**HAMPSHIRE COUNTY COUNCIL**
**Decision Report**

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| **Decision Maker:** | Regulatory Committee |
| **Date:** | 19 October 2022 |
| **Title:** | The development of a Material Recycling Facility and Associated Infrastructure at Land off Chickenhall Lane, Eastleigh, Hampshire (No. CS/22/92463) (EA110) |
| **Report From:** | Assistant Director of Minerals, Waste and Environment |

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## Recommendation

1. That planning permission be GRANTED subject to the conditions listed in **Appendix A** and the completion of a legal agreement in relation to the following areas:
   **a)** A Biodiversity Net Gain Plan and Management Plan for long term management of on and off-site mitigation sites;
   b) a contribution of £50,000 (index linked) towards the enhancement / monitoring of the Southern Damselfly in the River Itchen; and
   c) a contribution towards the recurring annual cost of monitoring the AQMAs;
   d) delivery of acoustic fencing near Chicken Hall Cottages.

## Executive Summary

2. The proposal is for the development of a Material Recycling Facility (MRF) and associated Infrastructure including access roads, security fencing, weighbridges, lighting, and landscaping on land off Chickenhall Lane, Eastleigh, Hampshire.

3. The MRF would have a capacity to process c.135,000 tonnes per annum (tpa) of dry recyclable material. Although, the initial input of dry recyclable materials would be in the order of 107,000tpa the facility has been designed to allow for future growth.

4. The proposed development is an Environmental Impact Assessment (EIA) development under the Town & Country Planning (Environmental Impact Assessment) Regulations 2017. The proposal is essentially a Regulation 3 development as the County Council is the applicant for the proposal.

5. This application is being considered by the Regulatory Committee as a major waste development and EIA development.

6. A committee site visit by Members took place on 3 October 2022 in advance of the proposal being considered by the Regulatory Committee.

7. Key issues raised are:
    - Need for the proposal;
    - Site suitability;
    - Impacts on the highway;
    - Air pollution impacts of HGV movements through the Air Quality Management Areas (AQMAs) in the residential areas of Eastleigh;
    - Amenity impacts;
    - Design of the facility.

8. There is a clear and demonstrated need for the proposal. The proposed MRF would form part of the network of facilities operated under the Hampshire Waste Services contract. It is intended that this modern MRF will replace MRF capacity at Alton and Portsmouth once constructed. The MRF would process a variety of wastes from Hampshire's local collection services, Household Waste Recycling Centres (HWRC) and Veolia's Waste Transfer Stations (WTS). The site would provide for modernised materials recovery for Hampshire, to support Hampshire's existing network of waste management facilities delivered under the Hampshire Waste Services contract. The proposal would to allow the county to react to and deliver the requirements of the Environment Act 2021 in relation to waste management, as well as other national policy and guidance and the waste policies of the HMWP (2013) (Policies 25 (Sustainable waste management) and 27 (Capacity for waste management development). The industrial location of the proposal is considered to be acceptable and alternative options have been satisfactorily explored (Policy 29). Climate change mitigation and adaptation measures feature in the design of the facility (Policy 2) . Proposed mitigation and off site provision of biodiversity net gain means that the proposal is considered to be acceptable from an ecological perspective (Policy 3). It is recognised that the proposal will potentially have an amenity impact specifically on 2 properties located close to the site. The proposed design, associated mitigation measures and environmental management of the site will help to mitigate this impact of the proposed development (Policies 10 and 13). Surface water, ground water and flood management are considered to meet requirements (Policies 10 and 11). The proposal will not have a severe impact on the safety or operation of the local highway network, subject to the conditions proposed. The MRF would not generate any more traffic than the previously consented waste development and would not have an unacceptable effect on the local or strategic highways network (Policy 12).

9. Taking all matters into consideration, on balance it is considered that the proposal would be in accordance with the relevant policies of the Hampshire Minerals and Waste Plan (2013). It is recommended that planning permission be GRANTED subject to the conditions listed in **Appendix A** and the completion of a legal agreement on the following areas:
    **a)** A Biodiversity Net Gain Plan and Management Plan for long term management of on and off-site mitigation sites;

b) a contribution of £50,000 (index linked) towards the enhancement / monitoring of the Southern Damselfly in the River Itchen; and
c) a contribution towards the recurring annual cost of monitoring the AQMAs;
d) delivery of acoustic fencing near Chicken Hall Cottages.

**The Site**

10. The site is located at the end of Chickenhall Lane on a 3.8 hectare site, located on the urban fringe of Eastleigh. Eastleigh Town Centre boundary is approximately 1.03 kilometres (km) from the site. The proposed site is situated to the south of Tower Industrial Estate. The railway line separates Eastleigh from Bishopstoke and the wider Tower and Barton Park Industrial Estate areas where the site is located.

11. The Site is located to the north of Eastleigh Sewage Treatment Works and is surrounded by industrial estate development containing a number of large industrial buildings, up to 34 metres (m) in height.

12. The Site is owned by Hampshire County Council and benefits from an extant planning permission for an Energy Recovery Centre (ERC) (see Planning History). Whilst the Site is undeveloped, it forms part of a longstanding allocation for commercial/industrial development. In addition, the site has previously secured planning consent for an ERC (S/13/73507) and an open storage area to the east (F/17/81397). The site has previous precedent for waste uses although it is recognised that permissions at the site were never fully constructed.

13. The Site comprises a field with hedgerow boundaries to the north, south and west and is largely semi-natural grassland forming the borderland between industrial development to the west and countryside to the south and east. Enclosed by a railway embankment to the south, a recent development site to the east, sewage works to the north and existing industrial sites to the west, the proposed location, an open field, is currently bounded by vegetation with maturing hedgerows and a small copse to the east.

14. The site is located within the relatively flat and open valley landscape of the River Itchen. The Itchen Valley forms the undeveloped settlement gap, albeit narrow, between Bishopstoke and Eastleigh. This is a well vegetated landscape which generally comprises small to medium sized fields divided by mature hedgerows and tree belts. The Valley Floor landscape to the east of the Site comprises relatively flat, extensive countryside forming a rural belt between Eastleigh and Horton Heath. Tree cover within the valley, located along watercourses and field boundaries, at the edges of settlements, and in small woodlands is relatively dense, and provides significant visual screening. As such, long distance views across the valley floor are uncommon.

15. To the west, Eastleigh's former railway sidings contain industrial development with extensive sheds and the landmark Prysmian building. The existing

boundary vegetation of the urban edge contributes significantly to the character of the surroundings providing screening for industrial development and a buffer with the adjacent countryside.

16. An area of woodland is located to the north-east, which is associated with the former Chicken Hall Farm, that was substantially demolished in 1983.

17. A shallow pond is present within the western part of the woodland. However, this was recorded as dry on a number of ecological surveys, indicating only seasonal presence.

18. The northern boundary of the Site is formed by an existing metalled access track to an open storage facility located to the east of the former Chicken Hall Farm. This existing road would provide access to the Site from Chickenhall Lane.

19. Further to the east there are additional fields leading to the River Itchen. The land is relatively flat, albeit the ground levels do fall in an easterly direction towards the river. The River Itchen and its associated habitats support an Annex I habitat (sensitive wetland) and Annex II species under the Habitats Directive.

20. The River Itchen Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC) are located approximately 200m east and south-east. The Stanford Meadow Site of Interest for Nature Conservation (SINC) is approximately 150m east of the Site. A Biodiversity Opportunity Area is 100m east and south of the site.

21. The Site is not subject to any landscape, heritage or conservation area designations and there are no listed buildings on or in the immediate vicinity. The Site is located over 4.7km to the north-east of the South Downs National Park. There are no known tree preservation orders on the Site. Itchen Valley Country Park lies to the south of the site, separated by the railway. A Public Right of Way [PROW] (49) runs north-south approximately 100m from the eastern boundary of the Site.

22. The Site is then accessed via Bishopstoke Road (B3037) and a mini roundabout which adjoins Chickenhall Lane. The B3037 runs west to east from Southampton Road (A335) to Botley Road (B3354). The A335 provides direct access to the strategic road network via Junction 5 of the M27 and Junction 12 of the M3.

23. The Site is located in area adjacent to but upwind of the Eastleigh Air Quality Management Area (AQMA). The site is approximately 5km from Junction 5 of the M27, and Junction 13 of the M3. The public highway routes, Southampton Road (A335) to Junction 5, M27, and M3, from the site to these parts of the strategic road network are AQMAs with significant congestion.

24. There are two residential dwellings at the entrance to the Site (Chickenhall Cottages), approximately 24 metres (m) from the site which were previously linked to the sewage works. These properties are located adjacent to the proposed access to the site. The closest residential area is located approximately 270m to the south-west of the Site, off Campbell Road. Further residential properties are located 520m to east of site access beyond the Itchen Navigation and fields at Devine Gardens and Oakgrove Gardens.

25. Previous investigation of the Site highlighted the presence of a roman coin. The nearest heritage assets are the listed buildings of Eastleigh Train Station, which lies along the access route to the site on Southampton Road (A335), and the railway works, that lie 350m west of the Site. A roman building has also previously been recorded adjacent to the sewage treatment works. The closest Conservation Area is at Bishopstoke and lies approximately 390m from access track to north-east. Bishopstoke Road runs through the Conservation Area after the junction to Chickenhall Lane and the access to the site.

26. The River Itchen flows in a loop around the north, east and south and at its closest point lies approximately 240m southeast of the Site.

27. The south-eastern boundary of the Site is adjacent to the edge of both Flood Risk Zones 2 and 3. The Itchen Navigation lies at its closest point, 47m to the south-east. The River Itchen (controlled water) lies 220m east of the Site. The Site is not located within a groundwater source protection zone, but the majority of Site is on a Minor Aquifer which has a High vulnerability (Groundwater Vulnerability Zone).

28. Approximately 300m to the south/south-west of the Site lies the eastern edge of Southampton Airport with the main runway lying approximately 700m to the south-west. The Site is located in the central ring of the safeguarding area for Southampton International Airport. The runway lies the other side of the railway line.

29. The south/south-west boundary of the Site is bordered by the Eastleigh to Portsmouth (Fareham) railway line.

**Planning History**

30. Saved Policy 112.E Eastleigh Local Plan (2001-2011) identifies the site as being suitable for industrial development. This policy indicated that employment development within Use Classes B1 (b), B1 (c), B2 and B8 will be permitted in the Pirelli land Special Policy Area, as shown on the proposals map, provided all the following criteria are met:
    i. land is reserved for the Chickenhall Lane Link Road and a contribution is made to that road unless a transport assessment demonstrates this is not necessary;
    ii. the capacity of the Itchen floodplain is maintained and it conforms to Policy 40.ES;

iii. It does not adversely affect the amenity of the residents of Campbell Road; and
iv. it does not adversely affect, directly or indirectly, the Itchen Valley Special Area of Conservation; Site of Special Scientific Interest; or Site of Importance for Nature Conservation.

31. On the 3rd of November 2014, planning permission (S/13/73507) was granted by Hampshire County Council, as Waste Planning Authority for the erection of an Energy Recovery Centre (ERC) (comprising an Advanced Conversion Technology (ACT) 8-12 megawatt (MWe) pyrolysis plant and an Anaerobic Digestion 2-3 MWe facility with an integrated education centre) and a 1 MWe Photovoltaic (PV) Solar Array together with access, landscaping and associated works. The consented development encompassed the proposed site and the field immediately to the east, as well as improvements to the existing access track and local highway network. The consented development was subject to Environmental Impact Assessment (EIA) and the Environmental Statement was submitted.

32. The permission was subject to 31 planning conditions, a number of which required submissions to be approved prior to commencement of development. The pre-commencement conditions have all been discharged. The development was also subject to a Section 106 agreement in respect of financial contributions for highways improvements and the Itchen Valley Southern Damselfly project. The financial contribution for the highway improvements has been collected and allocated to the Bishopstoke bus priority project. The contribution for the Southern Damselfly project has not been collected to date.

33. From a legal perspective, the permission was implemented as the required haul road was implemented and required planning conditions were discharged, meaning from a planning perspective, the previously permitted development represents the baseline position.

34. The recently adopted Eastleigh Borough Council Local Plan (2022) included ***Policy E6 - Eastleigh River Side which states that the Borough Council*** *will promote the regeneration of Eastleigh River Side through the redevelopment of existing industrial premises and new development off Chickenhall Lane.* It sets out a number of criteria to achieve this.

35. Planning permission F/17/81397 was also granted by Eastleigh Borough Council, for open storage use with ancillary office, storage buildings, vehicles wash facilities and associated access, parking, drainage and landscape. This was on the site of the previously permitted PV array. This planning permission has been implemented.

36. The site is not an allocated site in the adopted Hampshire Minerals and Waste Plan (2013) and nor is it safeguarded.

**The Proposal**

37. The proposal is for full planning permission for the construction and operation of the Eastleigh Materials Recycling Facility (MRF) and associated infrastructure including, amongst other things, access roads, security fencing, weighbridges, lighting, and landscaping on land off Chickenhall Lane, Eastleigh, Hampshire.

38. The development would comprise a MRF with capacity to process c.135,000 tonnes per annum (tpa) of dry recyclable material. Although, the initial input of dry recyclable materials would be in the order of 107,000tpa the facility has been designed to allow for future growth.

39. The site would form part of the network of facilities operated under the Hampshire Waste Services contract. It is intended that this modern facility will replace MRF facilities at Alton and Portsmouth once constructed.

40. The MRF would process the following materials from Hampshire's local collection services, Household Waste Recycling Centres (HWRC) and Veolia's Waste Transfer Stations (WTS):
    - Newspaper and Pamphlets (N&P);
    - Mixed Paper (MP);
    - Old Corrugated Cardboard (OCC);
    - Mixed coloured Glass;
    - Mixed Bottles;
    - Polypropylene (PP);
    - Plastic pots, tubs and trays (PTT);
    - Plastic Film;
    - Ferrous metals (Fe);
    - Non Ferrous metals (N-Fe);
    - Beverage cartons.

*Design:*

41. Site layout (see **ES, Volume 2 Figure 4.1 Site Layout Plan**), **site cross sections, building elevations** (see **ES Volume 2 Figure 4.2 Proposed Elevations**) and **other associated drawings** have been submitted as part of the planning application. The MRF would comprise the following key components:
    - site entrance from the already constructed entrance and access track off Chickenhall Lane;
    - weighbridges;
    - a portal framed MRF building;
    - 2 No. Fire Water Tanks;
    - a pump house;
    - staff and visitor parking;
    - offices and Materials Analysis Facility; and
    - circulation areas.

42. The MRF building would comprise a portal frame building approximately 131m long, 80m wide and 15.5m high with 5m high concrete panel push walls (externally only the lower 3m would be visible. The walls and roof would be Goosewing Grey steel cladding and the roof would be fitted with translucent roof lights.

43. Roller shutter doors would be provided to the north-east and south-east elevations for vehicle access and a number of pedestrian doors would also be provided. The MRF building is illustrated on **Drawings 2710-01-004, 2710-01-005** & **2710-01-006**.

44. Typically, the process within the MRF building would be as follows:
    1. The collected material would be delivered to a Materials Recovery Facility (MRF) and tipped into the unloading areas for specific waste streams;
    2. It would then be fed onto specific loading conveyors by mechanical shovel. The purpose of using conveyors is to provide a controlled, constant flow of material to the system;
    3. The material would be transferred onto an elevating conveyor, which in turn feeds the material to the pre-sort conveyors. The elevating conveyor operates at a faster speed to thin out the material depth for delivery to the pre-sort area;
    4. Once in the pre-sort area the non-recyclable material from the different stream is manually picked out and discharged into the storage bays;
    5. The mixed material flowing from the pre-sort area enters screens which will further separate recyclable material;
    6. The materials are further processed using disc screens and conveyors. The MRF would be equipped with sophisticated automatic recognition and sorting of products will employ eddy current and optical identification and separation using air jets;
    7. Following the automated process of separation, the product lines are monitored manually, and any non-recyclable material is picked off and goes into a residual storage bay;
    8. A magnetic separator removes steel cans automatically and transfers them to a storage bunker. An eddy current-separator is used to extract the aluminium cans which are stored in another bunker; and
    9. Separated recycling streams would be baled where appropriate and would be loaded into bulk transport vehicles for delivery to reprocessing plants.

45. The gatehouse (see **ES Volume 2, Figure 4.3 Proposed Gatehouse**) and weighbridge complex would be located at the site entrance and all vehicles would weigh in on arrival and out on departure. The arriving loads will provide transfer notes. Provision has been made for four arriving vehicles to queue on the weighbridge and access road to avoid vehicles queuing onto the highway. In the unlikely event of more than four vehicles waiting, a bypass lane has been provided so that these vehicles can wait in the yard to avoid vehicles queuing onto the highway.

46. An office building will be located at the north end of the Site and will be a single storey building measuring approximately 13m by 19m. It will include the administrative functions for the facility as well as welfare facilities – canteen, toilet, shower and changing facilities for the team.

47. In order to address the risk of fire within the building a sprinkler system will be installed. This will be fed, via an internal pumphouse, from two circular firewater storage tanks on the south-eastern corner of the building. The pumphouse would be approximately 7m by 8m and 3m high). The tanks will be 12m high and 13.3m in diameter, made from galvanized steel and grey in colour. The building is designed to a fall and has a sump system capable of containing the water from the fire suppression system within the building.

48. Artificial lighting would be required as part of amenity, safe passage, security and health and safety requirements during periods of darkness. The associated potential obtrusive light effects towards surrounding light-sensitive receptors would be minimised through the controlled application of lighting in accordance with current best practice. It is anticipated that the lighting will consist of building mounted lights to illuminate the working areas of the site and post mounted lighting in the circulation spaces. It is anticipated that the details of the lighting scheme will be required by condition prior to installation.

49. The site will be equipped with low light motion activated security cameras. When not operational, the Site will be secured, with gates to the road access. The CCTV will be monitored remotely and that will be supplemented with regular security patrols.

50. Foul drainage from the offices and MRF building would be discharged to the main sewer and would be treated at the adjacent sewage treatment works.

51. Fencing is also proposed (see **ES Volume 2 Figure 4.4 Fencing & Gating**).

52. Rainwater from the yard will pass through swales before entering the surface water drainage infiltration basins. Water running from the roof will be kept separate from the yard water and would be discharged directly into the surface water drainage infiltration basins. The drainage system would ensure that there would be no direct discharge to adjacent water courses. Further details are set out in **Appendix 9.3b of the Environmental Statement**. A **Flood Risk Assessment** is included in **ES Appendix 9.3a**.

53. A **Landscape and Visual Impact Assessment** has been included in ES Chapter 5 & Appendices 5.1-5.6 alongside a **Landscaping and planting scheme (Planning Drawing 2710-01-009 (rev B)**). The landscape proposals are illustrated indicatively (see **ES Volume 2 Figure 4.5 Illustrative Landscape Design**). These would comprise the partial removal of an existing block of woodland within the Site, the planting of new woodland and scrub, new hedgerow planting, new specimen tree planting, and new areas of species-rich grassland.

54. An **Ecological Assessment**, including **shadow Habitats Regulation Assessment (HRA)**, appropriate **Phase 1 Habitat surveys** and **assessment of BNG** has been included in **ES Chapter 6 & Appendices 6.1-6.11** as part of the application. Mitigation measures are proposed including a Construction and Environmental Management Plan (CEMP), minimising noise emissions and light spill during operation and appropriate management of retained and created habitats post-construction. On and off-site biodiversity net gain provision is proposed through landscaping and other ecological enhancement as well as ecological management at a variety of sites.

55. **Airport** and **Railway Safeguarding Statements** are included as part of the application, recognising the sites proximity to Southampton International Airport and the railway. Geo-technical investigations have been included in the application (see **ES Appendix 9.4**) and have confirmed that ground conditions are stable, and are suitable for standard construction techniques using slab, pad or pile foundations and would therefore not impact the nearby rail link. The design of the proposal including an appropriate offset to the railway embankment for deep excavations would safeguard the existing rail infrastructure.

*Construction of the proposed site:*

56. **Volume 1 Chapter 4 - Scheme Description & Construction Methods** provides detail on how the site would be constructed.

57. The timing of the enabling works and core construction works would be dependent on the grant of planning permission for the proposal and subsequent contract negotiations.

58. Prior to the core construction works, the applicant would undertake some enabling works to prepare the site for the contractor. These enabling works would commence in following the grant of permission and include works to move/provide utilities, undertake further ground investigations, ecological works and vegetation clearance.

59. The construction period is anticipated to take approximately 16 months, this includes internal fit-out and commissioning of mechanical and electrical plant.

60. The core ground works including site clearance, earthworks, foundations, drainage are likely to occur within the first 3-4 months. This would be followed by the erection of building frames, push walls and cladding prior to internal fit out. Following completion of the structural building works, external hardstanding including roads and car parks would be completed along with lighting, signage and landscaping.

61. Construction operations would generally be limited to 07.00 hours (hrs) to 19.00hrs Monday to Saturday, with no construction work on Sundays or Bank Holidays. During the internal fit out and commissioning of the building, works

could be undertaken 24hrs a day, seven days a week. Fit out and commissioning works outside the hours stipulated above would only be undertaken within the main building and when all of the external cladding, roofing and doors are in place, thus mitigating potential amenity effects on nearby residential receptors.

62. Construction access would be via the proposed operational access point into the Site. Construction traffic would access via Chickenhall Lane from the Bishopstoke Road roundabout. Maximum Heavy Goods Vehicle (HGV) trip generation would be during the site earthworks and building structure phases. During this time the HGV movements will peak at around 100 two-way HGV movement per day. Construction staff car parking would be provided within the main construction compound, located close to the site entrance.

63. The following items would be the principal equipment used during the construction period:
    - tracked excavators (excavation and loading);
    - articulated dump trucks;
    - wheeled backhoe loaders;
    - HGV wagons;
    - piling rigs;
    - mobile cranes and telescopic handlers;
    - rollers and vibratory compactors;
    - generators and water pumps;
    - concrete batching plant and pump; and
    - cement mixer trucks.

64. The construction Site would be managed to provide dedicated areas for materials laydown, prefabrication activities, staff car parking, operative welfare facilities and offices. The precise layout of the main construction compound /laydown area and workers' vehicle parking would be a matter for the main construction contractor, who would not be appointed until after planning permission has been secured. However, the compound would be located within the planning application boundary.

