site management area/access.

- 3.5. The development comprises three phases (Phase 1, 2 and 3) from west to east as shown in the Approved Phased Working Plan (Appendix E).
- 3.6. The site is dry-worked, with no de-watering required with the excavation of mineral by a 360 excavator and loading shovel. Mineral is be dug and loaded into tipper lorry before leaving the site.
- 3.7. The site will be progressively restored to original levels and use using inert fill and land uses of an agricultural nature as shown on the Approved Restoration Plan (Appendix F).

4. The Proposal

- 4.1. Planning permission is sought for the variation of conditions 19 and 20 of planning permission 16/10450 to allow screening operations to take place at Forest Lodge Home Farm, Fawley Road, Hythe, SO45 3NJ.
- 4.2. Condition 19 presently reads:

19. On-site plant and machinery shall comprise only 1 x Excavator, 1 x Loading shovel and 1 x Tractor and bowser.

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

- 4.3 The applicant advises that since mineral extraction commenced, sand being extracted is highly rich in clay. They advise that this clay cannot be separated by hand and is not fit for purpose. The most common and efficient means of separating minerals is by mechanical methods, in the form of a screener. The screener would be as required throughout mineral extraction operations
- 4.4 The applicant seeks to vary Condition 19 as follows:

*19. On-site plant and machinery shall comprise only **1 x Screener**, 1 x Excavator, 1 x Loading shovel and 1 x Tractor and bowser.*

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

4.5 Condition 20 supports Condition 19 in restricting screening operations from being carried out within the application site. Condition 20 presently reads:

20. No screening, crushing or washing of mineral, waste or materials shall take place on site.

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

4.6 To reflect the changes sought to Condition 19, the applicant also seeks to vary Condition 20 as follows:

*20. No **screening**, crushing or washing of mineral, waste or materials shall take place on site.*

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

4.7 No changes to the approved hours of operation of Monday to Friday 0700 - 1800 and Saturday 0700 - 1300 with no operations on a Sunday or recognised Public Holidays are proposed.

4.8 No changes to the approved maximum number of HGV two-way movements generated by the site on any one day would be 96 (48 HGVs) are proposed.

4.9 The site management area (located in the north-western area of the site) will remain unchanged, retaining the following components:

- One temporary Cabin/office - single storey;
- One temporary Weighbridge;
- One temporary Wheel wash;
- Internal access road; and
- Designated parking area for six cars.

4.10 No changes to the approved duration and volume of mineral extraction and restoration works using imported waste/materials are proposed, nor are any changes to the approved aftercare (to agriculture).

4.11 The proposal is not an Environment Impact Assessment (EIA) development.

5 Development Plan & Guidance

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

Hampshire Minerals & Waste Plan (HMWP) 2013

5.2 The following key policies are relevant to the proposal:

- Policy 1 (Sustainable minerals and waste development);
- Policy 5 (Protection of the countryside);
- Policy 10 (Protecting public health, safety and amenity);
- Policy 12 (Managing traffic);
- Policy 13 (High-quality design of minerals and waste development)
- Policy 17 (Aggregate supply - capacity and source)
- Policy 20 (Local land-won aggregates)

National Planning Policy Framework (2019)

5.3 The following paragraphs are relevant to this proposal:

- Paragraphs 11 & 12: Presumption in favour of sustainable development;
- Paragraph 47: Determination in accordance with the development plan unless material considerations indicate otherwise;
- Paragraphs 54 - 55 & 58: Use of planning conditions and obligations and enforcement action;
- Paragraph 98: Protect and enhance public rights of way;
- Paragraph 170: Conserve and enhance the natural environment;
- Paragraphs 180: Prevent pollution of local area;
- Paragraphs 181 - 183: Ensure development is appropriately located and effectively integrated into its setting, ensuring impacts on the local environment are mitigated; and
- Paragraphs 203 - 208: Facilitating the sustainable use and supply of minerals.

National Planning Practice Guidance

5.4 The following paragraphs are relevant to this proposal:

- Paragraph 021 Reference ID: 27-021-20140306 (What are the appropriate noise standards for mineral operators for normal operations?); and
- Paragraph 022 Reference ID: 27-022-20140306 (What type of operations may give rise to particularly noisy short-term activities and what noise limits may be appropriate?)

6 Consultations

6.1 **County Councillor McEvoy:** Objection on the grounds that unacceptable levels of noise, dust, disturbance and impacts on the health of local residents would be caused. No new assessments on noise and dust have been submitted and the proposal contravenes Policy 10 of HMWP 2013.

- 6.2 **County Councillor Wade:** Objection on the grounds that the increase of plant on site is detrimental to the locality and that noise and dust/airborne particulate levels will adversely affect local population.
- 6.3 **New Forest District Council:** Objection on the grounds that impacts by virtue of noise, dust, times of working and highway movements will be created.
- 6.4 **New Forest District Council - Environmental Health Officer (EHO):** No objection subject to conditions relating to hours of working, noise limits and records of the duration of short-term operations, the use of white noise-type reversing alarms and the approved dust management plan on planning permission 16/10450 all being retained. Consideration could be given to additional noise management/monitoring controls.
- 6.5 **New Forest National Park Authority:** No response.
- 6.6 **Hythe & Dibden Parish Council:** Recommends refusal on the grounds that local residents and the environment will not be protected as was intended by conditions on imposed planning permission 16/10450, which should be retained.
- 6.7 **Fawley Parish Council:** Accept County Council officer's recommendation.
- 6.8 **Natural England:** No comments to make.
- 6.9 **Rights of Way:** Has no objection to the proposal.
- 6.10 **County Highways:** No objection subject to the retention of all highways related conditions on planning permission 16/10450 being retained.
- 6.11 **County Archaeologist:** No objection subject to the retention of all archaeological conditions on planning permission 16/10450 being retained.
- 6.12 **County Landscape:** No comments to make.
- 6.13 **County Ecologist:** No concerns.
- 6.14 **County Planning Policy:** No objection.
- 6.15 **County Arboriculturalist:** No comments to make.
- 6.16 **Southampton Airport:** No objection.

7 Representations

- 7.1 Hampshire County Council's [Statement of Community Involvement \(2017\)](#) (SCI) sets out the adopted procedure and publicity requirements associated with determining planning applications.
- 7.2 In complying with the requirements of the SCI, HCC:

- Published a notice of the application in the [Hampshire Independent](#);
- Placed notices of the application at the application site;
- Consulted all statutory and non-statutory consultees in accordance with [The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#); and
- Notified by letter all residential properties within 250 metres of the boundary of the site (exceeding the 100 metres set out in the SCI); and
- Notified by letter all those parties who previously made representation to planning permission 16/10450.

7.3 A total of 10 [representations](#) (including from the Local District Councillor and the Netley View Residents Association with a 59 signature petition) to the proposal were received. Of these, all objected to the proposal. The main areas of concern raised in the objections relate to the following areas:

- Poor justification why screening should not remain excluded by conditions 19 and 20 on pp 16/10450;
- Impacts on noise as result of screener and associated operations;
- Impacts on air quality and health as a result screener and associated operations;
- Highway safety and capacity and pedestrian safety;
- Duration of operations could be affected;
- Visual impact; and
- Inadequate consideration of local benefits.

7.4 When new information has been submitted, both the relevant consultees and the local population originally notified of the proposal, have been informed.

8 Commentary

Principle of the Development

- 8.1 The principle of the use of the site for sand and gravel extraction and restoration, through infill with inert waste, within 10 years (by 11 July August 2027) has already been established through the granting of planning permission 16/10450 in March 2017.
- 8.2 Forest Lodge Home Farm is identified as a site allocation in Policy 20 (Local land-won aggregate) of the HMWP (2013). The site is identified for the extraction of 0.4 million tonnes of soft sand and 0.17 million tonnes of sharp sand and gravel. The current planning application would not undermine the expectations of the site allocation in terms of these extractable reserves.
- 8.3 The applicant is not proposing any changes to the approved 468,000 tonnes of sand and gravel to be extracted nor to the importation of 540,000 tonnes of clean, inert waste/soil for backfilling to restore the site in phases to an agricultural afteruse.

- 8.4 The use of a screener on site to remove the clay content from the extracted sand at source would ensure the provision of economically-important sand and gravel resources to continue to be delivered at an allocated site, and as a consequence, the continued phased extraction and restoration to agriculture, as permitted under the approved restoration scheme.
- 8.5 As the site is included as an allocation in the HWMP (2013) a number of development considerations are relevant to the proposal. The Plan states that site allocations should be designed with appropriate mitigation measures, where applicable, to avoid or mitigate impacts on the environment and local communities. Where the development considerations are relevant to this proposal, these are considered under the relevant sections.

Noise

- 8.6 Changes to approved mineral extraction and restoration with imported inert waste/materials, in this instance the proposed introduction of a screener, could create impacts on the locality through an additional noise source in excess of that being generated by the extant development.
- 8.7 A [Noise Impact Assessment](#) submitted with this application updated the previously submitted Noise Assessment that was accepted through the granting of planning permission 16/10450 in 2017. It had previously assessed the worst-case predicted noise levels that would be generated by the development, in relation to the nearest noise-sensitive receptors (i.e. residential properties). It concluded that overall there would be no significant impacts or effects on the locality through noise subject to conditional controls over the use of on-site plant and machinery, including hours of on-site mineral extraction and restoration operations and associated HGV movements being imposed.
- 8.8 [National Planning Practice Guidance](#) (NPPG) sets out guidance for the determination of planning applications for mineral extraction and identifies noise limits for such developments. [Paragraph 022](#) recognises that activities in the early stages of such developments may give rise to particularly noisy short-term operations. [Paragraph 021](#) sets out noise limits for normal day to day operations following completion of such short-term works.
- 8.9 The noise predictions presented within this proposal's updated Noise Assessment and Additional Noise Information (see **Integral Appendix E**) submitted in February 2019 again represent a worst-case scenario in terms of plant and equipment locations where mobile equipment is operating at its closest approach to the nearest noise-sensitive receptors (i.e. residential properties) or in locations where attenuation provided by the screening bunds is at a minimum. Examples being plant working at multiple locations including surface levels, in the quarry pit, and away from any perimeter screening mounds. All predictions were made based on all plant operating at full power and 100% on-time.

- 8.10 This Noise Assessment concludes that as a result of designed-in mitigation measures such as physical barriers around the perimeter of the site, the potential increase in ambient noise levels will not be significant at nearby residential properties, remaining within approved noise levels. Noise levels are predicted to remain within the noise limits required by paragraphs Paragraph 021 and Paragraph 022 of the NPPG at the nearest residential properties for both short-term and long-term operations at various locations within the quarry site.
- 8.11 Concerns raised by New Forest District Council's Planning Committee, Hythe & Dibden Parish Council and local residents regarding the proposed operating hours of the screener, specifically the start time of 07:00, which is classified as the start of the daytime period. The Environmental Health Officer advises that the operating hours should remain as approved under planning permission 16/10450, to remain in accordance with accepted daytime working hours on open sites. As such the proposed hours of working, including the use of a screener, remain acceptable.
- 8.12 Overall, subject to conditions relating to hours of working, noise limits and records of the duration of short-term operations and the use of white noise-type reversing alarms being retained, the Environmental Health Office raises no objections to the proposal. These conditions are included within **Integral Appendix B** to this report.
- 8.13 The Environmental Health Officer offered further advice on the imposition of conditions, should the situation arise, requiring either a noise management plan that dealt the investigation of substantiated noise level breaches or regular noise monitoring being undertaken by the applicant.
- 8.14 The proposal is therefore considered to be in accordance with Policy 10 (Protection of public health, safety and amenity) and the relevant development considerations set out in the site allocation in the adopted [HMWP \(2013\)](#) in relation to noise.

Air Quality

- 8.15 Changes to approved mineral extraction and restoration with imported inert waste/materials, in this instance the proposed introduction of a screener, could create impacts on air quality as a result of the release of dust from site operations and from exhaust emissions from plant generated by the development.
- 8.16 An Air Quality Assessment was submitted with and its findings accepted through the granting of planning permission 16/10450 in 2017. Its findings, were that overall there would be no significant impacts or effects on local air quality subject to conditional controls over the use of on-site plant and machinery and goods vehicles entering and departing the site.
- 8.17 That assessment was reviewed then by the Environmental Health Officer who raised no objection in relation to air quality impacts, subject to the same

conditions concerning a site-specific Dust Management Plan (DMP) and a restriction relating to the processing of excavated mineral or infill materials on site being imposed.

8.18 Following review of the proposed development, the Environmental Health Officer raises no objection in relation to air quality impacts. The same conditions concerning a site-specific Dust Management would be retained and re-imposed.

8.19 The applicant advises that they have now secured an Environmental Permit from the Environment Agency for the restoration operations using imported inert waste/materials. The Permit also contains controls on operational air quality emissions, which require the control of air quality from sites such as this and the protection of the local environment and public health.

8.20 The proposal is therefore considered to be in accordance with Policy 10 (Protection of public health, safety and amenity) and the relevant development considerations set out in the site allocation in the adopted [HMWP \(2013\)](#) in relation to air quality.

Countryside location, Landscape & Visual Impact

8.21 The proposed amendments to planning permission 16/10450 would result in visual impact through the introduction of a screener into the existing extraction and restoration operations.

8.22 The proposed development is situated at a permitted sand and gravel pit that is situated in a rural location, and in close proximity to the New Forest National Park. Therefore, the development has the potential to affect local sensitive landscape features.

8.23 Changes in views and on visual amenity, as a result of a proposed development - introduction of a screener in this instance - can be caused by the introduction of built or engineered forms into a previously approved development. It is the severity and acceptability of the impact of that has to be considered.

8.24 The adopted HMWP (2013) includes a specific development consideration relating to the protection of the setting of the nearby New Forest National Park. This is in addition to the requirement of Policy 10 and 13 of the HMWP (2013) which 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 and townscape.

8.25 A Landscape Visual Impact Assessment (LVIA) was submitted with and its findings accepted through the granting of planning permission 16/10450 in 2017. Its findings were, that overall there will be no significant landscape or visual effects both locally or on the setting of the New Forest National Park. The site is well screened by both natural and man-made features and although periodic views of the screener would be likely at times, the impact

and effect on the locality would not be significantly different to that currently taking place.

- 8.26 The proposal does still constitute minerals and waste development in the open countryside. However, the development would be time-limited and would therefore be in accordance with Policy 5 (Protection of the countryside).
- 8.27 Furthermore, the County Landscape Architect still considers that overall there will be no significant landscape or visual effects both locally or on the setting of the New Forest National Park as a result of the proposed development. Previously imposed conditions concerning the restoration of the site to agriculture and the aftercare of the restored site remain acceptable and would be retained by condition.
- 8.28 In summary, the proposal is considered to remain 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) and the relevant development considerations set out in with the site allocation in the adopted [HMWP \(2013\)](#).

Restoration

- 8.29 The site allocation in the HWMP (2013) includes a requirement for restoration of the site to original levels, using inert fill and a combination of grazing and nature conservation interests and informal recreation.
- 8.30 Policy 9 (Restoration of quarries and waste developments) of the HWMP (2013) requires temporary minerals and waste development to be restored to beneficial after-uses consistent with the development plan. Furthermore, restoration should be in keeping with the character and setting of the local area and contribute to the delivery of local objectives for habitats, biodiversity or community use where these are consistent with the development plan. Policy 9 also requires restoration of mineral extraction and landfill sites to be phased throughout the life of the development.
- 8.31 Previously approved schemes under 16/10650 to secure the restoration of the site, reinstating it in a progressive manner to a mixture of agriculture, nature conservation and informal recreational use with a five-year period of aftercare, would be retained by condition. This is set out in the approved Working Phasing Plan (see **Integral Appendix E**) and approved Restoration Scheme (see **Integral Appendix F**), which would remain unchanged.
- 8.32 The proposed restoration topography would include a gently domed plateau at approximately 37 metres AOD within the western and centre of the site which would slope away in all directions over gradients of between 1:30 to 1:50.

8.33 The proposal is therefore considered to be in accordance with Policy 9 (Restoration of quarries and waste developments) of the HMWP (2013) and the restoration specification set out in the sites site allocation.

Access and Recreation

8.34 The Solent Way public right of way (Footpath no. 3a) runs north-south parallel to the eastern boundary of the site. The HMWP (2013) includes a development consideration relating to the safeguarding of the footpath and a specific restoration specification which states that the site should be restored to a combination of grazing, nature conservation interests and informal recreation.

8.35 A footpath connecting Footpath no. 3a to Fawley Road would still be included within the site's restoration to agriculture. This would require the dedication of a path from the western side of the site to the east as a public right of way following the completion of restoration of the site. This path would create a new link within the local public access network allowing circular routes between the Solent Way and nearby residential areas.

8.36 In order to secure the delivery of informal recreation as part of the restoration of the site the previously signed Section 106 legal agreement would be varied, mirroring and making acceptable the variation of conditions 19 and 20.

8.37 In summary the proposal is still considered to be 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) and the relevant development considerations set out in with the site allocation in the adopted [HMWP \(2013\)](#).

Community Benefits

8.38 Policy 14 (Community Benefits) of the HMWP (2013) encourages negotiated agreements between relevant minerals and waste developers/operators and a community as a source of funding for local benefits. These benefit packages can comprise bilateral arrangements between the main parties. Agreements can be between operators and local bodies such as Parish Councils or resident's associations. Whilst the Minerals and Waste Planning Authority encourages these agreements, it cannot be party to such agreements and the agreements cannot be taken into account in decision making.

8.39 As previously discussed, the applicant agreed to enter into a Section 106 legal agreement to dedicate a path across the site as a public right of way following the completion of restoration of the site. This will provide a long-term benefit by creating a new link within the local public access network

allowing circular routes between the Solent Way and nearby residential areas.

8.40 In addition to the above, 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 applicant has already established the Panel and this is scheduled to continue irrespective of the outcome of this application.

9. Conclusions

9.1 The development is considered to be in accordance with relevant policies and associated development considerations included in the HMWP (2013) and would:

- continue to contribute to maintaining an adequate and steady supply of soft sand, sharp sand and gravel for Hampshire through the development of a site allocated for new mineral extraction in the development plan;
- continue to be a time-limited mineral extraction subject to a requirement for restoration;
- not cause unacceptable adverse public health and safety or unacceptable adverse amenity impacts;
- not cause an unacceptable adverse visual impact; and
- be acceptable in terms of highway capacity and safety.

9.2 Therefore, it is recommended that permission be granted subject to the conditions in integral Appendix B and the completion of a Deed of Variation to the Section 106 agreement (signed 14 March 2017) between all parties and the County Council to secure and dedicate a public right of way from west to east across the application site connecting with Footpath no. 3a (Solent Way).

10 Recommendations

10.1 That the Head of Law and Governance be authorised to draw up Deed of Variation to the Section 106 Agreement (ref: 107848, signed 14 March 2017) to secure the dedication of a public right of way from west to east across the site connecting with Footpath no. 3a (Solent Way) following completion of restoration of the site.

10.2 Provided that by no later than 20 June 2019 all parties enter into the Deed of Variation to the Section 106 Agreement (ref: 107848, signed 14 March 2017) with the County Council, that authority be delegated to the Director of Economy, Transport and Environment to GRANT permission subject to the conditions listed in Integral Appendix B.

10.3 In event that the Section 106 Agreement is not completed by 20 June 2019, the Director of Economy, Transport and Environment be authorised to refuse planning permission for that reason.

Appendices:

Integral Appendix A - Corporate or Legal Information

Integral Appendix B - Conditions

Appendix C - Location Plan

Appendix D - Additional Noise Information

Appendix E - Approved Phased Working Plan

Appendix F - Approved Restoration Plan

Other documents relating to this application:

<https://planning.hants.gov.uk/SearchResults.aspx?Criteria=18/11586>

CORPORATE OR LEGAL INFORMATION:**Links to the Corporate Strategy**

Hampshire safer and more secure for all:	No
Corporate Improvement plan link number (if appropriate):	
Maximising well-being:	No
Corporate Improvement plan link number (if appropriate):	
Enhancing our quality of place:	No
Corporate Improvement plan link number (if appropriate):	
OR	
This proposal does not link to the Corporate Strategy but, nevertheless, requires a decision because:	
The proposal does not link to the Corporate Strategy but, nevertheless, requires a decision because the proposal is an application for planning permission and requires determination by the County Council in its statutory role as the minerals and waste planning authority.	

Section 100 D - Local Government Act 1972 - background documents

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

<u>Document</u>	<u>Location</u>
18/11586 - Variation of Conditions 19 and 20 of planning permission 16/10450 to allow screening operations to take place at Forest Lodge Home Farm, Fawley Road, Hythe, SO45 3NJ.	Strategic Planning Hampshire County Council Elizabeth II Court West Sussex Street Winchester SO23 8UD

CONDITIONS

Duration of Permission

1. Approved mineral extraction and restoration works shall cease by 11 July 2027.

Reason: To secure the satisfactory restoration of the site in accordance with Policy 9 (Restoration of minerals and waste developments) of the Hampshire Minerals & Waste Plan (2013).

Schemes approved under 16/10450

2. The offsite highways works approved in writing by the Mineral & Waste Planning Authority on 30 October 2017 shall be retained as constructed throughout the duration of the mineral extraction and restoration works approved under Condition 1 above.

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

3. The site-specific Dust Management Scheme approved writing by the Mineral & Waste Planning Authority on 31 May 2017 shall be implemented in full throughout the duration of the mineral extraction and restoration works approved under Condition 1 above.

Reason: To ensure that the development does not have an unacceptable impact on human health and safety and is in accordance with Policy 10 (Protecting public health, safety and amenity).

4. The Soil Management Scheme approved writing by the Mineral & Waste Planning Authority on 31 May 2017 shall be implemented in full throughout the duration of the mineral extraction and restoration works approved under Condition 1 above. There shall be no export of topsoil or subsoil from the site.

Reason: To ensure the protection of the soil resource in accordance with Policy 8 (Protection of soils) of the HMWP (2013).

5. The Surface Water Management Scheme approved writing by the Mineral & Waste Planning Authority on 31 May 2017 shall be implemented in full

throughout the duration of the mineral extraction and restoration works approved under Condition 1 above.

Reason: To ensure adequate measures for the management of surface water from the site 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).

6. The Lighting Scheme approved in writing by the Mineral & Waste Planning Authority on 31 May 2017 shall be implemented in full throughout the duration of the mineral extraction and restoration works approved under Condition 1 above.

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

7. The Arboricultural Method Statement (AMS) approved writing by the Mineral & Waste Planning Authority on 31 May 2017 shall be implemented in full throughout the duration of the mineral extraction and restoration works approved under Condition 1 above.

Reason: To prevent damage to T3 both structurally and physiologically and to ensure the development is in accordance with Policy 3 (Protection of habitats and species) and 13 (High-quality design of minerals and waste development) of the Hampshire Minerals & Waste Plan (2013).

8. Details of enhancement landscaping works approved in writing by the Mineral & Waste Planning Authority on 31 May 2017 shall be implemented in full throughout the duration of the mineral extraction and restoration works approved under Condition 1 above.

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 for the duration of the development, unless otherwise approved in writing by the Mineral & Waste Planning Authority.

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).

9. The Ecological Mitigation Strategy approved in writing by the Mineral & Waste Planning Authority on 19 June 2017 shall be implemented in full throughout the duration of the mineral extraction and restoration and aftercare works in accordance with Conditions 1, 13 and 36 of this permission.

Reason: In order to avoid ecological impacts and to ensure the development is in accordance with Policy 3 (Protection of habitats and species) of the Hampshire Minerals and Waste Plan (2013).

10. The conclusions of the Written Scheme of Investigation for Watching Archaeological Brief approved in writing by the Mineral & Waste Planning Authority on 31 May 2017 shall be implemented in full throughout the duration of the mineral extraction and restoration works approved under Condition 1 above.

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).

11. The buildings and structures on site as shown on plan 003 REV D approved in writing by the Mineral & Waste Planning Authority on 31 May 2017 shall be implemented in full throughout the duration of the mineral extraction and restoration works approved under Condition 1 above.

Not later than six months following the completion of the approved restoration works (under Condition 1 above) any buildings and structures not required for the purposes of the five year aftercare period shall be removed from the site and the land restored and integrated into the wider restoration scheme as approved in writing by the Mineral & Waste Planning Authority.

Reason: In the interests of visual and landscape impact and to ensure the development is in accordance with Policy 13 (High-quality design of minerals and waste developments) of the Hampshire Minerals & Waste Plan (2013).