65. The main core construction works are set out in the ES and include:
    1. Site Preparation and Development of Construction Compounds;
    2. Earthworks, Foundations and Piling;
    3. Building Foundations;
    4. Erection and Cladding of Building Frames; and
    5. Installation of Plant and Equipment.

66. The installation and commissioning of the main plant and equipment within the MRF building would be undertaken following the completion of the main building. Commissioning of the plant would take a period of 6 months.

67. Much of the external civil engineering works is likely to be undertaken towards the end of the main construction works in parallel with the installation of plant

and the commissioning period. The works would comprise the laying of access roads, the car park, external hard standing areas to the buildings and any earthworks associated with the final landscape scheme. The laying and installation of drainage and utilities would be phased with much of the work being undertaken in the early phases of the project. Connections and finishing of service runs are likely to be undertaken towards the end of the construction phase.

68. Lighting during construction would need to be sufficient to satisfy health and safety requirements, whilst ensuring impacts on the surrounding environment, including from sky glow, glare and light spillage, are minimised. The applicant has noted that artificial lighting would only be used during the hours of darkness, low levels of natural light or during specific construction tasks to ensure the health, safety and welfare of those on site, including construction staff and visitors. This would involve the installation of fixed lighting columns and the use of mobile task lighting. Fixed lighting installations (columns) would typically be located around the outer edge of the main construction zones and the perimeter of the Site compound / lay down areas. Where practicable, the luminaires would be mounted below 12m in height, unless specific operations, construction methods, plant or equipment necessitate the mounting height to be increased. Mobile task lighting would be used to supplement column lighting and provide the additional lighting necessary to satisfy Health and Safety requirements. Mobile lighting would be mounted on telescopic poles. Where lighting is required for work on elevated structures during construction of the building, lighting would be provided to meet Health and Safety requirements; this could include crane mounted lighting to illuminate the working areas.

69. The boundary of the Site would be fenced by a 2.4m high Mesh Security Gate. This would be for site security but also to help prevent any litter from being blown beyond the Site boundary. The internal and external boundaries of the facility would be inspected daily, and any litter would be collected and disposed of.

70. The applicant has indicated their commitment to a Construction Environmental Management Plan (CEMP) which would be secured by a planning condition.

*Operation of the site:*

71. The applicant proposes that the MRF will operate 24hrs a day, 6 days a week, all year round, excluding bank holidays. HGVs would only access the site between 07.00hrs and 19.00hrs during normal operations. It is expected that the vast amount of HGV movements would occur during weekdays between 07.00hrs and 17.00hrs, with a limited number of movements occurring outside of these times.

72. In order to ensure that the Site would be run in an acceptable manner, Veolia would implement an Environmental Management System (EMS), certified to ISO 14001, for the facility. The EMS would form an integral part of the facility's

Integrated Management System (IMS) that will draw together all the policies and procedures for the facility that would include Environmental Management Plan (EMP).

73. Methods are included to manage and monitor the following potential public amenity issues at the site such as rodents and other pests, dust and odour, fire and litter.

74. All waste would be delivered within the enclosed waste reception hall and deposited within sealed concrete waste bunkers. Due to the nature of the source separated dry recyclates, the applicant has indicated that it is unlikely that it would attract rodents or other pests. Notwithstanding the above the waste reception hall would be cleaned daily to ensure that any material that could attract rodents or other pests does not accumulate. Furthermore, any contaminated loads with potential to attract rodents or other pests would be rejected and directed to disposal or recovery. Regular inspections of the facility by pest control specialists would take place as part of normal operational maintenance. Reactive inspections would be undertaken in the unlikely event that any rodent or other pest issues are identified.

75. Whilst the applicant recognised that odour sources can exist at a dry recyclate MRFs due to recycled materials not being properly cleaned at the point of disposal, odour complaints and escape of odours beyond the Site boundary are unlikely on the basis that all operations occur within an enclosed building and waste receipt protocols.

76. The applicant reports that dust emissions are unlikely to occur as all process operations are undertaken within an enclosed building and the nature of the incoming and outgoing recyclate is such that fine particles would not be produced. During prolonged periods of dry weather, the Site roads would be damped down / washed if the potential for fugitive dust impacts resulting from traffic movements are identified by the facility general manager.

77. Litter management schemes will be defined within the Environmental Management Plan (EMP) to prevent the release of litter from the facility buildings and from the Site boundary. All vehicles carrying waste to the Site would be required to be adequately covered thus avoiding problems associated with litter escaping onto the public highway or other areas outside the boundary of the Site. Drivers would only be allowed to un-sheet vehicles upon entering the waste reception hall. The applicant has indicated that any drivers failing to comply with site regulations would be warned and breaches reported in the Site EMP. If repeated offences occur, then drivers would be banned from accessing the facility. All unloading of dry recyclate would be undertaken within the enclosed waste reception hall. This would assist in preventing any litter from escaping the building.

78. The only external storage will be baled or wrapped plastics and metals as shown on **drawing 2710-01-004.** External bale storage will be to a maximum of 4m high.

*HGV movements:*

79. As already noted in the Site section of the report, the proposed site leaves Chickenhall Lane onto Bishopstoke Road (B3037). The A335 provides direct access to the strategic road network via Junction 5 of the M27 and Junction 12 of the M3.

80. It is expected that average 10 tonne payloads will be used to import the material to the site and average 20 tonne payloads will be used to export the material from site.

81. The incoming waste tonnages would be less than to the previously consented development on the Site. However, as there would be no thermal processes undertaken at the MRF that would reduce the tonnage of material to be exported, it is anticipated that HGV movements at full capacity would be no greater than previously approved and considered acceptable (i.e. 128 HGV movements (64in, 64 out)).

82. The increased employment generation as a result of the MRF operation (compared to the ERC) would generate a maximum of 120 car movements (60 in, 60 out). However, it is anticipated that there would be a degree of car sharing and cycling to work. As such, this represents a worst-case maximum when the facility is operating at full capacity over three shifts. Further detail of the traffic generation is provided in **Chapter 9.0** and **Appendix 9.2 of the ES**.

83. The applicant is currently investigating proposals to improve the performance in terms of vehicle emissions by transitioning the Hampshire haulage fleet from diesel to biofuel in the short to medium term and hydrogen/ electric in the long term. This would see significant reductions in emissions from the bulker vehicles in and out of the site over time.

84. The site is designed to separate visitor traffic from deliveries. Movements around the site will follow a one-way system. Delivery vehicles will enter at the southern end of the building and waste will be discharged within the building. This has been designed to minimise the need for vehicles to reverse, other than to tip within the building.

*Parking and cycle storage:*

85. Separate access would be provided for pedestrians, cyclists and cars visiting the offices to avoid conflicts with commercial vehicles delivering and collecting at the MRF. Provision has been made for 24 parking spaces, including two accessible spaces. Electric charging points would be provided on three of the parking spaces. The applicant has indicated that parking demand will be closely monitored to ensure no parking takes place on the internal roads or loading areas.

86. A covered bicycle parking area is provided next to the office which would be fitted secure stands. A covered smoking shelter would also be provided.

*Employment:*

87. The site will operate initially on a two-shift system and will employ approximately 47 people managing approximately 107,000 tonnes of recyclate each year. It is anticipated that the amount of recyclate requiring treatment will gradually rise over time. Capacity is therefore available to operate on a three-shift system and to increase the throughput of the plant to c.135,000 tonnes and requiring 60 staff.

88. It is anticipated that some of the existing team at the Alton MRF will transfer to the new proposed facility. It is also anticipated that additional staff will be recruited, and job opportunities will be advertised locally before being more widely advertised.

89. In the event that the proposed facility would be out of action for any period (e.g. operational failure) of time, Veolia would utilise other provision outside of Hampshire until the MRF was operational again. A similar process has been followed when Portsmouth MRF has been out of action in 2022, with Alton MRF taking in additional material to compensate. If issues occurred with the proposed facility, this provision will need to be found outside of Hampshire until the MRF was back on stream.

90. All documents associated with the planning application can be found on the planning application webpage.

**Environmental Impact Assessment**

91. The proposed development has been assessed under Town & Country Planning (Environmental Impact Assessment) Regulations 2017. The proposals falls within Schedule 2, 11 (b) Installations for the disposal of waste (unless included in Schedule 1) as the areas of development exceeds 0.5 hectare. Whilst it is agreed that a Materials Recycling Facility (MRF) does not involve ‘waste disposal’, 11 (b) in the EIA Regulations 2017 is the closest and appropriate category as confirmed by EU case law and the Waste Framework Directive (WFD). The Waste Planning Authority therefore consider the proposed development is an EIA development under the 2017 Regulations as by the nature of its type, scale and siting it has potential to cause significant environmental impacts that should be considered within an Environmental Statement (ES).

92. Formal scoping under Regulation 15 of the 2017 Regulations has not been undertaken. The screening opinion provided and previous EIA for development on the Site, combined with informal consultation with the planning authority is considered sufficient to determine the scope of assessment required to understand the main issues related to the proposal.

93. An ES was submitted. Following the initial round of public consultation, the Waste Planning Authority concluded that further information was required for the purposes of determining the application. In accordance with Regulation 25 of the Town & Country Planning (Environmental Impact Assessment) Regulations 2017, the Waste Planning Authority issued a Regulation 25 request on 5 May 2022. This additional information was considered to be necessary to enable the full and proper consideration of the likely environmental effects of the proposed development. Full copies of all requests are available to view on the applications website. The request for further information is summarised as follows:

1. **Ecology**
    - Further assessment of groundwater conditions;
    - Best practice SuDS should be designed and installed in accordance with the requirements in the CIRIA SuDS Manual (C753). Clarification on this matter should be provided in a revised shadow Habitats Regulations Assessment along with details relating to the long-term management, maintenance and ownership of any SuDS; and
    - Further information on the Off-site compensatory measures proposed.
2. **Hydrology & Hydrogeology**
    - further groundwater assessment which includes seasonal variations (winter months) be submitted.
3. **Noise**
    - Amendments and clarification of the Noise Assessment (NA).
4. **Vibration**
    - information regarding the nature of the road surface in the vicinity of these properties to enable the Environmental Health Officer (EHO) to fully assess any likely impacts from vibration.
5. **Odour**
    - clarification on whether an odour will be emitted from lorries and from the facility and, despite the above controls and after allowing for local conditions, what additional mitigation will be provided to prevent a residual impact occurring on 'high emission / more impacting days'.
6. **Air Safeguarding**
    - Address NATS objection
7. **Network Rail**
    - **Further engagement with** Network Rail's Asset Protection and Optimisation (ASPRO) prior to works commencing. This will allow Network Rail's ASPRO team to review the details of the proposal to ensure that the works can be completed without any risk to the operational railway.

94. The applicant submitted a response on 20 July 2022 (see **ES Volume 5 Additional Environmental Information (Reg 25 - 20 July 2022**) and this was subject to public consultation in accordance with the adopted Statement of Community Involvement.

95. A discussion of the findings of the ES and the subsequent Regulation 25 consultation's is set out in the relevant commentary sections of this report.

**Development Plan and Guidance**

96. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the statutory 'development plan' unless material considerations indicate otherwise. Therefore, consideration of the relevant plans, guidance and policies and whether the proposal is in accordance with these is of relevance to decision-making.

97. The key policies in the development plan which are material to the determination of the application, are summarised below. In addition, reference is made to relevant national planning policy and other policies that guide the decision-making process and which are material to the determination of the application. For the purposes of this application, the statutory development plan comprises the following.

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

98. The following policies are relevant to the proposal:
    - Policy 1 (Sustainable minerals and waste development);
    - Policy 2 (Climate change – mitigation and adaptation);
    - Policy 3 (Protection of habitats and species);
    - Policy 4 (Protection of the designated landscape);
    - Policy 5 (Protection of the countryside);
    - Policy 6 (South West Hampshire Green Belt);
    - Policy 7 (Conserving the historic environment and heritage assets);
    - Policy 8 (Protection of soils);
    - Policy 9 (Restoration of quarries and waste developments);
    - Policy 10 (Protecting public health, safety and amenity);
    - Policy 11 (Flood risk and prevention);
    - Policy 12 (Managing traffic);
    - Policy 13 (High-quality design of minerals and waste development);
    - Policy 14 (Community benefits);
    - Policy 25 (Sustainable waste management);
    - Policy 26 (Safeguarding - waste infrastructure);
    - Policy 27 (Capacity for waste management development);
    - Policy 28 (Energy recovery development); and
    - Policy 29 (Locations and sites for waste management).

**Eastleigh Borough Local Plan (2016-2036) (EBLP (2022))**

99. The following policies are relevant to the proposal:
    - Strategic Policy S1, Delivering sustainable development;
    - Strategic Policy S2, Approach to new development;
    - Strategic Policy S4, Employment provision;
    - Strategic Policy S8, Historic Environment;

- Strategic Policy S11, Transport infrastructure;
- Policy DM1, General criteria for new development;
- Policy DM2, Environmentally sustainable development;
- Policy DM3, Adaptation to climate change;
- Policy DM4, Zero or low carbon energy;
- Policy DM5, Managing flood risk;
- Policy DM6, Sustainable surface water management and watercourse management;
- Policy DM8, Pollution;
- Policy DM10, Water and Waste Water;
- Policy DM11, Nature conservation;
- Policy DM12, Heritage Assets;
- Policy DM13, General development criteria – transport;
- Policy DM14, Parking;
- Policy DM15, Safeguarding existing employment sites;
- Policy E6, Eastleigh River Side; and
- Policy E8, Junction improvements, Eastleigh.

**Eastleigh Local Plan (2006) (Saved policies)**

100. The following policies are relevant to the proposal:
- Saved Policy 34.ES; and
- Saved Policy 37.ES.

101. Other plans and guidace of relevance to the proposal include the following:

**National Planning Policy Framework (2021)** (**NPPF**)

102. The following paragraphs are relevant to this proposal:
- Paragraphs 10-12: Presumption in favour of sustainable development;
- Paragraphs 38, 47: Decision making;
- Paragraphs 55 – 56: Planning conditions;
- Paragraphs 57: Planning obligations;
- Paragraphs 81: Support of sustainable economic growth;
- Paragraph 92: Healthy, inclusive and safe places;
- Paragraph 100: Public rights of way and access;
- Paragraphs 104, 110-113: Sustainable transport;
- Paragraph 120: Types of land;
- Paragraphs 126-136: Design;
- Paragraphs 153-158; Planning and climate change;
- Paragraphs 159-169: Planning and flood risk;
- Paragraphs 174, 176-178: Contributions and enhancement of natural and local environment;
- Paragraphs 180-181: Biodiversity and planning;
- Paragraphs 183-188: Ground conditions and pollution;
- Paragraphs 194-208: Heritage assets.

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

103. The following paragraphs are relevant to the proposal:
- Paragraph 1: Delivery of sustainable development and resource efficiency; and
- Paragraph 7: Determining planning applications.

## National Planning Practice Guidance (NPPG)

104. The following paragraphs are relevant to the proposal:
- Paragraphs 005, 006 and 008: Air quality (November 2019);
- Paragraphs 001. 002, 004, 009: Climate change (March 2019);
- Paragraphs 001, 009, 012, 016: Design (October 2019);
- Paragraphs 001-007: Effective use of land (July 2019);
- Paragraphs 001-053: Environmental Impact Assessment (May 2020);
- Paragraphs 001-068: Flood risk and coastal change (March 2021);
- Paragraphs 001-012: Healthy and safe communities (August 2022);
- Paragraphs 001-002, 006-064: Historic Environment (July 2019);
- Paragraphs 001-012: Land affected by contamination (July 2019);
- Paragraphs 001-007: Light pollution (November 2019);
- Paragraphs 001-043: Natural environment (July 2019);
- Paragraphs 001-017: Noise (July 2019);
- Paragraphs 001 and 003: Open space, sports and recreation facilities, public rights of way and local green space (March 2014);
- Paragraph 001-038: Planning obligations (September 2019);
- Paragraph 001-015: Travel plans, transport assessments and statements (March 2014);
- Paragraphs 001-030: Use of planning conditions (July 2019); and
- Paragraphs 001-0055: Waste (October 2015).

## Planning Practice Guidance for Waste (15 October 2015) (Live) (PPGW)

105. The following are paragraphs relevant to the proposal:
- Who is the planning authority for waste development? (Paragraph: 001 Reference ID: 28-001-20141016 (October 2014));
- What matters come within the scope of 'waste development'? (Paragraph: 002 Reference ID: 28-001-20141016 (October 2014));
- How are counties and districts expected to work together in respect of waste development planning applications; (Paragraph: 045 Reference ID: 28-045-20150415 (April 2015);

- What is the relationship between planning and other regulatory regimes; (Paragraph: 050 Reference ID: 28-050-20141016 (October 2014));
- What is the main role of the environmental permit? (Paragraph: 051 Reference ID: 28-050-20141016 (October 2014)).

**Waste Management Plan for England (2021) (WMPE)**

106. The following are sections are relevant to the proposal:
- The Waste Management Plan and the objectives of the Waste (England and Wales) Regulations 2011;
- Waste management in England;
- Waste hierarchy; and
- Waste arisings.

**Waste (England and Wales) Regulations (2011)**

107. The following is of relevance to the proposal:
- Part 1 General;
- Part 2 Waste prevention programmes;
- Part 3 Waste management plans;
- Part 4 Waste prevention programmes and waste management plans: general provision;
- Part 5 Duties in relation to waste management and improved use of waste as a resource;
- Part 6 Duties of planning authorities;
- Part 9 Transfer of waste;
- Part 10 Enforcement;
- Schedule 1- Waste prevention programmes and waste management plans;
- Schedule 2 - Amendments to the Hazardous Waste (England and Wales) Regulations 2005; and
- Schedule 3 - Amendments to the Environmental Permitting (England and Wales) Regulations 2010.

**Consultations**

108. The following responses have been received from consultees. A summary is provided below. A full record of all consultation responses is available to view on the planning application webpages under 'consultee responses'.

109. **County Councillor Park:** Was notified.

110. **County Councillor Parker Jones**: Concerns relating to the following matters and noted that remain to be convinced that the concerns could be addressed and that the benefits will outweigh these matters:

a) *Traffic*: Bishopstoke Road is already at capacity and Station Hill is essentially the only route in and out for Bishopstoke & Fair Oak, anything which causes a problem, such as breakdown or bridge repairs, results in huge delays or long diversions. – The Area approaching this is already part of an air quality management scheme. I would understand if there was movement on the Chickenhall Lane Link proposal, or if the location to access a suitable site was with close proximity to a motorway or dual carriageway. The roundabout in front of Lidl onto Romsey/Twyford & Southampton Rd is not free flowing and Twyford Road is not suitable for HGVs so this would mean more vehicles on Southampton Road, which also has its problems. So, I look forward to the response from Hampshire Highways.
b) *Environment:* The proposed site is very close to River Itchen, a world renown chalk stream, it is a SSSI and the location will be on part of the SAC home to some very protected species including the White Claw Crawfish, Southern Damselfly, Water Vole and more. I note that the site itself already has protected species identified upon it. The air quality, as mentioned previously is already considered poor on the Southampton Road/Bishopstoke Road (via Station Hill) and there will be additional vibration, noise associated with the vehicle movements.

111. **Eastleigh Borough Council:** Object and provided further comments to the proposal on the following grounds:

1. Pollution and public health – Insufficient information to determine that the development would not harm residential amenity through increased noise, odour, dust, vibration and air quality issues.
2. Highway implications – Increased traffic congestion and pollution on Bishopstoke Road and roundabout junction with Station Hill / Romsey Road / Twyford Road. Concerns about robustness of traffic data.
3. Landscaping and trees – Initially objected to the proposal on the lack of winter view visual impact assessment and insufficient information to justify tree loss. Following the submission of additional information, concurred with the conclusions in Chapter 5 of the Environmental Statement, Appendix 10.1 that any potential uplift in visual impact during winter months will be slight. Accordingly, had no further comments to make on the LVIA. Further comments were provided on the illustrative landscape design plan in relation to effective screening and tree planting opportunities, the layout, infiltration basins, tree and hedgerow and fencing.
4. Ecology – Insufficient information to demonstrate that on-site biodiversity enhancement has been fully explored and lack of information about off-site mitigation scheme. Further information required to assess impact on River Itchen SAC. Concerns were initially raised regarding a potential impact on the SAC arising from the interaction of winter groundwater levels and the proposed infiltration scheme for managing surface water runoff but concerns were predominantly resolved. The surface water drainage scheme has been modified and a hybrid solution proposed. Infiltration will occur on those parts of the site where the environmental conditions permit this, and an appropriate level of treatment can occur without affecting flows. Where the ground water levels are too high, the surface water will be

treated in a treatment train via a swale, water quality device and an attenuation basin before being discharged to an existing surface water sewer which enters the River Itchen a short distance away. Further drainage details were requested. Notes the outstanding issue of Biodiversity Net Gain and the need for there not to be net loss to ensure compliance with Policy DM11 and the NPPF (2021) in relation to biodiversity net gain. Indicated that more on-site habitat provision could still be provided. Indicated that the shadow HRA includes a plan showing lux level contours on site. The current light spill into retained and created habitats is excessive and will have a detrimental impact on them. The maximum contour shown is 3 lux but levels will be higher than this within the retained and created habitats closer to the processing plant. Measures must be taken to reduce light spill into these habitats to an acceptable level (1 lux maximum).

112. **Eastleigh Borough Council Environmental Health Officer (EHO):** Holding objection on the following grounds:

1. Operational noise impact is adverse, greatly exceeding the Local Planning Authority's noise limit of Rating Level being at least five decibels below the background sound level.
2. Consideration of background sound levels has included for more sensitive times of the day, for example in the early time at wakening and breakfast time.
3. Odour is potentially adverse, but there is not inclusion of deodorising equipment for the building ventilation exhaust. The applicant says simply if there was a complaint about odour this would be inputted to the ISO14001 Environmental Management System, which while necessary of course for all operation probably will not be effective in installing this equipment.
4. Vibration from vehicles using the access road, this may not be adverse due to the smooth concrete paving on Chickenhall Lane. Condition on potholes suggested or alternatively be via a Section 106 contribution for maintenance of the road prior to opening and long term? And rather than the applicant dismissing the individual noise impact contribution from road traffic, it must be acknowledged each new development adds on more impact (cumulative impact).
5. Can the applicant therefore explore a solution to remediate the noise impact to the cottages from road traffic? Again, this would presumably be secured via a Section 106 contribution.

113. **Natural England:** Requested further information on assessment of groundwater conditions to determine any potential interactions between groundwater and the development proposals, leading to impacts on designated sites. Notes that the shadow HRA has not been produced by competent authority. The detailed design of a Sustainable Drainage System (SuDS) should be submitted and agreed with Hampshire County Council.

The River Itchen SSSI (unit 108) is classed as 'Unfavourable – No Change' and the latest assessment outlines the salmon population is at risk, likely due to 'siltation of spawning gravels', amongst other reasons. The

assessment identifies some areas along this stretch are known to have siltation issues. However, specific available data are lacking on current sediment loading into this stretch of the Itchen; suspended solids are notoriously difficult to monitor robustly due to the fact they are seasonally influenced and heavily dependent on irregular weather events. The River Itchen SAC Supplementary Advice does not currently set a specific target for sediment levels for Atlantic salmon, instead referring to the restoration target for the qualifying habitat that is known to promote fine sediment deposition. Further work is continuing to further understand the problem. The application is supported by an updated drainage strategy. The competent authority should be satisfied the development will not lead to any increase in pollution into the River Itchen, which could result in impacts to the designated site. Requested submission of a Construction Environment Management Plan via condition. The detailed design of a Sustainable Drainage System (SuDS) should be submitted and agreed with Hampshire County Council.

114. **Defence Infrastructure Organisation:** No safeguarding objections to this proposal.

115. **Environment Agency:** No objection subject to a condition related to potential contamination.

116. **Hampshire and Isle of Wight Wildlife Trust:** No comments on the planning application.

117. **Network Rail:** Due to the close proximity of the proposed Material Recycling Facility to Network Rail's land and the operational railway, Network Rail requests the applicant / developer engages Network Rail's Asset Protection and Optimisation (ASPRO) prior to works commencing. This will allow our ASPRO team to review the details of the proposal to ensure that the works can be completed without any risk to the operational railway. The applicant / developer may be required to enter into an Asset Protection Agreement to get the required resource and expertise on-board to enable approval of detailed works. The applicant / developer must also follow the attached Asset Protection informative which are issued to all proposals within close proximity to the railway (compliance with the informatives does not remove the need to engage with the ASPRO team).

118. **NATS:** Initially objected to the proposal due to conflicts with safeguarding criteria. Further discussions took place between the applicant and NATs which resulted in the removal of the objection subject to a number of planning conditions relating to the submission of a Navigation Aid Mitigation Scheme and associated external cladding and a "Construction Methodology" or "Crane Operation Plan".

119. **Southampton International Airport:** The proposed development does not conflict with safeguarding criteria and therefore raise no objection to the proposal. Given the **nature** of the proposed development it is possible that a

crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within CAP 1096 the Guidance to crane users on the crane notification process and obstacle lighting and marking.

120. **Local Highway Authority:** Following a review of the Transport Assessment, satisfied that this application will not have a severe impact on the safety or operation of the local highway network subject to conditions relating to staff travel plan, construction traffic management plan and number of HGV movements. Is satisfied that the data provided in the TS shows that the change in traffic flows associated with this proposal in both the opening and future years scenario are acceptable. The TA concludes that the percentage distributional split of traffic is likely to be weighted towards Bishopstoke Road West with 88% in the AM peak and 75% in the PM peak. Satisfied the accident record has not identified any patterns that are likely to be exacerbated by this application. Recommends conditions for the submission of a full Travel Plan. Satisfied that the splays meet the required standards.

121. **Lead Local Flood Authority (LLFA):** Initially requested a groundwater assessment which includes seasonal variations (winter months). On the receipt of further information, raised no objection to the proposal.

122. **Landscape Planning and Heritage (Landscape) (Hampshire County Council:** Provided comments on the scale of the proposal and the investment in its landscape setting. The proposed planting and habitat creation works need to demonstrate their robustness and eventual long-term contribution to the area. Satisfied that the figures 5.3a-h 2022 show minimal – moderate adverse effects on the surrounding landscape and likely receptors. Views from the residential properties near the site entrance could not be assessed in terms of the impact on residential amenity. This area is in private ownership. We have not had access to view this area or assess impact on visual amenity. It is possible that additional screening could be achieved at the entrance to the site. Noted that would have preferred to see bolder planting proposals. Recommended landscape scheme condition.

123. **Landscape Planning and Heritage (Archaeology) (Hampshire County Council):** No objection subject to conditions securing further archaeological evaluation those parts of the site that have not previously been evaluated (unless they fall within an area that can be demonstrated to have been impacted by past gravel extraction), appropriate level of archaeological investigation and recording as mitigation of impact of archaeological remains identified within the site and impacted by development and the production of an archaeological report of the mitigation recording to be made publicly available.

124. **County Ecologist (Hampshire County Council**): Commented initially that generally content with the submitted ecological information and in agreement with the overall assessment of impacts, but that further detail is required at this stage on the proposed off-site compensatory measures and in addition

further clarification is required on the proposed drainage system, the potential for groundwater impacts on the River Itchen SAC and off-site compensatory measures. Content that sufficient ecological assessment has been carried out at this site and the limitations arising from timings and access are explained and acceptable. Noted that although there will be a net loss in habitats across the application site, the developed site offers an opportunity for meaningful ecological gain by enhancing the ecological value of retained habitats and providing new species-rich habitats. The areas of grassland within the site provide an excellent opportunity for species-rich habitat in association with native scrub and tree plantings. Hedgerow plantings will provide enhanced habitat and improve habitat linkage at the site's boundaries. The outline habitat management measures are acceptable and welcomed. There is a recommendation for species-specific measures such as habitat piles, retention of deadwood features, bat and bird boxes which are welcomed. Following the submission of additional information, indicated that they are content with the findings of the Updated Shadow HRA and take confidence from the recent comments from the Local Lead Flood Authority that they are now satisfied with the drainage proposals. Additional information will be required on the current ecological value of the net gain sites in order to ensure that BNG proposals do not result in unacceptable impacts on the sites' existing biodiversity. Details of BNG calculations and condition assessments will be required. On the issue of potential impacts to Southern Damselfly, it has been highlighted that the previous proposal (S/13/73507) included a Section 106 agreement which secured a financial contribution of £50,000 (index linked) towards the enhancement / monitoring of the Southern Damselfly in the River Itchen and that this has not been actioned. It is recommended that this is now secured within the current application.

125. **Public Health (Hampshire County Council):** Was notified.

**Representations**

126. Hampshire County Council's Statement of Community Involvement (2017) (SCI) sets out the adopted consultation and publicity procedures associated with determining planning applications. In complying with the requirements of the SCI, Hampshire County Council:

- Published a notice of the application in the Hampshire Independent;
- Placed notices of the application at the application site and local area;
- Consulted all statutory and non-statutory consultees in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015; and
- Notified by letter all residential properties within 50 metres of the boundary of the site.

127. As already set out earlier in the Environmental Impact Assessment section of the report, further rounds of public consultation took place as part of Regulation 25. All information was re-consulted upon in accordance with the SCI.

128. As of 10 October 2022, a total of 5 representations (from 4 representors) to the proposal have been received. 3 representations raised concerns with the proposal, 2 were in support. The main areas of concern raised related to the following areas:
    - impact on wildlife / biodiversity and the wider environment;
    - noise impacts;
    - Heavy Commercial Vehicle (HCV)/ HGV traffic;
    - associated health impacts and impacts on quality of life;
    - Impact on businesses;
    - Safety of residential properties and belongings;
    - Extra costs of securing residential properties;
    - impact on house prices / saleability of residential properties;
    - Impact on a quiet semi-rural location;
    - The speed of the vehicles, the danger from the new road & the antisocial behaviour, littering abuse from drivers.
    - Pedestrian safety;
    - Impact on Bishopstoke Road;
    - Helping with the ability to increase recycling rates in Hampshire;
    - Ability to modernise Hampshire waste services and recycling;
    - Amenity impacts from the construction and operation.

129. The above issues will be addressed within the following commentary, (except where identified as not being relevant to the decision). The impacts on the house prices / saleability of residential properties are not a material planning consideration.

**Habitats Regulation Assessment:**

130. In accordance with Conservation of Species and Habitats Regulations 2017 (the Habitats Regulations), Hampshire County Council (as a 'competent authority') must undertake a formal assessment of the implications of any new projects we may be granting planning permission for e.g. proposals that may be capable of affecting the qualifying interest features of the following European designated sites:
    - Special Protection Areas [SPAs];
    - Special Areas of Conservation [SACs]; and
    - RAMSARs.

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

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

133. A shadow HRA was submitted by the applicant as part of the submission. This was updated as part of the Regulation 25 submission (July 2022) (see **ES Volume 3, Appendix 6.11 - Technical Report to Inform Habitats Regulations Assessment (REG25**) which concluded that the proposed drainage system and long-term management and maintenance of the drainage system set out in **Appendix 4.1** of the ES would not result in any likely significant effects on the favourable nature conservation status of the River Itchen SAC.

134. The County Ecologist indicated that he accepted the findings of the Shadow HRA prepared by the applicant which concluded no likely significant effects (see Habitats Regulations Assessment. The County Ecologist prepared a compliance assessment to reflect this. This indicated that following consideration of a range of potential impact pathways, it is concluded that through the implementation of site-specific avoidance and mitigation measures any potential impacts arising from the development, along and cumulatively, can be avoided. In conclusion, the application will have no adverse effect on site integrity, alone or in combination with other plans and projects.

135. Links to the emerging requirements for Biodiversity Net Gain (BNG) requirements are covered in the Ecology section of the commentary section of this report, where they are relevant to the proposal.

**Climate Change**

136. Hampshire County Council declared a Climate Emergency on 17 June 2019. Two targets have been set for the County Council, and these also apply to Hampshire as a whole. These are to be carbon neutral by 2050 and preparing to be resilient to the impacts of temperature rise. A Climate Change Strategy and Action Plan has since been adopted by the Council. The Climate Change Strategy and Action Plan do not form part of the Development Plan so are not material to decision making. However, it is true to say that many of the principles of the Strategy and Action Plan may be of relevance to the proposal due to the nature of the development. Where these principles are of relevance, they are addressed in the relevant parts of the Commentary section.

137. It is important that potential climate changes impacts and associated mitigation measures are considered.

138. Policy 2 (Climate change - adaptation and mitigation) of the HMWP (2013), states that waste development should minimise their impact on the causes of climate change. It states that where applicable, 'waste development should reduce vulnerability and provide resilience to impacts of climate change by:
    a. being located and designed to help reduce greenhouse gas emissions and the more sustainable use of resources; or

b. developing energy recovery facilities and to facilitate low carbon technologies; and
c. avoiding areas of vulnerability to climate change and flood risk or otherwise incorporate adaptation measures.'

139. Policy DM3 - Adaptation to climate change of the EBCLP (2022) states that all development should be designed to adapt to the predicted climate change impacts to reduce the potential impacts of surface water flooding, include a cooling strategy and adapt to water stress.

140. Saved Policy 34.ES of the ELP (2006) states that planning permission will only be granted for proposals which make an appropriate contribution towards the Government's target to reduce levels of carbon dioxide and other greenhouse gases in the atmosphere through sustainable construction materials and construction methods, minimising the energy demands and maximising the proportion of energy that is generated from renewable sources. In addition, saved Policy 37.ES provides further guidance on appropriate consideration that has to be given to the need to maximise energy efficiency, including opportunities for passive solar gain, in the layout, siting and landscaping of development, the need to reduce water consumption, the need to minimise waste during construction and in terms of materials, the opportunities for linking the development to renewable energy schemes and opportunities to extend the useful life of buildings and ensure that they are adaptable to other uses.

141. A set out in the **Planning Statement**, the proposal would recycle material from non-hazardous waste, thereby reducing landfill and the associated emissions of greenhouse gases including the release of methane which is generated from the anaerobic decomposition of biodegradable waste such as paper and natural fibres. The MRF would increase recycling rates (based on the recycling rates currently being delivered) by ensuring that a wider range of materials can be recycled and that the materials can be separated into discrete components that can be reprocessed efficiently and effectively. This will reduce the use of raw material and their associated carbon footprint.

142. A **Climate Change Assessment** was included in **ES Volume 1, Chapter 9 - Other Environmental Issues**. In order to understand the impact of the proposal, a **Carbon Assessment** has been undertaken (see **ES Volume 3, Appendix 9.6 Carbon Assessment)**.

143. The carbon emissions have been calculated for the Eastleigh MRF. This takes account of:
- the carbon benefit of recovering the different recyclate at the MRF compared to producing that material via conventional means (i.e. starting with virgin materials);
- operational emissions (electricity consumption) from operating the MRF;
- emissions from the disposal of any residues which are transferred from the MRF; and

- emissions from the transport of materials to, and residues from the MRF.

144. These emissions have been compared with the carbon emissions from sending the same waste to landfill. The operation of the MRF is predicted to lead to a net reduction in greenhouse gas emissions of approximately 85,936 tonnes of CO2-equivalent (CO2e) per annum compared to the landfill counterfactual.

145. The applicant has assumed that the MRF will have a lifespan of 25 years, this is equivalent to an overall benefit of 2,148,409 tonnes of CO2e over the lifetime of the MRF.

146. The proposal has been designed to take into account the effects of climate change. More information on this is set out in the design section of the commentary.

147. The proposal incorporates a Sustainable Drainage Systems (SuDS) solution to manage surface water runoff. The SuDS solution has been designed to accommodate a 1:100 annual probability rainfall event including a 40% increase in rainfall intensity in order to allow for climate change in accordance with Environment Agency (EA) guidance.

148. Proposed landscaping helps with the delivery of a cooling strategy for the site. Other sustainable design features which would help reduce greenhouse gas emissions include the provision of on-site electric charging facilities and rainwater harvesting. Other opportunities for sustainable construction methods (including waste management) will also be covered in the submitted Construction and Environmental Management Plan as required by a condition in **Appendix A**.

149. An alternative baseline scenario has been assessed, which examines the carbon benefits associated with the increase in recycling levels of the collection recovery system compared to the current system. In this scenario, the introduction of the Eastleigh MRF is expected to lead to additional carbon savings of 10,240 tCO2e/annum, over the current situation. The assessment concludes that all scenarios assessed demonstrate that the operation of the Eastleigh MRF will result in carbon savings compared to baseline scenarios.

150. The proposal has been assessed in relation to its potential vulnerability to climate change. More detailed information on design aspects is set out in the design section the commentary.

151. It is noted that the increases in temperatures during hotter drier summers are unlikely to require any specific design changes to the main process building due to the nature of activities undertaken. The office and visitor centre would be located on the north-western end of the building. As such, these areas would be less sensitive to passive solar warming. The building would be

designed structurally to tolerate increasing storm patterns, including higher winds. Based on the above, the proposal is not considered to be vulnerable to climate change impacts.

152. The proposal has been subject to consideration of Policy 2 (Climate change – mitigation and adoption) of the HMWP (2013), Policy DM3, Adaptation to climate change of the EBCLP (2022), saved Policies 34.ES and 37. ES of the ELP (2006) and Paragraph 152-158 of the NPPF (2021)).

**Commentary**

153. The commentary section provides more information on the key planning issues in relation to the proposal. These are as follows:

- Principle of the development;
- Demonstration of need and capacity;
- Application of the waste hierarchy;
- Suitability of site location and alternatives;
- Ecology;
- Visual impact, landscape and arboriculture;
- Design;
- Soil protection;
- Cultural and archaeological heritage;
- Impact on public health, safety and amenity;
- Impact on ground, surface waters and flooding;
- Highways impact;
- Restoration;
- Social-economic impacts;
- Non material planning issues raised in representations;
- Legal agreement;
- Community benefits.

154. The remaining commentary covers these issues.

Policy context and principle of the development

155. This first section of the commentary summarises the main policy context for the proposal and the wider principle of the development.

156. Policy 25 (Sustainable waste development) of the HMWP (2013) has been developed to facilitate the delivery of waste management development within Hampshire which accords with the waste hierarchy. Policy 25 (Sustainable waste management) sets out the long-term aim *'to enable net self-sufficiency in waste movements and divert 100% of waste from landfill. It indicates that all waste development should:*
*a) encourage waste to be managed at the highest achievable level within the waste hierarchy; and*
*b) reduce the amount of residual waste currently sent to landfill; and*
*c) be located near to the sources of waste, or markets for its use; and /*

*or*
*d) maximise opportunities to share infrastructure at appropriate existing mineral or waste sites.'*

157. The policy also sets a provision for the management of non-hazardous waste arisings with an expectation of achieving by 2020 at least 60% recycling and 95% diversion from landfill.

158. The proposal would provide enhanced recycling facilities that will assist in an improvement of the quantity and quality of recycling in Hampshire. This will assist the county in achieving its recycling targets and diversion of waste from landfill. The site is also located on an industrial area where other waste uses are present and operational., helping to meet the provisions of Policy 25 (Sustainable waste development) of the HMWP (2013).

159. Furthermore, Policy 27 (Capacity for waste management development) of the HMWP (2013) sets out the objectives for waste management over the plan period (by 2030) including 2.62mtpa of non-hazardous waste and what minimum amounts of additional waste management capacity are required which in the case of non-hazardous recovery capacity is of 0.39mtpa. The Policy also sets out criteria for where support will be given if proposals maintain and provide additional capacity for non-hazardous recycling and recovery including new sites.

160. The proposal would provide an a multi recyclate recycling facility on a site which benefits from an extant waste management consent. Policy 27 complies with the broad requirements of the National Planning Policy for Waste in relation to identifying the volume and type of waste which will require management and the types of waste management required i.e. recycling, recovery and landfill. The MRF would provide capacity for up to 135,000tpaof dry recyclable material. Only limited recycling facilities have been consented in Hampshire since the HMWP (2013) was adopted, and the targets for recycling are expressed as a minimum.

161. There are a number of pieces of national waste policy and guidance which set the context for the need to drive up recycling. Firstly, the Waste (England and Wales) Regulations (2011) helps to deliver the sustainable management of waste. The Regulations implement the revised EU Waste Framework Directive 2008/98 which sets requirements for the collection, transport, recovery and disposal of waste. The Regulations require businesses to confirm that they have applied the waste hierarchy when transferring waste and include a declaration to this effect on their waste transfer note or consignment note. The Our Waste, Our Resources: A Strategy for England (2018) seeks to redress the balance in favour of the natural world as part of a goal to move to a more circular economy which keeps resources in use for longer. It seeks to ensure that we capture as much material as possible, ensure high levels of quality recyclable or composing material whilst aiming to maximise the efficiency from EfW facilities. Furthermore, the Waste Management Plan for England (2021) (WMPE) provides an analysis of the

current waste management situation in England, and evaluates how it will support implementation of the 25 Year Environment Plan. It sets out that the Environment Bill will provide the necessary powers to introduce greater consistency in recycling collections in England in order to further improve recycling rates. The WMPE sets out that waste management plans must:

- include the measures to be taken so that, by 2035:
    - the preparing for re-use and the recycling of municipal waste is increased to a minimum of 65% by weight.
    - the amount of municipal waste landfilled is reduced to 10% or less of the total amount of municipal waste generated (by weight).

162. The Environment Act 2021 also has a significant role to play in changes to waste management nationally. It sets out the legislative framework that will enable Government to establish post-exit from the European Union governance arrangements for environmental matters and implement the Resources and Waste Strategy (2018). Significant changes are proposed including producer responsibility / pays, consistency of kerb side collections, food waste collections, recyclate separation and fly tipping. The impact on the Act on waste is summarised in the report to Executive Lead Member for Economy, Transport and Environment on Recycling Infrastructure Planning Application (23 September 2021). The proposal, in combination with changes to the waste collection strategy, would help to deliver the high levels of recyclable material envisaged by previous Government strategies, helping to support the delivery of the provisions of the Environment Act 2021. It provides a clear direction of travel for the Government, and a clearer indication of the key implications for the waste and resource management sector going forward.

163. Hampshire current recycling rate via the Hampshire Waste Services contract is 38% (2020/2021). The County Council is striving to increase recycling rates and the proposed MRF would assist in achieving more ambitious recycling targets by allowing a greater range of materials and better quality of recyclate to be separated for processing than existing facilities in Hampshire.

164. Paragraph 1 of the National Planning Policy for Waste (2014) (NPPW) highlights that positive planning plays a pivotal role in delivering waste ambitions through:

- *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;*
- *ensuring that waste management is considered alongside other spatial planning concerns, such as housing and transport, recognising the positive contribution that waste management can make to the development of sustainable communities;*
- *providing a framework in which communities and businesses are engaged with and take more responsibility for their own waste, including*

*by enabling waste to be disposed of or, in the case of mixed municipal waste from households, recovered, in line with the proximity principle;*

- *helping to secure the re-use, recovery or disposal of waste without endangering human health and without harming the environment; and*
- *ensuring the design and layout of new residential and commercial development and other infrastructure (such as safe and reliable transport links) complements sustainable waste management, including the provision of appropriate storage and segregation facilities to facilitate high quality collections of waste*.

165. Furthermore, paragraph 7 of the  sets out criteria for determining waste applications:
    - '*only expect applicants to demonstrate the quantitative or market need for new or enhanced waste management facilities where proposals are not consistent with an up-to-date Local Plan. In such cases, waste planning authorities should consider the extent to which the capacity of existing operational facilities would satisfy any identified need;*
    - *recognise that proposals for waste management facilities such as incinerators that cut across up-to-date Local Plans reflecting the vision and aspiration of local communities can give rise to justifiable frustration, and expect applicants to demonstrate that waste disposal facilities not in line with the Local Plan, will not undermine the objectives of the Local Plan through prejudicing movement up the waste hierarchy;*
    - *consider the likely impact on the local environment and on amenity against the criteria set out in Appendix B and the locational implications of any advice on health from the relevant health bodies. Waste planning authorities should avoid carrying out their own detailed assessment of epidemiological and other health studies;*
    - *ensure that waste management facilities in themselves are well-designed, so that they contribute positively to the character and quality of the area in which they are located;*
    - *concern themselves with implementing the planning strategy in the Local Plan and not with the control of processes which are a matter for the pollution control authorities. Waste planning authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced;*
    - *ensure that land raising or landfill sites are restored to beneficial after uses at the earliest opportunity and to high environmental standards through the application of appropriate conditions where necessary*.'