Ongoing Operational Conditions

12. No Heavy Goods Vehicles (HGV) shall enter or leave the site and no plant or machinery shall be operated except between the following hours: 0700-1800 Monday to Friday and 0700-1300 Saturday. There shall be no working on Sundays or recognised Public Holidays.

Reason: In the interests of local amenity in accordance with Policies 10 (Protecting public health, safety and amenity) and 12 (Managing traffic) of the Hampshire Minerals & Waste Plan (2013).

13. The working of the site shall be carried out in a progressive manner in accordance with paragraphs 3.6-3.8 inclusive of the Environmental Statement approved under planning permission 16/10450 (except where modified by condition herein) and the following programme and drawing numbers:

- Development Timescales and Programme Chart
- 003 REV D
- 004 REV D
- 005 REV D; and
- 006 REV D

Topsoil shall not be stripped from Phase 3 until the restoration of Phase 1 has been completed in accordance with the scheme approved herein.

Reason: To enable the Mineral & Waste Planning Authority to adequately control the development and to minimise its impact on the amenities of the local area, in accordance with Policies 5 (Protection of the countryside), 9 (Restoration of minerals and waste developments) and 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013).

14. Throughout the duration of the permission, contact information for the operator of the site in relation to operational impacts and in the event of an emergency at the site, shall be displayed at the entrance to the site.

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

15. The eastern and western perimeter bunds shown on plan 003 REV D shall measure 2.0 metres in height from base to top except for the southern part of the western boundary where they shall taper up from north to south to 3.0 metres in height.

Reason: To ensure the development is implemented in accordance with the details assessed within the Environmental Statement and that the development is in accordance with Policy 10 (Protecting public health, safety and amenity) and 13 (High-quality design of minerals and waste developments) of the Hampshire Minerals & Waste Plan (2013).

16. On-site plant and machinery shall comprise only 1 x Screener (to screen the quarry's extracted clay-rich sand only), 1 x Excavator, 1 x Loading shovel and 1 x Tractor and bowser.

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

17. No crushing or washing of mineral, waste or materials shall take place on site.

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

18. Excavation of mineral shall be by 360 excavator only.

Reason: In the interests of amenity, to ensure the development is implemented in accordance with the application and to ensure the development is in accordance with Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013).

19. Prior to the tipping of waste in each phase (1, 2 and 3) a topographical survey of the most recently excavated phase shall be submitted to the Mineral & Waste Planning Authority for review. Tipping shall commence following notification in writing from the Mineral & Waste Planning Authority.

Reason: For the purposes of monitoring to ensure that development is implemented in accordance with the approved plans.

20. The maximum depth of excavation shall be no lower/deeper than 1.5 metres above the inferred groundwater level of 24th February 2016 as shown on drawings 009 Rev A and 010 Rev, and in any event no lower than 26 metres AOD.

Reason: To protect the water environment in accordance with Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013) and for the avoidance of doubt to ensure the development is implemented in accordance with the approved details

21. In the event groundwater is encountered within the mineral extraction void, no further excavation of mineral shall take place. An assessment of the impact on the water environment as a result of continued working, and any recommended mitigation measures associated with this shall be submitted to and approved in writing by the Mineral & Waste Planning Authority. Once approved, the mitigation shall be implemented in full throughout the duration of mineral extraction operations.

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

22. The development shall be implemented in accordance with the Arboricultural Impact Assessment (dated 13 June 2016) and Tree Protection Plan (dated July 2016) approved under planning permission 16/10450. The tree protection barriers shall be retained as approved throughout the duration of development.

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).

23. Heavy Goods Vehicle (HGV) movements to and from the site shall be restricted to no more than 96 per day. A daily record of HGVs entering and leaving the site shall be kept at the site and made available to the Mineral & Waste Planning Authority on request.

Reason: To limit the volumes of traffic in the interests of the amenity of residents on and near the approaches to the site in accordance with Policy 12 (Managing traffic) of the Hampshire Minerals & Waste Plan (2013).

24. Access to the site shall only be from the access shown on plan HT/001 Rev 2 from Fawley Road. Heavy Goods Vehicles (HGVs) shall turn right into the site and left out of the site only. A sign stating that all HGVs shall turn left out of the site shall be displayed throughout the duration of the development in a location visible to drivers within the site and near to the highway access.

Reason: In the interests of protecting the amenity of residential areas to the north of the site in accordance with Policies 10 (Protecting public health, safety and amenity) and 12 (Managing traffic) of the Hampshire Minerals & Waste Plan (2013).

25. The Site Management Area and access haul road specifications approved in writing by the Mineral & Waste Planning Authority on 14 November 2017 shall be retained and maintained free of potholes in full throughout the duration of the mineral extraction and restoration works approved under Condition 1 above.

Reason: To limit the potential for the generation of dust and to mitigate against mud and debris from being tracked onto the public highway in accordance with Policies 10 (Protecting public health, safety and amenity) and Policy 12 (Managing traffic) of the Hampshire Minerals & Waste Plan (2013).

26. All Heavy Goods Vehicles entering or leaving the site loaded with waste or materials shall be securely sheeted.

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

27. No vehicle shall leave the site unless it has been cleaned sufficiently to prevent mud and spoil being carried on to the public highway. In the event that mud and spoil from vehicles leaving the site is deposited on the public highway, measures shall be taken to clean the highway. In any event at the end of each working day the highway shall be cleaned to the satisfaction of the Mineral & Waste Planning Authority.

Reason: In the interests of highway safety in accordance with Policies 10 (Protecting public health, safety and amenity) and Policy 12 (Managing traffic) of the Hampshire Minerals & Waste Plan (2013).

Noise

28. The total noise from operations at the hereby approved site shall not exceed 55dB LAeq 1 hour (free field) at the boundary of the nearest noise sensitive properties (as identified within chapter 8 of the Environmental Statement approved under planning permission 16/10450).

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

29. The noise level from work to facilitate essential site preparation, restoration and construction of baffle mounds shall not exceed 70 dB LAeq 1 hour (free field) at the boundary of noise sensitive premises for a period of up to eight weeks in one calendar year. Written records of the duration of such works shall be kept on site and made available for inspection by the Mineral & Waste Planning Authority upon request.

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

30. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturers' specification at all times, shall be fitted with and use effective silencers and be fitted with and use white-noise type reversing alarms.

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

Protection of Water Environment

31. Surface water draining from areas of hardstanding shall be passed through an oil interceptor or series of oil interceptors, prior to being discharged into any watercourse, soakaway or surface water sewer. The interceptor(s) shall be designed and constructed to have a capacity compatible with the area being drained, shall be installed prior to the

occupation of the development and shall thereafter be retained and maintained throughout the lifetime of the development. Clean roof water shall not pass through the interceptor(s). Vehicle washdowns and detergents shall not be passed through the interceptor.

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

32. All cleaning and washing of vehicles, plant, equipment and machinery should be carried out in areas isolated from any surface water system and only draining to the foul drainage system or sealed system. The area should be clearly marked and a kerb surround provided.

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

33. Any facilities, above ground, for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata or sewer. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

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

Permitted Waste Type and Storage

34. Only inert waste/materials for the purposes of the approved restoration operations (approved under planning permission 16/10450) shall be imported to the site.

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

35. Stockpiles of waste or materials stored or deposited on site shall not exceed 39 metres AOD (2 metres above existing ground level as shown on drawing 008 Rev 1) at the highest point.

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

Restoration

36. The site shall be progressively restored to agriculture in accordance with drawing no. 007 REV C and Technical Appendices 10.6 Landscape of the Environmental Statement both approved under planning permission 16/10450.

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

Aftercare

37. The Aftercare scheme approved in writing by the Mineral & Waste Planning Authority on 19 December 2018 (under planning permission 16/10450) shall be implemented in full following written confirmation that the approved restoration has been completed to the satisfaction of the Mineral & Waste Planning Authority in accordance with Condition 36 above.

Reason: To ensure that the land is satisfactorily restored in accordance with Policy 9 (Restoration of minerals and waste developments) of the Hampshire Minerals & Waste Plan (2013).

Plans & Particulars

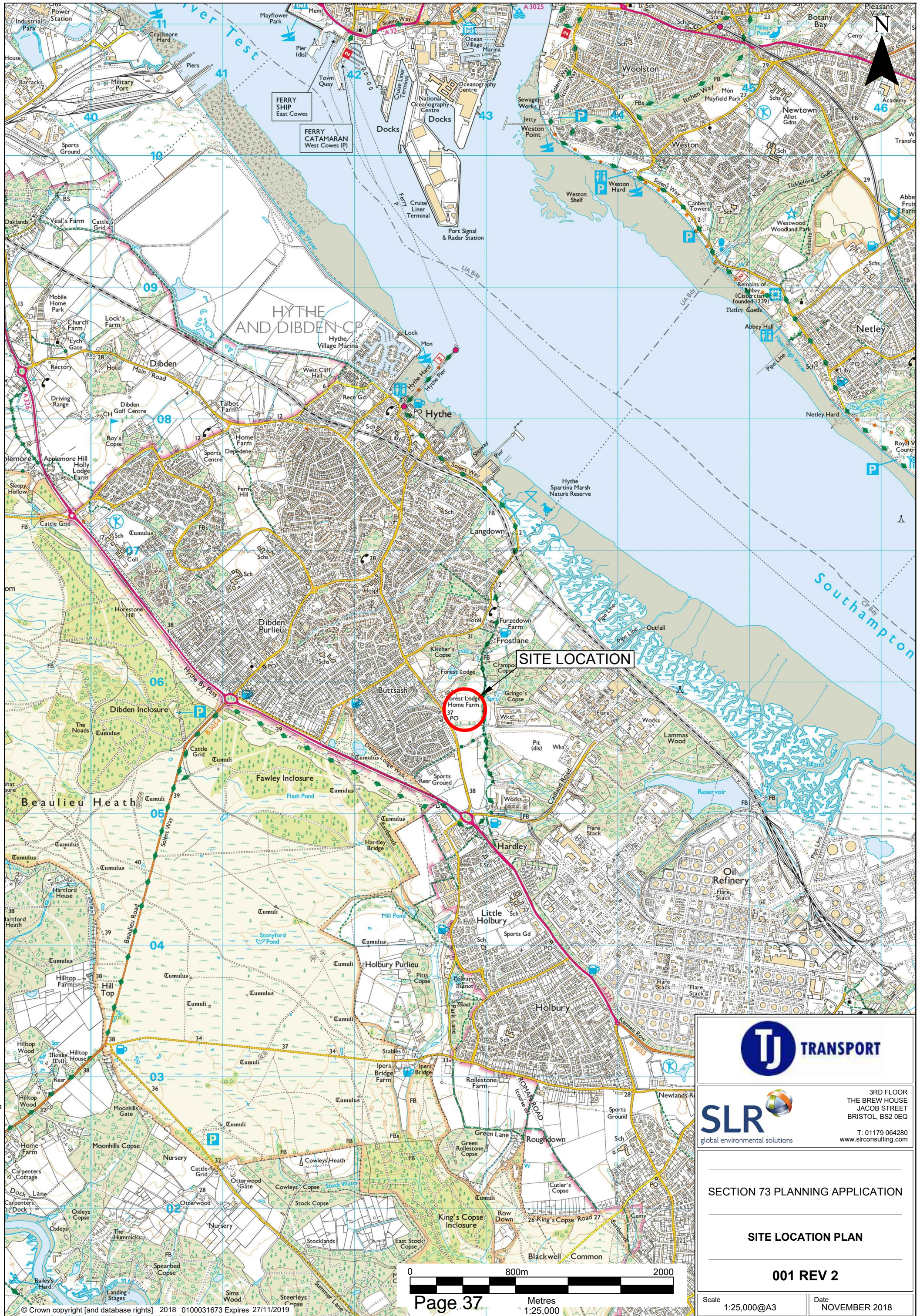
38. The development hereby permitted shall be carried out in accordance with the following approved plans: 001Rev1, 002Rev1, 008Rev1, 009RevA, 010RevA, 007RevC, 011RevC, 003RevD, 004RevD, 005RevD, 006RevD and the additional noise information received by the Mineral & Waste Planning Authority on 04 February 2019 in an email from SLR Consulting Limited.

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

Note to Applicants

1. In determining this planning application, the Mineral & Waste Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application by liaising with consultees, respondents and the agent and discussing changes to the proposal where considered appropriate or necessary. This approach has been taken positively and proactively in accordance with the requirement in the NPPF, as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.
2. For the purposes of matters relating to this decision Heavy Goods Vehicles (HGVs) are defined as vehicles over 3.5 tonne un-laden).
3. The existing Liaison Panel should continue between the site operator, Waste Planning Authority and community representatives at a suitable frequency to facilitate effective engagement with stakeholders in the interests of promoting communication between the site operator and local community.
4. This decision does not purport or convey any approval or consent which may be required under the Building Regulations or any other Acts, including Byelaws, orders or Regulations made under such acts

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global environmental solutions	
3RD FLOOR THE BREW HOUSE JACOB STREET BRISTOL, BS2 0EQ T: 01179 064280 www.slrconsulting.com	
SECTION 73 PLANNING APPLICATION	
SITE LOCATION PLAN	
001 REV 2	
Scale	Date
1:25,000@A3	NOVEMBER 2018

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Additional Noise Information

Our in-house noise consultant (copied in) has advised that in accordance with BS 4142, we have to consider a worst-case one-hour daytime period, therefore our noise models have been based on worst-case scenarios, where the vibrating screener (and all other machinery):

- may for short periods be operating outside/at the top edge of the pit (despite the fact that for the majority of the time they will be in the pit and benefit from the noise attenuation this provides);
- are positioned in the open and are not located behind any temporarily stockpiled material (even though the majority of the time they would be positioned behind stockpiles to obtain a noise attenuation benefit);
- are operational 100% of the time (within a worst case one-hour period, they would not be on 100% of the whole day); and
- are working on the west side of the site, based upon Phase 1 (see attached drawings), the phase where equipment will be at its closest point to the residents and therefore at its noisiest.

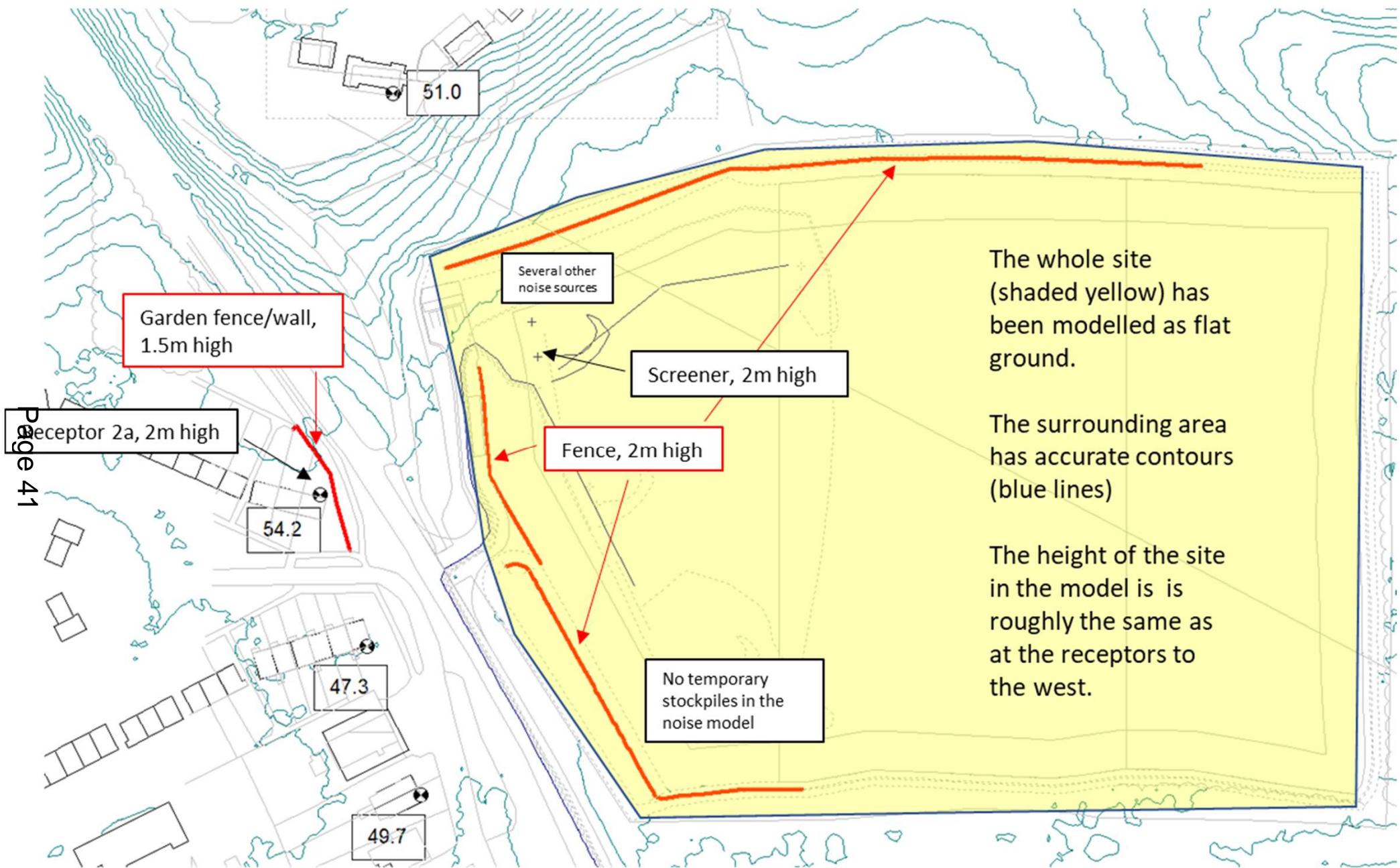
To add to the points regarding the landscape and the temporarily stockpiled material above, whilst the contours of the land in the surrounding area outside of the site boundaries has been modelled, the site itself has been modelled as being flat with everything operating at surface level, i.e. at the same ground height to residents immediately to the west. None of the proposed temporary storage mounds has been modelled, only the 2m high close boarded fences along the site boundary (denoted in brown on the attached drawings) have been included. In many instances in the model, there is actually a line of sight between equipment like the screener and the residents to the west. This is all considered to be a worst-case scenario. I have attached some screenshots from the noise model of one of the scenarios modelled for Phase 1, to show this.

For the majority of the time, the modelled worst-case scenario would not be the case, with the equipment benefitting from the noise attenuation provided by working at low level in the pit, or behind temporary storage mounds, and as the phases progress, the works would be moving further east and benefit from the increased distance to the residents to the west.

Furthermore, the sound power level of the most recently proposed screener is 7 dB lower than what was originally modelled.

Based on all the factors above, SLR believe there are no reasons why noise pollution from the vibrating screeners would increase as a result of operating the screeners occasionally at surface level (as this is what has already been modelled), or through the use of a different manufacturer/model (as this is seen to be quieter than what was modelled).





The whole site (shaded yellow) has been modelled as flat ground.

The surrounding area has accurate contours (blue lines)

The height of the site in the model is roughly the same as at the receptors to the west.



Several other noise sources

Receptor 2a, 2m high

Screenener, 2m high

Fence, 2m high

Site (shaded area)

Modelled as flat ground

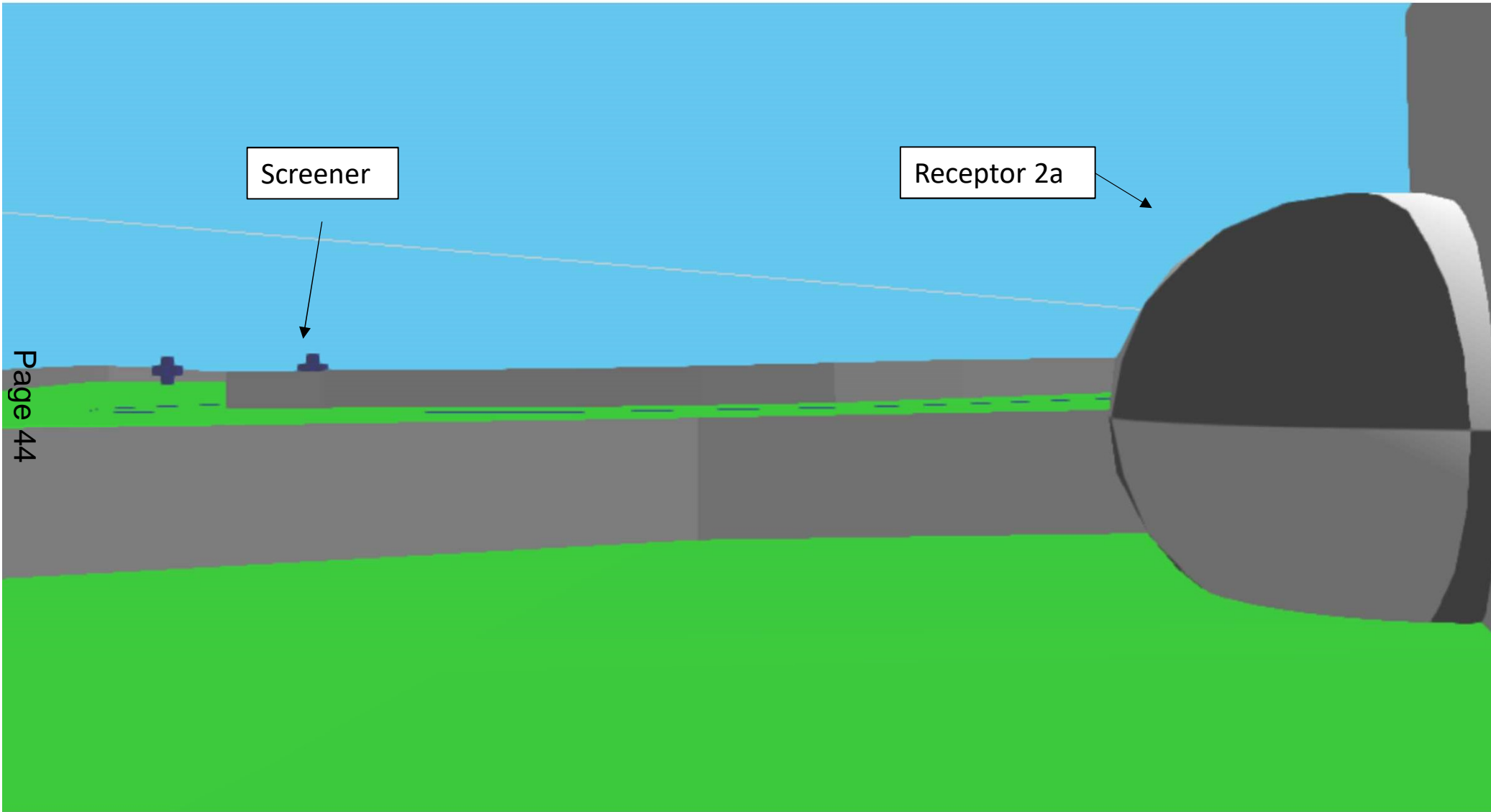


Receptor 2a, 2m high

Fence, 2m high

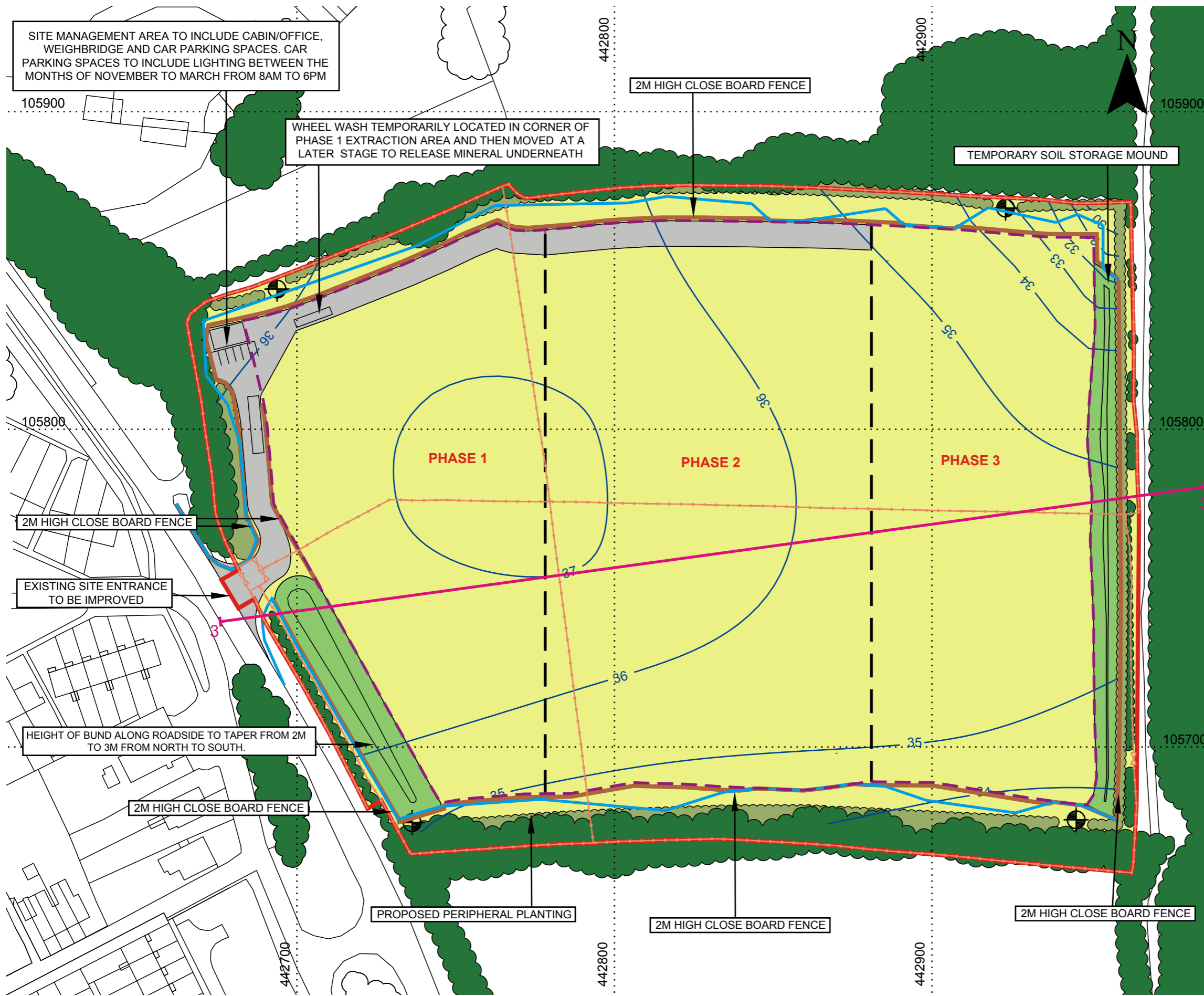
Screener, 2m high

Site modelled as flat ground



Screener

Receptor 2a



SITE MANAGEMENT AREA TO INCLUDE CABIN/OFFICE, WEIGHBRIDGE AND CAR PARKING SPACES. CAR PARKING SPACES TO INCLUDE LIGHTING BETWEEN THE MONTHS OF NOVEMBER TO MARCH FROM 8AM TO 6PM

WHEEL WASH TEMPORARILY LOCATED IN CORNER OF PHASE 1 EXTRACTION AREA AND THEN MOVED AT A LATER STAGE TO RELEASE MINERAL UNDERNEATH

2M HIGH CLOSE BOARD FENCE

TEMPORARY SOIL STORAGE MOUND

2M HIGH CLOSE BOARD FENCE

EXISTING SITE ENTRANCE TO BE IMPROVED

HEIGHT OF BUND ALONG ROADSIDE TO TAPER FROM 2M TO 3M FROM NORTH TO SOUTH.