166. Whether the proposal is considered to be an acceptable proposal in accordance with local and national policy and specifically paragraph 11 of the NPPF (2021)**,** Policy 1 (Sustainable minerals and waste development) of the HMWP (2013) and Strategic Policy S1- Delivering sustainable development of the  will be considered in the remaining sections of this commentary section.

Demonstration of need and capacity for waste management/mineral resource

167. As already set out, Policies 25 (Sustainable waste management) and 27 (Capacity for waste management development) of the HMWP (2013) are the overarching waste policies for the Plan and guide the need for development.

168. The **Planning Statement** sets out more information on the overarching need for the development. In summary, the proposal will help to meet the need for modernised MRF capacity in Hampshire. The context for the MRF is linked to the forthcoming changes in legislation and links to the Waste Disposal Service Contract with Veolia.

169. Project Integra is the waste management partnership which was formed between Hampshire County Council, the two unitary authorities of Southampton and Portsmouth, the 11 District Councils within Hampshire and Veolia. This partnership (the Hampshire Waste Services Partnership) was created in 1995 and has helped Hampshire to develop a sustainable approach to waste management in the County. As part of the network of waste facilities operated as part of the partnership, Hampshire currently has two MRFs located at Portsmouth and Alton.

170. The Waste Disposal Service Contract is a Design, Build, Operate and Maintain, which required the provision of the necessary infrastructure at the outset. The recycling infrastructure delivered was originally designed to deal with a set specification in terms of inputs to sort based on the composition of waste at the time, namely plastic bottles, steel and aluminium cans, paper and cardboard. Whilst over time there have been some minor changes to this specification, this has not required major refurbishment or replacement in order to be able to accommodate and sort different material streams. The changes initially proposed by the Resources and Waste Strategy (2018) (and thereafter consultations) for England has resulted in the need to update and replace existing capacity to drive the required consistency in recycling collection.

171. The applicant has indicated that the existing MRFs at Portsmouth and Alton do not provide adequate facilities to accommodate the increased range of recycling that is proposed as part of the waste partnership or the range of materials that the legislation will be required to collect and manage. The changes initially proposed by the Resources and Waste Strategy (2018) (and thereafter consultations) for England has provoked a need to update and replace existing capacity and drive consistency in recycling collection and help to meet the provisions of the Environment Act 2021.

172. It is stated that the new MRF would enable both a greater range of recyclate to be recovered, and also improve the quality of the recyclate, promoting the movement of the material up the waste hierarchy. The key aim of the consistency of recycling collections work stream is to ensure a consistent range of material is collected in the kerbside recycling stream across England. At present, and based on the information gathered from the

consultation documents to date, it is clear that the Government is seeking to maximise quality through material segregation when collecting as well as identifying the following waste streams that would need to be collected from 2023:

- cardboard;
- paper;
- aluminium & steel cans;
- plastic bottles;
- pots, tubs and trays (PTTs);
- cartons;
- glass; and
- plastic film (from 2026/27).

173. The two existing MRFs at Alton and Portsmouth are not capable of handling PTTs, plastic films, cartons or glass, hence they will not be able to meet potential future legislative requirements. It is neither viable physically nor cost effective to upgrade the existing MRFs without significant renovation as set out in the report to the Executive Member for Economy, Transport and Environment on the 2 July 2020.

174. The MRFs proposed capacity is 135,000 tonnes per annum (tpa) of dry recyclable material. The changes proposed in the type and nature of the collected materials means that the joint capacity previously required at the Alton and Portsmouth MRFs will not be required to the same extent with the newly proposed single MRF. The fibre stream, cardboard and paper recycling will also be split between the proposed MRF and the existing MRF facility at Portsmouth (which it is intended will be converted to a fibre facility following the closure of the MRF) so not all this type of the recyclable material will be processed at the proposed MRF.

175. The design of the facility is based on projected increases in both housing across Hampshire as well as consideration of waste growth over the lifetime of the facility. There is a significant focus on material quality and the development will be accompanied by a significant communications campaign to reduce the amount of contamination in the system which places an increased burden on capacity.

176. The applicant maintains that consideration has been given to a possible refit of the existing MRFs at Alton and Portsmouth. However, this is not considered a viable option as the existing buildings would limit the section of equipment that could be installed, resulting in a sub-optimal performance and increased cost. In addition, it is stated that the refitting of the existing MRFs would require a substantial period of time during which alternative third-party facilities, likely outside of Hampshire, would need to be sought for Hampshire's material. On the basis that a reconfiguration of the existing MRFs is not considered to be an option due to limited space and the significant cost of upgrading both of the existing MRFs, a new facility is required to meet Hampshire's future waste management needs.

177. The proposal, by its premise, will also help to continue diversion of waste from landfill and maximising the highest level of waste management in the waste hierarchy. More information on these aspects is set out in Application of the waste hierarchy and proximity principle.

178. This planning application can only be determined on the current, relevant policies and guidance which are adopted at the time of the decision. Whilst the Environment Act 2021 is beginning to influence the direction of future policy, any future policies which may be implemented as part of its implementation cannot be taken into account until they are adopted and part of national policy and regulations. When considering this application, the focus should be solely on what is currently adopted national and local planning policy. It will be for further changes to national policy and guidance to guide how the waste management industry reacts and for any plant to adapt accordingly. For the reasons already identified, regulations and further national initiatives will be required to achieve the shift change required by the Act and any further regulations.

179. The proposal will clearly help to modernise Hampshire existing MRF capacity, helping Hampshire to respond effectively to the Environment Act 2021 and wider policy direction. As already set out above, the proposal is considered to be in accordance with Policies 25 (Sustainable waste management) and 27 (Capacity for waste management development) due to the additional capacity which could be delivered.

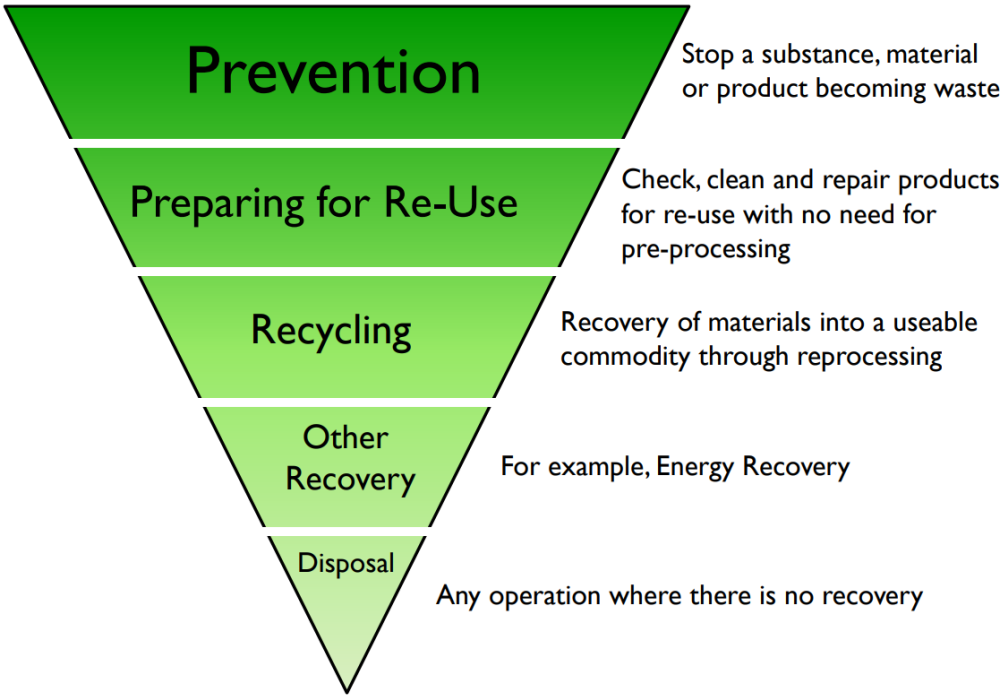
Application of the waste hierarchy and proximity principle

*Waste hierarchy:*

180. Article 4 of the Waste Framework Directive sets out the appropriate means of waste management. Driving waste up the waste hierarchy is an integral part of the Waste Management Plan for England (2021) as well as national planning policy for waste. The 'waste hierarchy' gives order and priority to waste management options, from prevention through to disposal (e.g. landfill). When waste is created, it gives priority to preparing it for re-use, followed by recycling, recovery, and lastly disposal (e.g. landfill). The waste hierarchy is a material consideration when making a decision on a planning application. The requirement to apply the waste hierarchy is set out in the Waste (England and Wales) Regulations 2011 and the amendments laid out in The Waste (England and Wales) (Amendment) Regulations 2012. The Waste Management Plan includes a key thread to encourage and promote the delivery of sustainable waste management underpinned through the application of the waste hierarchy.

181. To achieve compliance with the waste hierarchy, waste management policy has incentivised the prevention and re-use of waste as far as practical and driven a major increase in recycling and composting. The waste hierarchy is shown in Figure 1.

*Figure 1: Waste Hierarchy*




182. Paragraph 008 of the NPPG (Waste) is clear that the '*movement of waste up the Waste Hierarchy is not just the responsibility of waste planning authorities. All local planning authorities, to the extent appropriate to their responsibilities, should look to drive waste management up the hierarchy*'.

183. The principles of the waste hierarchy are translated into Policy 25 (Sustainable waste management) of the HMWP (2013). This sets out the long-term aim to enable net self-sufficiency in waste movements and divert 100% of waste from landfill. The policy also sets out that '*provision will be made for the management of non-hazardous waste arisings with an expectation of achieving by 2020 at least 60% recycling and 95% diversion from landfill*.' The Minerals and Waste in Hampshire Monitoring Report (2020) indicates that of all household, commercial and industrial 'waste removed' from sites in Hampshire – 64% was sent for 'recovery' while 3% was sent for 'treatment'. In addition, 16% was sent for incineration. Based on data from Waste Data Flow, Municipal Solid Waste arisings in 2020 were 771,400 tonnes. The treatment of this waste was as follows:
    - Recycled 24%;
    - Composted 11%;
    - Recovered 60%; and
    - Landfill 5%.

184. Differences between the 2019 and 2020 municipal waste arisings figures have been attributed to the impact of the Covid-19 pandemic and this should be taken into account when viewing the above figures.

185. It should be noted that the materials which would be accepted at the MRF (dry mixed recyclate) are not permitted to be incinerated at ERFs unless in

exceptional circumstances, or if these are otherwise contaminated (e.g. rejects from MRF processes).

186. Paragraph 6.164 states that '*provision of capacity for increasing recycling (including composting) and recovery of non-municipal waste should be made, not only to encourage waste arisings in Hampshire to move further up the waste hierarchy, but also minimise the remaining amount of waste for landfill'*. Furthermore, paragraph 6.167 of the HMWP (2013) also states that to further increase the diversion of non-hazardous waste from landfill, new investment in waste management facilities is required.

187. There are significant incentives to ensure materials are recycled. For example, the applicant already provides advice to clients to ensure that the waste which is produced is managed as far up the hierarchy as possible as well as various other programmes such as Procycle. Procycle is a recycling service to accommodate previously unrecyclable content, such as crisp packets and plastic straws.

188. Furthermore, various legislative instruments have been introduced by the Government in order to change the nature of waste recycling, such as the Plastic Tax introduced with the explicit aim of ensuring that there is a market for recycled plastics and to incentivise the waste hierarchy. The plastic tax is anticipated to have two impacts. Firstly, because there is now a market for recycled plastic, investment in recycling of plastic waste is incentivised. Secondly, it is anticipated that where it is difficult to recycle plastic as a result of contamination, for instance ready meal trays or on the go products, there will be a move away from the use of plastics to rely instead on biogenic materials. That can already be seen in the market, and certain retailers have already begun to move into the use of more biogenic materials.

189. It is the view of the Waste Planning Authority that regulatory measures ensure that the waste hierarchy is effectively applied. Most specifically this will include the application of the waste regulations by the Environment Agency through the Environmental Permitting (England and Wales) Regulations 2010. In operating the Environmental Permit regime, the Environment Agency apply conditions to the permit for each facility requiring operators to take appropriate steps to manage their waste up the waste hierarchy. The requirement for waste management operators to implement measures to manage waste in accordance with hierarchy is implemented through Regulation 12 of The Waste (England and Wales) Regulations 2011. The requirement for a Waste Transfer Note is set out in Regulation 35 of The Waste (England and Wales) Regulations 2011, which at (d) requires the transferor of waste to confirm it has discharged its duty in Regulation 12 (i.e. compliance with the waste hierarchy). Whilst additional fiscal measures may contribute to the application of the hierarchy, in reality it is the application of the relevant Regulations which will govern delivery.

190. An Environmental Permit application will be submitted separately to the planning process.

191. Paragraph 006 of the NPPG (Waste) states that 'the principles of self-sufficiency and proximity (commonly referred to as the 'proximity principle') are set out in Article 16 of the Waste Framework Directive, Local Planning Authorities are required, under Regulation 18 of the 2011 Regulations which transposed the Directive, to have regard to these requirements when exercising their planning functions relating to waste management'. In addition, paragraph 007 of the NPPG (Waste) states that although it is the aim that each Waste Planning Authority to manage all of its own waste '*there is no expectation that each Local Planning Authority should deal solely with its own waste to meet the requirements of the self-sufficiency and proximity principles. Nor does the proximity principle require using the absolute closest facility to the exclusion of all other considerations. Furthermore, there could also be significant economies of scale for local authorities working together to assist with the development of a network of waste management facilities to enable waste to be handled effectively*'.

192. Concerns about accepting waste from elsewhere is often quoted when considering waste applications. The management of waste is not fixed to administrative boundaries, with waste arising in one authority's area frequently being managed in another. For these reasons, the management of waste is a cross-boundary strategic matter, the planning for which requires co-operation between Waste Planning Authorities and in the case of Hampshire district and borough councils as well. The movement of certain wastes (particularly waste from businesses and industry) to different locations for management either into or out of Hampshire is commonplace.

193. Taking all matters into account in relation to the waste hierarchy, the proposal would provide replacement and modernised MRF waste management capacity for Hampshire. The capacity provided would assist in continuing the trend of increasing recycling rates, thus resulting in achieving waste management at a higher level in the waste hierarchy than the landfilling of waste. It also provided modernised capacity to meet Hampshire's needs. Further waste incentives, such as the packaging directive, will also serve to strength the application of the hierarchy. The Waste Planning Authority is satisfied that the proposal will ensure the waste hierarchy is appropriately applied in accordance with national policy and guidance as well as Policy 25 (Sustainable waste management) of the HMWP (2013).

Suitability of site location and alternatives

The NPPW (2014) seeks to protect the local environment and amenity by aiming to prevent waste facilities being placed inappropriate locations. However, it also acknowledges that proposals for waste management facilities can be controversial, acknowledging that they may not reflect the vision and aspirations of local communities and can lead to justifiable frustrations.

194. Appendix B of the NPPW (2014) sets out locational criterial for the location of waste sites. Many of the criteria such as protection of water quality and resources and flood risk management (a), land instability (b), landscape and visual impacts (c), nature conservation (d), conserving the historic environment (e), traffic and access (f), air emissions, including dust (g), odours (h), vermin and birds (i), noise, light and vibration (j), litter (k) and potential land use conflict (l). The compliance of the proposal with these areas are largely covered by other parts of this commentary, so the proposals acceptability in relation to Appendix B is covered throughout this commentary section.

195. Policy 29 (Locations and sites for waste management) of the HMWP (2013) provides a framework to guide development of waste management facilities to suitable locations within the Hampshire. Paragraph 6.196 of the supporting text sets out that the Plan expects market led delivery and therefore it does not identify and allocate any individual sites for waste development. The proposal is located in the urban area in south Hampshire, meaning it meets part 1 (i) of Policy 29. Furthermore, the site is part of an existing industrial estate which was previously allocated for general industry and storage through the Eastleigh Local Plan (2006) as well as benefitting from an extant planning consent for waste management activities. The principle of developing the site for waste management activities has therefore been previously established. This means the proposal meets part 2 (a) and (b). The proposal is also considered to be of a scale which is comparable to adjacent developments in the area meeting part 2 (e). Part 3 is not relevant as the proposal is considered to meet parts 1 and 2 of the policy.

196. Policy DM1 - General criteria for new development of the EBCLP (2022) sets out criterial for all new development. Many of the criteria identified relate to other matters to the proposals acceptability, such as biodiversity (a), part ii), heritage (a, part iii), visual impact (c), arboriculture (d), landscaping (e), rights of way (f), landscape, green infrastructure and biodiversity enhancement (g), design (i). Compliance on all these matters are is addressed in the relevant section of the commentary.

197. The Borough Council have also confirmed that the proposal would accord with proposed Policy E6 (Eastleigh River Side) of the EBCLP (2022), provided all other material planning considerations are met, including highway and access issues, design and layout.

*Alternatives*

198. Schedule 4 of the EIA Regulations 2017 identifies the information for inclusion in an ES, of which paragraph 2 requires: "*A description of the reasonable alternatives (for example in terms of development design, technology, location, size and scale) studied by the developer, which are relevant to the proposed project and its specific characteristics, and an*

*indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects*". The Regulations place no specific obligation on a developer to study alternatives, but simply to describe them in the manner specified, where they have been considered.

199. **ES Volume 1, Chapter 3 - Alternatives** provides more detail on the alternative assessment work undertaken.

200. Hampshire County Council, as landowner, initially reviewed the current Materials Recovery Facilities (MRFs) at Portsmouth and Alton to determine whether they could be updated to process a wider range of materials without impacting the continuity of waste management services for Hampshire. An evaluation of these MRFs concluded that there was not sufficient space at the either facility to accommodate the equipment necessary to sort the increased materials streams. As a result, it was determined that an alternative site was required to be able to deliver the required infrastructure to both improve performance and meet the requirements of the Environment Act 2021.

201. The applicant maintains that consideration has been given to a possible refit of the existing MRFs at Alton and Portsmouth. However, this is not considered a viable option as the existing buildings would limit the section of equipment that could be installed, resulting in a sub-optimal performance and increased cost. In addition, it is stated that the refitting of the existing MRFs would require a substantial period of time during which alternative third-party facilities, likely outside of Hampshire, would need to be sought for Hampshire's material. On the basis that a reconfiguration of the existing MRFs is not considered to be an option due to limited space and the significant cost of upgrading both of the existing MRFs, a new facility is required to meet Hampshire's future waste management needs.

202. The County Council also considered the possibility of expanded facilities at the existing Alton MRF. However, the applicant has stated that the site redevelopment would require the diversion of recyclable material away from the existing MRF whilst demolition and construction work is undertaken. The service for processing of recyclables needs to be continuous to ensure that kerbside collections are not disrupted. This option was therefore rejected as it would lead to a large tonnage of recyclables, which are high volume and low weight, being transported significant distances out of Hampshire to alternative facilities. Both the carbon impact and cost of this diversion for anything more than a very short period would be significant. Therefore, Hampshire County Council sought to develop the facilities at an alternative location.

203. **Appendix 3.1** of the **ES** sets out the other sites considered for locating the MRF. The consideration of alternative sites was based on 'An Assessment of Sites and Areas for Waste Management Facilities in Hampshire', which was

prepared to inform the adopted Hampshire Minerals & Waste Plan and considered sites defined as Category 4 (Activities requiring enclosed industrial premises (large scale, 2-4 hectares, throughput >100,000 tpa)) in this study. The review of alternative site locations has therefore focussed on all nominated sites that were considered appropriate for this type of development. Eight sites were assessed, and it was concluded that of the eight, only the proposed site is suitable and available to accommodate the proposed new MRF. Other nominated sites were concluded to have additional constraints which limited their development for this use e.g. had been developed/occupied or would conflict with Local Gap Policies. In other cases, nominated sites were concluded to either be unavailable due to redevelopment or have significant constraints associated with biodiversity and or loss of common land. One other possible location was not allocated for employment or waste management uses.

204. The applicant concluded that the site is appropriate for waste use and the site benefits from an extant consent for an energy recovery centre. The Site is owned by Hampshire County Council and is available for redevelopment.

205. The applicant also considered two Do Nothing Scenarios in which either the existing MRFs at Alton and Portsmouth continue to operate or should the existing MRFs close, disposal to landfill or energy recovery. It was concluded that neither option would increase the level of recycling in Hampshire to the same degree as the proposal or move waste up the waste hierarchy and as such have been disregarded.

206. On balance, it is considered that the location Site provides a suitable location for the location of waste uses. An assessment of alternative options and sites has been undertaken and the Waste Planning Authority is satisfied that the work is acceptable. How the proposal relates to other aspects in terms of biodiversity, heritage, visual impact, arboriculture, landscaping, rights of way, landscape, green infrastructure and biodiversity enhancement and design, as set out in Policy DM1 - General criteria for new development of the EBCLP (2022) are all addressed in the relevant section of the commentary.

Ecology

207. Paragraph 174 of the NPPF (2021) states that planning decisions *'should contribute to and enhance the natural environment*'. In addition, paragraph 180 of the NPPF (2021) states that when determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of

the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest; c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

208. Policy 3 (Protection of habitats and species) of the HMWP (2013) sets out a requirement for minerals and waste development to not have a significant adverse effect on, and where possible, should enhance, restore or create designated or important habitats and species. The policy sets out a list of sites, habitats and species which will be protected in accordance with the level of their relative importance. The policy states that development which is likely to have a significant adverse impact upon the identified sites, habitats and species will only be permitted where it is judged that the merits of the development outweigh any likely environmental damage. The policy also sets out a requirement for appropriate mitigation and compensation measures where development would cause harm to biodiversity interests.

209. Policy DM1 - General criteria for new development of the EBCLP (2022) sets out criterial for all new development which includes biodiversity. Furthermore, Policy DM11 - Nature conservation highlights a number of factors that need to be considered such as impacts on international, national and local nature conservation designations, habitats and seeking a net gain of biodiversity on all development sites.