2M HIGH CLOSE BOARD FENCE

PROPOSED PERIPHERAL PLANTING

2M HIGH CLOSE BOARD FENCE

2M HIGH CLOSE BOARD FENCE

REV B ALTERATIONS TO SOIL BUNDS AND ADDITION OF TREE FENCING

REV C INCLUSION OF ROOT PROTECTION AREA AND ALTERATIONS TO EXISTING VEGETATION

REV D ADDITIONAL FENCING

0 10 20 30 40m 60 80 100
Metres 1:1250

NOTES

PLEASE REFER TO DRAWINGS 011 FOR CROSS SECTION INFORMATION

LEGEND

- APPLICATION BOUNDARY
- CROSS SECTION LINE
- CONTOURS (1m INTERVALS)
- PROPOSED MINERAL EXTRACTION BOUNDARY
- MINERAL EXTRACTION WORKING PHASE BOUNDARY
- 2M HIGH CLOSE BOARD FENCE
- EXISTING STOCK PROOF FENCE
- LIMIT OF ROOT PROTECTION AREA
- BOREHOLE LOCATIONS
- EXISTING PERIMETER VEGETATION
- PROPOSED PLANTING
- UNDISTURBED FARMLAND/ GROUND
- SITE MANAGEMENT AREA/ROADS
- SOIL STORAGE BUNDS

TJ TRANSPORT

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FOREST LODGE HOME FARM

PLANNING APPLICATION

WORKING PLAN PHASES

003 REV D

Scale: 1:1250 @ A3 Date: AUGUST 2016

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ADDITIONAL GRASS SWALE, TO BE EXCAVATED WITH A 1:2 SIDE SLOPE AROUND THE NORTHERN EXTRACTION PERIMETER TO AVOID THE ROOT PROTECTION AREAS AND LINK WITH THE EASTERN AND WESTERN SWALES.

SOIL STORAGE BUNDS TO BE RESTORED AS GRASS SWALE, TO BE EXCAVATED WITH A 1:2 SIDE SLOPE. THE BASE OF EACH SWALE WILL BE EXCAVATED DOWN INTO THE HIGHLY PERMEABLE REMNANT RIVER TERRACE STRATA TO ACT AS A SOAKAWAY (ON AVERAGE APPROXIMATELY 0.5M BELOW ORIGINAL GROUND LEVELS).

SITE ACCESS RETAINED FOR AGRICULTURAL PURPOSES

SOIL STORAGE BUNDS TO BE RESTORED AS GRASS SWALE, TO BE EXCAVATED WITH A 1:2 SIDE SLOPE. THE BASE OF EACH SWALE WILL BE EXCAVATED DOWN INTO THE HIGHLY PERMEABLE REMNANT RIVER TERRACE STRATA TO ACT AS A SOAKAWAY (ON AVERAGE APPROXIMATELY 0.5M BELOW ORIGINAL GROUND LEVELS).

ADDITIONAL GRASS SWALE, TO BE EXCAVATED WITH A 1:2 SIDE SLOPE AROUND THE SOUTHERN EXTRACTION PERIMETER TO AVOID THE ROOT PROTECTION AREAS AND LINK WITH THE EASTERN AND WESTERN SWALES.

REV B ALTERATIONS TO SOIL STORAGE BUNDS/SWALE FEATURE

REV C INCLUSION OF ROOT PROTECTION AREA AND ALTERATIONS TO EXISTING VEGETATION



NOTES

PLEASE REFER TO DRAWINGS 011 FOR CROSS SECTION INFORMATION

LEGEND

- APPLICATION BOUNDARY
- LIMIT OF ROOT PROTECTION AREA
- CROSS SECTION LINE
- CONTOURS (1m INTERVALS)
- FORMER MINERAL EXTRACTION PHASE BOUNDARY
- EXISTING STOCK PROOF FENCE
- PROPOSED STOCK PROOF FENCE
- PERIMETER VEGETATION
- UNDISTURBED FARMLAND/ GROUND
- RESTORED SITE MANAGEMENT AREA/ROADS
- RESTORED SOIL STORAGE BUNDS/ SWALE FEATURE
- RESTORED MINERAL EXTRACTION AND LANDFILL AREA

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FOREST LODGE HOME FARM

PLANNING APPLICATION

RESTORATION PLAN

007 REV C

Scale: 1:1250 @ A3	Date: AUGUST 2016
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HAMPSHIRE COUNTY COUNCIL Decision Report

Decision Maker:	Regulatory Committee
Date:	20 March 2019
Title:	Application to amend conditions 2, 3, 4, 5 and 6 of planning permission 17/01876/CMA at Basingstoke AD Facility LTD., Dummer Hampshire RG23 7LW. (Hours of working, timing of HGV site access, timing of HGV access along Woodbury Road, approved Traffic Management Plan, removal of the temporary time period element relating to vehicle movements, reduction of the aggregate number of permitted vehicle movements) (No. 18/03001/CMA) (Site Ref: BA170)
Report From:	Head of Strategic Planning

Contact name: Philip Millard

Tel: 01962 846496

Email: philip.millard@hants.gov.uk

1. Recommendation

- 1.1. That planning permission be GRANTED subject to the conditions listed in integral appendix B.

2. Executive Summary

- 2.1. This proposal seeks to vary Conditions 2 (Hours of working), 3 (Timing of HGV site access), 4 (Timing of HGV access along Woodbury Road), 5 (Approved traffic management plan) and 6 (Vehicle movements) of planning permission [17/01876/CMA](#) at Basingstoke Anaerobic Digestion (AD) facility. This proposal was amended by the applicant in response to issues raised by the liaison panel and the local community. This is to allow for a maximum of 38 Heavy Goods Vehicle (HGV) movements per day (19 in and 19 out) on a permanent basis with a 32 HGV per day annual average and revisions to the operating and delivery times of the site.
- 2.2. Planning permission [17/01876/CMA](#) considered an amendment to Condition 7 (vehicle movements) of Planning Permission [16/00322/CMA](#). This was granted for a temporary period until 31 October 2018. This followed a previous permission (16/00322/CMA) which granted an increase in HGV movements from 22 per day to 38 per day also for a temporary period of one year. The reason for the temporary nature of the variations was to allow any impacts on the safety and capacity of the local roads to be monitored and assessed in the interest of local amenity and highway safety.
- 2.3. The site has permission for a waste management facility and so the principle of the development, its location and design, the need for the development as well as its contribution to climate change mitigation and adaptation have

already been established in accordance with relevant planning policies at that time of determination.

- 2.4. These variations have been considered against the relevant national policy and guidance, in line with the relevant paragraphs of the [National Planning Policy Framework \(2019\)](#) and associated guidance on temporary permissions, as well as the policies of the adopted [Hampshire Minerals and Waste Plan \(2013\)](#) (HMWP (2013)) and the [Basingstoke and Deane Local Plan 2011 to 2029 \(2016\)](#).
- 2.5. It is considered that the proposed variations to Conditions 2 (Hours of working), 3 (Timing of HGV site access), 4 (Timing of HGV access along Woodbury Road), 5 (Approved traffic management plan) and 6 (Vehicle movements) of planning permission 17/01876/CMA would be in accordance with the HMWP (2013), having regard to the assessment of the traffic surveys and monitoring, public representations collected during the temporary period, and the views of the Highway Authority. The safety and capacity of the local roads has been monitored and assessed and the findings demonstrate that permanent variation of the limit of daily HGV movements to 38 has no significant adverse impact on local amenity nor highway safety, in accordance with Policies 10 (Protecting public health, safety and amenity) and 12 (Managing traffic) of the HMWP (2013).
- 2.6. The proposed development is not an Environmental Impact Assessment development under the [Town & Country Planning \(Environmental Impact Assessment\) Regulations 2017](#).
- 2.7. It is recommended that planning permission be granted subject to the conditions listed in integral Appendix B.

3. The Site

- 3.1. Planning permission [BDB/75034](#) was granted on 12 March 2012 for the construction and operation of an anaerobic digestion facility to handle food waste and agricultural slurries, and the creation of an access track to connect the site to an existing highway entrance. This was for the purpose of generating renewable energy and bio-fertiliser for local agricultural use. The development commenced operations in December 2015. This permission allowed for 22 daily HGV movements. Planning Permission 16/00322/CMA was subsequently granted, allowing for an increase in daily HGV movements to 38 for a temporary period until 30th June 2017. A further planning application (17/01876/CMA) seeking to remove the temporary nature of the increase in permitted vehicle movements to the site was made in 2017. This was granted in October 2017 again subject to a further temporary period until 31st October 2018.
- 3.2. The site is north of Farleigh Wallop and to the south of Basingstoke. The site is on land formerly known as 'The Carousel Dairy' and is located on the Portsmouth Estate on farmland. A private, shared haul road provides access to the site from Garlic Lane, over the M3. Garlic Lane links the Beggarwood / Hatch Warren housing estate to Farleigh Wallop (B3046). The M3 lies 700

metres to the north of the site, running north-east to south-west. Appendix C of this report provides a location plan.

- 3.3. The nearest residential dwellings are located at Manor Farm which is approximately 280 metres to the south-east and Kennel Farm, 580 metres to the north-west of the site. The residential areas of Beggarwood and Hatch Warren are located approximately 1 kilometre (km) to the north and are separated from the site by the M3.
- 3.4. The existing site is immediately surrounded by large arable agricultural fields with areas of ancient woodland beyond. Dummer footpaths 7 and 10 are both approximately 700 metres to the west of the site.
- 3.5. In February 2018, Biogen acquired Tarmar Energy and are now the operators of the facility.
- 3.6. The Basingstoke AD plant recycles unavoidable food waste, through local commercial collections, which would otherwise be incinerated or landfilled. The local waste collection authority does not at this time have a policy of separated food waste collection from households and so the operator and plant will seek to receive local household food waste should this policy change.
- 3.7. The plant currently generates 33 megawatt hours (Mwh) of renewable electricity per annum, fed into the local power grid providing electricity for 2,500 homes. The plant also produces 20,000 tonnes annually of bio-fertiliser, being PAS110 accredited digestate, for beneficial use on local arable land in replacement of fossil fuel derived fertilisers.
- 3.8. There is an existing site Liaison Panel associated with the site which was established following the granting of planning permission BDB/75034 in 2012.

4. Planning History

3.1 The planning history of the site is as follows:

Application no.	Proposal	Decision	Date issued
17/01876/CMA	Application for the amendment of Condition 7 (vehicle movements) to Planning Permission 16/00322/CMA (as supplemented by additional traffic survey received 15 August 2017)	Granted	18.10.2017
16/00322/CMA	Application for the amendment of Condition 4 (vehicle movements), Condition 14 (landscape) and Condition 15	Granted	22.06.2016

	(site layout) to Planning Permission BDB/75034		
BDB/75034	Planning application for the demolition of existing agricultural buildings, the construction and operation of an anaerobic digestion facility to handle food waste and agricultural slurries, and the creation of an access track to connect the site to an existing highway entrance.	Granted	12.03.2012

- 3.2 In determining planning application 17/01876/CMA, the Regulatory Committee resolved to grant permission subject to a further temporary period to 31st October 2018. This followed the previous determination of planning permission 16/00322/CMA, when the committee resolved that a trial period of the increase in daily HGV movements was necessary to allow any impacts on the safety and capacity of the local roads and users to be monitored and assessed in the interest of local amenity and highway safety.
- 3.3 The site is identified as a safeguarded site as an Energy Recovery Facility in the adopted Hampshire Minerals and Waste Plan (2013) under Policy 26 (Safeguarding – waste infrastructure).

5. The Proposal

- 5.1. This proposal seeks to vary Conditions 2 (Hours of working), 3 (Timing of HGV site access), 4 (Timing of HGV access along Woodbury Road), 5 (Approved traffic management plan) and 6 (Vehicle movements) of planning permission [17/01876/CMA](#) at Basingstoke Anaerobic Digestion (AD) facility. The proposal is a Section 73 application for variations of conditions. This is to allow for a maximum of 38 Heavy Goods Vehicle (HGV) movements per day (19 in and 19 out) on a permanent basis with a 32 HGV per day annual average and revisions to the operating and delivery times of the site.
- 5.2. The applicant submitted a Supplementary Planning Statement on 7 February 2019 that sets out the proposed variations to conditions the application seeks. These are as follows:

Condition 2

- 4.1 Condition 2 of approval 17/01876/CMA currently states:

No waste shall be handled on site and no Heavy Goods Vehicles (vehicles over 3.5 tonne un-laden), shall enter or leave the application site, except between the hours of 0700 and 1800, Monday to Friday and between 0800 and 1300 Saturday. There shall be no waste handled and no movements on Sunday or recognised Public Holidays.

- 4.2 This planning application proposes to amend the wording, to move forward the time the site opens for HGVs and site operations on working days, Monday to Friday, from 0700 to 0600:

*No waste shall be handled on site and no Heavy Goods Vehicles (vehicles over 3.5 tonne un-laden), shall enter or leave the application site, except between the hours of **0600** and 1800, Monday to Friday and between 0800 and 1300 Saturday. There shall be no waste handled and no movements on Sunday or recognised Public Holidays.*

Condition 3

- 4.3 Condition 3 of approval 17/01876/CMA currently states:

Notwithstanding condition 2 above, no Heavy Goods Vehicles (vehicles over 3.5 tonne un-laden) shall enter or leave the application site between the hours of 0800 and 0900 and 1500 and 1545 hours Mondays to Fridays during school term time, in accordance with the approved Traffic Management Plan (TMP 2017 rev V21.6, dated 6 October 2017), and any future revisions approved by the Waste Planning Authority).

- 4.4 This planning application proposes to amend the wording, to increase the morning time period for which HGVs may not enter or leave the site on working days, Monday to Friday, from 0800-0900 to 0715-0900:

*Notwithstanding condition 2 above, no Heavy Goods Vehicles (vehicles over 3.5 tonne un-laden) shall enter or leave the application site between the hours of **0715** and 0900 and 1500 and 1545 hours Mondays to Fridays during school term time, in accordance with the approved Traffic Management Plan (TMP 2019 rev V21.8, dated 28 February 2019), and any future revisions approved by the Waste Planning Authority).*

Condition 4

- 4.5 Condition 4 of approval 17/01876/CMA currently states:

Notwithstanding condition 3 above, no Heavy Goods Vehicles (vehicles over 3.5 tonne un-laden) shall make use of Woodbury Road between the hours of 0815 and 0900 and 1500 and 1545 hours Mondays to Fridays during school term time, in accordance with the approved Traffic Management Plan (TMP 2017 rev V21.6, dated 6 October 2017), and any future revisions approved by the Waste Planning Authority).

- 4.6 This planning application proposes to amend the wording, to increase the morning time period for which HGVs may not make use of Woodbury Road on working days, Monday to Friday, from 0800-0900 to 0715-0900:

*Notwithstanding condition 3 above, no Heavy Goods Vehicles (vehicles over 3.5 tonne un-laden) shall make use of Woodbury Road between the hours of **0715** and 0900 and 1500 and 1545 hours Mondays to Fridays during school term time, in accordance with the approved Traffic Management Plan (TMP 2019 rev V21.8, dated 28 February 2019), and any future revisions approved by the Waste Planning Authority).*

Condition 5

- 4.7 Condition 5 of approval 17/01876/CMA currently states:

The Traffic Management Plan (TMP 2017 rev V21.6, dated 6 October 2017), and any future revisions to the Plan approved in writing by the Waste Planning Authority, shall be implemented as approved and retained in place for the duration of the development.

- 4.8 This planning application proposes to amend the wording, to allow for approval of a new Revised Traffic Management Plan [TMP], to allow it to be in accordance with the variations of conditions sought by this planning application:

The Traffic Management Plan (TMP 2019 rev V21.8, dated 28 February 2019), and any future revisions to the Plan approved in writing by the Waste Planning Authority, shall be implemented as approved and retained in place for the duration of the development.

Condition 6

- 4.9 Condition 6 of approval 17/01876/CMA currently states:

There shall be a maximum of 38 Heavy Goods Vehicle movements (vehicles over 3.5 tonne un-laden) (19 movements in and 19 movements out) on any working day in relation to the site for a temporary period expiring on 31 October 2018. At the expiry of this temporary period there shall be a maximum of 22 Heavy Goods Vehicle movements (vehicles over 3.5 tonne un-laden) (11 movements in and 11 movements out) on any working day in relation to the site. Records of vehicle movements to and from the site and the times of entry and departure and CCTV footage shall be kept and made available for inspection at the request of the Waste Planning Authority.

- 5.3. This planning application proposes to amend the wording, to remove the temporary time period element of condition 6 and to introduce an annual average of 32 HGV movements per working day:

*There shall be a maximum of 38 Heavy Goods Vehicle movements (vehicles over 3.5 tonne un-laden) (19 movements in and 19 movements out) on any **one** working day in relation to the site. **Notwithstanding the above number of maximum vehicle movements, the annual averaged working day HGV movements shall not exceed 32 (16 movements in and 16 movements out), measured over each calendar year.** Records of vehicle movements to and from the site and the times of entry and departure and CCTV footage shall be kept and made available for inspection at the request of the Waste Planning Authority.*

- 5.4. The aim of these variations of conditions is to allow for the maximum of 38 Heavy Goods Vehicle (HGV) movements per day (19 in and 19 out) on a permanent basis. The proposed revisions to the operating and delivery times of the site have been proposed in order to address concerns raised by members of the local community and the site's Liaison panel.

- 5.5. The application does not propose to make any changes to the approved vehicle route for HGVs to and from the A30 and Hampshire's strategic road network (see Appendix D). It also does not seek to change any other current operations or the associated infrastructure.
- 5.6. The operation runs under an approved Traffic Management Plan (TMP) as initially approved under Condition 6 of planning permission 16/00322/CMA. This includes measures for driver induction, compliance and investigation into any breaches of the TMP. The existing revision is v21.7, dated 19 October 2017, which was developed with the site Liaison Panel. The applicant has submitted a new revision to address the proposals of this application (TMP 2019 rev V21.8, dated 28 February 2019). This is included in Appendix E of this report. It is proposed this new revision V21.8 will be adopted, should permission be granted.
- 5.7. Heavy Goods Vehicles (HGVs) are defined as any vehicle over 3.5 tonne unladen.
- 5.8. The proposal is not an EIA Development under the Environmental Impact Assessment Regulations 2017 and an Environmental Statement has not been submitted.
- 5.9. The site has been assessed under the Habitats Regulation Assessment (HRA). There are no identified European designated sites within 10km of the site. Therefore there is no need for HRA assessment and the proposal can be screened out.

5. Development Plan and Guidance

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

National Planning Policy Framework (2019) (NPPF)

- 6.2 The following paragraphs are relevant to this proposal:

- Paragraph 11: Presumption in favour of sustainable development;
- Paragraph 55: Planning conditions;
- Paragraph 80: Support of sustainable economic growth;
- Paragraphs 102-103: Sustainable transport; and
- Paragraphs 108-111: Transport – Considering development proposals.

National Planning Practice Guidance (NPPG)

- 6.3 The following paragraphs are relevant to the proposal:

- Paragraph 014, Section 21a: When can conditions be used to grant planning permission for a use for a temporary period only?

Taken from the NPPG on the [Use of Planning Conditions](#), Reference ID: 21a-014-20140306, revision date: 06 March 2014.

National Planning Policy for Waste (2014) (NPPW)

- 6.4 The following paragraphs are relevant to the proposal:

- Paragraph 1: Delivery of sustainable development and resource efficiency; and
- Paragraph 7: Determining planning applications.

5.5 The NPPW demonstrates an ambition for the “delivery of sustainable development and resource efficiency, including provision of modern infrastructure, local employment opportunities and wider climate change benefits, by driving waste management up the waste hierarchy”. It also states that “waste planning authorities should consider the likely impact on the local environment and on amenity which in particular includes the suitability of the road network and the extent to which access would require reliance on local roads”.

[National Waste Planning Practice Guidance \(NWPPG\)](#) (last updated 15/04/2015)

5.6. The following paragraphs are relevant to the proposal:

- Paragraph 0050: (Planning and regulation).

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

5.6 The following policies are relevant to the proposal:

- Policy 1 (Sustainable minerals and waste development);
- Policy 10 (Protecting public health, safety and amenity);
- Policy 12 (Managing traffic); and
- Policy 26 (Safeguarding – waste infrastructure).

[Basingstoke and Deane Local Plan 2011 to 2029 \(2016\)](#)

5.7 The following policies are relevant to the proposal:

- Policy EP4 (Rural Economy).

6 Consultations

6.1. **County Councillor Reid:** Was notified.

6.2. **County Councillor McNair Scott:** Was notified.

6.3. **Basingstoke and Deane Borough Council:** No objection.

6.4. **Basingstoke and Deane Borough Council - Environmental Health:** Was notified.

6.5. **Farleigh Wallop Parish Meeting:** Was notified.

6.6. **Dummer Parish Council:** Objects to the proposal on the basis that only around 15% of digestate is spread on Portsmouth Estate land, far less than the 25% that was the basis for the 2011 overarching permission, the importation of waste from sources outside of the local area and the impact on local school children. The Parish also requests the following:

- that the 7.00 – 8.00 a.m. access time should be removed to protect children joining school buses;
- The earliest access time for HGVs to be 9.15 a.m.
- The maximum number of vehicle movements in any one day should be reduced from 38 to 32; and
- if HCC is minded to grant permission for an increased number of daily traffic movements the increase should be temporary, for twelve months only; and the conditions should be revised.

6.7. **St. Marks Primary School:** Was notified.