210. Part 3 Policy E6 - Eastleigh River Side sets out development criteria including part f which states that there shall be no adverse impact on the sensitive nature conservation interests of the Itchen valley and development on any part of the site should not cause or increase adverse impacts on the River Itchen Site of Special Scientific Interest (SSSI) or Special Area of Conservation (SAC).

211. The application site comprises a single field of semi-improved grassland (formerly arable) with well-developed boundary habitats such as hedgerows, tree lines and scrub. Small areas of taller herbaceous vegetation and ruderal flora are present, and a small overgrown pond is situated in the east of the site. The site is not especially botanically-rich and contains a typical assemblage of plant species indicative of improved grassland. Some of the hedgerow habitat is reasonably diverse and contains a good mix of native tree and shrub species, although is often patchy. Other boundary features are dominated by planted coniferous species. The proposal is located within

2km of two statutory nature conservation designations, the River Itchen SAC and SSSI and several non-statutory nature conservation designations. Of the Meadow North of Railway Site of Importance for Nature Conservation (SINC) and Stanford Meadow SINC, are located the closest to the Site.

212. The existing habitats on Site support or have the potential to support a number of species including badger, bats, brown hare, hazel dormouse, hedgehog, common amphibians, common reptiles and breeding birds.

213. **ES Volume 1, Chapter 6 - Ecology & Nature Conservation** considers ecology and nature conservation and concludes that with suitable mitigation and compensation there would be no significant effects on biodiversity. This concludes that no residual effects are anticipated on the statutory and non-statutory designations with all incorporated and additional mitigation measures implemented during construction and operation of the MRF. Assessment work includes a variety of surveys including for bats (see **ES Volume 3, appendix 6.4**), dormice (see **ES Volume 3, appendix 6.5**), great crested newts (see **ES Volume 3, appendix 6.6**), reptiles (see **ES Volume 3, appendix 6.7**), breeding birds (see **ES Volume 3, appendix 6.8**). All survey work undertaken has been to the satisfaction of the County Ecologist.

214. The important ecological features identified that have been considered within the Ecological Impact Assessment (EcIA) are River Itchen SAC, River Itchen SSSI, Meadow North of Railway SINC and Stanford Meadow SINC, Section 41 habitats of principal importance to nature conservation (lowland mixed deciduous woodland, hedgerow and ponds), badger, bats, brown hare, European hedgehog, common amphibians, reptiles, birds and invertebrates.

215. Additional information relating to a number of ecological matters was submitted under Regulation 25 in July 2022 (see **ES Volume 5 Additional Environmental Information (Reg 25 - 20 July 2022**).

216. Without mitigation measures, the proposal is considered to result in a number of locally significant adverse effects on important ecological features. However, with the embedded mitigation for the proposal and with reference to separate assessments undertaken for noise, air quality and lighting, no significant effects are anticipated on the River Itchen SAC. It is therefore concluded that the proposal would not directly impact any international, national or local nature conservation designations. In addition, there are no indirect pathways between the site and the River Itchen SSSI for potential contaminants due to the use of the main sewer for foul drainage and infiltration of clean surface water to ground.

217. Although there will be an initial loss of woodland and hedgerow habitats, once the habitat creation and enhancement works (hedgerow and woodland planting and landscaping) will be undertaken both on and off-site and established, no residual adverse effects on these Section 41 of the Natural Environment and Rural Communities (NERC) Act habitats are anticipated and this is accepted by the County Ecologist. Of note:

- it is anticipated that there will be no significant residual effects on the bat assemblages in the long-term and that the same species should be able to continue to use the Site and the adjacent habitats.
- Short-term impacts of local significance on brown long-eared, Myotis species and Nathusius' pipistrelle bats may persist whilst the new hedgerow and woodland planting matures. However, hedgerow provision on Site will increase with the existing hedgerow being enhanced.

218. There will be a significant residual effect at a local scale from the loss of the pond within the Site. The infiltration basins proposed as part of the drainage strategy for the Site will be dry for much of the year and therefore will not mitigate for the loss of the pond. There are a number of waterbodies located close to the Site, which amphibians can continue to use, and compensation will be provided off-site, therefore residual effects are not considered to be significant.

219. No significant residual effects on the breeding bird assemblages in the long-term are anticipated and it is noted that the same species should be able to continue to use the Site and the adjacent habitats. An increase in operational lighting in the south of the Site is not considered large enough to result in significant effects on the local bird population at any level.

220. Measures are proposed to mitigate any potential impacts on badger, bats, brown hare, hedgehog, common amphibians, common reptiles, breeding birds and Section 41 invertebrates. These include:
    - During construction (as covered by the Construction and Environmental Management Plan (CEMP)):
        - pre-construction surveys where necessary;
        - implementing a Precautionary Working Method Statement for protected and notable species during vegetation and site clearance;
        - minimising noise, dust and light emissions during construction;
        - preventing damage to retained habitats during construction; and
        - habitat creation and enhancements.
    - During operations:
        - minimising noise emissions and light spill during operation; and
        - appropriate management of retained and created habitats post-construction.

221. Of particular note with regards to the species identified above:
    - *Brown hare / European hedgehogs*: it is anticipated and it is likely that this species could utilise the habitats within the Site in future.
    - *Reptiles*: it is anticipated that there will be no significant residual effects on reptiles in the local area and these species will be able to continue using the Site in future.
    - *Section 41 invertebrates:* No residual impacts are anticipated following completion and maturation of the habitat creation and enhancements works with appropriate management implemented. A higher diversity of invertebrates could use the Site following post-construction.

222. A condition is included in **Appendix A** for the submission of a CEMP which will ensure the management of habitats and species during construction.

223. The outline habitat management measures are considered to be acceptable. Conditions are included in **Appendix A** for species-specific measures such as habitat piles, retention of deadwood features, bat and bird boxes and the submission of an Ecological Mitigation and Enhancement Strategy that incorporates all measures for habitat and protected/notable species protection.

224. The County Ecologist also noted that they are now confident in the proposed drainage proposals which will ensure that there is no interaction between the SuDS basin and predicted groundwater levels. The multi-stage system will minimise potential impacts from pollutants. The HRA can conclude that impacts to the River Itchen SAC from water quality issues are not likely.

225. It is noted in the Eastleigh Borough Council response that River Itchen SSSI is part of SSSI unit 108 and this is classed as 'Unfavourable – No Change'. It was highlighted that the latest assessment outlines the salmon population is at risk, likely due to 'siltation of spawning gravels', amongst other reasons. The Borough Council highlight that the River Itchen SAC Supplementary Advice does not currently set a specific target for sediment levels for Atlantic salmon, instead referring to the restoration target for the qualifying habitat that is known to promote fine sediment deposition. Further work is continuing to further understand this issue problem. This work is acknowledged. The County Ecologist has not raised this as an area of concern.

226. The Borough Council's ecologist raised concerns about the potential impact of lighting. The Waste Planning Authority considers that this issues has been adequately assessed within the ES. However, conditions are included in **Appendix A** on lighting and additional mitigation which effectively address concerns raised.

*Biodiversity Net Gain (BNG)*

227. The achievement of Biodiversity Net Gain (BNG) is not currently mandatory, although maximising the net gain from all developments is encouraged by the Waste Planning Authority. In addition, Policy DM11 - Nature conservation of the EBCLP (2022) highlights a number of factors including seeking a net gain of biodiversity on all development sites. It is also important the County Council developments set an example and try to maximise net gain in advance of the mandatory requirement, where appropriate.

228. **ES Volume 3, Appendix 6.9 - Biodiversity Net Gain Assessment** provided an initial net gain assessment of the proposal. It included an assessment of net gain through Defra Metric 3.0. This demonstrated a net gain for hedgerows as a result of the proposal but a wider net loss for the habitats was anticipated. More information was

requested under Regulation 25 (see **ES Volume 5 Additional Environmental Information (Reg 25 - 20 July 2022**) in relation to net gain, setting out more details on the options being considered in respect of providing compensatory habitats for those lost on the allocated development site. Hampshire County Council have been looking at both on-site and off-site Biodiversity improvements. This has included consideration of other sites within the Eastleigh Borough Council administrative area (e.g. Mallards Moor and Abbey Fruit Farm, Netley) and other land controlled by Hampshire County Council, elsewhere in Hampshire.

229. The concept of net gain is a relatively recent introduction and Hampshire County Council are still in the process of gathering a landbank of appropriate sites to accommodate not only this development but also to off-site net gain requirements for future projects within its administrative area.

230. Following Regulation 25 submission, discussions continued between the applicant and the County Ecologist to confirm what level of offset and gain, in terms of spatial area is required and whether this would involve the enhancement of existing off-site habitats or creation of new habitats. This focused on three options to compensate for the loss of habitats to the proposal as follows:
    a) Off-site grassland enhancement only;
    b) Off-site Habitat creation; or
    c) An agreed financial contribution through a S106 agreement to be held until a suitable site under Hampshire's control is available or to find a specific biodiversity project to fund in Hampshire.

231. It is acknowledged that Metric 3.1 has been published since the submission of the application. Advice has been sought from Natural England on the application of the new metric on applications already submitted. On the basis of the advice received, it is the Waste Planning Authority's view that the consideration of Metric 3.0 is sufficient as the applicant will be delivering net gain, even when BNG is not mandatory.

232. It has been agreed that habitat loss within the Site will be mitigated by a range of habitat creation and enhancement measures, both within the Site, and off-site on land at Casbrook Former Landfill Site, Hook-with-Warsash Nature Reserve, Land south of the M27 motorway, near Rownhams. These areas are all in County Council or Veolia ownership and will be able to be delivered through a long-term management plan. The Waste Planning Authority and the County Ecologist are satisfied that adequate habitat provision is provided.

233. A further response was received from the County Ecologist on 7 October 2022, which indicated that further information will be required on which option/s will be taken forward for implementation. Additional information will be required on the current ecological value of the net gain sites in order to ensure that BNG proposals do not result in unacceptable impacts on the

sites' existing biodiversity. Details of BNG calculations and condition assessments will be required.

234. Based on the assessment work undertaken to date, it is clear that once off site BNG options are delivered, in excess of 10% would be achieved. Taking into account that BNG is currently an emerging requirement which is also not mandatory at this stage, the Waste Planning Authority consider that this can be effectively delivered through a Biodiversity Net Gain Plan and Management Plan as part of a section 106 requirement (see Legal agreement). The further information that the County Ecologist has requested would be considered at that stage.

235. A condition is included in **Appendix A** on the submission of a Landscape and Ecological Management Plan which will ensure that all habitat measures are implemented and managed appropriately in future. Long term management of these areas will also be covered by the proposed legal agreement.

*Habitats Regulation Assessment*

236. The County Ecologist has indicated that he accepted the findings of the Shadow HRA which concluded no likely significant effects (see Habitats Regulations Assessment.

*Southern Damselfly*

237. The extant planning permission (S/13/73507) included a section 106 agreement which secured a financial contribution of £50,000 (index linked) towards the enhancement / monitoring of the Southern Damselfly in the River Itchen. It has been confirmed that this contribution has not been collected. It is proposed to collect this contribution through this development through a legal agreement. The County Ecologist recommended that this payment is now secured within the current application, presumably through a new Section 106 agreement.

238. On the basis of the proposed conditions, BNG provision and the proposed legal agreement, the proposal is considered to meet Policy 3 (Protection of habitats and species) of the HMWP (2013), and Policies DM1 - General criteria for new development and DM11 - Nature conservation and E6 – Eastleigh River Side of the EBCLP (2022).

Visual impact, landscape and arboriculture

239. Landscape and visual effects are separate, although closely related and interlinked issues. Landscape effects are caused by physical changes to the landscape, which may result in changes to the distinctive character of that landscape and how it is perceived. Linked and interrelated to the potential landscape impacts, is that of visual impact. The landscape and visual impacts of a proposal will vary on a case-by-case basis, according to the type of development, it's location and its landscape setting.

240. Paragraph 130 of the NPPF (2021) requires that planning decisions should ensure that developments function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, and are sympathetic to local character and history, including the surrounding built environment and landscape setting. Furthermore, paragraph 174 states that planning decisions should contribute to and enhance the natural and local environment by (amongst other considerations) protecting and enhancing valued landscapes and recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services.

241. Part d of Policy 10 (Protecting public health, safety and amenity) of the HMWP (2013) states that waste development should not have an unacceptable visual impact. Policy 13 (High quality design of minerals and waste developments) is also of relevance to this proposal.

242. Policy DM1 - General criteria for new development of the EBCLP (2022) sets out criterial for all new development. Part a of the policy states that All new development should not have an unacceptable impact on, and where possible should enhance residential amenities of both new and existing residents; the character and appearance of urban areas and the countryside. Part c of the policy states that development should take full and proper account of the context of the site including the character, appearance and land uses of the locality or neighbourhood, and be compatible with adjoining uses and be well integrated with these in terms of mass, scale. Part d of the policy requires development to not involve the loss of or damage to trees, woodlands, hedgerows and other features value to the character of the area. Part e also includes a requirement for landscaping schemes.

243. The proposal will see the loss of an area of semi-natural grassland, the removal of 8 individual trees (4 x class B, 2 x class C, 2 x U class) and two tree groups, and the introduction of around 2.12ha of hard surfacing (roof area and hardstanding) on this 3.8ha grassland site.

244. The proposed building has a volume of around 157,000 m3 (compared with the 59,400m3 of the previous consented application) with a height 6.5m above the ERC proposal. This, in the context of a backdrop of industrialised development with a comparable building 15m high adjacent and the 34m high Prysmian building nearby. The majority of buildings have a height of between 7.5m and 10m. A large Sewage Treatment Facility is located north-east of the Site and includes a building with a height of approximately 15m. The land to the east of the Site benefits from planning permission for an open storage facility. As such, the presence of industrial and infrastructure development in the vicinity of the Site, and the influence of this upon the surrounding area is well established.

245. **ES Volume 1 Chapter 5 - Landscape & Visual Effects** provides an assessment of landscape and visual effects associated with the proposal.

246. The application included an **illustrative Landscape Design** (see plan 2710-01-009) which includes proposed Woodland / Scrub, Hedgerow, Specimen Trees, Species Rich Grassland, Amenity Grass, 8m Lighting Columns (other lights to be building mounted) and filling in existing Hedgerow gapped up and Infiltration Basins. A Landscape and Visual concept is also set out in the ES (see ES Volume 2 Figure 5.1 Landscape & Visual Context).

247. A **Landscape and Visual Impact Assessment** (LVIA) was submitted as part of the ES. This assessed the potential impacts both during construction and the operation of the MRF. The LVIA includes a detailed assessment of visual effects from eight viewpoints and considers the potential impact both in construction and operation of the proposed site. Effects of the assessed viewpoints are set out in **ES Volume 3, Appendix 5.6**.

248. **Zone of Theoretical Visibility (ZTV)** mapping has also been prepared to identify the extent of the visibility of the proposal. The ZTV reflects the theoretical visibility of the ridgeline of the proposed MRF building, at a height of 15m.

249. The locations of the viewpoints are shown on in **ES Volume 2 Figure 5.1 (Landscape & Visual Context)** and reflect viewpoints used for the previously approved ERC. In summary, none of the viewpoints assessed would experience significant visual effects. Effects at six viewpoints would not be significant due to the incremental nature of the change in view within an established industrial context. The proposal would not be visible from the remaining two locations due to the screening afforded by existing vegetation. The following should be noted:
    - The level of screening provided by vegetation cover in the surrounding landscape, and more localised screening from buildings and structures would limit the visibility of the proposal and its influence upon the character of the wider landscape and townscape;
    - Existing industrial buildings located nearby are also well screened, with the only structure that is widely visible being the much taller Prysmian building, which is more than twice the height of the proposal;
    - Where the development is visible it would be seen in the context of this existing development and visual effects would not be significant;
    - Some properties at the southern edge of Bishopstoke would have views of the upper elevations of the new building (Viewpoint 2), but this would be in the context of significant screening provided by vegetation cover and existing industrial development on the skyline;
    - Views from scattered properties in the undeveloped areas east of the Site would also occur in the context of the screening provided by vegetation (Viewpoints 5 and 6). Effects would not be significant;
    - landscape screens northward views in the direction of the Site. Effects would not be significant;
    - Employees in the adjacent developments to the Site would have views of the new structures and of vehicles movements but are in the context of the

wonder industrial development.

250. Further assessment on landscape and visual effects was submitted under Regulation 25 (**see ES Volume 1, Chapter 5 Landscape & Visual Effects Additional Information (Reg 25)**).

251. A series of measures have been incorporated into both the design and the drawing up of the construction and operational procedures, which are intended to provide embedded mitigation against potentially adverse landscape and visual effects and other environmental effects. These measures include:
    - Landscape proposals including new species rich grassland, new woodland and scrub planting, new hedgerow planting, swales and infiltration basins;
    - The development of an external lighting system in accordance with best practice measures, which would minimise the generation of obtrusive light/ light spillage;
    - The implementation of a project-specific Construction Environmental Management Plan (CEMP), which would govern construction activities, and would include measures to protect retained vegetation and control construction lighting, and
    - Off-site biodiversity enhancement measures.

252. An **Arboricultural Impact Assessment** (including a tree survey) was also included in the application. As noted, the implementation of the development requires the removal of 8 individual trees and the partial removal of 2 groups. All tree work will be to be undertaken in accordance with British Standard BS 3998:2010.

253. A **Lighting Assessment** has been included as part of the ES. More information on the assessment of impacts of lighting is set out later in the commentary.

254. The County Landscape Architect advises that there would be few residential properties that would have views of the proposal. The two properties located near the Site entrance on Chickenhall Lane are oriented with main views in the opposite direction to the Site, and with relatively dense mature tree cover in their rear gardens. The proposed new building may be partially visible from these properties but would be well screened by vegetation cover. The properties are well enclosed by existing industrial development, and as such, there would be little overall change in the nature of views available from them, with effects not significant. Views from properties located on Campbell Road in Eastleigh would be well screened by trees and change in view would be small scale with effects not significant. Elsewhere in Eastleigh, views would be screened by intervening development, and the proposal would not be visible from the great majority of the town.

255. The County Landscape Architect notes that given the proposed mass of the proposed building it is likely to read above the tree line particularly in winter months as acknowledged by in the ES. As such, it is considered that the proposal will extend the built form beyond the currently visible industrial boundary. The Borough Council also commented that although the anticipated visual effects of the proposal will not be high, there will be some visual impact, especially at upper levels. The proposals will form a recognisable new element within the wider scene.

256. The County Landscape Architect notes that new residential properties in Chalkhill Meadow and older properties off Oakgrove Gardens in Bishopstoke together with residents in Campbell Road to the south-west, are likely to notice this extension of built form above the tree line. Meanwhile two properties immediately adjacent the site entrance are highly likely to experience an impact to their residential amenity.

257. Given the size and location of the proposal, and the distance from the South Downs National Park, it is clear that any effects upon the designation would not be significant and would not materially affect the statutory purposes or special qualities of the designation.

258. Eastleigh Borough Council Landscape Officer initially objected to the proposal on the lack of winter view visual impact assessment and insufficient information to justify tree loss. Additional information was submitted under Regulation 25 (**Chapter 5 of the Environmental Statement, Appendix 10.1**) which concluded that that any potential uplift in visual impact during winter months would be slight. This conclusion was concurred by the Borough Council.

259. A condition is included in **Appendix A** for the submission of a CEMP. This would include further information on many aspects including tree protection measures, measures taken to limit the effects of temporary construction lighting protocols governing the establishment of the temporary contractor's compound and tree protection measures to reduce any potential adverse effects upon the amenity of the surrounding area).

260. A condition is included in **Appendix A** for the submission of a more detailed landscape design scheme, building on the scheme illustrative (see **landscape design drawing (2710-01-009 – July 2021)**). This will include details of species, numbers and specifications for planting and maintenance could be agreed through conditions, the principle of a robust landscape scheme is confirmed such that substantial boundary hedgerows with hedgerow trees, copse and woodland edge planting form the outer framework within which are the enriched grassland habitats, mitigating the development.

261. Conditions are also included in **Appendix A** relating to wider tree protection, tree works and external storage.

262. The issue of impact on the landscape and visual impact has a number of cross over topics, such as impacts on nearby Public Rights of Way, Cultural and Archaeological Heritage, Design and sustainability, Lighting, Ecology and Restoration.

263. The landscape and visual effects of the proposal would not be significant. The level of screening provided by vegetation cover in the surrounding landscape, and more localised screening from buildings and structures would limit the visibility of the MRF and its influence upon the character of the wider landscape and townscape. Existing industrial buildings located nearby are also well screened, with the only structure that is widely visible being the much taller Prysmian building, which is more than twice the height of the proposal. Where the development is visible it would be seen in the context of this existing development and visual effects would not be significant.

264. Based on the mitigation measures proposed and conditions included in **Appendix A**, the proposal is considered to be acceptable from an arboricultural perspective, the proposal is considered to be in accordance with Policies 10 (Protecting public health, safety and amenity) 13 (High quality design of minerals and waste developments) of the HMWP (2013) as well as Policy DM1 - General criteria for new development of the EBCLP (2022).

Soil Protection

265. Paragraph 174 of the NPPF (2021) states that planning decisions *'should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan)*'.

266. Policy 8 (Protection of soils) of the HMWP (2013) requires minerals and waste development to protect and, wherever possible, enhance soils. It also states that development should not result in the net loss of best and most versatile agricultural land and gives provisions for the protection of soils during construction.

267. A Combined Phase 1 and 2 Site Investigation Report (including soils) was included within the ES (see **ES Volume 3, Appendix 9.4 - Combined Phase 1 & 2 Site Investigation Reports**).

268. The requirements for a CEMP, as set out in **Appendix A**, covers the protection of soils during constriction.

269. On the basis of the conditions proposed, the proposal is considered to be in accordance with Policy 8 (Protection of soils) of the HMWP (2013) and paragraph 174 of the NPPF (2021).

Public Access

270. The proposed site is not accessible to the public. There are no other public rights of way (PRoW) located in the vicinity of the Site. A public footpath follows the river and forms part of the Itchen Way promoted long distance route. Public access includes the Itchen Way less than 200m distant, and the openly accessible Itchen Valley Country Park to the south, beyond the railway embankment. The Itchen Valley Country Park occupies a large area of land in the south of the Site and includes a series of different facilities for visitors, including waymarked paths.