6.8. **Local Highway Authority:** No objection. The Highway Authority is satisfied that this proposal will not have a significant impact on the highway based upon the information contained in the application and the low level of breaches recorded during the temporary, trial periods.

6.9. **Planning Policy (Hampshire County Council):** Made comments based on relevant policies in the Hampshire Minerals and Waste Plan (2013).

7. Representations

7.1. Hampshire County Council's [Statement of Community Involvement \(2014\)](#) (SCI) sets out the adopted consultation and publicity procedures associated with determining planning applications.

7.2. In complying with the requirements of the SCI, the County Council:

- Published a notice of the application in the Hampshire Independent;
- Placed notices of the application on 19 October 2018 at four locations including locations along the HGV route;
- Consulted all statutory and non-statutory consultees in accordance with [The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#);
- No residential properties are within 100 metres of the boundary of the site. However the nearest residential properties were notified by letter, this included those of Kennel Farm, approximately 500m to the north west of the site, and Manor Farm Cottages, approximately 300m to the south east of the site;
- The members of the Basingstoke AD Liaison Panel were also consulted via email; and
- A second, full consultation was carried out on 11 February 2019 for 14 days, following the submission by the applicant of a Supplementary Planning Statement on 7 February 2019 that set out proposed variations to additional conditions.

7.3. As of 25 February 2019, a total of 40 representations to the proposal had been received. All objected to the proposal.

7.4. The main areas of concern raised in the objections relate to the following:

- The agreed HGV route to the site through residential areas is inappropriate for this frequency of HGV use;

- Amenity, pollution and noise impacts associated with the HGV movements;
- HGVs park/wait on the haul road and Kennel Farm Lane outside of operating hours;
- Bunching up of HGVs before the curfew time of 8am which only serves to send many HGVs thundering through residential roads at speed in order to get to the plant and back out ahead of the curfew;
- Breaches of current permissions - Operator has failed to demonstrate that they are able to control HGV drivers accessing the site, being within time limits, speeding and routing breaches are a regular occurrence;
- HGVs contributing to wider traffic issues in the area;
- The size of the HGVs delivering to the site have increased / are too large / heavy for local roads;
- The size and weight of the HGVs are damaging the roads that were never constructed to cope with the size and frequency of these vehicles;
- Additional S106 monies should be requested from the site Operator to compensate for on-going repairs to Woodbury Road caused by the AD's HGVs;
- Who will pay for the ongoing maintenance of the estate road;
- Speeding of HGVs;
- Vehicles park up in laybys on the A30 Winchester Road overnight waiting to access the AD emitting unacceptable odours and creating traffic hazards on a main access road next to residential area;
- Lack of concern / consideration shown by drivers using residential roads;
- Risk of fatality on the road is high;
- Removing the annual requirement to renew the numbers permitted would remove any incentive for the operator to attempt to introduce any efficiencies in scheduling;
- Impacts / risks to local school children, including when waiting for buses on Woodbury Road, and the safety of those who use the route;
- Site is not being used for local waste – imports from wider area;
- Need to restrict HGV movements to after 9am / 9.15am so they don't use roads when school children are going to school;
- Need to reduce maximum number of HGVs should be reduced from 38 to 32;
- The limit of 22 vehicle journeys per working day was agreed when the AD was initially approved and built to process local waste from the Portsmouth Estate. This is now not the case;
- Biogen have not considered moving the access route to a partially built exit on the M3 between junctions 6 and 7 (southbound) that would avoid having to access Basingstoke at all and would provide direct access to the AD;
- There is no application to allow access from the B3046 via Garlic Lane that would also remove any need for the commercial vehicles to access residential areas in Basingstoke;
- HCC data of a 3-month operational period shows that there is no demonstrable reason why the site permissions should allow 38 vehicle movements per day and a lower number would be adequate;

- Traffic data shows that applicant does not need 38 vehicle movements per day in order to operate the site at the demonstrated level of activity;
- Inaccuracy of some of the traffic data / information presented in the application;
- Need for a new link road to avoid using residential areas; and
- The impact on safety to cyclists using Woodbury Road and part of the local cycling network.

8.5 The above issues will be addressed within the following commentary. The issues identified below are considered not relevant to the decision and are included as a factual record for clarification:

- Wrong location for this type of site; – the principle of the site and its location was already determined through planning permission BDB/75034;
- Removal of restrictions will mean lorries will have access at any time of day, increasing risks, noise and pollution around an area designed for living; – this application does not seek removal of any of the restrictions to the times in which HGVs can access the site or Woodbury Road;
- The site’s operational license should be reviewed on a 12-month basis to ensure that the site operator / contractors adhere to the planning conditions and so that they can be monitored by the residents of Hatch Warren and Beggarwood Estates; – the principle of the site and its location was already determined through planning permission BDB/75034; and
- No environmental or commercial benefit of this plant to the local community; – the principle of the site and its location was already determined through planning permission BDB/75034.

8. Commentary

Principle of the Development

9.1 The Anaerobic Digestion Plant was initially granted permission in March 2012 (planning permission BDB/75034). This means that the principle of this waste management facility has already been established in accordance with relevant planning policies at that time. The site is safeguarded as an Energy Recovery Facility under Policy 26 (Safeguarding – waste infrastructure) of the adopted HMWP (2013).

9.2 In June 2016 Planning Permission 16/00322/CMA was granted which allowed an increase in vehicle movements to the site for a temporary period until 30th June 2017. This was followed by a subsequent permission (17/01876/CMA) which sought to amend Condition 7 (vehicle movements) of Planning Permission 16/00322/CMA. This was granted for another temporary period. The considerations for this application relate solely to whether the proposed variations to the number of HGV movements and operating times should be permitted on a permanent basis. This follows a

two year period in which the impacts of the 38 HGV movements per day have been tested and monitored under temporary permissions.

8.3 This proposal seeks to vary Conditions 2 (Hours of working), 3 (Timing of HGV site access), 4 (Timing of HGV access along Woodbury Road), 5 (Approved traffic management plan) and 6 (Vehicle movements) of planning permission [17/01876/CMA](#). The objective is to allow for a maximum of 38 Heavy Goods Vehicle (HGV) movements per day (19 in and 19 out) on a permanent basis with a 32 HGV per day annual average and additional revisions to the operating and delivery times of the site as concessions to concerns raised by members of the local community and the site's Liaison panel. The [Supplementary Planning Statement](#) submitted by the applicant on 7 February 2019 sets out these proposed variations to conditions. In summary, this proposed development is for:

- A maximum of 38 Heavy Goods Vehicle (HGV) movements per day (19 in and 19 out) on a permanent basis with a 32 HGV per day annual average;
- To move forward the time the site opens for HGVs and site operations on working days, Monday to Friday, from 0700 to 0600;
- To increase the morning time period for which HGVs may not enter or leave the site and so not make use of Woodbury Road, on working days, Monday to Friday, from 0800-0900 to 0715-0900; and
- To approve a revised Traffic Management Plan [TMP] (TMP 2019 rev V21.8, dated 28 February 2019), to allow it to be in accordance with the above proposed changes.

8.4 It is proposed that with respect to the proposed Condition 6 (HGV movements), the annual average number of HGV movements per day will be calculated as the mean average of the annual total number of HGV movements over the total number of days the site operated that year.

8.4 The reason given by the applicant for the need for the proposed permanent limit of 38 HGV movements per day is:

- The importation of waste to the site is limited by Condition 1 (Tonnage). The applicant does not seek to vary this limit. The ability to have up to 38 HGV movement per day on a permanent basis would provide the delivery flexibility the site requires, as demonstrated by the traffic monitoring survey, to allow for sustainable renewable energy generation through the economic operation of the site. Information provided by the applicant in the '[Applicant response to the issues raised in consultation](#)' (submitted 3 December 2018) demonstrates the need for this flexibility and how the Planning Permission conditions and economic, efficient delivery management prevents unnecessary HGV movements. This practice is further reinforced by the operator's co-operation in tightening the HGV conditions during the determinations of Permissions 17/01876/CMA and 16/00322/CMA.

- 8.5 The justification provided by the applicant for the acceptability of the proposed permanent limit of 38 HGV movements per day is:
- The temporary period (for which the site has operated with a 38 HGV movements per day limit) has had no known or reported incidents attributable to traffic associated with the site and highway safety was not compromised during the period;
 - During the temporary period, the operator has demonstrated an appropriate level of condition compliance of vehicle movements and action when any breaches occur. The data for this is included below in the Highways Issues section;
 - The change of company ownership to Biogen, part way through the second temporary permission period has enhanced the management of the site in relation to the planning conditions. The centralised strategies that Biogen adopt, and increased national strength and influence over suppliers and sub-contractors offer further benefits and ability to control suppliers for the site. This includes:
 - The operation of a process of central management of waste resources, enabling the plant to be kept at optimum operating level not peaks and troughs;
 - Biogen are the largest AD operator in the UK, with central haulier contracts – Biogen have bigger ‘clout’ with their suppliers who have more to lose by not complying with the rules governed by planning condition; and
 - Biogen have reduced the number of different hauliers supplying this site and so have a better ability to ‘police’ vehicle movements associated with the site.
 - The Traffic Survey carried out in July 2017 demonstrated that the proportion of vehicle movements associated with the site is a very small percentage of the overall vehicles movements on Woodbury Road;
 - The operator of the site works with the local community, through liaison panel meetings, and with the Waste Planning Authority, to implement and improve the agreed traffic management strategies; and
 - The agreed measures to control site access routes, timings, and to resolve any breaches continue to be effectively managed and reported.
- 8.6 As part of the application, the applicant submitted the results of the Traffic Monitoring Survey conducted by Hampshire County Council and analysis of the breaches that have occurred during the second temporary permission period. These are discussed in the Highways Issues section below.
- 8.7 The application also highlights the high level of engagement the operator has had throughout the first and second temporary permission periods in support of the Liaison Panel and local residents.
- 8.8 The applicant submitted the additional information in the form of an [‘Applicant response to the issues raised in consultation’](#) on 3 December 2018. This addresses numerous concerns raised by the public representations received.

- 8.9 The information submitted, including the transport surveys and assessments, demonstrate no significant detrimental impact would be caused by making the 38 HGV movements per day limit permanent. Therefore the application is considered to be in accordance with the policy of the presumption in favour of development set out in Paragraph 11 of the National Planning Policy Framework (NPPF) 2019.

Highways Issues

- 8.10 Policy 12 (Managing traffic) requires minerals and waste development to have a safe and suitable access to the highway network and where possible minimise the impact of its generated traffic through the use of alternative methods of transportation. It also requires highway improvements to mitigate any significant adverse effects on highway safety, pedestrian safety, highway capacity and environment and amenity.
- 8.11 [The National Planning Policy Framework](#) (NPPF) (2019), paragraph 109 states that *'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'* Paragraph 110 says that in this context, applications for development should create places that are safe, secure and attractive, which minimise the scope for conflict between users, and to allow for the efficient delivery of goods.
- 8.12 The operator has carried out public engagement, including attending the Liaison Panel, using this to agree and monitor the approved Traffic Management Plan (TMP) and the Driver Briefing Document.
- 8.13 In order to demonstrate the significance of any impact, during the first and second periods of temporary permission, the following work has been carried out to gather evidence:
- A Hampshire County Council commissioned Automatic Number Plate Recognition (ANPR) Traffic Monitoring Survey;
 - A review of the Waste Planning Authority's monitoring of public enforcement complaints for the site; and
 - An operator commissioned traffic movement day survey by Tamar, carried out in July 2017 (in support of the previous application 17/01876/CMA).
- 8.14 The route of the HGV access to and from the site has been agreed in previous permissions for the AD plant and is not a material consideration for this application. A Section 106 legal agreement requiring the applicant to pay a highway contribution was part of the original permission (BDB/75034). This sum was identified to contribute specifically to the maintenance and improvement works required as a result of vehicles associated with the development passing along Woodbury Road. This financial contribution has now been used by the Local Highway Authority for highway improvement works including the refreshing of anti-skid surfacing carried out on Woodbury Road. The operator also entered into a further Section 106 agreement to

provide a financial contribution to the purchase of the ANPR cameras. Notwithstanding the concerns expressed by some in the local community, it is considered that there is no planning justification for any further developer contribution associated with this application.

- 8.15 There have been a number of concerns raised by the public regarding the highway safety issues of the traffic generated by the development. The [Supplementary Planning Statement](#) submitted by the applicant on 7 February 2019 sets out additional variations to conditions in order to address a number of these concerns.
- 8.16 Hampshire County Council commissioned a traffic monitoring survey in 2017 in order to ascertain whether HGVs visiting the site were taking the correct route within the conditioned time periods.
- 8.17 This survey consisted of an Automatic Number Plate Recognition (ANPR) Camera being set up on 6 March 2017 near the junction with Centurion Way on Woodbury Road. This location was selected as the optimum location to identify vehicles taking the correct, agreed route in both directions. Following the installation of an additional camera, this survey equipment commenced full operation in June 2017. The survey was completed in October 2018. The equipment is still in place but is not currently operational pending the determination of this application.
- 8.18 The survey was co-ordinated with the Local Highway Authority in order to ensure they were satisfied with the method and accuracy of data collection. Weekly results were collected.
- 8.19 The Waste Planning Authority (WPA) collated and combined the results of the traffic monitoring survey with the site weighbridge records, provided by the site operator, on a monthly basis throughout the duration of the survey to generate a record of traffic numbers and potential breaches by HGVs travelling to and from the site. Typically, all potential breaches identified from the site weighbridge were identified by the operator who notified the WPA before being identified by the WPA or the public. The WPA also responded to any public complaints regarding the site. The operator responded rapidly to any potential breaches, investigating and co-operating with the WPA investigations. The operator has carried out strict enforcement in accordance with the approved TMP, including banning drivers and haulage companies from using the site.
- 8.20 The results of the traffic monitoring survey undertaken during the period of the current (second) temporary permission period, between 23 April 2018 and 26 October 2018, are shown in Table 1 below.
- 8.21 Table 1 also shows the Public complaints and issues raised with the WPA's Monitoring and Enforcement Team during the temporary time period. Those complaints that result in verified breaches are also included. The Monitoring

and Enforcement Team makes the operator aware of all complaints received by the WPA.

Month	2018										Total
	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	
Total HGV movements from weighbridge	456	430	374	464	404	372	384	398	332	428*	4042
Average HGV movements / day	20	20	18	22	16	16	18	18	17		
max HGV movement on any one day	38	38	32	34	32	32	24	38	38		
Site weighbridge:											
Potential breaches - timing	2	2	**	3	1	0	2	0	0	2	12
Potential breaches - routing	0	0	**	1	0	0	0	0	0	0	1
ANPR traffic monitoring:											
Potential breaches - Timing identified by ANPR	2	3	**	13	5	9	12	9	7	6	66
Potential breaches - routing identified by ANPR	0	0	**	7	3	3	4	4	1	8	30
Public complaints:											
Complaints reported to WPA	12	4	0	7	1	1	1	0	2	2	30
Complaints confirmed by WPA	0	1	0	4	1	0	0	0	0	1	7
Total confirmed breaches identified by WPA	2	3	0**	20***	6	12	16	13	8	14	94

*value taken from ANPR survey, rather than weighbridge numbers.

**ANPR system fault from 8th to 29th March. No breaches recorded 'at the gate'.

***Due to w/c 30th April some reported breaches for May have been recorded in April.

Summary of Results

Total number of HGV movements to and from the site between Jan and Oct 2018	Total number of confirmed breaches of conditions	Percentage (%) of HGV movements that are breaches
4042	94	2.3%

Table 1: Results of the traffic monitoring survey and public complaints for the site

8.22 The traffic monitoring survey has a number of limitations, described below:

- The survey excludes all farm traffic (tractor and bowser) and digestate tankered direct to Portsmouth Estate;
- The accuracy of the ANPR traffic survey is limited, affected by weather, vehicle cleanliness, and occasional periods of malfunction;

- It should be noted that there is a common pattern to the confirmed breaches; on numerous occasions, after investigation by the operator, a cluster of breaches would be found to be by one particular driver. On these occasions the driver would be trained or banned from the site. The applicant discusses this in the information provided by the applicant in the 'Applicant response to the issues raised in consultation' (submitted 3 December 2018).

8.23 The 2018 survey gives the following results:

- 2.5% of HGV movements were in breach (either routing or timing) during the 38 week period, an average of 2.5 per week; and
- A total of 30 public complaints during the 38 week period, resulting in 7 confirmed breaches resulting in an average of 0.2 breaches per week.

8.24 Information provided for the previous planning permission 17/01876/CMA included the results of the Traffic Monitoring Survey for a 13 week period between June 2017 and September 2017, and a record of complaints and breaches between June 2016 and September 2017. The applicant also commissioned and submitted a Traffic Survey for Woodbury Road, carried out on 5 July 2017. A summary of the 2017 results are:

- The traffic monitoring survey provided a value of 6.1% of HGV movements were in breach during that 13 week period, an average of 5 per week;
- A total of 88 complaints during a 65 week period, resulting in 39 confirmed breaches resulting in an average of 0.6 breaches per week; and
- The 5 July Traffic Survey stated that all HGVs using Woodbury Road make up only 0.7% of the road's total traffic flow. At the proposed 38 HGV movements per day, the HGV movements to and from the Basingstoke AD site contribute around 30-45% of this total HGV contribution, and therefore the Basingstoke AD HGVs make up approximately 0.3% of total traffic flow. It should be noted that bus movements are not included in the figures for HGVs.

8.25 Conclusions drawn from the above findings are:

- The number of breaches from HGVs traveling to and from the site has halved between 2017 and 2018; from an average of 5 per week to 2.5 per week, and from 6% to 2.5% of the total HGV movements;
- The average number of vehicle movements per day is approximately 19-20 (10 HGVs to and from the site), with a maximum number on any one day being 38 (there have been no breach of the maximum number of movements per day); and
- The rate of complaints by the public, and the number of those complaints being confirmed as breaches has fallen between 2017 and 2018; from an average of 0.6 per week to 0.2 per week.

8.26 Conclusions drawn from the traffic surveys are:

- The volume of HGV movements proposed is not a significant proportion of the traffic using Woodbury Road;
- The compliance of the operator to the conditions of the site's planning permission has significantly improved from 2017, up to 97.5%;
- The level of breaches occurring at the site is considered by the WPA to be a high level of compliance with this type of planning condition;
- The operator continues to improve their high level of cooperation with the public and the WPA in monitoring and enforcing their site operations in accordance with the conditions of the planning permission; and
- The traffic data collected demonstrates that daily numbers can vary significantly, but average between 16 to 22 daily HGV movements, depending on the number of working days in the month, and also on seasonal variations. The logs demonstrate that in some months there are a small number of days during the temporary period when the number of HGV movements have been up to, or close to, the currently permitted limit of 38. Considered with the monthly averages, this demonstrates that the daily number of HGV movements varies greatly and justifies the need for the proposed daily maximum HGV movement number of 38 to allow for sustainable operation of the site to generate renewable energy.

8.27 The operator is being proactive in addressing any breaches, including advising the Council themselves of breaches and promptly responding in accordance with procedures of the agreed Traffic Management Plan (TMP), revision v21.7, dated 19.10.17 (see appendix E). It is the view of the WPA that the operator has been acting in an appropriate manner to address issues with vehicle movements. It is noted that clusters of recorded breaches are caused by the same driver causing repeat offences before the operator and/or the WPA identify and stop the driver. The operator's response is to either train or ban the driver from the site.

8.28 Using the combined findings of the surveys and monitoring, the evidence demonstrates that HGVs visiting the site are taking the correct route at the correct times of the day to a reasonable and acceptable level of compliance; the ANPR survey suggests a 97.5% compliance by HGV movements to the conditions and the agreed Traffic Management Plan. The data is considered sufficiently robust and accurate to confirm that the operator is in general compliance with the conditions of the planning permission and that the number of breaches is within levels of tolerance considered acceptable by the WPA, having regard to the aims and limitations of the conditions. This is supported by the consultation response received from the Highways Authority. It is considered that the conditions have been successful in managing HGV traffic movements as intended, bearing in mind that the operator does not have direct control over most of the HGV traffic visiting the site and an expectation of 100% compliance is unrealistic.

8.29 The Local Highway Authority responded to consultation on the application and the additional information submitted by the operator and the findings of the surveys. The Local Highway Authority reviewed the information

contained in the application, particularly the low level of breaches recorded during the temporary period and the enforcement measures taken by the applicant, and is satisfied that this proposal will not have a significant impact on the highway. The Local Highway Authority therefore raises no objection to this application, and raised no objection to the previous applications considered at the site.

- 8.30 The WPA Monitoring and Enforcement team will continue to monitor the site for any breaches of planning conditions or the TMP. This includes vehicle numbers, routing breaches, and use of the agreed route within the daily time periods specified.
- 8.31 It has been suggested that the ANPR monitoring should remain in place, either temporarily or permanently, for continued monitoring and to act as a deterrent. There would be a public cost associated with this ongoing monitoring and there are no other examples of continued monitoring at other waste or minerals sites across the County. It is considered there are no exceptional circumstances in this case that would justify it. The Local Highway Authority has also not requested its retention.
- 8.32 The concerns raised in representations relating to the level of HGV movements are noted. The requests to reduce the level of movements are also noted.
- 8.33 One of the reasons the conditions relating to HGV movements were applied was to minimise the potential for conflict with pedestrians going to and from the local school. It is noted that the school has made no complaints about the use and have raised no objection to this application.
- 8.34 It is concluded that the proposal is considered in accordance with Paragraphs 108-111 of the NPPF (2019) and Policy 12 (Managing traffic) of the adopted Hampshire Minerals & Waste Plan (2013) as the increase in daily HGV movements to 38 (in and out) from the previously permitted 22 daily HGV movements has not caused a significant impact on public amenity and highway safety.

Impact on Health and Amenity

- 8.35 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. As detailed in the representations section, there have been concerns raised over adverse impacts to local amenity and health.
- 8.36 No objection to the proposal was received from Basingstoke and Deane Borough Council and its Environment Health Team.

- 8.37 The potential health and amenity impacts associated with HGV movements have already been discussed in the previous section of the report. Taking into account the small proportion of total traffic that the HGVs visiting the site are, it is considered that the noise impact, pollution from vehicle emissions and the amenity impacts on residents from the HGVs through the residential estate are not significant.
- 8.38 The additional variations to conditions 2, 3, 4 and 5 set out in the [Supplementary Planning Statement](#) submitted by the applicant on 7 February 2019 are considered to have no significant adverse impact on amenity and health. No objections have been received during consultation for the change in the site's start time for operations, moving from 0700 to 0600 Monday to Friday.
- 8.39 Exceeding the speed limit set on the highway is not within the regulatory remit of the WPA and so is not a material consideration. This is a highway safety matter which lies within the jurisdiction of the Police.
- 8.40 The first section of the site's haulage road is a shared access with Kennel Farm. The safe driving of HGVs is a matter of highway safety. The operator has demonstrated a pro-active approach to addressing issues through the use of the Liaison Panel, continued review of the Traffic Management Plan and the use of clearer signage.
- 8.41 It is considered that any impact on public health and amenity from the proposed number of HGVs visiting site is not significant. Therefore the proposal is considered to be in accordance with Policy 10 (Protection of public health, safety and amenity) of the adopted Hampshire Minerals & Waste Plan (2013).

Responses to Public Representations

- 8.42 The following comments are made in response to concerns raised in the public representations:
- The approved HGV route via Woodbury Road is considered the most appropriate route to and from the site. Alternatives are considered unsuitable as they result in traffic travelling down rural minor roads considered unsuitable for HGVs;
 - The number of HGVs that serve the AD plant are not a significant contribution to the vehicles that use Woodbury Road, 30-45% of HGVs (excluding buses) and 0.3% of overall vehicles;
 - Taking into account the small proportion of total traffic that the HGVs visiting the site make up, it is considered that the noise impact, pollution from vehicle emissions and the amenity impact on residents from the HGVs through the residential estate is not significant;
 - The application demonstrates the operator is more than 97% compliant with the current planning conditions relating to HGV movements. This demonstrates satisfactory compliance with the current planning permission;

- The conduct of road users is not within the regulatory remit of the WPA and so is not a material consideration;
- With respect to public concern for an increase in HGV size and the safety and the highway damage effects these may have; the Highway Authority raise no concern for the suitability of using HGVs of this size on Woodbury Road. No part of the route has any highway limits to vehicle weights or sizes;
- Wear and tear caused to the highways has been considered by the Local Highway Authority. Contribution has already been sought from the applicant in Planning Permission BDB/75034 and further contributions would be considered disproportionate to the development being sought by this application;
- The operator previously provided a new directional sign at the junction of the haulage road with the road to Kennel Farm to further clarify the route for site visitors and reduce any visitors taking the wrong road to Kennel Farm. The operator continues to engage with residents to monitor and improve the signage;
- The limit of HGV movements stated by condition in a planning permission is required to be greater than the average number of daily movements, in order to allow reasonable flexibility to allow for sustainable operation of the facility;
- The site operator sources waste from as local an area as possible; it would not make economic sense to not do so. Should the local waste collection authority enable collection of domestic food waste, the local provision of suitable waste for the site would increase;
- The need for a 38 HGV daily movement limit is for the operator to demonstrate on the grounds of sustainable business operation. The HCC data demonstrates that the operator has complied with the temporary limits for daily HGV movements during the period of the survey; and
- The need for a new link road avoiding residential areas is beyond the scope of this application.