271. Impacts on public access have been assessed within the ES. In terms of visual impacts from rights of way, localised visibility would also be available from sections of other public rights of way. From the Itchen Way, there would be intermittent visibility from that stretch of path running south from the edge of Bishopstoke to the railway south of the Site. Vegetation cover along the path, and along nearby field boundaries often restricts the availability of views towards the Site, and as such clear visibility of the proposal would not be available. The degree to which the MRF would be visible would vary with the level of vegetation cover present in the intervening landscape, and would also be influenced by other features, including the bund east of the new open storage facility and by structures at the Sewage Treatment Facility. Visual effects would not be significant.

272. It is also concluded that there would be very little visibility of the proposal from the Itchen Valley Country Park due to existing vegetation cover within the Country Park and surrounding industrial developments.

273. With limited public access, and well vegetated surroundings, the visual effect of the proposal on receptors using public rights of way, are considered to be low in magnitude. Existing mature vegetation on the railway embankment to the south, adjacent the sewage works to the north, and beside the recently developed waste site to the east have been shown to provide effective screening both for the PRoW in close proximity and for public vantage points at greater distances. The proposal is therefore considered to be in accordance with Policies 13 (High-quality design of minerals and waste development) and 10 (Protecting public health, safety and amenity) of the HMWP (2013).

Design and sustainability

274. The Planning Act 2008 places great importance on good design and sustainability. Paragraph 126 of the NPPF (2021) confirms that good design is a key aspect of sustainable development and helps create better places in which to live and work to make development acceptable to communities.

Paragraph 130 of the NPPF (2021) requires that planning decisions ensure that developments 'will function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and are sympathetic to local character and history, including the surrounding built environment and landscape setting'. Furthermore, paragraph 134 also advises that permission should be refused for development that is not well designed.

275. Policy 13 (High-quality design of minerals and waste development) of the HMWP (2013) requires that waste development should not cause an unacceptable adverse visual impact and should maintain and enhance the distinctive character of the landscape. Furthermore, Policy 10 (Protecting public health, safety and amenity) protects residents from significant adverse visual impact which is of course influenced by design.

276. Paragraph 5.45 of the HMWP (2013) states that in order to demonstrate that the key design and operation principles are met, all minerals and waste developments should:
    - be appropriate in scale and character in relation to its location, the surrounding area and any stated objectives for the future of the area. This should include any planned new development or regeneration;
    - provide adequate space to facilitate storage, re-use, recycling and composting, as appropriate for waste developments;
    - encourage the use of high-quality building materials made from recycled and secondary sources, where appropriate;
    - minimise the use of primary aggregates;
    - seek to minimise the disposal of waste and maximise recovery and recycling of waste where appropriate as well as reducing the need for transport. Failing this, construction, demolition and excavation waste should be managed sustainably and in line with current and appropriate building codes; consider the end of the facility's life;
    - seek to ensure a good standard of amenity and proposals should consider potential impacts on the local community; and
    - avoid and minimise the risk of flooding as far as possible if the development is located in areas of flood risk, through an appropriate location, layout and design.

277. Part 1b of Policy DM2 - Environmentally sustainable development of the EBCLP (2022) that all other development that is above 500 square metres (sq.m) of floorspace measured externally (including extensions and conversions to existing buildings) must achieve BREEAM 'excellent' (or equivalent) or BREEAM 'very good' plus 'passivhaus' certification including a 15% improvement in predicted carbon emissions, compared with the building regulations current at the time, through low or zero carbon energy generation on site or in a Borough location agreed by the Council. Part c also requires that all other larger developments above 10,000 sq.m of floorspace should also seek to fund post occupancy evaluation (POE) in addition to the above. This is of relevance to the proposed due to its size.

278. Part 2 of the Policy DM2 also states that all development above 500 sq.m of floorspace measured externally and external spaces within the curtilage serving developments of this size should where practical and viable include:
    a. incorporate energy-efficient passive design principles, the best use of natural daylight and natural ventilation systems wherever possible;
    b. connect to any existing near or adjacent low carbon local energy network unless this is proved unviable;
    c. use recycled, low embodied carbon, low environmental impact and locally sourced materials in construction where possible;
    d. be designed with sufficient flexibility to enable the life of the building to be extended by re-use for other purposes where feasible.

279. The visual appearance of a building in considered to be the most important factor in good design. The functionality of the proposal including the indeed of purpose and sustainable is also of importance. Visual impact has already been covered in the Visual impact section of this commentary. As already noted, the proposal would be located on an allocated employment area and would have a limited impact on the wider landscape character or the areas. The design of the facility has taken in the technical requirements needed to ensure the effective recycling of materials and the building design reflect the industrial nature of adjacent development. The layout of the buildings (see **Appendix C – Layout Plan, Appendix D – Elevations, Appendix E – Roof Plan and Appendix F – Indicative design**) has been designed to take into account the constraints of the Site, in terms of its shape and size, the vehicular access, circulation of HGVs within the Site and other operational matters. It is considered to appropriate in scale and character in relation to its location, the surrounding area and any stated objectives for the future of the area. The proposal provides adequate space to facilitate storage, re-use, recycling of wastes.

280. Sustainable construction methods would be regulated through the Construction Environmental Management Plan (CEMP) with waste generation and water use minimised as far as possible. This requirement is set out as a condition in **Appendix A**.

281. Initially NATS raised an objection in relation to the design of the facility on the grounds of safeguarding objections. Extensive discussions then took place between the applicant and NATS, including the submission of additional information under Regulation 25. The applicant has been working closely with NATS to develop an effective and deliverable mitigation strategy to address their concerns in respect of potential effects on a navigation beacon at Southampton Airport. The technical solution considered involves a 45-degree mesh screen attached to the southern façade of the MRF building. This would prevent reflection of the radar signal to the south and scatter the signals vertically. NATS removed their objection subject to conditions being included on the submission of a Navigation Aid Mitigation

Scheme, external cladding and a "Construction Methodology" or "Crane Operation Plan". These are included in **Appendix A**.

282. High quality and suitable building materials have been selected, suitable for the proposed waste uses. A condition is included in **Appendix A** in relation to the approval of external materials to meet NATS requirements.

283. The Borough Council have confirmed that that proposal should meet BREEAM excellent standard and further information on this should be provided. A condition is included in **Appendix A** on BREEAM to ensure compliance with the relevant part of the Policy DM2 - Environmentally sustainable development of the EBCLP (2022). A condition is also included in **Appendix A** on the submission of a post occupation evaluation to also meet the requirements of Policy DM2.

284. The proposal has been designed to take into account the effects of Climate change. In summary, proposal incorporates:
    - a Sustainable Drainage Systems (SuDS) solution to manage surface water runoff. The SuDS solution has been designed to accommodate a 1:100 annual probability rainfall event including a 40% increase in rainfall intensity in order to allow for climate change in accordance with Environment Agency (EA) guidance; and
    - rainwater harvesting.

285. The proposal also includes mitigation measures to ensure a good standard of local amenity and reduced impact on surface water, ground water and flooding. More information on these aspects are set out in Impact on public health, safety and amenity and Impact on surface or groundwaters and flooding. Wider design aspects also relate to landscaping and arboriculture and are covered in more detail in the relevant sections.

286. Other sustainable design features which would help reduce greenhouse gas emissions include the provision of on-site electric charging facilities and rainwater harvesting.

287. Geo-technical investigations have been included in the application (see **ES Appendix 9.4**) and have confirmed that ground conditions are stable, and are suitable for standard construction techniques using slab, pad or pile foundations and would therefore not impact the nearby rail link. The design of the proposal includes an appropriate offset to the railway embankment for deep excavations would safeguard the existing rail infrastructure.

*Alternative designs:*

288. No other alternative designs have been set out in the ES (see **ES Volume 1, Chapter 3 – Alternatives**). However, it is recognised that there has been some slight evolution in the design as a result of discussions with NATS during the planning process.

*Alternative technologies:*

289. **ES Volume 1, Chapter 3 – Alternatives** reports that the applicant has reported that a range of separation and recycling technologies were considered when preparing alternatives for the proposal. The applicant has concluded that the proposed Site represents the optimum solution for delivering Hampshire's recycling ambitions in terms of standardising collection of dry recyclable material in accordance with Government policy.

290. In conclusion, based on the evidence before the Waste Planning Authority in relation to design, it is concluded that the proposed design is sustainable. It is recognised that there will be some minor negative visual impacts at some viewpoints as already set out in the Visual impact section of this commentary. However, focusing specifically on design, based on the size and scale of the building, the design is considered to be acceptable. The proposal has been designed to fit into the local landscape as much as possible and incorporates materials and design features to help mitigate its form. On the basis of the design proposed, the proposed is considered to be in accordance with Policy 13 (High quality design) (and paragraph 5.45) of the HMWP (2013) and Policy DM2 - Environmentally sustainable development of the EBCLP (2022).

Cultural and Archaeological Heritage

291. There are no designated heritage assets recorded on the Site. However, the potential for survival of non-designated archaeological remains has been identified and via a previous programme or archaeological trial trenching in the central portion of the Site. There are four Conservation Areas (Bishopstoke, Gaters Mill, Romill Close and Itchen Valley within 3km of the Site.

292. Paragraph 130 of the NPPF (2021) relates to developments which are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change. In addition, paragraph 194 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Paragraph 194 states that 'any harm to or loss of the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification'. Paragraph 195 also states that '*where a proposed development will lead to substantial harm to a designated heritage asset planning permission should be refused unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh the harm'. Paragraph 196 states that 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use'*.

293. Policy 7 (Conserving the historic environment and heritage assets) of the HMWP (2013) requires minerals and waste development to protect and, wherever possible, enhance Hampshire's historic environment and heritage assets (designated and non-designated), including their settings unless it is demonstrated that the need for and benefits of the development decisively outweigh these interests.

294. Policy DM1 - General criteria for new development of the EBCLP (2022) sets out criterial for all new development including that all development shall not have an unacceptable impact on, and where possible should enhance the significance of heritage assets (iii.). Strategic Policy S8 - Historic Environment states that heritage assets will be conserved in appropriate manner according to their significance. Policy DM12 - Heritage Assets relates to development of a heritage asset or within its setting.

295. A **Heritage Impact Statement** (HIS) is included in **ES Volume 3. Appendix 9.5**. The proposal would impact broadly similar areas to the previously consented development at the site for the ERC. The impact assessment confirms that there would be no significant effects in respect of known heritage assets and the historic environment. In respect of the potential for unknown archaeology pre-commencement archaeological investigation and preservation by record for unexcavated areas of the Site is recommended, as per the extant consent was offered by the applicant.

296. The County Archaeologist notes that the previous evaluation of the site for the ERC identified that some areas (the eastern end) had been subject to past gravel extraction and that there was no archaeological potential remaining in the area where it could be shown past extraction had taken place. To the west the archaeological evaluation located a wide enclosure ditch of Iron Age date whose material content suggests it is associated with settlement and industrial activity.

297. Paragraph 6.3.3 of the **Heritage Statement** states that "*given the high archaeological potential of the Site for prehistoric remains a condition requiring further archaeological investigation by intrusive or non-intrusive means prior to construction, to determine the nature and extent of any further surviving archaeological remains, is recommended. The location of the previously mentioned Trenches 3 and 4, suggest the possibility for the continuation of the ditch to have survived within the western part of the Site. It is recommended that a trial trenching evaluation may be required beyond the area previously investigated, to identify, assess and record the extent of the ditch to the west and the extent of survival of Chickenhall Farm to the east. If significant archaeological remains were encountered, then further mitigation works could be required, depending on the impact of the proposal" The site has been partially evaluated with a geophysical survey and trial trenching in the eastern portion. The geophysical survey was in part obscured by the interference from services (overhead and buried) and so is not completely revealing. The trial trenching did find a substantial Iron Age*

*ditch, the character of which was not fully established due to the limited extent of the evaluation, but which might be part of an Iron Age enclosure, and therefore possibly indicating settlement*."

298. The County Archaeologist anticipated that the Heritage Statement is likely to conclude that the evaluation exercise should be extended to take in the additional area of land to the west that has not yet been evaluated (and into which the Iron age ditch runs. It is therefore recommended that conditions be included relating to further archaeological evaluation, an appropriate level of archaeological investigation and recording as mitigation of impact of archaeological remains identified within the site and impacted by development (and the production of an archaeological report of the mitigation recording) to be made publicly available. These are included in **Appendix A**.

299. On the basis of the proposed conditions, the proposal is considered to be in accordance with Policy 7 (Conserving the historic environment and heritage assets) of the HMWP (2013) and Policies DM1 - General criteria for new development, S8 - Historic Environment and Policy DM12, Heritage Assets of the EBCLP (2022).

Impact on public health, safety and amenity

300. The potential impact of the proposal on health, safety and amenity is an important consideration. The potential effects of waste management developments can be the subject of public concern with regard to environmental nuisance e.g. generation of litter and odour or through attraction of vermin or other pests to the Site. However, a modern, well run clean MRF should not give rise to such issues due to the nature of the incoming waste (dry recyclate) and operational activities undertaken sorting and baling of recyclable materials. Whilst nearby residential development is generally set at a distance from the site – Campbell Road approximately 250m to the south-west is separated from it by two intervening railway embankments; properties adjacent Fair Oak Road, Bishopstoke are around 800m to the north-east divided from it by the Itchen and multiple fields; however, in the immediate vicinity, two properties are located near the entrance to site.

301. Paragraph 174 of the NPPF (2021) states that planning decisions should '*contribute to and enhance the natural and local environment by: e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate'*.

302. In relation to pollution control and associated health issues, Government policy concerning pollution control is most clearly set out within the NPPF (2021) and the NPPW (2014) including its supporting planning practice guidance. Paragraph 185 of the NPPF (2021) states that '*planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should: a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life; b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation'*. including its supporting planning practice guidance. Paragraph 185 of the NPPF (2021) states that '*planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should: a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life; b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation'*.

303. Paragraph 7 of the NPPW (2014) and its associated Appendix B of notes a number of issues related to this areas as considerations.

304. 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. It sets out a number of criteria. Also, any proposal should not cause an unacceptable cumulative impact arising from the interactions between waste developments and other forms of development.

305. Policy DM8 – Pollution of the EBCLP (2022) is also relevant as it states that development will not be permitted if it is likely to cause loss of amenity or impact on public health or other unacceptable environmental impacts through:

a) air pollution (including odours or particulate emissions);
b) pollution of surface, underground, coastal waters or other watercourses
c) noise or vibration;

d) light intrusion, both generally and with respect to the South Downs National Park's status as an International Dark Night Skies reserve; or
e) land contamination.

306. Part 2 of the policy also states that development susceptible to particular forms of pollution will not be permitted:

a) where it will be adversely affected by such pollution, unless measures can be taken that adequately mitigate the polluting effects; or
b) where it would inhibit existing economic or other activities giving rise to acceptable polluting effects.

307. Part 3 of the Policy states that 'where a development site is known or suspected to be contaminated, before the site is developed the Borough Council will require the contamination to be remediated to a standard where as a minimum it cannot be defined as 'contaminated land' under Part IIA of the Environmental Protection Act 1990.

308. Part 3 g of Policy E6 – Eastleigh River Side states that the residential amenities of the occupiers of dwellings in Barton Road, Campbell Road and Southampton Road must not be adversely affected by activities in adjoining industrial areas, including through noise, light, air pollution, traffic generation or hours of working. Part I also states that a pollution, including contaminated land, shall be mitigated or remediated.

309. A condition is included in **Appendix A** for the submission of a CEMP. This would include further information on the overall strategy for managing environmental impacts which arise during construction such as noise, vibration, dust, emissions, lighting, odours, visual impacts, soil management, surface water management, traffic management, on site operations, highway impacts and health and safety/site management.

310. Veolia would implement an Environmental Management System (EMS), certified to ISO 14001 for the facility. The EMS would form an integral part of the facility's Integrated Management System (IMS) that will draw together all the policies and procedures for the facility that would include an Environmental Management Plan (EMP). An informative is included in **Appendix A** on the EMS. he facility general manager would be responsible for the day-to-day management and compliance of the facility with the EMS and the control of these issues would be monitored and enforced by the Environment Agency through the Environmental Permit.

311. National Planning Practice Guidance states that Planning Authorities should assume that other regulatory regimes will operate effectively rather than seek to control any processes, health and safety issues or emissions themselves where these are subject to approval under other regimes (Paragraph 050 Reference ID: 28-050-20141016). Planning and permitting decisions are separate but closely linked. The Environment Agency has a role to play in both. Planning permission determines if a development is an

acceptable use of the land. Permitting determines if an operation can be managed on an ongoing basis to prevent or minimise pollution.

312. The need for an environmental permit is separate to the need for planning permission. The granting of planning permission does not necessarily lead to the granting of an Environmental Permit. An application for an Environmental Permit will include an assessment of the environmental risk of the proposals including the risk under both normal and abnormal operating conditions. The Environment Agency will assess the application and the adequacy of the impact assessment including whether the control measures proposed by the operator are appropriate for mitigating the risks and their potential impact.

313. The waste disposal element of the development will require an Environmental Permit. The scope of an Environmental Permit is defined by the activities set out in the Environmental Permitting Regulations (England and Wales) 2016 (EPR). The aim of the EPR regime is to protect the environment from potential impacts associated with certain liable facilities or installations. The permitted activities may form a part of, but not all, of the development needing planning permission. In these cases, the planning application will need to address environmental considerations from those parts of the development that are not covered by the permit.

*a) Emissions to the atmosphere (air quality):*

314. Air pollution impacts associated with the development and HGV movements through the AQMZs in the residential areas of Eastleigh needs to be considered.

315. **ES Volume 1, Chapter 8** provides an assessment of the effects on Air Quality. The main air quality effect would be as a result of emissions from HGV traffic movements. The assessment has demonstrated that there would be no unacceptable effects on air quality. This is supported by **Appendices 8.1 (Air quality assessment methodologies)** and **8.2 (Air Quality Operational Phase - Assessment of Vehicle Exhaust Emissions)**.

316. No objections were received from the Environment Agency in relation to air quality. Eastleigh Borough Council objected to the proposal on the grounds that the application would generate pollution from the following housed reception and mechanical sorting of non-putrescible waste for recycling purposes and recovery and the use of site vehicle reception and site circulation areas, and access to and from existing roads for import and export of materials. These concerns are noted. The MRF will be fully enclosed and the proposed mitigation measures, as well as the Environmental Permit will ensure that the recycling process will not have a significant effect. Conditions are also included in **Appendix A** on the enclosure of vehicles traveling to and from the site. These measures are considered to be adequate, alongside the eider environmental permitting controls to mitigation the development.

317. Furthermore, the Borough Council objected to the proposal on the basis of the potential air quality impacts, in particular on the A335 and M3 (both likely to be used by vehicles accessing the facility) which are Air Quality Management Areas monitored by Eastleigh Borough Council. On this basis, the Borough Council requested a contribution towards the recurring annual cost of monitoring the AQMAs. This will be covered by the proposed legal agreement.

318. The shadow HRA assessment considered air quality matters and the County Ecologist agreed with the findings that there would be no significant effects (see Habitats Regulation Assessment).

319. On the basis of the conditions and the mitigation measures proposed, it is considered that the proposal is in accordance with Policy 10 (Protecting public health, safety and amenity) of the HMWP (2013) and Policies DM8 - Pollution of the EBCLP (2022) in relation to air quality.

*b) Emissions to land:*

320. A **Combined Phase 1 and 2 Site Investigation Report** (including **Land Contamination)** was included within the ES (see **ES Volume 3, Appendix 9.4**). Sources of potential offsite and onsite contamination are identified and a Preliminary Contamination Hazard Assessment is included. The Assessment concluded that in relation to site clearance, a plausible pollutant linkage was not identified.

321. The site investigation undertaken to support the application did not indicate to widespread gross contamination is likely to be present on the site. Due to past activities identified on and adjacent to the site some contamination may be encountered during the development. The Environment Agency therefore requested a condition and this is included in **Appendix A**.

322. On the basis of the conditions and the mitigation measures proposed, it is considered that the proposal is in accordance with Policy 10 (Protecting public health, safety and amenity) of the HMWP (2013) and Policy DM8 - Pollution of the EBCLP (2022) in relation to contamination.

*c) Human health:*

323. Paragraph 005 of the PPGW states that '*planning authorities can ensure that waste is handled in a manner which protects human health and the environment through testing the suitability of proposed sites'*…

324. **Chapter 8.0 of the ES** provides an assessment of the effects of the proposal on Human Health. The assessment has demonstrated that there would be no unacceptable effects on air quality or human health.

325. A condition is included in **Appendix A** for the submission of a CEMP which will ensure the construction and local amenity issues. Other proposed

measures in relation to design, air quality and noise will also help to mitigate the development.

326. On the basis of the conditions and the mitigation measures proposed, it is considered that the proposal is in accordance with Policy 10 (Protecting public health, safety and amenity) of the HMWP (2013) and Policy DM8 - Pollution of the EBCLP (2022) in relation to human health.

*d) Noise and vibration:*

327. **ES Volume 1, Chapter 7.0 – Noise and vibration** provides an assessment of Noise and Vibration.

328. Existing industrial estate area with other compatible uses such as the wider industrial estate, airport and railway etc. The assessment included baseline monitoring to understand background noise levels and detailed modelling of predicted noise levels. The potential for vibration effects from the construction and operation of the facility were also considered. The assessment has demonstrated that the MRF can be designed to ensure that it would be able to operate within thresholds which would not give rise to unacceptable effects.

329. The Borough Council initially responded objecting to the proposal on the indicating that they considered that there was insufficient information to determine that the development would not harm residential amenity through increased noise and vibration. These are noted.

330. An associated impact of increased traffic is that of noise to local residents. As noted by the Environmental Health Officer, the impacts of increased noise from additional HGVs were not considered to have been properly assessed and therefore it cannot be concluded that residential amenity will be protected.

331. Concerns were also raised about is noise impacts at night and the Borough Council indicated that they would wish to see clear conditions on the timings of HGV movements to avoid the most noise sensitive times of day. Conditions on the timing of HGV movements are included in **Appendix A** to address night-time noise concerns.