Summary

8.43 The traffic surveys and level of material complaints received by the WPA during the temporary period granted by planning permission 17/01876/CMA demonstrate that the operator is working to comply with the conditions of the permission and the existing approved Traffic Management Plan (revision v21.7, dated 19.10.17) with approximately 97.5% of HGV movements being compliant. Breaches of the agreed Traffic Management Plan, usually due to route or timing errors, are within a reasonable and acceptable proportion of the movements, bearing in mind the limitations on the enforceability of the conditions. The operator is being proactive in liaising with the community, enforcing their own permission and Traffic Management Plan and improving their working practices.

8.44 The work of the Liaison Panel, in improving the Traffic Management Plan and the Driver Briefing Sheet (revision v21.7) (see Appendix F) and in

reporting potential breaches to the Council, has had a positive effect in improving the operator's management of the HGV traffic and this will continue.

- 8.45 The traffic movement day survey and ANPR survey demonstrate that, although the HGVs visiting the site are a significant number of HGVs using the route (approximately 30-45%), they are not a significant number of total vehicles using the route (approximately 0.3%). The Local Highway Authority has again raised no objection to the proposal.
- 8.46 The revised proposal submitted in the [Supplementary Planning Statement](#) to also vary Conditions 2, 3, 4 and 5 as well as Condition 6 of planning permission [17/01876/CMA](#) has raised no objections and are considered to have no significant adverse impacts.
- 8.47 It is therefore considered, on balance, that the proposal to vary Conditions 2 (Hours of working), 3 (Timing of HGV site access), 4 (Timing of HGV access along Woodbury Road), 5 (Approved traffic management plan) and 6 (Vehicle movements) of planning permission 17/01876/CMA at Basingstoke Anaerobic Digestion (AD) facility to allow for a maximum of 38 Heavy Goods Vehicle (HGV) movements per day (19 in and 19 out) on a permanent basis with a 32 HGV per day annual average and revisions to the operating and delivery times of the site on a permanent basis is in accordance with the relevant policies of the adopted Hampshire Minerals & Waste Plan (2013). Information and evidence collected shows that the temporary increase in permitted daily HGV movements to 38 (in and out) during 2017 and 2018 by Planning Permissions 16/00322/CMA and 17/01876/CMA, from the previously permitted 22 daily HGV movements by Planning Permission BDB/75034, has not caused a material impact on highway safety or public amenity. Therefore the proposal is in accordance with Policies 10 (Protecting public health, safety and amenity) and 12 (Managing traffic) of the HMWP (2013).

9. Recommendation

- 9.1. That planning permission shall be GRANTED subject to the conditions listed in integral Appendix B.

Appendices:

Integral Appendix A – Corporate or Legal Information;

Integral Appendix B – Conditions;

Appendix C – Location Plan;

Appendix D – Map showing agreed HVG access route and survey locations; and

Appendix E – Traffic Management Plan and Driver Briefing Sheet, revision v21.8, dated 28.02.19.

Other documents relating to this application:

The Planning Application can be found at the below link:

<https://planning.hants.gov.uk/ApplicationDetails.aspx?RecNo=18267>

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

Hampshire maintains strong and sustainable economic growth and prosperity:	No
People in Hampshire live safe, healthy and independent lives:	No
People in Hampshire enjoy a rich and diverse environment:	No
People in Hampshire enjoy being part of strong, inclusive communities:	No
OR	
This proposal does not link to the Strategic Plan but, nevertheless, requires a decision because: The proposal is an application for planning permission and requires determination by the County Council in its statutory role as the minerals and waste planning authority.	

Section 100 D - Local Government Act 1972 - background documents

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

DocumentLocation

18/03001/CMA

Hampshire County Council

BA170

Basingstoke AD Plant, Dummer, Basingstoke
RG23 7LW(Application to remove the temporary time
period element of Condition 6 (vehicle
movements) of planning permission

17/01876/CMA

CONDITIONS

Tonnage

1. There shall be no more than 40,000 tonnes per year of waste delivered to the site.

A written record of tonnage entering the site associated with the permission hereby granted shall be kept onsite. All weighbridge data shall be made available to the Waste Planning Authority for inspection upon request.

Reason: In the interest of the local amenity and highway safety in accordance with Policies 10 (Protecting public health, safety and amenity) and 12 (Managing traffic) of the Hampshire Minerals and Waste Plan (2013).

Hours of Working

2. No waste shall be handled on site and no Heavy Good Vehicles (vehicles over 3.5 tonne un-laden), shall enter or leave the application site, except between the hours of 0600 and 1800, Monday to Friday and between 0800 and 1300 Saturday. There shall be no waste handled and no movements on Sunday or recognised Public Holidays.

Reason: In the interests of local amenity and highway safety in accordance with Policies 10 (Protecting public health, safety and amenity) and 12 (Managing Traffic) of the Hampshire Minerals and Waste Plan (2013).

3. Notwithstanding condition 2 above, no Heavy Good Vehicles (vehicles over 3.5 tonne un-laden) shall enter or leave the application site between the hours of 0715 and 0900 and 1500 and 1545 hours Mondays to Fridays during school term time, in accordance with the approved Traffic Management Plan, TMP 2019 rev V21.8, dated 28 February 2019, or any future revisions approved in writing by the Waste Planning Authority.

Reason: In the interests of local amenity and highway safety in accordance with Policies 10 (Protecting public health, safety and amenity) and 12 (Managing Traffic) of the Hampshire Minerals and Waste Plan (2013).

4. No Heavy Good Vehicles (vehicles over 3.5 tonne un-laden) shall make use of Woodbury Road between the hours of 0715 and 0900 and 1500 and 1545 hours Mondays to Fridays during school term time, in accordance with the approved Traffic Management Plan, TMP 2019 rev V21.8, dated 28 February 2019, or any future revisions approved in writing by the Planning Waste Planning Authority.

Reason: In the interests of local amenity and highway safety in accordance with Policies 10 (Protecting public health, safety and amenity) and 12 (Managing Traffic) of the Hampshire Minerals and Waste Plan (2013).

Highways

5. The Traffic Management Plan, TMP 2019 rev V21.8, dated 28 February 2019, or any future revisions approved in writing by the Waste Planning Authority, shall be implemented as approved and retained in place thereafter.

Reason: In the interests of local amenity and highway safety in accordance with Policies 10 (Protecting public health, safety and amenity) and 12 (Managing Traffic) of the Hampshire Minerals and Waste Plan (2013).

6. There shall be a maximum of 38 Heavy Goods Vehicle [HGV] movements (vehicles over 3.5 tonne un-laden) (19 movements in and 19 movements out) on any one working day in relation to the site. Notwithstanding the above number of maximum HGV movements, the mean average of HGV movements per working day shall not exceed 32 (16 movements in and 16 movements out), measured over each calendar year. Records of vehicle movements to and from the site and the times of entry and departure and CCTV footage shall be kept and made available for inspection at the request of the Waste Planning Authority.

Reason: In the interests of local amenity and highway safety in accordance with Policies 10 (Protecting public health, safety and amenity) and 12 (Managing Traffic) of the Hampshire Minerals and Waste Plan (2013).

7. A maximum of 4 movements of Heavy Good Vehicles (vehicles over 3.5 tonne un-laden) carrying digestate may leave the site turning right on any working day. Records of vehicle movements to and from the site and the times of entry and departure shall be kept on site and be made available for inspection at the request of the Waste Planning Authority.

Reason: In the interests of local amenity and highway safety in accordance with Policies 10 (Protecting public health, safety and amenity) and 12 (Managing Traffic) of the Hampshire Minerals and Waste Plan (2013).

8. The access junction to the site shall be maintained as approved (Plans 11011/105 Rev A and 11011/106 Rev B dated 11/06/12, approved under planning permission BDB/75034) for the duration of the development.

Reason: In the interest of local amenity and highway safety in accordance with Policies 10 (Protecting public health, safety and amenity) and 12 (Managing Traffic) of the Hampshire Minerals and Waste Plan (2013).

9. Visibility splays of 4.5 metres by 160 metres at the junction of the access road with the public highway shall be kept free from obstacles for the duration of the development.

Reason: In the interest of highway safety in accordance with Policy 12 (Managing Traffic) of the Hampshire Minerals and Waste Plan (2013).

10. The haul road shall be maintained as detailed on Plan E001-04-02Rev2 (approved under planning permission BDB/75034) for the duration of the development.

Reason: In the interests of securing an appropriate access road to in the interest of highway safety in accordance with Policy 12 (Managing Traffic) of the Hampshire Minerals and Waste Plan (2013).

11. All vehicles entering and leaving the site shall use the haul road as detailed on Plan E001-04-02Rev2 (approved under planning permission BDB/75034).

Reason: In the interest of highway safety in accordance with Policy 12 (Managing Traffic) of the Hampshire Minerals and Waste Plan (2013).

12. The wheel cleaning measures in the Vehicle Management Strategy (E004-01 dated November 2011, approved under planning permission BDB/75034) shall be maintained for the duration of the development. No vehicle shall leave the site unless its wheels have been cleaned sufficiently to prevent mud and spoil being carried on to the public highway.

Reason: In the interest of highway safety in accordance with Policy 12 (Managing Traffic) of the Hampshire Minerals and Waste Plan (2013).

Landscape

13. Any trees or shrubs planted in accordance with the approved landscaping scheme hereby approved (Proposed Planting Scheme (1518 / P103 Rev P1, approved under planning permission 16/00322/CMA) 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 approved scheme shall be implemented as approved.

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

14. The portal framed waste reception building shall remain clad in profiled steel sheeting. The digesters and associated plant shall remain grey in colour (RAL7038) and remain in perpetuity.

Reason: In the interests of visual amenity and to secure a satisfactory development that is in keeping with the local character and 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 and Waste Plan (2013).

Storage

15. There shall be no outside storage of waste.

Reason: To protect the amenities of the area in accordance with Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

Lighting

16. The lighting scheme as detailed in drawing E004-01 Lighting (approved under planning permission BDB/75034) shall be maintained for the duration of the development.

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

Restoration

17. At such time as the development is no longer used for the waste uses as hereby approved, or any subsequent primary planning permission on the site that supersedes this hereby approved, ceases to operate effectively or the development fails to produce renewable energy for a continuous period of six months or more, the anaerobic digestion facility including the buildings and associated plant, infrastructure, underground equipment, associated machinery and waste shall be removed from the site and the land restored back to agricultural use. The restoration details for the site shall be submitted within three months of the cessation of use for written approval by the Waste Planning Authority. The restoration shall be completed in accordance with the approved details within six months of approval.

Reason: To prevent the retention of a development in the countryside that is no longer providing a benefit in sustainability terms and contributing to reducing the reliance on fossil fuels and offsetting the associated environmental impacts in accordance with the relevant paragraphs of the National Planning Policy Framework as well as Policies 5 (Protection of the countryside) and 9 (Restoration of minerals and waste developments) of the Hampshire Minerals and Waste Plan (2013).

Plans

18. The development hereby permitted shall be carried out in accordance with the following approved plans: **1518 / P101 Rev P2, 1518 / P102 Rev P1, 1518 / P103 Rev P1, E001-04-04 Rev 1, E001-04-05 Rev 2, E001-04-06 Rev 1, E001-04-07 Rev 1, E001-04-09 Rev 2, E001-04-10 Rev 3, E001-04-11 Rev 0, E001-04-14 Rev 1, E001-04-SLR Rev 2, 20008-13 Rev 0, 11011/105, E004-01 Lighting Rev 1.**

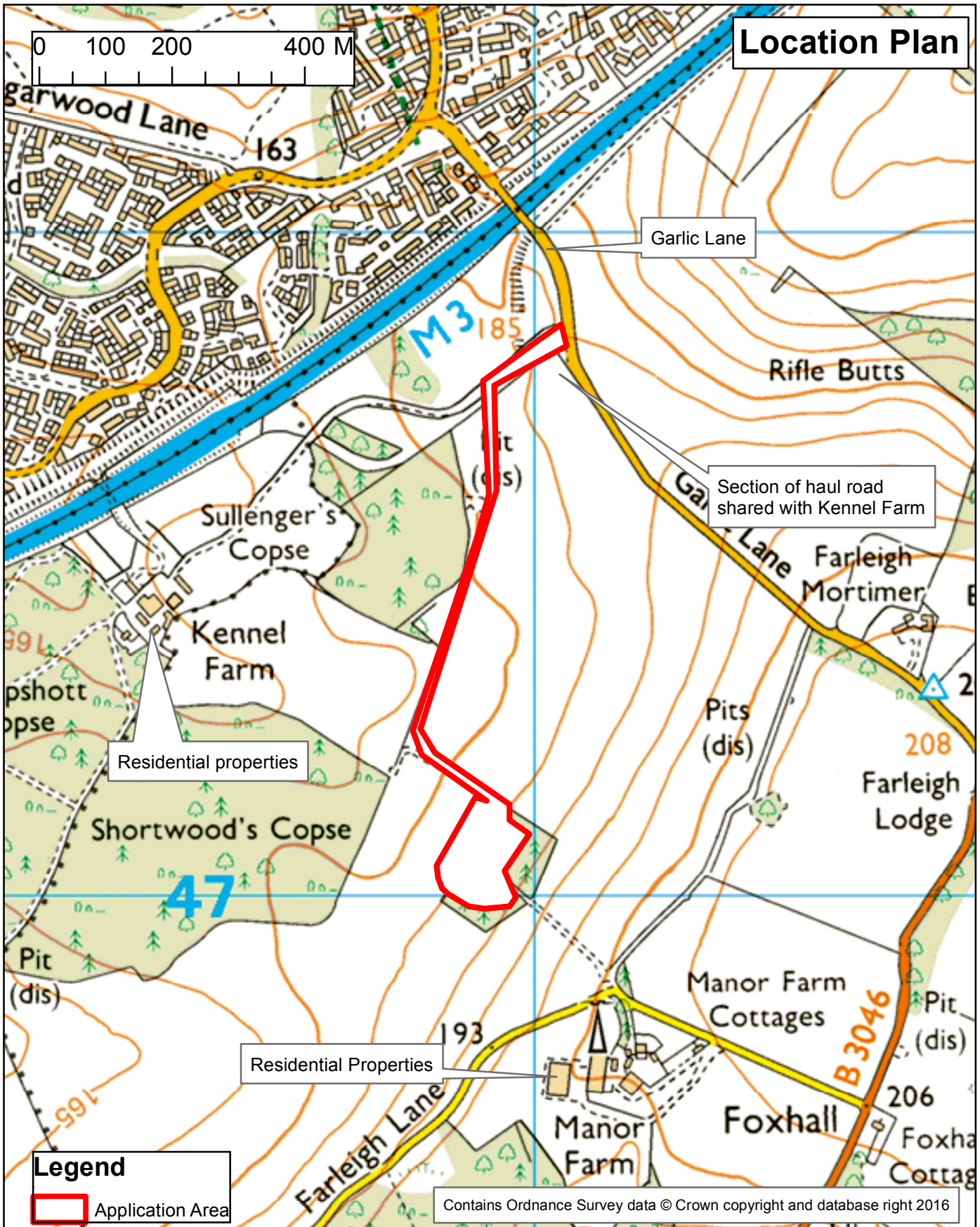
Reason: For the avoidance of doubt and in the interests of proper planning.

Notes to Applicant

1. In determining this planning application, the Waste Planning Authority has worked with the applicant in a positive and proactive manner in accordance with the requirement in the National Planning Policy Framework (2019), as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.
2. For the purposes of matters relating to this decision Heavy Goods Vehicles (HGVs) are defined as vehicles over 3.5 tonne un-laden.
3. The applicant is encouraged to ensure that the site Liaison Panel, established following the grant of planning permission BDB/75034, shall continue to meet on a regular basis at an appropriate venue and that the panel membership includes all relevant representatives of the local community and other interested parties.

4. Driver briefing will be provided by the operator to ensure the timing restriction related to school drop-off / pick-up is applied to Woodbury Road in addition to arriving and leaving the site entrance.
5. This decision does not purport or convey any approval or consent which may be required under the Building Regulations or any other Acts, including Byelaws, orders or Regulations made under such acts.

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Application to remove the temporary time period element of Condition 6 (vehicle movements) of planning permission 17/01876/CMA at Basingstoke AD Plant, Dummer, BASINGSTOKE RG23 7LW

APPLICATION NUMBER: 18/03001/CMA

SITE REFERENCE: BA170

REGULATORY COMMITTEE

DATE: 13 February 2019

1:8,000



Drawn by: Strategic Planning

Page 81



Hampshire
County Council

Economy, Transport and Environment

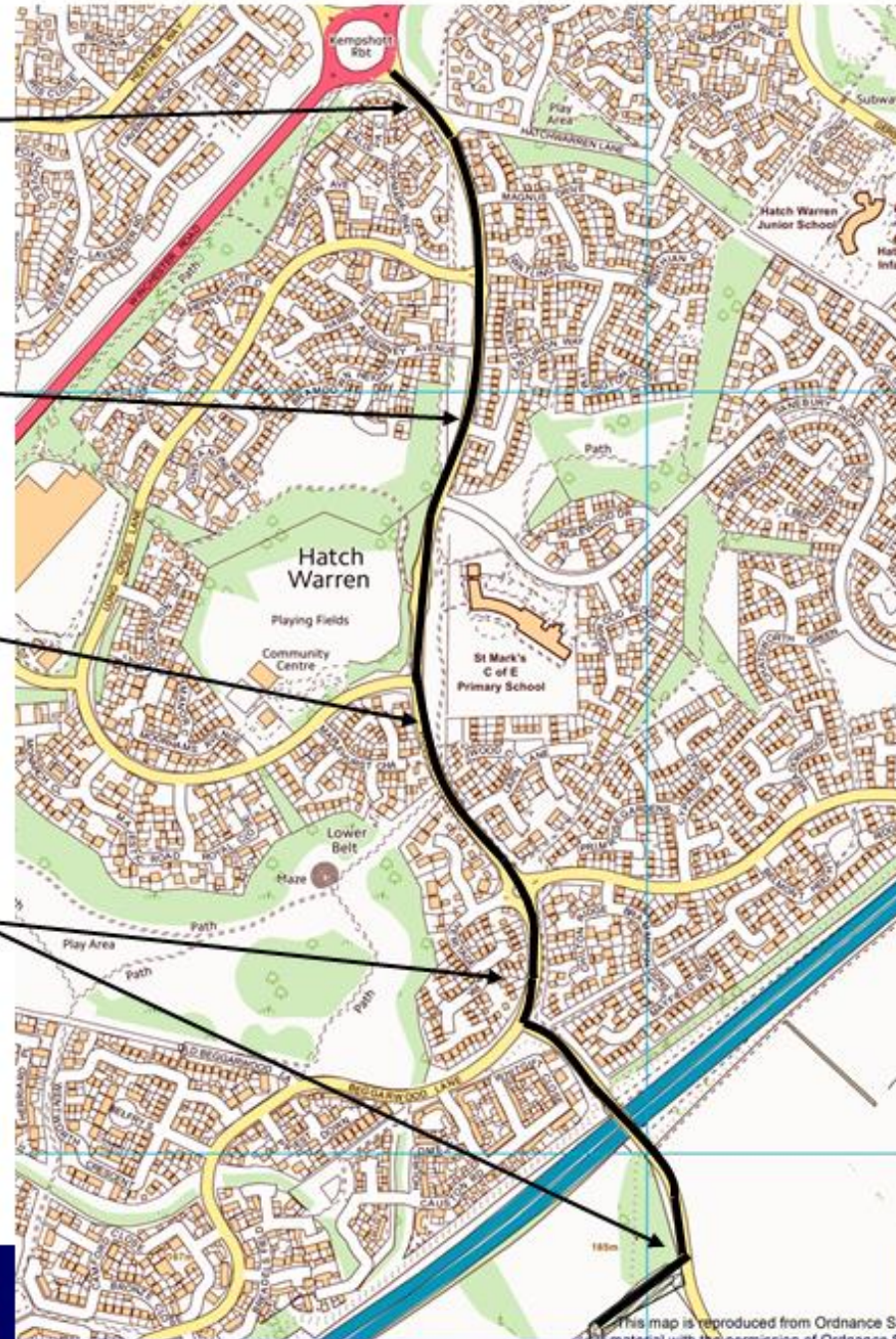
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Operator's traffic day survey ANPR camera locations

HCC ANPR camera locations

Agreed HGV route (Woodbury Road)

Operator's traffic day survey ANPR camera locations



Plan showing agreed HGV access route and survey camera locations

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TRAFFIC MANAGEMENT PLAN (TMP)

Biogen UK Limited (Basingstoke)

Farleigh Anaerobic Digestion (AD) Site

TMP 2019 V 21.8

(This document supersedes the Traffic Management Plan document referenced 1518/PS02
rev 06 dated June 1st 2016)

28th February 2019

REVISION AND REVIEW RECORD

Version	Revision	By	Checked	Date
21.1	2017 TMP released in Draft Format	bh	JJ	07.07.17
21.2	2017 TMP Tamar edit and reissue	rb		22.08.17
21.3	2017 TMP Tamar edit and reissue following meeting between JJ, BH, MF, RB on 23 rd August 2017	rb & mf		04.09.17
21.4	2017 TMP Tamar further review	rb & mf		22.09.17
21.5	2017 TMP Tamar edit and reissue following meeting between JJ, BH, MF, RB on 4 th October 2017	rb & mf		06.10.17
21.6	2017 TMP Tamar edit and reissue following review and further discussion with Bill Holt	rb & mf		06.10.17
21.7	2017 TMP Tamar edit to update planning permission document reference	mf		19.10.17
21.8	2019 Biogen edit to update plant curfew timings	JN		28/02/19

Document subject to annual review or at an alternative interval if circumstances require.

Contents

Section	Title	Page Number
1	Scope of this Document	4
2	AD Site Contact Details	4
3	Biogen Renewable Power (Basingstoke) Limited	4
4	Condition 4 of the planning permission	4
5	Definitions	5
6	Limitations of SatNav Navigaton and online routing in local road network	5
7	The Carousel Dairy, Redundant Dairy Access Road and Narrow Local Roads	6
8	Designated Access and Egress Route	6
9	A30 Kempshott Roundabout	7
10	Satellite Navigation Co-ordinates for Kempshott Roundabout	7
11	Designated Access Route	8
12	Designated Egress Route	9
13	Pedestrian Safety, School Crossing Patrol Points and School Coach Pick-up and Set-down Locations	9
14	AD Site Open Times	11
15	Woodbury Road Route Open Times	11
16	Release of HGVs from the AD Site	12
17	Recording of HGV Arrival and Departure Times	12
18	HGV Off-Site Parking	12
19	HGV Haulage Company Responsibilities	13
20	HGV Driver Responsibilities	13
21	Biogen Responsibilities	13
22	TMP Disciplinary Procedure	14
23	Appendix	17

1. Scope of this Document

This document is intended for haulage companies and heavy goods vehicle (HGV) drivers who work with Biogen UK Limited (Basingstoke).

All companies which supply the Farleigh AD Site using HGV's must abide by the guidance provided in this document.

It includes:

- Reference to Hampshire County Council Planning Conditions for routing and time restrictions for HGV's entering and leaving Farleigh AD Site; and
- Procedures and instructions to drivers of HGVs and their employers.

It excludes:

- Timing and routing instructions for vehicles which are 3.5 tonnes and under un-laden weight as these vehicles are not deemed to be HGVs.

2. AD Site Contact Details

Biogen UK Limited (Basingstoke)
Farleigh
Basingstoke
Hampshire
RG23 7LW

Site telephone number: 01256 477 516

Email address: basingstokeweighbridge@biogen.co.uk

Site Manager: Jonathan Niker. Telephone number: 07876 899 796

3. Tamar Renewable Power (Basingstoke) Limited

Tamar Renewable Power (Basingstoke) Limited (Tamar) is a subsidiary of Tamar Energy Ltd.

Biogen's Farleigh AD Site was commissioned in 2013 and is permitted to process up to 40,000 tonnes of domestic and commercial food waste per year into renewable energy. The plant has the capacity to produce up to 1.5MW of electricity which is exported to the local power network and also produces a biofertiliser, known as digestate, for beneficial use on agricultural land.

4. Condition 4 of the planning permission

Condition 4 of planning permission 18/03001/CMA provides that the restriction whereby no HGV's shall make use of Woodbury Road between the hours of 0715 and 0900 and 1500 and 1545 hours Mondays to Fridays during school term time. To avoid any ambiguity over school term times, Biogen has agreed that these timing restrictions should apply all year round and this TMP has been produced accordingly.

5. Definitions

AD	Anaerobic Digestion
HCC	Hampshire County Council
HGV	Heavy Goods Vehicle, with a weight over 3.5 tonnes un-laden. HGVs exclude agricultural vehicles such as a tractor and trailer
Biogen	Biogen UK Limited (Basingstoke)
TMP	Traffic Management Plan
WPA	Waste Planning Authority

The Site: Biogen's Farleigh AD Site, located south-west of Basingstoke; refer to Appendix section 1.

Designated Access Route: This is the route HGVs must follow from the A30 Kempshott roundabout to the AD Site; see Appendix section 3.

Designated Egress Route: This is the route HGVs must follow from the AD Site to the A30 Kempshott roundabout; see Appendix section 3.

Route Open Times: relate to when HGVs can use Woodbury Road to access and egress the AD Site.

Route Timing Restrictions; HCC has placed timing restrictions on HGVs use of the Designated Access and Egress Routes to/from the AD Site. These are detailed within this TMP. HGVs servicing the AD Site shall not enter or be on any part of Woodbury Road during the route closed periods.

Route Transit Time-Buffer: This is a ten-minute period to allow HGVs accessing the AD Site to travel the designated Woodbury Road route from the A30 Kempshott Roundabout and reach the AD Site gates before the AD Site is closed to arriving HGVs for the morning and afternoon Site closed periods.

Site Open Times: Times when the AD Site is open for delivery and collection by HGV's. *"Site Open Times" should not be confused with Route Open Times.*

TMP Disciplinary Procedure: this is a disciplinary procedure for HGV drivers and their employers who breach;

- i) The Route Timing Restrictions; and/or
- ii) The Designated Access/Egress Routes.

6. Limitations of SatNav Navigaton and online routing in local road network

Drivers using SatNavs or Internet mapping should set their devices to guide them to the Woodbury Road exit of the A30 Kempshott Roundabout and then follow the highway signage along Woodbury Road and Garlic Lane to the AD Site. Kempshott Roundabout GPS coordinates are specified in this document.

HGV drivers should not try to navigate to the AD Site using the post code given in the Site address i.e. RG23 7LW. Use of this post code can result in journey's ending on the southbound hard shoulder of the M3 Motorway between junctions 6 and 7 or at a farm gate in Farleigh Lane.

7. The Carousel Dairy, Redundant Dairy Access Road and Narrow Local Roads

Prior to the Farleigh AD Site being built, the Site was occupied by the Carousel Dairy. The dairy was serviced by an access road that was connected to Farleigh Lane (see Appendix section 1). Although this one-time service road can be used in exceptional circumstances by the Emergency Services to gain entry to the AD Site, it no longer provides general access to the Site. Unfortunately, however, the Farleigh Lane access road is still shown on some maps - both paper and digital.

The Farleigh Lane access road is now only used by agricultural vehicles working on the Portsmouth Estate. A locked gate prevents any access to the farm land and AD Site from Farleigh Lane.

HGV drivers visiting the Biogen AD Site and who arrive at the Farleigh Lane gate will have no other option but to turnaround and drive to the AD Site haul road that runs off Kennel Farm Lane.

Drivers should be aware that both Farleigh Lane and the roads through Dummer village are “Unsuitable for HGVs” due to their width.

HGV drivers who attempt to reach the Farleigh AD Site via Farleigh Lane or the B3046 will be in breach of the Designated Access/Egress Route and will be subject to the TMP Disciplinary Procedure.

8. Designated Access and Egress Route

The AD Site is situated at Farleigh south west of Basingstoke and separated from the A30 by the densely populated Beggarwood and Hatch Warren Estates. The Designated Access/Egress Route, with its timing restrictions, is mandatory for all HGVs. Use of any other route to/from the Site is prohibited by the Site’s planning permission. The Designated Access and Egress Route is shown in Appendix section 3 and the highway signage supporting it in Appendix sections 4, 5 and 6.

This route passes a Primary School, a public sports field and a Community Centre. At several sections of the chosen route, the pedestrian footpaths run along the side of the road without any separation between pedestrians and road vehicles.

Speed limits on the Designated Route can be found in Appendix section 2.

Drivers of HGVs should take particular care whilst driving this route and observe the 30MPH speed limit.

For clarity, condition 7 of planning permission reference **18/03001/CMA** does allow a maximum of 4 movements of HGV’s carrying digestate away from the Site to turn right onto Garlic Lane on any working day. This only relates to digestate movements by HGV’s and excludes agricultural vehicles such as a tractor and trailer. Any HGV with digestate turning right is only allowed with the prior written approval of Biogen.

9. A30 Kempshott Roundabout

All HGV drivers visiting the Farleigh AD Site must use the A30 Kempshott roundabout to access Woodbury Road.



Kempshott roundabout is located approximately 2 miles from Junction 7 of the M3. This roundabout is well marked with named signage for HGV drivers approaching on the A30 from either the southwest (M3, A303, A30) or north easterly directions (Basingstoke, Reading, Newbury, Oxford).

10. Satellite Navigation Co-ordinates for Kempshott Roundabout

HGV drivers using SatNavs or Internet mapping should set their devices to guide them to the A30 Kempshott Roundabout using the following mapping coordinates.

Decimal Degrees (WGS84)

Latitude	Longitude
51.24116	-1.13231

Degree and Minutes (GPS)

Latitude	Longitude
N 51° 14.469'	W 1° 07.939'

Degrees, Minutes and Seconds

Latitude	Longitude
N 51° 14' 28.16"	W 1° 07' 58.31"

On arrival at the Kempshott Roundabout, HGV drivers should follow the highway signage for the AD Site that will direct them into Woodbury Road and guide them along Woodbury Road towards the AD Site. This signage is shown in Appendix section 5.



HGV drivers should consider whether their SatNav estimated arrival time will fall within a Route Open Time and, if not, should consider a suitable place to park (refer to Off-Site Parking section in this document) and wait so allowing them to arrive during the Route Open Time .

11. Designated Access Route

The Designated Access Route is to be followed by ALL HGV drivers accessing the AD Site. The route can be seen in Appendix section 3.

HGV drivers visiting the AD Site should approach the AD Site via the A30 Winchester Road and turn into Woodbury Road at the Kempshott roundabout.



This is the point where the **Route Timing Restrictions** begin. Details of restricted times can be found in section 14 of this document. A number of HGV directional signs along the route will guide HGV drivers to the Site (see Appendix section 5).

HGV drivers should follow Woodbury Road for approximately 1 mile until they reach the Garlic Lane mini-roundabout.



At this mini-roundabout junction HGV drivers should turn **LEFT** off Woodbury Road and into Garlic Lane, climb the incline and cross the road bridge over the M3.

Drivers should turn into Kennel Farm Lane which is the first **RIGHT** on Garlic Lane after the motorway bridge.

Note:

- On entering Woodbury Road HGV drivers must proceed immediately to the AD Site weighbridge. HGV Drivers should not park or wait on any part of Woodbury Road, Garlic Lane, Kennel Farm Lane or the Site Haul Road. The passing places on the Haul Road are to allow vehicles to pass and are not to be used for parking or waiting.

12. Designated Egress Route

This route is to be followed by ALL HGVs leaving the Site.

HGV drivers should observe the 10MPH speed restriction on both the Site haul road and Kennel Farm Lane.

HGVs leaving the Farleigh AD Site must halt before turning right at the junction of the Site haul road and Kennel Farm Lane. Care should be exercised at this junction and HGVs should stop and take observation for vehicles entering and leaving the Kennel Farm settlement.

At the junction of Kennel Farm Lane and Garlic Lane, HGVs should follow the instruction given on the "All Routes" sign and turn LEFT onto Garlic Lane.



After crossing the M3 bridge, HGVs approach the mini-roundabout junction of Garlic Lane and Woodbury Road. Here they must turn RIGHT and follow Woodbury Road without deviation for approximately 1 mile when they will arrive at the A30 Kempshott roundabout.

At the Kempshott roundabout HGV drivers will continue their onward journey.

Drivers should be aware that their departure from the AD Site will be controlled by the weighbridge operator. This is to ensure that they do not enter or be on any part of Woodbury Road during Route Timing Restrictions. Details of restricted times can be found in section 14 of this document.

A map showing the Designated Egress Route can be found in Appendix section 3. The route is supported by a number of Highway signs that guide HGV drivers to the A30 Kempshott roundabout (see Appendix section 6).

Note:

- *On leaving the AD Site HGV drivers must immediately proceed to the A30 Kempshott Roundabout. HGV drivers should not park or wait on the Site haul road, Kennel Farm Lane, Garlic Lane or any part of Woodbury Road.*

13. Pedestrian Safety, School Crossing Patrol Points and School Coach Pick-up and Set-down Locations

Woodbury Road is a single carriageway "Distributor Road" (Manual for Streets, 2007, and Hampshire Companion document to Manual for Streets, 2010) that serves the Hatch Warren Estate and is an integral part of this residential area.

Pedestrian footpaths run the full length of Woodbury Road and a significant proportion of both east and west footpaths have minimal or no separation from the carriageway (see Appendix section 7). Woodbury Road is adjacent to a Primary School, Community Centre, Sports and Recreational Field, a large Pre-School group, After School Clubs and a Woodland Park that is popular with joggers and dog walkers. The upper section of Woodbury Road is also a strategic cycle route. There are six bus stops along Woodbury Road and it is an active pedestrian thoroughfare.

The speed limit on Woodbury Road is 30mph (see Appendix section 2) and in order to control vehicle speeds there are two pinch points controlled by priority signs which incorporate a cycle lane. A pinch point with build outs has been installed at the school crossing south of Long Cross Lane (Traffic Signs Manual Chapter 5, Road Markings). Adjacent to the Primary School a second and divided school crossing point has been built. At this crossing a chicane has been installed to reduce traffic speed and increase pedestrian safety.

There are eight Pedestrian Crossing points along Woodbury Road where the kerb has been dropped to facilitate pushchairs, wheelchairs and so on. In addition, there are two Warden Controlled crossings that operate during school term time. The locations of these Pedestrian Crossing Points plus the two Warden Controlled School Crossings together with the times the latter operate can be found in Appendix section 7.

Woodbury Road has a number of School Coach Pick-up and Set-down points for secondary school pupils who are educated outside the borough. In the mornings these pupils assemble at their various Coach Pick-up points between 7.15AM and 7.50AM. The location of these morning Pick-up Points and the times that they are active are shown in Appendix section 8.

The afternoon School Coach Set-down points on Woodbury Road are shown in Appendix section 9. Dependent on traffic conditions en route, School Coaches returning to Woodbury Road in the afternoon Set-down students between 3.50PM to 4.15 PM. HGV drivers should be aware that, due to the width of Woodbury Road, Coaches setting down students may cause temporary traffic delays at the set-down points and that dispersing students may be on footpaths or crossing the carriageway.



One School Coach returns students to a Set-down point at the junction of Kennel Farm Lane and Garlic Lane. This is a remote rural location and all the students are collected by private motor vehicles. Parents and guardians arrive at this Set-down point (see Appendix section 9) between 3.40PM and 4.00PM and park on the North edge of Kennel Farm Lane close to its junction with Garlic Lane.

The arrival time of the School Coach is dependent on traffic conditions but it is generally between 3.55PM and 4.15PM. HGV drivers visiting or leaving the AD Site should take additional care when entering and exiting Kennel Farm Lane during this period being aware that:

- i. Parked and waiting parent/guardian vehicles will reduce the width of the Kennel Farm Lane, particularly at the junction with Garlic Lane;
- ii. Parent/guardian vehicles may be manoeuvring in Kennel Farm Lane; and/or
- iii. There are no footpaths at this location and pedestrians (children and adults) may be on, or close to, the carriageway.

14. AD Site Open Times

The AD Site is available for HGV deliveries and collections between the following Site Open Times

	Site Open Times for HGV Traffic		
Monday to Friday	6:00AM - 7:15AM	9:00AM - 3:00PM	3:45PM - 6:00PM
Saturday*	8:00AM - 1:00PM		
Sundays, Bank Holidays and Public Holidays	Site Closed		

Note:

- * By prior agreement with Biogen

15. Woodbury Road Route Open Times

There are restrictions as to when HGVs may use Woodbury Road. In order to reach the AD Site within the Site Open Times, HGVs arriving at the A30 Kempshott Roundabout must travel the full length of Woodbury Road, turn into and follow Garlic Lane to Kennel Farm Lane, take the Site Haul Road which is the first left off Kennel Farm Lane and proceed along the Site Haul Road to the AD Site gates. (See Appendix section 3.)

The Site gates are shut to HGV traffic when the Site is not Open – see section 14 above, HGV drivers should allow a 10-minute Route Transit Time-Buffer to the final stage (from the A30 Kempshott Roundabout) of their journey (to the Site gates). This time-buffer allows HGVs visiting the Site to travel the full length of Woodbury Road from the A30 Kempshott Roundabout and safely reach the AD Site before the Site gates are closed during the morning and afternoon periods (Monday to Friday 7:15-9:00 AM and 3.00-3.45 PM).

	Woodbury Road Route Open Times		
Monday to Friday	6.00AM – 7.05AM	9:00AM-2:50PM	3:45PM - 5:15PM
Saturday	8:00AM -12:15PM		

Note:

- At all other times (i.e. other than those shown above) the Woodbury Road route to, and from, Farleigh AD Site is closed to HGV traffic.

During the “Woodbury Road Route Closed” times, HGVs MUST NOT:

- Enter Woodbury Road at the A30 Kempshott Roundabout or at the Garlic Lane Junction;

OR

- ii. Be on any part of Woodbury Road.

Any HGV driver who breaches the above will be subject to the TMP Disciplinary Procedure.

16. Release of HGVs from the AD Site

Biogen is responsible for releasing HGVs from the AD Site.

Biogen will only release HGVs from the AD Site ensuring that HGV's have a minimum of 10 minutes to safely reach the A30 Kempshott Roundabout without breaching the AD Site's restrictions regarding the Woodbury Road route "Open" timings. Please see section 15 for further details.

On leaving the AD Site, HGV drivers must immediately proceed to the A30 Kempshott Roundabout. Drivers should not park or wait on the AD Site haul road, Kennel Farm Lane, Garlic Lane or any part of Woodbury Road. Refer to section 18 for HGV Off-Site Parking areas.

17. Recording of HGV Arrival and Departure Times

HGV arrival and departure times at the Site gates are recorded by the CCTV system. These video recordings are held on the system for a period of 30 days and available for inspection by the WPA.

The weighbridge log will be available for inspection by WPA officers. As the weighbridge log is in digital form it will be filed for a period of not less than 12 months.

18. HGV Off-Site Parking

HGV drivers who wish to wait for a Woodbury Road Route Open Time may find it convenient to wait at one of the two lay-bys on the A30 that are situated between the A30 Kempshott Roundabout and the A30 Brighton Hill Roundabout. These two public lay-bys are situated approximately 350 yards and half a mile respectively from the Kempshott Roundabout. They are on the south-bound carriageway of the A30.

A third parking area is situated on the A30 approximately 2.5 miles to the south of the Kempshott Roundabout. This parking area has parking for several HGVs. The GPS co-ordinates for entrance to this lay-by are as follows: (N 51° 12' 33.15", W 1° 10' 50.52")

For HGV drivers using the M3, the Winchester and Fleet Service Stations are approximately 8 miles and 14 miles respectively from Junction 7 of the M3.

19. HGV Haulage Company Responsibilities

Haulage companies (including HGV customers and suppliers) with a current or proposed operating contract with Biogen will be sent a copy of this TMP and a copy of the HGV Driver Briefing document, with a cover email explaining the requirement for their HGV drivers to use the Designated Access and Egress Route and observe the Route Timing Restrictions. They will also be sent a digital copy of the HGV Driver Briefing document so that additional copies can be printed and supplied to all HGVs drivers visiting the Site.

Haulage companies should acknowledge receipt of the TMP and the HGV Driver Briefing document by email to the site email address (basingstokeweighbridge@biogen.co.uk). These acknowledgements will be filed by Biogen and on request, be available for inspection by WPA.

Prior to an HGV driver's first visit to Farleigh AD Site, the haulage company is responsible for briefing their HGV drivers on the HGV Driver Briefing document and supplying a copy of the HGV Driver Briefing document, which can be found in section 10 of the appendix.

20. HGV Driver Responsibilities

Drivers must use the Designated Access/Egress Route to the AD Site at every visit and only use Woodbury Road during designated Route Open Times.

Whilst visiting the AD Site, drivers must adhere to the AD Site H&S rules as instructed in their Site induction. They must also observe the AD Site 10MPH speed limit.

Biogen requests that HGV drivers observe the speed limits on local roads (Woodbury Road is 30MPH), the instructions of the School Cross Patrol personnel and demonstrate courteous driving towards other road users and pedestrians.

21. Biogen Responsibilities

Biogen will maintain:

- i. The AD Site haul road during their tenure of the Site;
- ii. The AD Site signage on the haul road and in the fenced-off AD Site;
- iii. Rolling 30-day recordings of CCTV images of HGVs entering and leaving the AD Site;
- iv. For a period of not less than 12-months a digital record of all weighbridge records documenting HGV arrivals and departures from the Site.
- v. Biogen is responsible for the release of all HGV's from the Site. Releases will be in line with the Woodbury Road Route Open Times set out in this document.

- vi. For each HGV driver on his/her first visit to the Site, Biogen will deliver a Site induction which includes a H&S training module and an induction on the TMP.

22. TMP Disciplinary Procedure

A. EMPLOYERS OF HGV DRIVERS

Driver's Pre-First-Visit Induction by their Employer

All HGV drivers shall be inducted by their employer on the TMP prior to their first visit to Farleigh AD Site. During this employer induction, each HGV driver must also be supplied with a copy of the Driver Briefing document.

Failure of an Employer to perform a Driver Pre-First-Visit Induction

The following disciplinary procedure will apply in the scenario where a HGV driver breaches the TMP on his/her first visit and is found not to have been inducted by his/her employer:

TMP Breach	Disciplinary Measure for employers of HGV drivers
Investigation	<p>The HGV driver will be delayed at the AD Site whilst an investigation is conducted by Biogen Site staff with the HGV driver and his/her employer.</p> <p>Should it be proven that the HGV driver has not been inducted on the HGV Driver Briefing document by his/her employer, the steps that will be followed by Biogen are in the order detailed below:</p>
First TMP Breach	<p>First TMP breach by the employer in any 12 month period:</p> <p>Allow the vehicle to tip or load whilst verbally communicating the terms of the breach to the employer. The HGV Driver Briefing document will be re-issued via email to the employer and it will be requested that the employer demonstrates that their HGV drivers are briefed on this prior to their HGV drivers' first visit to the AD Site;</p>
Second TMP Breach	<p>Second TMP breach by the employer in any 12 month period:</p> <p>Turn the vehicle around unloaded or without tipping on that day whilst issuing a written Warning Notice to the employer as set out below;</p>
Third TMP Breach	<p>Third TMP breach by the employer in any 12 month period:</p> <p>Turn the vehicle around unloaded or without tipping and suspend the employer's vehicle (by VRN) from the AD Site for a minimum duration of 1 week;</p>
Fourth TMP Breach	<p>Fourth TMP breach by the employer in any 12 month period:</p> <p>Turn the vehicle around unloaded or without tipping and suspend the employer's vehicle (by VRN) from the AD Site for a minimum duration of 1 month.</p>

Note

Notwithstanding the above, depending on the outcome of the investigation, Biogen reserves the right to suspend the employer for a longer period than that set out above or to cease using the employer in the event of persistent TMP breaches.

Where Biogen has a formal contract with the employer and implementation of the above procedure cuts across the formal contract, Biogen may alternatively pursue the relevant contractual remedies against the employer.

Please note, the options detailed above are associated with the employer of the HGV driver and no action will be taken against the HGV driver involved.

Biogen will not be liable for any costs that could be incurred due to a given vehicle being delayed while an incident is investigated.

Warning Notices

Biogen shall write to the employer of the HGV driver, by email, confirming the following;

- i. The details of the breach including the date and time it occurred;
- ii. Their responsibility to induct their HGV drivers regarding the TMP prior to the HGV driver's first visit to the AD Site;
- iii. Their responsibility to ensure that each of their HGV drivers has a copy of the Driver Briefing document prior to the HGV driver's first visit to the AD Site;
- iv. The disciplinary measure that has been issued by Biogen (as set out in this document) following the confirmed breach that has occurred.

If an employer repeatedly fails to induct their HGV drivers prior to their first visit to Farleigh AD site, Biogen reserves the right to;

- i. Suspend the employer's vehicles from Farleigh AD Site for a period of time decided by Biogen;

or

- ii. To cease trading with the Employer's company completely.

B. HGV Drivers

This Disciplinary Procedure applies to HGV drivers who have breached the TMP and who have been inducted by their employer prior to their first visit to the Farleigh AD Site and who have also received a Biogen induction during their first visit to the AD Site.

TMP Breach	Disciplinary Measure for HGV drivers
1st	Driver shall be SUSPENDED from the AD Site for <u>4 weeks</u> from the date that incident was officially confirmed.
2 nd	Driver shall be SUSPENDED from the AD Site for <u>8 weeks</u> from the date that incident was officially confirmed.
3 rd	Driver shall be SUSPENDED from the AD Site for <u>12 months</u> from the date that incident was officially confirmed

NOTE:

The date of commencement of a suspension may differ from the date that the breach took place. This is because an investigation into the incident may take some days to conduct (collation of ANPR data, on-board tracking report, witness reports and so on). A suspension shall be effective from the date that the incident is confirmed as a breach by Biogen.

If the breach is confirmed on the HGV's ARRIVAL at the AD Site:

- i. The HGV driver shall not be allowed to load or unload at the Site;
- ii. The HGV driver's employer will be informed by telephone and by email that the HGV driver has been suspended from Farleigh AD Site. The employer will be given the reason why the suspension has been issued and the earliest date from which the HGV driver may be allowed back on Farleigh AD Site.

If a breach is confirmed after the HGV has BEEN RELEASED from the AD Site:

- i. The HGV driver's employer shall be informed by telephone and by email that the HGV driver has been suspended from Farleigh AD Site. The employer will be given the reason why the suspension has been issued and the earliest date from which the HGV driver may be allowed back on Farleigh AD Site.

A suspended HGV driver who visits Farleigh AD Site during the period of his/her suspension shall be refused entry to the Site and shall not be allowed to load or unload materials at the Site.