332. Further information in relation to noise and associated mitigation was requested under Regulation 25 and submitted in July 2022 (see **ES Volume 1 Chapter 7, Noise & Vibration Addendum Technical Note (Reg 25)**) providing further justification for use of the representative background noise levels used in the noise assessment and compliance the relevant guidance BS4142 (2019). In addition, further analysis has been undertaken and the impact of the proposal and background noise levels. The applicant concludes from the assessment work undertake that the Site generated noise would not be significant in respect of residual and background sound levels.

333. The Borough Council requested that other mitigations such as closure of roller shutter doors other than for vehicle offload/collection, could also be conditioned. A condition is included in **Appendix A** on this matter. The request for a CEMP is also included.

334. Vibration is not considered to be significant concerns and during construction would be addressed by the CEMP. The Borough Council raised concerns about the condition of the road near Chickenhall Lane and the vibration the effect of heavy vehicles. It is noted that the road surface is suitable for heavy vehicles and strengthened appropriately, then vibration impact may not be adverse. It was also noted that the proposal does not increase HGV traffic, compared to the previously consented development at the site. Further information submitted under Regulation 25 also showed the surfacing of the approach haul road, which is in good condition with no major potholes that could cause vibration concerns associated with increased vehicle movements. A condition is included in **Appendix A** relating to a pre commencement haul road survey. The Borough Council indicated that ongoing maintenance of the road should be included in the operating management plan. The applicant has confirmed that the private road is owned by the Prysmian Cable Works and the County Council has an agreement in place with them Pyrsmian over access and maintenance of the road. This is separate to the planning process. This arrangement will ensure the maintenance of the road.

335. Despite the submission of additional information under Regulation 25, the Environmental Health Officer continued to hold their position of objection in relation to noise levels. Further clarification was sought from the applicant on this matter and this was submitted for discussion with the Environmental Health Officer dated 10 October 2022. This reconfirmed at the results of detailed analysis of the ES which showed that the introduction of the additional mitigation measures proposed in the **ES Noise Chapter** would be able to comply with rating level and would not exceed the representative background sound level at the nearest sensitive receptors. The levels would therefore comply with BS4142:2014+A1:2019 for a low impact. It concluded that if the Borough Council were to require a lower noise limit (i.e. 5dB below representative background), then the introduction of further enhanced mitigation measures (such as acoustic fencing and acoustic cladding) would enable the site to comply and the impact would remain at a low impact. Finally, it also concluded that noise levels during night-time would be well below sleep disturbance criteria with additional mitigation or enhanced mitigation and well below residual levels at NSRs (i.e. LAeq levels). Following further discussions with the Environmental Health Officer, and further clarification of matters required on the submitted ES, the proposed enhanced mitigation measures were considered to potentially be acceptable by the Environmental Health Officer. Based on these discussions, the Waste Planning Authority is satisfied that this issue can be resolved and dealt with through conditions and the associated legal agreement. The Waste Planning

Authority is awaiting a final response on these clarification matters and this will be reported to committee once received.

336. Options to provide additional noise mitigation measures around Chicken Hall Cottages have been explored and additional fencing could be delivered within County Council land. This has been discussed with the closest resident who is supportive. The delivery of acoustic fencing is set out in the proposed Section 106 agreement. It is supported by the residents in Chicken Hall cottages. This will provide additional noise mitigation for the closest properties.

337. A further update on this will be provided for committee and a conclusion on whether the proposal is considered to be in accordance with Policy 10 (Protecting public health, safety and amenity) of the HMWP (2013) and Policy DM8 - Pollution of the EBCLP (2022) in relation to noise will be given at that time.

*e) Dust:*

338. A Dust assessment and management plan is set out **ES Chapter 8 Air Quality**. This concluded that the overall significance of the proposal in relation to air quality (dust) effects is not significant with the proposed mitigation measures.

339. Dust during construction is addressed and would be managed through best practice construction management techniques and a Construction Environmental Management Plan as required in **Appendix A**.

340. From an operational perspective a dust suppression system would be provided in the input tipping hall, which would consist of multiple diffusers to tipping areas and to the loading hoppers feeding the MRF equipment. This area would be fully enclosed with rapid action doors at each end and a dust curtain would be provided to separate the tipping hall from the MRF processing area. The MRF process equipment would include mechanical extraction and dust filtration, covering loading and transfer points between equipment and conveyors.

341. The applicant has indicated that should winds carry visible dust towards the Site boundaries, and particularly to the north towards Chickenhall Cottages, the operations giving rise to the dust in that part of the site would be modified or suspended until more suitable conditions pertain, or until effective dust control measures are implemented.

342. The applicant also sets out standard good practice measures that would be employed with respect to haulage include:
- Regular compaction, grading and maintenance of any on-site non-metalled internal haulage routes;
- Restriction of site traffic to designated haul routes;
- Provision and enforcement of an internal speed limit;

- Use of best practicable means to restrict the generation of dust on the haul roads and access road, including watering during dry weather;
- Fitting of site vehicles with upswept exhausts and radiator fan shields;
- Implementation of measures to ensure that mud and detritus do not accumulate on the public highway;
- Regular cleaning / sweeping of the public highway used to access the site.

343. Other general matters and the management of the site can also affect the likelihood of significant dust emissions. These may include
    - Minimisation of drop heights at unloading points;
    - Clear delineation of edges of any stockpiles;
    - Siting of stockpiles away from sensitive boundaries;
    - Maintenance of equipment to ensure its efficient operation;
    - High standards of house-keeping to minimise track-out and wind blown dust; and
    - Effective staff training in respect of the causes and prevention of dust.

344. During the operation of the site other mitigation measures proposed include the enclosure or sheeting of vehicles and the sweeping and cleaning of the haul road.

345. The Borough Council initially responded objecting to the proposal on the indicating that they considered that there was Insufficient information to determine that the development would not harm residential amenity through increased dust. This is noted. However, the Environment Agency did not raise any concerns in relation to dust. Dust management would also be covered by the Environmental Permit. The Waste Planning Authority is satisfied that the mitigation measures and the conditions proposed are satisfactory to ensure that the management of dust is acceptable. This is based on dust management at other comparable waste facilities and that fact that issues have not been raised by the EA.

346. A condition is included on the submission of an Environmental Management Scheme covering dust matters and this is set out in **Appendix A**.

347. On the basis of the conditions and the mitigation measures proposed, it is considered that the proposal is in accordance with Policy 10 (Protecting public health, safety and amenity) of the HMWP (2013) and Policy DM8 - Pollution of the EBCLP (2022) in relation to dust.

*f) Lighting:*

348. The proposal will include external lighting. The applicant has indicated that associated potential obtrusive light effects towards surrounding light-sensitive receptors would be minimised through the controlled application of lighting in accordance with current best practice.

349. **ES Volume 3, Appendix 4.1** provides a **Lighting Assessment**. An indicative outline scheme of lighting (**Assessed Scheme of Lighting**) has also been produced. These demonstrates that the lighting proposed at the MRF would not breach the relevant environmental lighting standards applicable to the local environment and be visually acceptable. This concludes that the proposal will be compliant:
    - with the residential receptor criteria as set out in ILP Guidance Note 01/21: The Reduction of Obtrusive Light.
    - with the dark sky receptor criterion as set out in ILP Guidance Note 01/21. Specifically, the Assessed Scheme of Lighting associated with the proposal is compliant with the ILP 'sky-glow' criterion for Environmental Zone E0;
    - with the Landscape & Visual receptor criteria as set out in ILP Guidance Note 01/21. Specifically, the Assessed Scheme of Lighting associated with the proposal is compliant with the ILP post curfew obtrusive light criteria for Environmental Zone E2.
    - with the light spill criteria as set out in ILP Guidance Note 08/18: Bats and artificial lighting in the UK. Specifically, the Assessed Scheme of Lighting associated with the proposal is compliant with the 'complete darkness' criteria.
    - with the glare criteria as set out in BS EN 12464-2:2014.

350. Mitigation is proposed including:
    - the use of luminaires with minimal to zero direct contribution to upward light;
    - minimising luminaire uplift angles;
    - careful aiming and positioning of luminaires;
    - careful selection of luminaires;
    - the use of optimal light distributions for their specific location and orientation;
    - optimisation of mounting heights;
    - the adoption of the lowest intensity LED modules practicable;
    - limiting light source colour temperatures to 3000K where possible; and
    - minimising the task illuminance level.

351. A condition is included in **Appendix A** for the submission of a CEMP which will ensure the construction and lighting issues are adequately addressed. A condition will also be applied to the permission requiring submission of a detailed lighting scheme prior to the installation of lighting equipment as well as other associated conditions for onsite lighting. This is included in **Appendix A**.

352. On the basis of the conditions and the mitigation measures proposed, it is considered that the proposal is in accordance with Policy 10 (Protecting public health, safety and amenity) of the HMWP (2013) and Policy DM8 - Pollution of the EBCLP (2022) in relation to lighting.

*g) Odour:*

353. The potential effects of waste management developments can be the subject of public concern with regard to environmental nuisance such as odour. However, a modern, well run clean MRF should not give rise to such issues due to the nature of the incoming waste (dry recyclate) and operational activities undertaken sorting and baling of recyclable materials. The planning authority also recognises that due to the proximity to the nearby sewage works, there is also already occasional odour in the locality.

354. **Chapter 8.0 of the ES provides** an assessment of the effects on Air Quality, including effects in relation to odour. **Appendix 8.2** of the ES contains an odour risk screening assessment. The Odour Assessment has been undertaken with reference to IAQM guidance on odours and planning. The assessment concludes that due to the prevailing wind directions (south westerly) and location of the nearest sensitive receptor (Chickenhall Cottages) the properties may be downwind of the Site and MRF building for only about 6% of the time and that with mitigation in place odour impacts would be negligible.

355. The Borough Council initially objected to the proposal due to concerns about the proposed roller shutter doors being left open. They also requested further information on how materials are transported and procedures for opening and closing of roller shutter doors.

356. Further information was requested under Regulation 25 and this was submitted in July 2022. This indicated that whilst the applicant recognises that odour sources can exist at a dry recyclate MRFs due to recycled materials not being properly cleaned at the point of disposal, odour complaints and escape of odours beyond the Site boundary are unlikely on the basis that all operations occur within an enclosed building and waste receipt protocols. The applicant has indicated that Odour surveys would be undertaken if any complaint from neighbours in relation to odours is received. If necessary, operating procedures would be amended to deal with any issues identified at the Site. The applicant reports that dust emissions are unlikely to occur as all process operations are undertaken within an enclosed building and the nature of the incoming and outgoing recyclate is such that fine particles would not be produced. During prolonged periods of dry weather, the Site roads would be damped down / washed if the potential for fugitive dust impacts resulting from traffic movements are identified by the facility general manager.

357. Waste receipt protocols would be set out an Environmental Management System (EMS), certified to ISO 14001, for the facility and this would reject any malodourous materials that could lead to a complaint. The EMS would form an integral part of the facility's Integrated Management System (IMS) that will draw together all the policies and procedures for the facility in an Environmental Management Plan (EMP) for the site. The applicant has indicated that all loads would be inspected, and any malodourous

/contaminated loads would be rejected in accordance with the agreed acceptance criteria.

358. The vehicles delivering the dry recyclable materials to the site would be either enclosed refuse collection vehicles from kerbside collections or sheeted/enclosed HGVs from waste transfer stations. As such delivery vehicles entering the site would not be a potential source of odour. All vehicles would tip dry recyclable material within the enclosed MRF building. The MRF building would be fitted with high-speed internal roller doors in addition to the external roller shutter doors to ensure that fugitive emissions of odour and dust from within the building are minimised when delivery vehicles enter the facility.

359. Should an odour complaint be received this would be thoroughly investigated through the Environmental Management System (EMS) and appropriate mitigation would be developed to avoid any re-occurrence. It should be reiterated that the nature of the recyclable material received at the MRF is such that significant odour sources are not anticipated and the risk of odours at sensitive receptors beyond the site boundary is low due to the type of waste, enclosed nature of operations and the prevailing meteorological conditions.

360. The transportation of waste and odour management would be covered by the Environmental Permit. Furthermore, a condition is also included on the roller shutters in and the submission of an Environmental Management Scheme covering odour as set out in **Appendix A**.

361. On the basis of the conditions and the mitigation measures proposed as well as the wider controls under the Environmental Permit, it is considered that the proposal is in accordance with Policy 10 (Protecting public health, safety and amenity) of the HMWP (2013) and Policy DM8 - Pollution of the EBCLP (2022) in relation to odour.

*h) Bird strike:*

362. The proposed MRF is not located in direct alignment with the runway at Southampton Airport. It is located to the north-west of the runway and in proximity to much taller existing buildings that are closer to the runway approach. However, bird strike matters are therefore an important consideration.

363. Paragraph 6.4.56 of the EBCLP (2022) highlights that '*the Borough Council will ensure that the airport's operational constraints are respected,*
i) *including height limits on development in the vicinity of the airport Development within the Southampton Airport Public Safety Zone will be restricted in accordance with DfT Circular 01/2010'*. Part 3 h of Policy E6 – Eastleigh River Side states that the airport building height limits are respected, and development within the airport's Public Safety Zone, is limited in accordance with the provisions of DfT Circular 01/2010 and any

proposals for high density development adjacent to the PSZ does not significantly increase the net risks across the overall site.

364. An **Airport Safeguarding Statement** was also included as part of the application.

365. The proposal reduces the vertical height of development compared to that previously consented on the site from 25m to 15.5m. This is considered an improvement in respect of aviation safeguarding. Furthermore, the previous ERC application allowed for biodegradable waste management that if not managed correctly could have increased bird activity and risk of bird strikes. In contrast the proposal will manage dry recyclable materials that are not likely to increase bird activity or the risk of bird strikes. Finally, the surface water drainage layout has been designed to avoid areas standing water that could attract increased bird activity. Unlike the previously approved application on the site, which included a large attenuation pond, the MRF incorporates infiltration basins.

366. Southampton Airport raised no objection to the proposal. An informative is included on the possibility of the use of a crane during construction and CAP 1096 Guidance and this is set out in **Appendix A**.

367. A condition is included in **Appendix A** requiring a Bird Hazard Management Plan. This is in accordance with previous conditions included on the extant consent (S/13/73507).

368. On the basis of the mitigation measure proposed as well as the conditions set out in **Appendix A**, the proposal is considered to be in accordance with Policy 10 (Protecting public health, safety and amenity) of the HMWP (2013) in relation to bird strike as well as the provisions of the EBCLP (2022).

*j) Public safety safeguarding zones:*

369. The Defence Infrastructure Organisation had no safeguarding objections to this proposal.

370. The proposal considered that the proposal is in accordance with Policy 10 (Protecting public health, safety and amenity) of the HMWP (2013) and Policy DM8 - Pollution of the EBCLP (2022) in relation to public safety safeguarding zones.

*k) Impact on public strategic infrastructure:*

371. The proposed MRF building would be more that 11m from the Network Rail's boundary fence and the toe of the railway embankment, and over 17m from the track bed. As such there would not be the need for deep foundation excavations in close proximity to the toe of the railway embankment. Geo-technical investigations (see **ES Appendix 9.4**) have confirmed that ground conditions are stable, and are suitable for standard construction techniques

using slab, pad or pile foundations. Underlying ground stability and appropriate offset to the railway embankment for deep excavations would safeguard the existing rail infrastructure.

372. The proposal would be served by existing utility infrastructure. As such the MRF is considered compliant with this Policy DM9 – Public utilities and `communications.

373. Informatives are included, at the request of Network Rail, on Asset Protection informative in **Appendix A**.

374. The proposal considered that the proposal is in accordance with Policy 10 (Protecting public health, safety and amenity) of the HMWP (2013) and Policies DM9 - Public utilities and communications of the EBCLP (2022) in relation to public strategic infrastructure.

*l) Cumulative impacts:*

375. Potential cumulative impacts have been assessed as part of the ES. It is acknowledged that the presence of existing operational schemes is an established influence upon the environment and these have been taken into account in the relevant ES chapters. Additional schemes that form part of the assessment of cumulative effects include major projects (developments of 10,000m2 in size or greater and projects that have been subject to EIA) that have either been granted planning consent. Due to the site allocation for industrial use and the identified key environmental issues being associated with traffic generation and associated environmental effects, the cumulative assessment has focussed on committed developments likely to give rise to significant traffic increases in the local area. These include proposals for missed use development, Chalcroft Farm and land west of Horton Heath Burnetts Lane Eastleigh Southampton SO30 2HU (planning application O/14/75735), residential development at Fir Tree Farm and Victoria Farmhouse Firtree Lane Horton Heath Eastleigh SO50 7DF (planning application O/16/79354) and open Storage and Ancillary offices, storage buildings and parking (Chickenhall Lane, Eastleigh Central, Eastleigh, SO50 6RQ) (planning application O/16/79354). Cumulative impacts, including those from of the loss of the ERC, renewable energy development permitted on the site and, in planning terms, considered the current use.

376. The new greenfield site allocated for employment development under Policy E9(2) of the EBCLP (2022) is a strategic employment sites of sub-regional importance at Eastleigh River Side which form a key element of the Borough's and sub-region's future employment supply. The potential cumulative impacts associated with the strategic employment sites would be considered if and when a planning application is submitted.

377. Wider assessments have considered cumulative impacts on a number of areas including highways are covered by wider parts of this commentary section.

378. The proposal has provided an adequate assessment of potential cumulative impacts and is therefore considered to be in accordance with Policy 10 (Protecting public health, safety and amenity) of the HMWP (2013).

Impact on surface or groundwaters and flooding

a) *Surface and groundwaters:*

379. Policy 10 (Protecting public health, safety and amenity) states that minerals and waste development should not cause adverse public health and safety impacts, and unacceptable adverse amenity impacts. This includes not releasing emissions to water (above appropriate standards.

380. Policy DM3, Adaptation to climate change of the EBCLP (2022) highlights that all development should be designed to adapt to the predicted climate change impacts. Part a of the policy indicates the need to reduce the potential impacts of surface water flooding and that sustainable drainage systems need to be implemented as part of an integrated SuDS strategy for the site in accordance with Policy DM6 (Sustainable surface water management and watercourse management). Part c of the policy also sets out measures which could help with adaptation to water stress, new development such as water efficient appliances, fittings and leak detection devices, rainwater harvesting and grey water recycling and drought resistant landscape design and planting. Furthermore, Policy DM10 - Water and Waste Water states that where new water supply or waste water infrastructure is required or proposed in support of new development the development will be phased alongside the provision of the infrastructure to ensure compliance with the Habitats Regulations, that there is no deterioration of the status of water bodies and the avoidance or mitigation of any other adverse impacts. It also states that wherever possible measures should be implemented which would improve the water environment.

381. The requirement for a Construction Environmental Management Plan secured by a planning condition as set out in **Appendix A** and related to surface water matters.

382. A **Sustainable Drainage Scheme** and regime was included in the ES (Appendix 9.3b). A request for further information was set out in the Regulation 25 request issued.

383. A combined Phase 1 and Phase 2 Site Investigation of the Site has been undertaken and the finding are presented in **ES Volume 3, Appendix 9.4 - Combined Phase 1 & 2 Site Investigation Report Part 1 and 2**. This concluded that there would be no significant risk to the environment associated with existing contamination on the Site.

384. The applicant has indicated that the release of emissions to surface and groundwater would be controlled by the Environmental Permit for the facility. All foul water would be discharged to a realigned rising main that connects to

the adjacent Sewage Treatment Works. All clean surface water from the building roof and drainage via an interceptor from circulation areas would be discharged to surface water infiltration swales and basins. As such, only clean uncontaminated surface water would be discharged to ground. Therefore, there would be no unacceptable impacts on quality of groundwater flows in the local area.

385. The information submitted by the applicant in support of the planning application indicates that surface water runoff from the application site will be managed through swales and infiltration basins (infiltration).

386. **ES Volume 3 Appendix 9.3b - Drainage Assessment (Reg 25)** provides the updated drainage strategy for the proposed submitted under Regulation 25 in July 2022. Given the potential pathways between the Site drainage system and the River Itchen, the proposed Sustainable Drainage System (SuDS) needs to ensure that the water quality and quantity discharged from the site is maintained. This was required to provide evidence to show that the proposed SuDS scheme will ensure there will be no deterioration in water quality [or changes in water quantity in discharges from the site. Information on the long-term management and maintenance (including funding) of the SuDS for the lifetime of the development should also be secured prior to the commencement of any works. The evidence submitted under Regulation 25 demonstrated that the proposed treatment including swales, basins and proprietary systems will provide adequate treatment, ensuring potential for pollution from these sources will be fully mitigated against. Mitigation measure by utilising trapped gullies and catchpit manholes will also provide additional treatment for surface water and minimise the risk of contaminants entering any downstream receptors. The additional work concluded that the proposed Drainage Strategy, through features embedded in the design of the SuDS solution, would ensure that the quality of water discharge from the site would be maintained and therefore not give rise to LSE on the River Itchen SAC.

387. Foul drainage would be discharged to the existing foul drainage network adjacent to the Site.

388. Natural England initially indicated that due to the proximity of the River Itchen SAC and SSSI sites, we advise that any potential interactions with groundwater and the proposed SuDs features should be fully understood. Ground investigations were carried out during summer months when groundwater levels are likely to be lower than over winter. They advised that further information should be provided to give certainty that the SuDs features will operate as intended, year round and in perpetuity, and that no pollutants from the site could escape via the groundwater system (or via overland flow) and cause impacts to the designated sites. Further information was submitted under Regulation 25 (**Updated Drainage Assessment**).

389. The Lead Local Flood Authority (LLFA) indicated that this information clarified the groundwater levels and provided a design which takes these into account with a mix of infiltration and attenuation. The updated information also satisfied Natural England.

390. On the basis of the proposed conditions and mitigation, the proposal is considered to be in accordance with Policy 10 (Protecting public health, safety and amenity) of the HMWP (2013) as well as Policies DM3 - Adaptation to climate change, DM6 - Sustainable surface water management and watercourse management and DM10 - Water and Waste Water of the EBCLP (2022).

*b) Flooding:*

391. The Site is located in Flood Zone 1. Flood Zone 1 is a zone with a low probability of flooding with land having a less than 1 in 1,000 annual probability of river or sea flooding The NPPG (classifies waste treatment development as Less Vulnerable to flood risk.