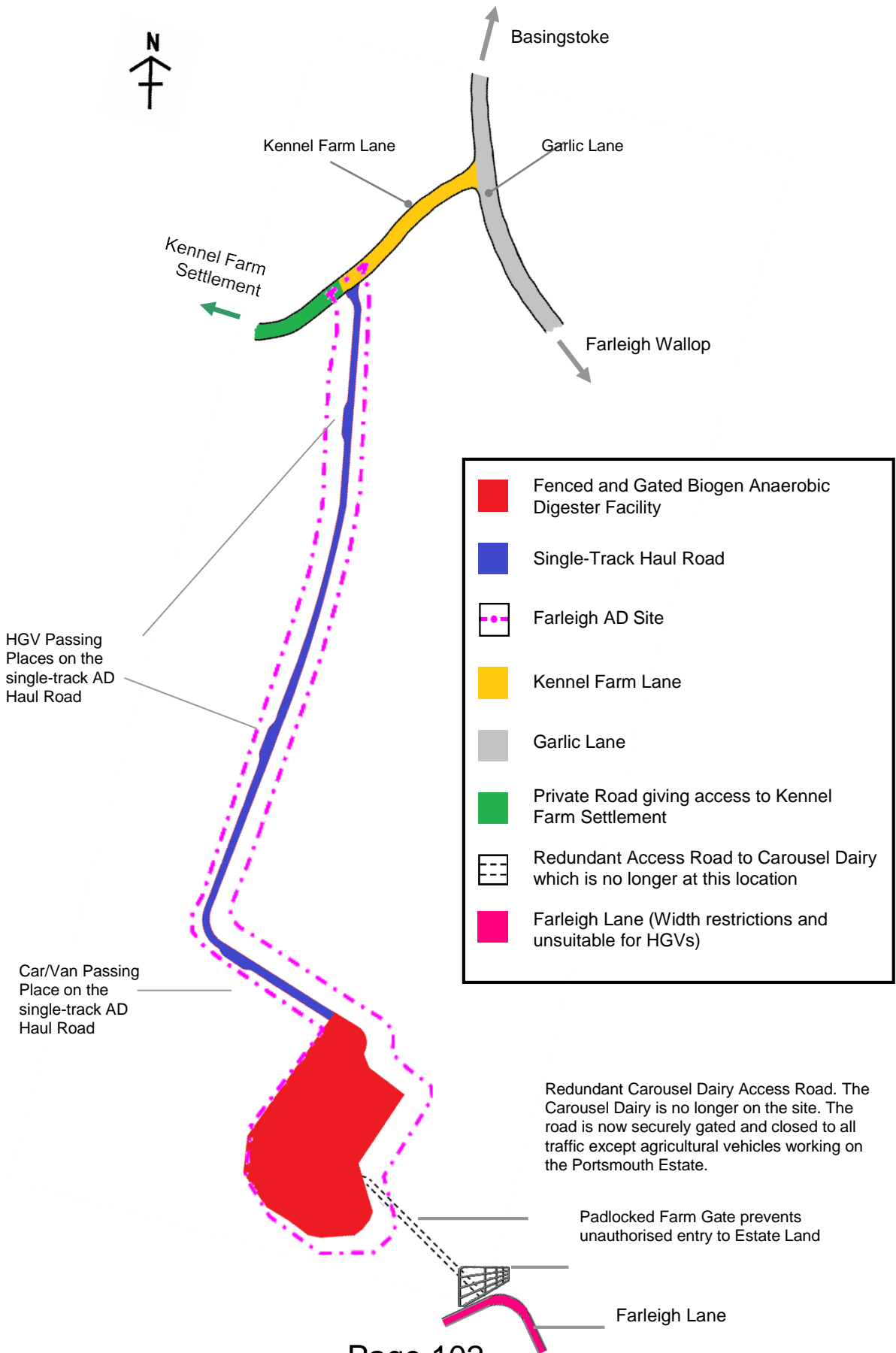
A suspended HGV driver whose period of suspension has ended must be re-inducted by his/her employer prior to their first return visit to the Farleigh AD Site. During this first return visit to the AD Site, the HGV driver shall be given an AD Site induction by Biogen Site staff

Biogen is not liable for any costs from the HGV driver and hi/her employer arising from implementation of the TMP Disciplinary Procedure.

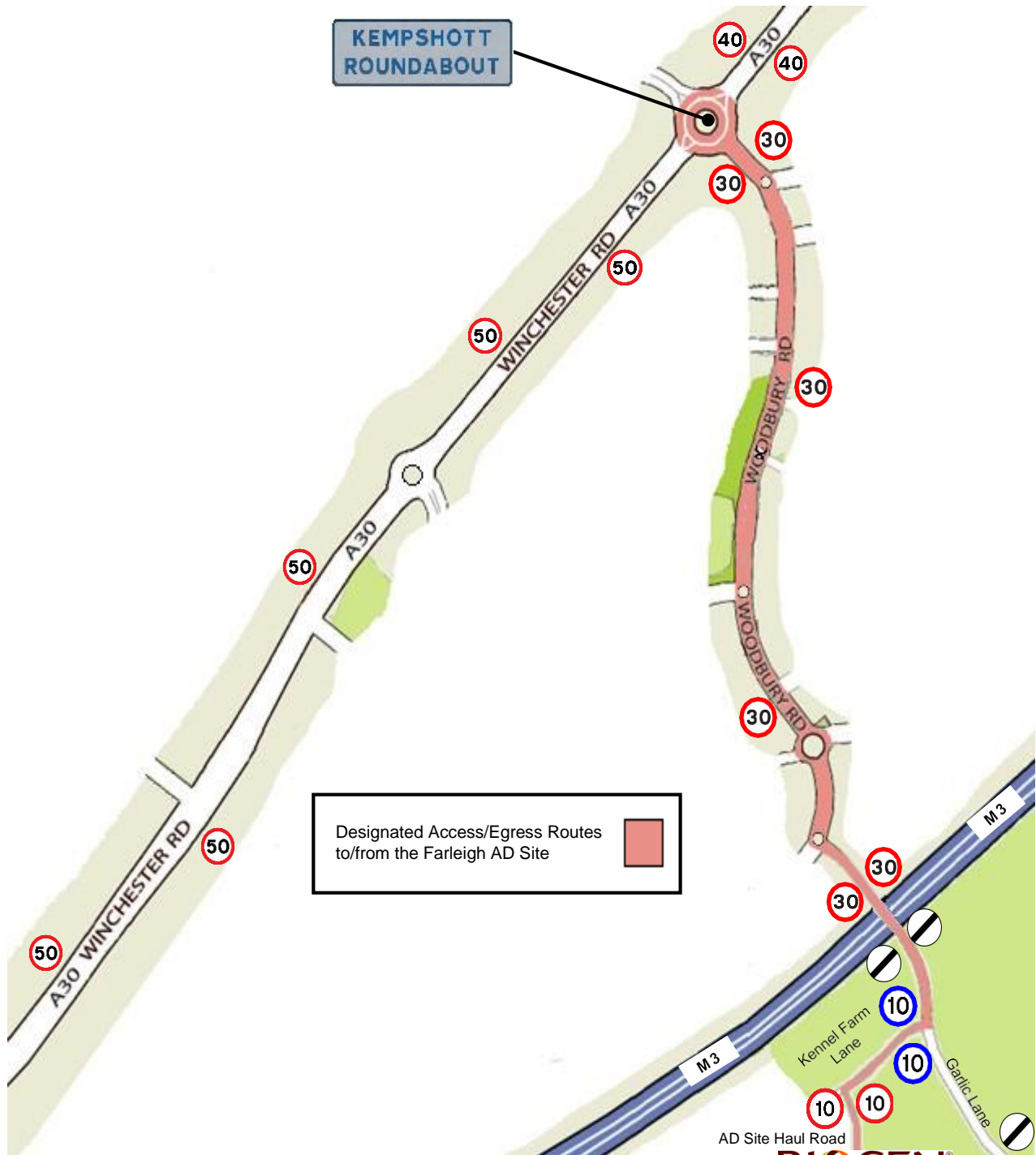
23. Appendix

Section	Title
1	Schematic of Farleigh AD Site
2	Speed Limits on the Designated Access / Egress Routes To/From the Farleigh AD Site
3	Designated Access and Egress Routing for HGVs visiting the Farleigh AD Site
4	Highway Signage Supporting the Designated Route to Farleigh AD Site
5	Highway Signage Supporting the Designated Access Route for HGVs visiting the Farleigh AD Site
6	Signage Supporting the Designated Egress Route for HGVs leaving the Farleigh AD Site
7	Location of School Crossing Patrols and Pedestrian Crossing Points
8	Morning Assembly Points for Students Catching School Coaches and Periods of Activity
9	Afternoon School Coach Set-down Points and Periods of Activity if appropriate
10	Driver Briefing Document

1: Schematic of Farleigh AD Site



2 Speed Limits on the Designated Access/Egress Routes To/From the Farleigh AD Site



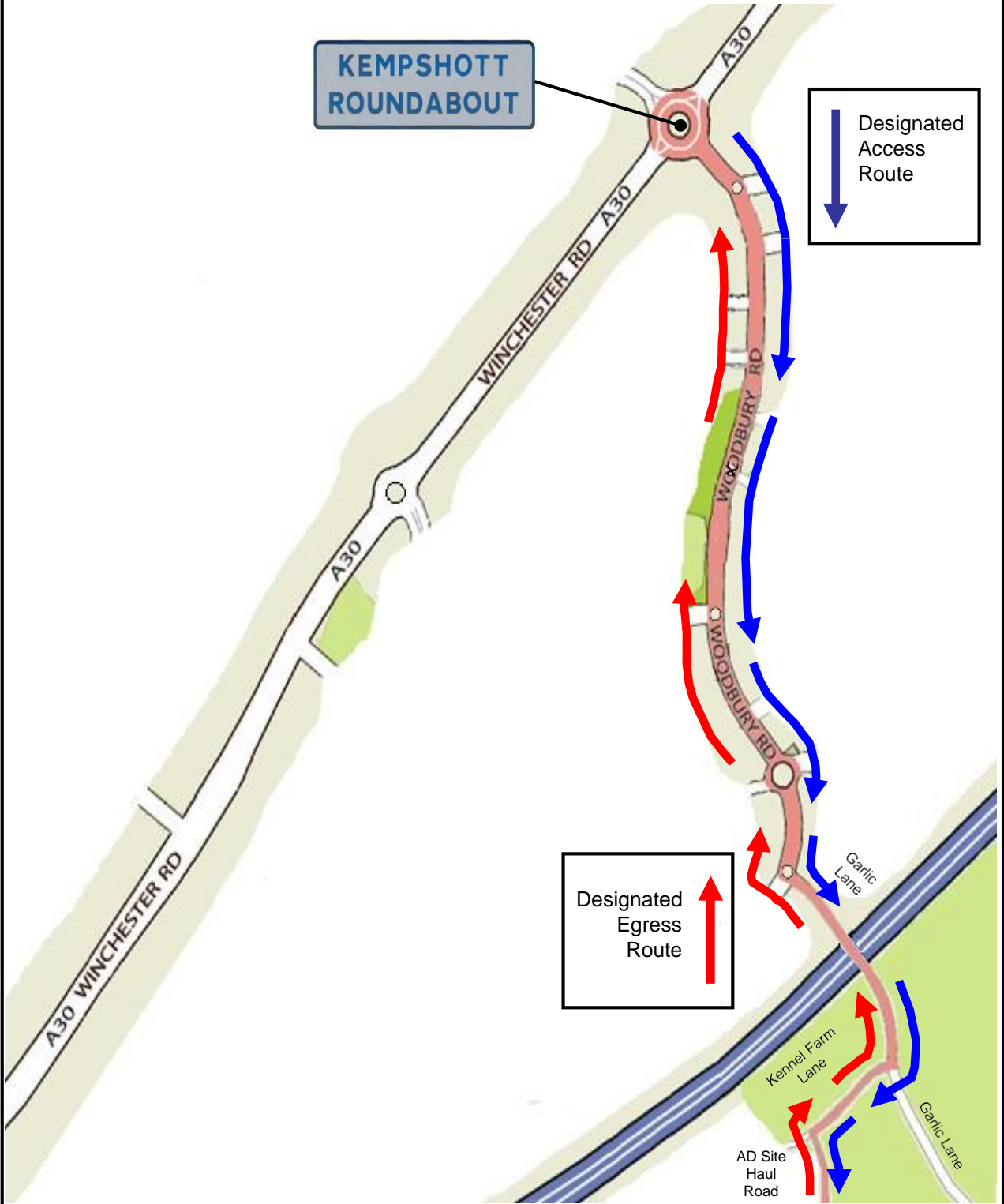
Designated Access/Egress Routes to/from the Farleigh AD Site

GPS Longitude and Latitude Coordinates for Kempshott Roundabout

	Longitude	Latitude
Degrees	51.24116°	-1,13231°
Degrees & Minutes	N 51° 14.469'	W 1° 7.939'
Degrees, Minutes & Seconds	N 51° 14' 28.16"	W 1° 07' 56.31"



3: Designated Access and Egress Routing for HGVs visiting the Farleigh AD Site



KEMPSHOTT
ROUNDAABOUT

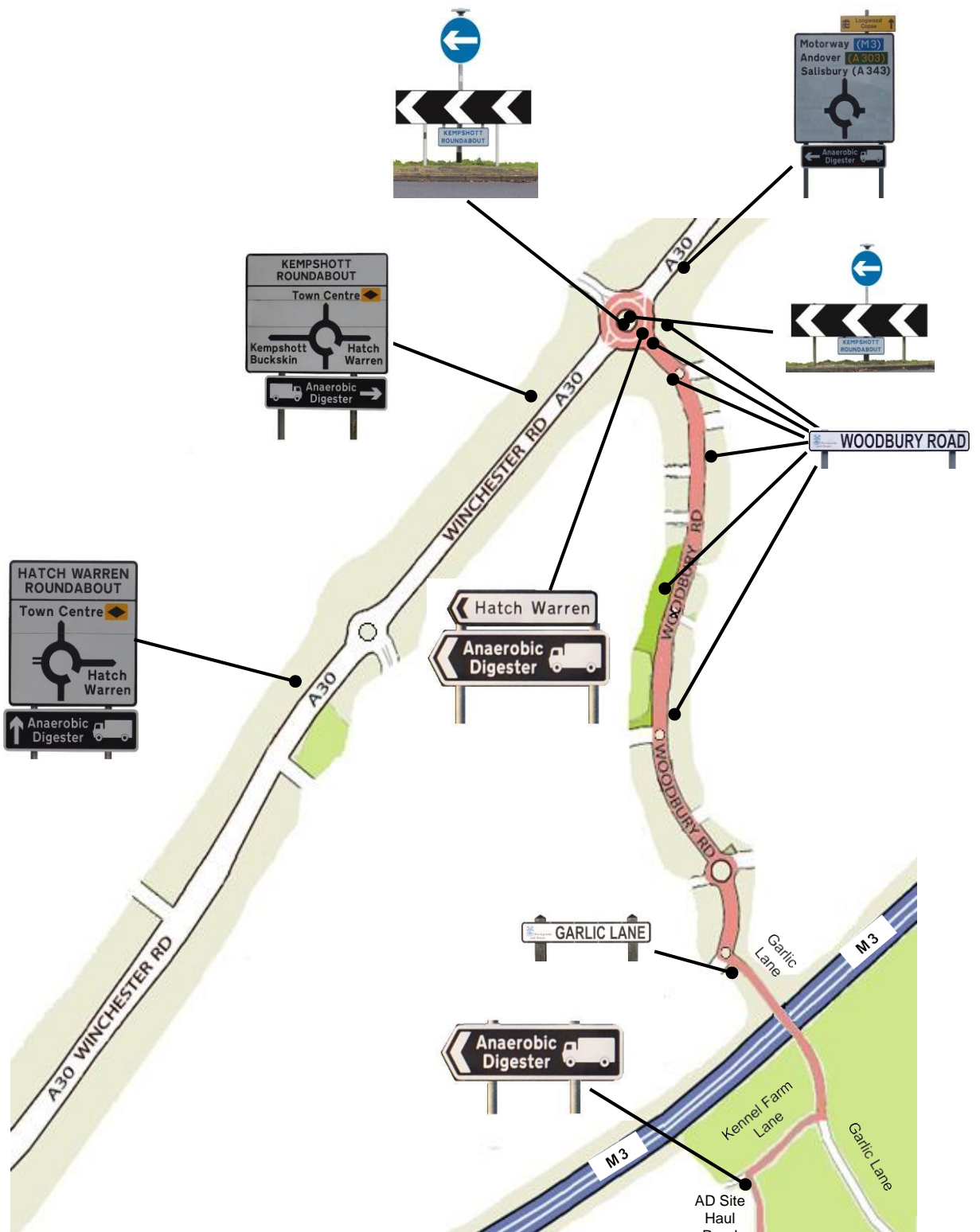
Designated
Access
Route

Designated
Egress
Route

Designated Access and Egress
Routes to the Farleigh AD Site



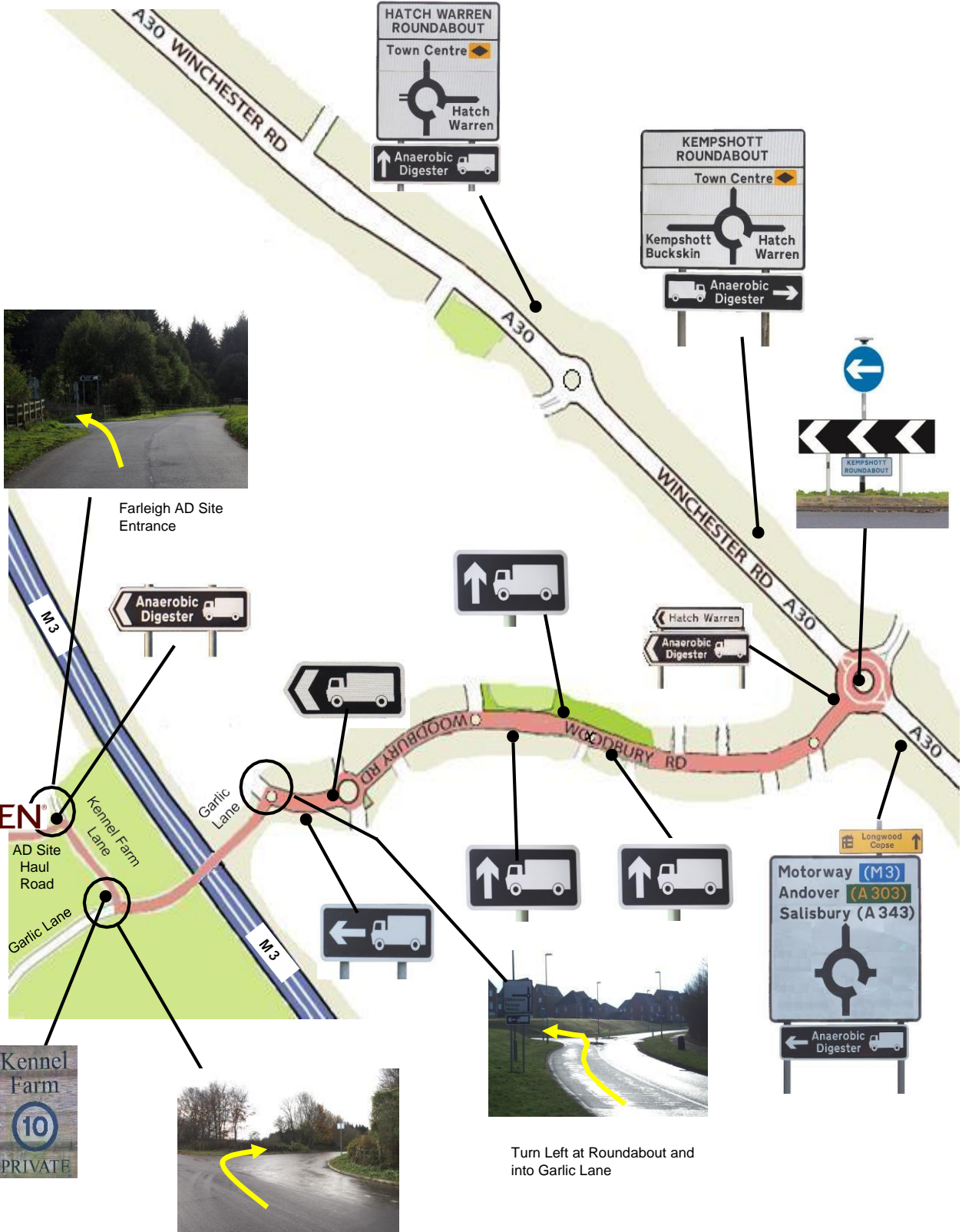
4: Highway Signage Supporting Designated Route to Farleigh AD Site



Designated Access Route to the Farleigh AD Site



5: Highway Signage Supporting the Designated Access Route for HGVs visiting the Farleigh AD Site



BIOGEN



Turn Right off Garlic Lane into Kennel Farm Lane



Turn Left at Roundabout and into Garlic Lane

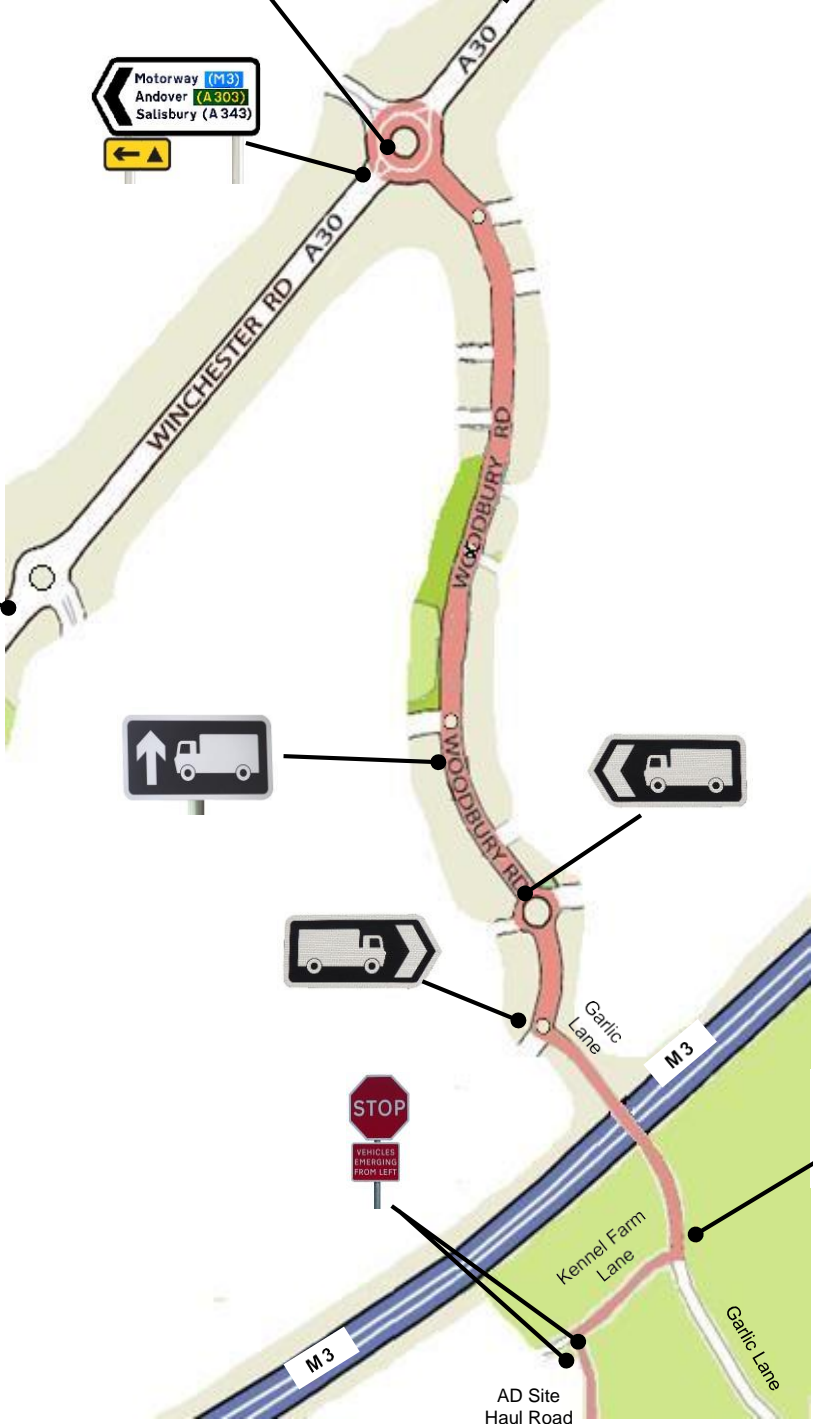
6: Signage Supporting the Designated Egress Route for HGVs leaving the Farleigh AD Site

KEMPSHOTT ROUNDABOUT

Basingstoke A30
Newbury A339
Reading A33



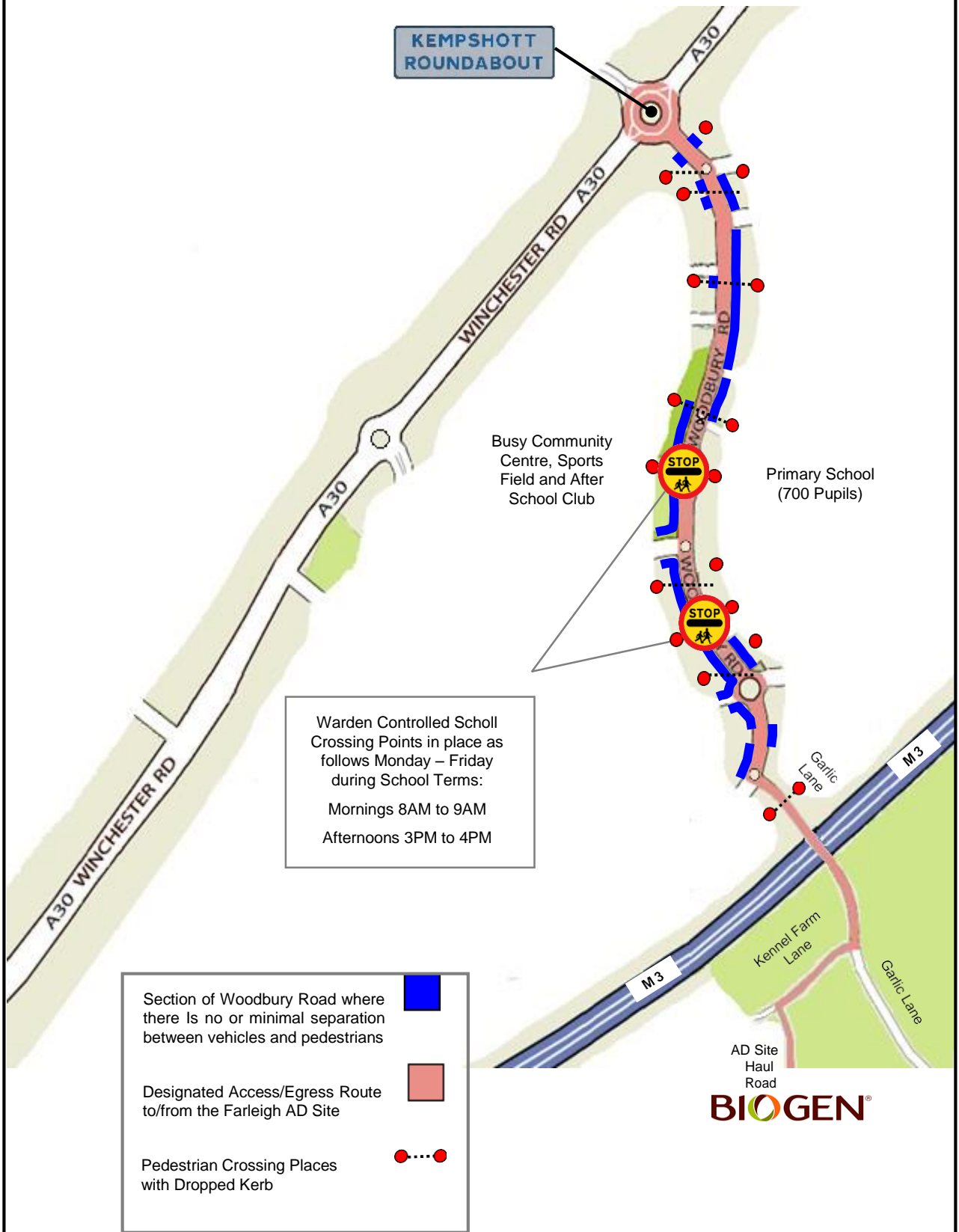
Motorway M3
Andover A303
Salisbury A343



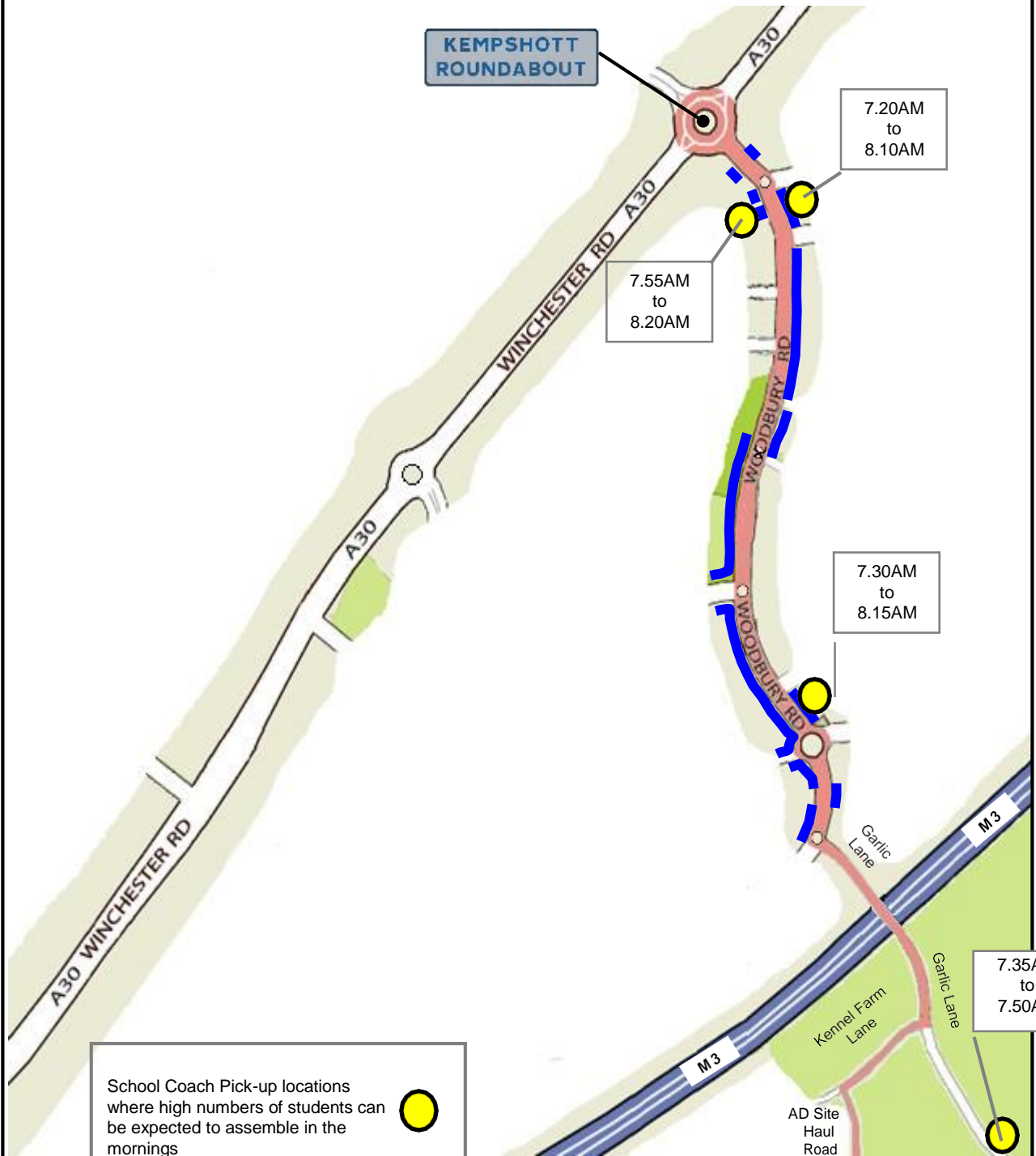
Designated Egress Route from the Farleigh AD Site






7: Location of School Crossing Patrols and Pedestrian Crossing Points



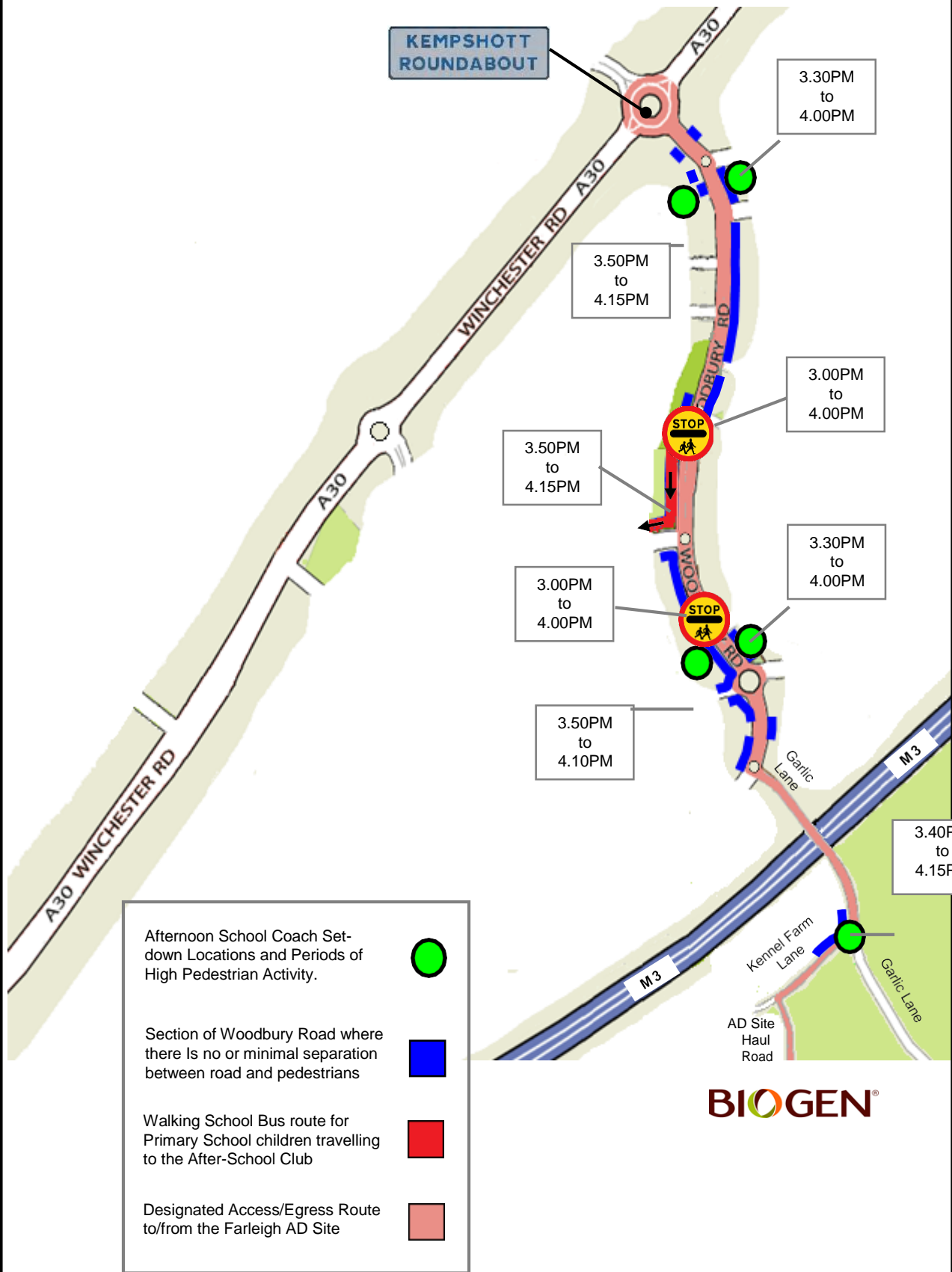
8: Morning Assembly Points for Students Catching School Coaches and Periods of Activity



School Coach Pick-up locations where high numbers of students can be expected to assemble in the mornings	
Section of Woodbury Road where there is no or minimal separation between road and pedestrians	
Designated Access/Egress Route to/from the Farleigh AD Site	

BIOGEN®

9: Afternoon School Coach Set-down Locations and Periods of High Pedestrian Activity



Biogen Farleigh AD Site HGV Driver Briefing



Hampshire County Council (HCC) have designated Woodbury Road as the **ONLY HGV route** to/from the A30 when visiting the Farleigh AD site. (For map see over.)

Woodbury Road runs through a residential estate and passes a Primary School, Community Centre and Sports Field. Biogen and HCC have imposed **TIMING RESTRICTIONS** on HGVs visiting the Farleigh AD Site. These timing restrictions are set out below:

Monday to Friday:

To reach the Site Gates and not breach the Farleigh AD site routing and timing restrictions, HGVs visiting the site **SHOULD ONLY ENTER Woodbury Road from the A30 Kempshott Roundabout;**

After 6:00AM	and	Before 7:05AM
After 9:00AM	and	Before 2:50PM
After 3:45PM	and	Before 5:15PM

HGVs visiting the site **MUST NOT BE ON ANY PART OF Woodbury Road;**
Before 6:00AM: Between 7:15AM and 9:00AM: Between 3:00PM and 3.45PM: After 6.00PM

Saturday:

Drivers **MUST ONLY ENTER** the **Woodbury Road** route from the A30 Kempshott Roundabout

After 8.00AM and Before 12.15PM

Deliveries/collections are **ONLY ALLOWED BY PRIOR ARRANGEMENT** with Biogen.

*NOTE: All Saturday site deliveries and collections **MUST** be made using the Woodbury Road route.*

Sundays, Bank Holidays, Public Holidays

The Farleigh AD Site is **CLOSED**

Release of HGVs from the AD Site

Biogen is responsible for releasing HGVs from the AD site and ensuring that they have 10 minutes to reach the A30 Kempshott Roundabout without breaching HCC designated Route or Timing Restrictions.

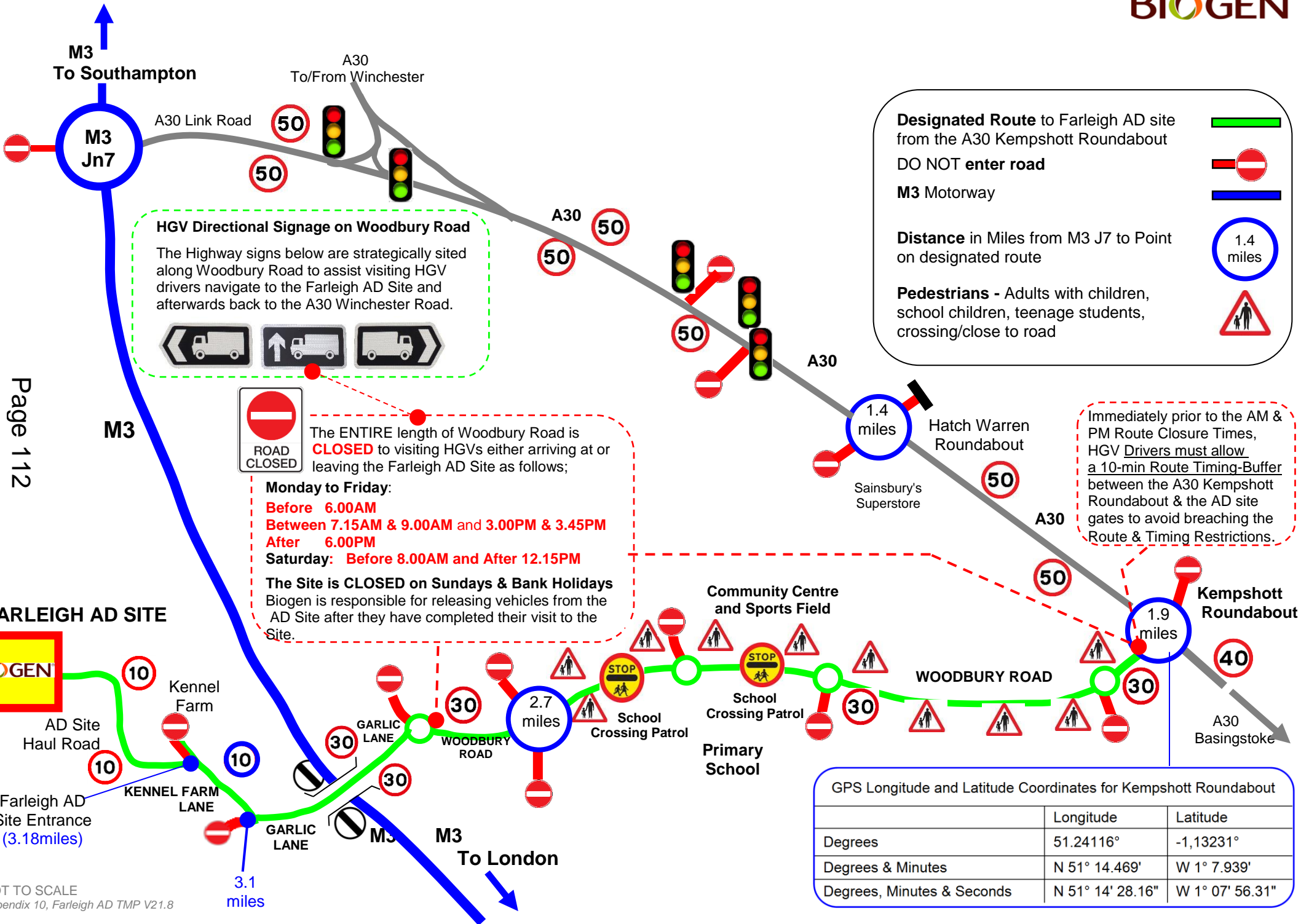
Biogen Farleigh AD Site Contact Details:

Site Telephone Number: 01256 477 516 Email: BasingstokeADplant@biogen.co.uk

ADDITIONAL DRIVER INFORMATION:

- **IRRESPECTIVE** of ANY routing given by on-board Sat-Nav devices;
 - a) HGV drivers should approach the site entrance via the A30 Kempshott Roundabout, Woodbury Road and Garlic Lane.
 - b) HGV drivers leaving the site should re-join the A30 at the Kempshott Roundabout by driving the entire length of Woodbury Road (from the junction with Garlic Lane) to the Kempshott Roundabout.
- Drivers visiting the site **MUST** use Woodbury Road. The use of any other road(s) in the Hatch Warren estate, Beggarwood estate or Farleigh Wallop area is **STRICTLY PROHIBITED**.
- Drivers **MUST NOT park or wait** on the site haul road, on Kennel Farm Lane, on Garlic Lane or at any point on Woodbury Road.
- When using the designated route to/from the Biogen site, drivers should observe the local speed limits, the highway code and demonstrate courteous driving towards other road users and pedestrians.
- Any driver who has travelled the Woodbury Road route during route exclusion times will be subject to the Tamar disciplinary procedure.
- Any driver who has visited the Biogen site and is subsequently found **not to have used** the designated Woodbury Road route will be subject to the Biogen disciplinary procedure.

Appendix 10, Farleigh AD TMP V21.8



HGV Directional Signage on Woodbury Road

The Highway signs below are strategically sited along Woodbury Road to assist visiting HGV drivers navigate to the Farleigh AD Site and afterwards back to the A30 Winchester Road.



The ENTIRE length of Woodbury Road is **CLOSED** to visiting HGVs either arriving at or leaving the Farleigh AD Site as follows;

Monday to Friday:

- Before 6.00AM**
- Between 7.15AM & 9.00AM and 3.00PM & 3.45PM**
- After 6.00PM**

Saturday: Before 8.00AM and After 12.15PM

The Site is CLOSED on Sundays & Bank Holidays

Biogen is responsible for releasing vehicles from the AD Site after they have completed their visit to the Site.

Designated Route to Farleigh AD site from the A30 Kempshott Roundabout

DO NOT enter road

M3 Motorway

Distance in Miles from M3 J7 to Point on designated route

Pedestrians - Adults with children, school children, teenage students, crossing/close to road



Immediately prior to the AM & PM Route Closure Times, HGV Drivers must allow a 10-min Route Timing-Buffer between the A30 Kempshott Roundabout & the AD site gates to avoid breaching the Route & Timing Restrictions.

GPS Longitude and Latitude Coordinates for Kempshott Roundabout

	Longitude	Latitude
Degrees	51.24116°	-1.13231°
Degrees & Minutes	N 51° 14.469'	W 1° 7.939'
Degrees, Minutes & Seconds	N 51° 14' 28.16"	W 1° 07' 56.31"

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Regulatory Committee
Date:	20 March 2019
Title:	Application for deregistration of common land at Blackbushe Airport, in the parish of Yateley – Update Report
Report From:	Director of Culture, Communities and Business Services

Contact name: Harry Goodchild

Tel: 01962 846044

Email: harry.goodchild@hants.gov.uk

1) Summary of information:

- 1.1. Hampshire County Council is the Commons Registration Authority ('CRA') for the purpose of exercising functions under the Commons Act 2006. In 2016, an application was made under section 19 of the 2006 Act by the freeholder of Blackbushe Airport, to deregister common rights recorded on the section of Yateley Common (CL 24) on which the Airport stands. The application relates to an area of approximately 115 acres of registered common land.
- 1.2. Following the advertisement of the application and having had regard to the Regulations which govern the determination of s19 applications, in November 2017 the County Council presented a report to this Committee (included as Appendix 1) which confirmed that the application was to be submitted to the Planning Inspectorate for determination. The report was advisory, to give members of the Regulatory Committee information on the circumstances and processes involved. This report is intended to update Members further on the current state of the application, and the next steps.

2) Legal framework

- 2.1. Section 19 Commons Act 2006

Correction

(1) A commons registration authority may amend its register of common land or town or village greens for any purpose referred to in subsection (2).

(2) Those purposes are—

(a) correcting a mistake made by the commons registration authority in making or amending an entry in the register....

2.2. Schedule 6 Commons Act 2006

(1) If a commons registration authority is satisfied that any land registered as common land is land to which this paragraph applies, the authority shall, subject to this paragraph, remove that land from its register of common land.

(2) This paragraph applies to land where—

(a) the land was provisionally registered as common land under section 4 of the 1965 Act;

(b) on the date of the provisional registration the land was covered by a building or was within the curtilage of a building;

(c) the provisional registration became final; and

(d) since the date of the provisional registration the land has at all times been, and still is, covered by a building or within the curtilage of a building.

2.3. Section 26 Commons Registration Regulations 2014

Responsibility for determining applications and proposals

A registration authority must refer to the Planning Inspectorate for determination by it:

(3) Those cases are where the registration authority has an interest in the outcome of the application or proposal such that there is unlikely to be confidence in the authority's ability impartially to determine it, or where a person having a legal interest in the land the subject of an application or proposal (or someone acting on behalf of such a person) has made (and not subsequently withdrawn) representations amounting to an objection in respect of the application or proposal, and—

(a) the application or proposal is made under section 19(4) of the 2006 Act, and seeks—

(i) to add land to, or to remove land from, a register; or

(ii) to correct an error as to the quantification of rights of common in a register; or

(b) the application or proposal is made under any of paragraphs 4 to 9 of Schedule 2 to the 2006 Act.

3) Processing the Application

- 3.1. During the advertisement of the application, a large number of objections were received, including from two individuals who had a right of common over the application land. Considering their legal interest in the land, and the requirements of the 2014 Regulations, the application was subsequently referred to the Planning Inspectorate ('PINS') for determination. Having accepted the referral, PINS subsequently held that the application should be determined following a local public inquiry. This inquiry is due to run between 2-5 April 2019 at The Elvetham Hotel in Hartley Wintney.
- 3.2. Having referred the matter to PINS, the County Council, in its capacity as the CRA, had originally intended to play no active role in the inquiry. However, it has subsequently become clear that the outcome of this application will have significant implications for other areas of common land, both in Hampshire and across the country, as demonstrated by the level of interest from various stakeholders. Consequently, officers have sought the opinion of Counsel on the meaning of 'curtilage', around which this application (and the forthcoming inquiry) will be largely concerned. It is proposed that, pursuant to receiving this opinion, the County Council will submit a written representation in advance of the commencement of the inquiry, which it will also attend.
- 3.3. It should be stressed that the County Council retains a neutral stance in this matter, and officers simply wish to ensure that key legal points upon which the application hinges receive comprehensive consideration at the inquiry, particularly given the implications for other applications which the CRA is likely to receive in the future. Having taken careful account of the need for neutrality, and the point of law involved, the Head of Law and Governance is of the view that it is in the interests of the County Council to support the Inquiry, and Inspector, in the full examination of that issue. Consequently, counsel have been instructed and the Inspector approached with a view to making appropriate representation within those parameters.

4) Summary of report and next steps

- 4.1. That the application to deregister land at Blackbushe Airport has been referred to the Planning Inspectorate for determination, and the application is to be determined by the Inspectorate following a public inquiry (2-5 April 2019). Due to the high profile and potential impact of the application in its role as Commons Registration Authority, the County Council has sought a legal opinion on the matter of 'curtilage'. In that capacity, the County Council intends to submit a written representation to the inquiry and will attend (and may address) the inquiry following consideration of counsel's opinion and the directions of the Inspector. The CRA will adopt a neutral stance and will seek to assist the Inspector, and Inquiry, in a thorough consideration of the point of law involved.

Integral Appendix A

CORPORATE OR LEGAL INFORMATION:

Links to the Strategic Plan

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

Other Significant Links

Links to previous Member decisions:	
	Date

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

File: 03/16 Blackbushe Airport

Countryside Access Team
Room 0.01
Castle Avenue
Winchester
SO23 8UL

IMPACT ASSESSMENTS:

1. Equality Duty

1.1. 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 under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

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

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

1.2. Equalities Impact Assessment:

2. Impact on Crime and Disorder:

2.1.

3. Climate Change:

- a) How does what is being proposed impact on our carbon footprint / energy consumption?
- b) How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

This report does not require impact assessments.

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