392. Policy 11 (Flood risk and prevention) of the HMWP (2013) relates to minerals and waste development in flood risk areas and sets criteria which developments should be consistent with relating to flood risk offsite, flood protection, flood resilience and resistance measures, design of drainage, net surface water run-off and Sustainable Drainage Systems.

393. Policy DM5 - Managing flood risk of the EBCLP (2022) states that development will only be permitted within the areas at risk of flooding, now and in the future, as identified on the Environment Agency most recent flood maps and the Council's Strategic Flood Risk Assessment provided that a number of criteria are met.

394. A **Flood Risk Assessment** (FRA) and a **Drainage Impact Assessment** (DIA) are provided in **ES Volume 3, Appendix 9.3a** and **Appendix 9.3b** respectively. The FRA sets out that, based on to the Flood Map for Planning, the proposed development is located outside the 1 in 1,000 annual exceedance probability (AEP) flood outline and is therefore defined by the NPPF as being situated within Flood Zone 1 (Low Probability). The FRA has demonstrated that the proposal would be at low risk of flooding and that the finished floor levels should be set 0.15m above adjacent ground levels to mitigate the low residual risk associated with ground water and surface water.

395. No concerns were raised by the Environment Agency or the LLFA in relation to flood risk issues.

396. On the basis of the proposed conditions and mitigation, the proposal is considered to be in accordance with Policy 11 (Flood risk and prevention) of the HMWP (2013) and Policy DM5 - Managing flood risk of the EBCLP (2022).

Highways impact

397. The consented ERC development was subject to a Section 106 agreement in respect of financial contributions for highways improvements to mitigate any impact on the Chickenhall Lane/ Bishopstoke Road junction. This contribution was paid in 2017. The ERC Application was also subject to a Planning Condition relating to the widening of the private (southern) part of Chickenhall Lane and associated site access works. These works have been undertaken and the condition discharged.

398. Access is via an existing private metalled access track that links the site to the adopted section of Chickenhall Lane. Chickenhall Lane links to a mini roundabout with Bishopstoke Road (B3037) which links to the A335 and the strategic road network via Junction 5 of the M27 and junction 12 of the M3. The main access route to the industrial estate is the B3037 Eastleigh to Fair Oak road. The recently adopted Eastleigh Local Plan (2022) notes that this is a very busy road and there are problems accessing it from the residential side roads, especially at peak times.

399. Construction access would be via the proposed operational access point into the Site. Maximum HGV trip generation would be during the site earthworks and building structure phases. During this time the HGV movements will peak at around 100 two-way HGV movement per day. Construction staff car parking would be provided within the main construction compound, located close to the site entrance. A condition is included in **Appendix A** on HGV movements during construction.

400. The proposal includes 128 HGV movements per day on road identified as at capacity (64 in, 64 out). It is acknowledged that the previously permitted development of the site, if operational, would have generated the same number of HGV movements.

401. The proposal needs to be considered in its current context, with the growth of other developments in the area since 2014, and changes in environmental policy and considerations. The previous permitted development looked to import waste and process it for renewable energy generation, whereas this development looks to import waste, to then transfer it back out of the site for recycling at other locations.

402. Two vehicular accesses will be formed from the unadopted section Chickenhall Lane, with one providing access to the weighbridges and sorting area, and the other providing access to the office / welfare building and parking area.

403. The provision of two weighbridges will minimise the likelihood of vehicles queuing back on to Chickenhall Lane.

404. Paragraph 110 of the NPPF (2021) advises that '*when assessing planning applications opportunities should be taken to promote sustainable transport modes, ensure development sites have safe and suitable access for all users and where there are any significant impacts on the transport network in terms of capacity, congestion or highway safety these should be cost effectively mitigated to an acceptable degree*'. In addition, paragraph 111 of the NPPF (2021) 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*.' Within this context, applications for development should: a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use; b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport; c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards; d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations. Paragraph 112 of the NPPF (2021) sets out criteria for new development.

405. Policy 12 (Managing traffic) of the HMWP (2013) requires minerals and waste development to have a safe and suitable access to the highway network and where possible minimise the impact of its generated traffic through the use of alternative methods of transportation. It also requires highway improvements to mitigate any significant adverse effects on highway safety, pedestrian safety, highway capacity and environment and amenity.

406. Strategic Policy S11, Transport infrastructure of the EBCLP (2022) includes new or improved road accesses into Eastleigh River Side associated sites, including the new Chickenhall Lane link road (part 2 (e)).

407. Policy E6, Eastleigh River Side of the EBCLP (2022) states that the promotion of the regeneration of Eastleigh River Side through the redevelopment of existing industrial premises and new development off Chickenhall Lane. Part 3 of the policy sets out development criteria which includes part c that a route shall be reserved clear of development to enable the provision of a new link road (the Chickenhall Lane link road) in the longer term between Bishopstoke Road and Wide Lane although the precise route will need to be determined as the site is developed….In the meantime vehicular access to the various parts of the site shall be provided to the satisfaction of the Highway Authority, and contributions shall be made to the planned improvements to junction 5 of the M27, and improvements to other parts of the local road network including the Twyford Road roundabout in

Eastleigh town centre, the junction of Chickenhall Lane and Bishopstoke Road and other junctions on Bishopstoke Road (see policy E8 below).

408. Paragraph 6.1.13 of the EBCLP (2022) states that the Borough Council *'has previously proposed improvements to junctions on the Bishopstoke Road corridor to help relieve peak-hour traffic congestion. These include the junctions of Bishopstoke Road with Station Hill at the Twyford Road roundabout in Eastleigh and at Chickenhall Lane. Further improvements may be needed through Bishopstoke (particularly at the Riverside junction of Church Road and Bishopstoke Road) and Fair Oak. Church Road/Bishopstoke Road junction at Riverside'*. In addition, '*there is currently a three-arm priority junction which may not be adequate to accommodate anticipated future traffic flows- this is currently a subject of investigation via the Sub-Regional Traffic Model (SRTM). If a Bishopstoke Road corridor capacity scheme (also seeking to improve junctions at Chickenhall Lane and/or Station Hill/Romsey Road) was to come forward, there is potential that this junction could also be included as part of such a scheme. There have been some investigations regarding the potential to signalise this junction*'.

409. Furthermore, Policy E8 (Junction improvements) of the EBCLP (2022) states that 'the Borough Council will support the Highway Authority in developing and delivering capacity improvements as required at a number of sites including (b):Chickenhall Lane/Bishopstoke Road junction, including the installation of traffic signals and widening of the Bishopstoke Road approaches. Paragraph 6.4.49 of the Plan indicates that '*this scheme could also form part of a Bishopstoke Road corridor scheme. The existing mini-roundabout at the junction of Chickenhall Lane and Bishopstoke Road facilitates right-turning traffic into and out of Chickenhall Lane which causes long queues on Bishopstoke Road during peak hours. There is potential to signalise the junction, and also to widen the Bishopstoke Road approaches to it. This would require widening of the existing bridge to the east of the junction as well as some works to the west of the junction'*.

410. Policy DM13 - General development criteria – transport states that new development must have safe and convenient access to the highway network and make provision for access to, and by, other transport modes including public transport and cycle and pedestrian routes as appropriate. It sets criteria for development.

411. Eastleigh Borough Council raised concerns about the increased level of HGV movements in the local area, most notably in relation to the impacts on congestion and air quality along Bishopstoke Road and the roundabout junction with Station Hill / Romsey Road / Twyford Road. It was noted that whilst the level of HGV movements would be no greater than the previously permitted Energy Recovery Centre, it must be recognised that this development was never completed and the traffic levels / conditions within the area will have changed since 2014.

412. The Borough Council have confirmed that the proposal would accord with proposed Policy E6 (Eastleigh River Side) of the EBCLP (2022), provided all other material planning considerations are met, including highway and access issues.

413. A **Transport Assessment** (TA) has been provided (see **ES Volume 3, Appendix 9.2)** which considers the impact of the proposal once it reaches full capacity (135 tpa throughput). Additional information was also submitted under Regulation 25 in July 2022 (See **ES Volume 3, Appendix 9.2 Transport Assessment Visibility Splays (2710-01-SK02)).** The application also included ADMS road result data (see **ES Volume 3, Appendix 8.3i) and** other traffic data (see **ES Volume 3, Appendix 8.4).**

*Trip Generation:*

414. Vehicle trips for the proposed site have been calculated and this assessment is acceptable to the Local highway Authority.

415. The TA details the assumptions made regarding the size of payloads and annual capacity and it is forecast that the site will result in 128 two-way HGV trips per day (64 in and 64 out) per day. This is in-line with the previously consented HGV movements for the ERC application. An estimated daily profile has been included within the TA which concludes that the site's peak period will be between 13:00 and 14:00 during which the proposal would generate a total of 38 two-way vehicle movements. A condition is included in **Appendix A** on HGV movements.

There will be a greater number of staff movements at the site when compared to the previously consented scheme – 60 rather than 30 staff which would generate a maximum of 120 car movements (60 in, 60 out) per day. It is stated that this is a worst-case scenario as there would be a degree of car sharing and cycling to work. The impact during the network peak periods of the proposed HGV trips combined with staff trips, is anticipated to be 8 two-way movements during both the AM (08:00 to 09:00) and PM (17:00 to 18:00) peak periods

*Future Impact:*

416. A 2028 future years scenario has been derived, taking into account other permitted development such as the proposed Storage Facility with Ancillary Offices, Chickenhall Lane, Eastleigh, Hampshire (planning permission F-17-81397) as well as residential developments at Chalcroft Farm 950 Dwellings (planning permission 0-14-75735), and Fir Tree Farm (planning permission 0-16-79354). The Local Highway Authority is satisfied that the data provided shows that the change in traffic flows associated with this proposal in both the opening and future years scenario are acceptable.

417. It is noted that there are some concerns about the potential impact of the delivery of the Chalcroft Way Link Road and whether this will mean that HGV using the MRF site would use alternative routes in the future. The Local

Highway Authority has already considered this issue when assessing the application as noted above. The decision cannot be based on the possibility of any other future changes to local highway network which have not been delivered (e.g. the Avenue). The applicant has indicated that operational HGV routes using the MRF will be considered in more detail through the EMS and wider operational schemes during operation.

*Junction Impact Assessment:*

418. The Chickenhall Lane / Bishopstoke Road mini-roundabout junction has been Assessed. Although the capacity at the junction is shown to worsen in the future years scenario (both with and without the development) as the development only results in an increase of 8 two-way vehicles both in the AM and PM peak periods, the Local Highway Authority is satisfied that the development will not have a significant impact on the operation of the junction.

419. Hampshire County Council, as Highway Authority, are currently in the process of developing a Bishopstoke Road (Western End) Bus Priority scheme with the aim of improving bus journey time reliability between Southampton and Eastleigh. A new signalised layout is proposed for the Chickenhall Lane / Bishopstoke Road junction with the aim of reducing the queue lengths and Ratio to Flow to Capacity (RFC) values at the roundabout. The Highway Contribution paid in 2017 for the previously consented ERC has been allocated to this project.

*Traffic Distribution:*

420. As the origin of waste material being brought to Site is not currently known, an origin and destination route mapping exercise has not been undertaken as part of the ES.

421. To determine the likely traffic distribution from the site, the TA has used the existing baseline turning proportions at Chickenhall Lane / Bishopstoke Road mini-roundabout junction and an analysis of the local transfer stations from which material is likely to be sourced. The TA concludes that the percentage distributional split of traffic is likely to be weighted towards Bishopstoke Road West with 88% in the AM peak and 75% in the PM peak.

*Highway Safety:*

422. Personal Injury Accident (PIA) data for the highway network adjacent to the site has been obtained from Hampshire Constabulary. The Local Highway Authority is satisfied the accident record has not identified any patterns that are likely to be exacerbated by this application.

*Sustainable Travel:*

423. A draft Staff Travel Plan for the site is included within Appendix D of the TA. A condition is included in **Appendix A** for the submission of a full Travel Plan be provided prior to occupation at the request of the Local Highway Authority. It is recognised that a number of staff will be transferring from the

Alton Veolia site and therefore may not be able to travel to the site by means other than the car, however a number of jobs will also be advertised locally.

*Construction Phase:*

424. It is estimated that during the construction phase, there will be a maximum of 100 two-way HGV movements per day. The maximum number of staff that will be based on the site during the construction period is predicted to be 150. A condition is included in **Appendix A** for the submission of a Construction Traffic Management Plan at the request of the Local Highway Authority. Additional information relating to visibility splays was submitted under Regulation 25 (**Transport Assessment Visibility Splays (2710-01-SK02) (Reg 25 - 20 July 2022**)).

*Chickenhall Lane Link Road:*

425. As already set out, part 3 of Policy E6 - Eastleigh River Side of the EBCLP (2022) sets out development criteria. This includes part c which states that a route shall be reserved clear of development to enable the provision of a new link road (the Chickenhall Lane link road) in the longer term between Bishopstoke Road and Wide Lane although the precise route will need to be determined as the site is developed.

426. Paragraph 6.4.38 of the EBCLP (2022) highlights the Borough Council 'continues to support the comprehensive regeneration of the site and adjoining sites (E7 and E9) by working with partners to deliver a new link road from Bishopstoke Road to Wide Lane, via Chickenhall Lane and the airport (the Chickenhall Lane link road). This would also help to remove traffic from the town centre. Detailed assessment has suggested that it may not be economically viable to construct the full road in the short term'. The Borough Council therefore remains 'committed to working with partners to deliver the Chickenhall Lane link road in phases with the first phase being those parts of the link road necessary to deliver the employment allocations'. The Local Plan highlights that a balance needs to be struck between resolving local transport issues and enabling economic growth. The Local Plan states that 'development can be brought forward on the site during this Local Plan period while maintaining the ability to provide the full link road in the longer term. The full link road is likely to be funded by a mixture of developer contributions and other sources (e.g. Government funding).

427. The County Council's policy position in respect of the Chickenhall Lane Link Road is well established, and was most recently updated in the decision by the Executive Member for Environment and Transport in June 2016 that 're-confirmed' the 'historic policy commitment for the proposed Chickenhall Lane Link Road' but also adopted a 'flexible and phased approach towards delivery' recognising the cost and complexity of the scheme meant it was increasingly unlikely to be delivered in full as a single project or scheme.

428. Several bids to Government have been unsuccessful, including for individual elements of the scheme as well as for the whole scheme. The scheme is expensive and complex in engineering terms; it is also well beyond the

means available to the County Council from its own resources. The County Council will continue to work with developers, and Government funding programmes, including the Freeport, to deliver the link road, almost certainly on a phased basis, as opportunities arise.

429. The highways movements projected for the MRF does not justify the need for the link road and is unlikely to cause congestion in Eastleigh Town Centre beyond that which is already evident. As already noted, planning consent for a waste management facility has already been granted so there is precedent for waste uses with this level of highway impacts at the site, without any requirement for the link road to be completed.

430. The Waste Planning Authority has examined the most recent plans for the potential alignment of the Link Road. It is acknowledged that the indicative route crosses a part of the proposed site. However, it is important to note that this route is still only indicative and the final route is still yet to be agreed.

431. Advice has been sought from the County Council's engineering and highways teams in relation to the potential impacts on the Link Road deliverability and the MRF proposal. This has concluded that the Link Road would still be deliverable, potentially subject to some slight localised amendments to the alignment to accommodate the MRF, as well as wider realignment required for Network Rail works. It was concluded that neither additional developments would seem to preclude the Link Roads future safeguarding or deliverability. On the basis of this advice, the proposal does not impact the potential deliverability of the Link Road and is therefore considered to be in accordance with Policy E6 - Eastleigh River Side of the EBCLP (2022).

*Alternative transportation options:*

432. The applicant has reported that consideration was given to the rail linking the MRF. However, there is insufficient land to provide a dedicated siding and loading/unloading area. In addition, a modal shift to rail transfer would require a network of rail linked waste transfer stations to also be provided.

*Other matters:*

433. The speed and safety of the vehicles and the antisocial behaviour / littering abuse from drivers were noted on the private road in a representation received. These are noted. These matters relate to the existing use of the road which is not public highway. This matters also does not relate specifically to the proposed MRF.

434. The Waste Planning Authority has asked the applicant whether additional speed restriction could be delivered outside of the MRF site. The road is not within the ownership of the County Council so cannot be delivered.

*Legal agreement:*

435. Traffic generated by the proposal would not result in the need for highways improvements. In addition, it should be noted that highway improvements in respect of the previously consented ERC were funded through a previous S106 payment, and the level of HGV traffic generation would be the same. Overall, the Local Highway Authority was satisfied that the proposal will not have a severe impact on the safety or operation of the local highway network, subject to the conditions proposed.

436. The assessment work undertaken demonstrates that the MRF would not generate any more traffic than the previously consented ERC and would not have an unacceptable effect on the local or strategic highways network based on local conditions. The Local Highway Authority is satisfied that the proposal will not cause a significant impact. On this basis, with the conditions proposed, the proposal is considered to in accordance with Policy 12 (Managing traffic) of the HMWP (2013), Policies S11 - Transport infrastructure, E6 - Eastleigh River Side, E8 (Junction improvements) and DM13 - General development criteria – transport of the EBCLP (2022).

Restoration

437. Policy 9 (Restoration of minerals and waste developments) of the HMWP (2013) requires temporary minerals and waste development to be restored to beneficial after-uses consistent with the development plan. Restoration of minerals and waste developments should be in keeping with the character and setting of the local area and should contribute to the delivery of local objectives for habitats, biodiversity or community use where these are consistent with the development plan. It also indicates that restoration of mineral extraction and landfill sites should be phased throughout the life of the development.

438. A condition is included in **Appendix A** in the event that the site closes, to ensure the restoration of the site. On this basis, the proposal considered to be in accordance with Policy 9 (Protecting public health, safety and amenity) of the HMWP (2013).

Socio-economic impacts

439. The provision of adequate waste infrastructure is essential to maintaining quality of life. Waste management is not only a key public service but it also plays an important role in supporting existing and planned new development.

440. The waste management industry supports Hampshire's economy by providing job opportunities, supplying recycled and recovered products to the marketplace and providing an energy source.

441. Paragraph 7 of the NPPF (2021) states that achieving sustainable development is the primary objective of the planning system, with paragraph 8 confirming the importance that the economic role of development has in delivering sustainable development. Further to this, the NPPF (2021) incorporates planning policy in relation to the socio economic effects of

development. Specifically, paragraph 81 of the states that: '*Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development'*.

442. For waste sites, this is built on by paragraph 6.1 of the HMWP (2013) which state that waste developments '*are essential to support Hampshire's economic development'*. Furthermore, paragraph 6.7 of the HMWP (2013) states that '*the provision of adequate waste infrastructure is essential to maintaining quality of life. Waste management is not only a key public service but it plans an important role in supporting existing and planned development'*.

443. As noted in the recently EBCLP (2022), there is very little employment in the Bishopstoke parish apart from local shops and small enterprises located in converted farm buildings to the south of the village. However, the employment areas of Eastleigh are located close by and the new development will include employment land and the proposal lies in this area.

444. The applicant has indicated that the proposal would support Economic Growth in the area by providing employment opportunities and providing high quality recyclable materials to the reprocessing markets.

445. The potential impact on businesses was noted as an area of concern in a representations received. There is no evidence to suggest that the location of the MRF would have an impact on wider businesses.

446. The proposal will contribute towards Hampshire's waste management infrastructure. Additional benefits associated with the supply chain and employment are also acknowledged.

Monitoring

447. In the event that planning permission is granted, the councils Monitoring and Enforcement team will inspect the site to ensure compliance with the permission granted.

448. Furthermore, the Environment Agency carry out unannounced inspection visits to ensure sites are operating in accordance with environmental permit conditions and scrutinise data associated with the development. Should a permit be granted for the operation, it will be monitored and enforced in the same manner as any other regulated site by the Environment Agency. Several mechanisms are put in place to monitor to ensure compliance such as audits, site visits, data analysis and compliance checks are carried out by the regulator. The Environment Agency has the powers to suspend any permits it considers are not being fully complied with and are creating an unacceptable risk. Paragraph 051 of the PPGW sets out the main role of environmental permitting.

Non-material planning issues raised in representations

*Impact on house prices:*

449. Matters such as the potential impact on house prices or the saleability of properties have been raised in representations. These are acknowledged and the concerns of residents noted. However, as set out in national planning guidance, the impact of a development on these aspects cannot be considered to be material consideration in decision making.

*Safety and extra costs of securing residential properties:*

450. The extra costs of securing residential properties were also noted as an area of concern in representations. These are noted but are not material to decision. The applicant has already been discussing operational issues with the local residents and further operational matters can be discussed as part of the Liaison Panel.

Legal agreement

451. Paragraphs 001-038: Planning obligations (September 2019) of the National Planning Practice Guidance (NPPG) sets out the provisions of planning obligations (legal agreements).

452. The extant permission has a legal agreement attached to it which related to the following matters:
    1. secure a highway contribution; and
    2. secure a contribution to projects to support the Itchen Valley southern damselfly populations, permission for erection of an Energy Recovery Centre.

453. The highway contribution has been collected and already noted has been allocated to the emerging Bishopstoke bus priority project. The required contribution for the southern Damselfly has not been collected.

454. As part of this proposal, the legal agreement will need to cover BNG delivery. The required contribution for the southern Damselfly will need to be delivered through this proposal. A contribution towards the monitoring of the AQMA will also be covered. It has also been agreed to provide additional acoustic fencing adjacent to Chicken Hall Cottages.

455. A legal agreement is proposed to cover the following aspects:
    a) for long term management of off-site mitigation sites for biodiversity net gain;
    b) a contribution of £50,000 (index linked) towards the enhancement / monitoring of the Southern Damselfly in the River Itchen; and
    c) a contribution towards the recurring annual cost of monitoring the AQMAs;

d) delivery of acoustic fencing near Chicken Hall Cottages.

Community benefits

456. 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. Panels should be setup between the site operator, Minerals and Waste Planning Authority, other interested parties and community representatives to facilitate effective engagement with stakeholders in the interests of promoting communication between the site operator and local community. An informative is included on requesting a panel is established in **Appendix A**.

**Conclusions**

457. There is a clear and demonstrated need for the proposal. The proposed MRF would form part of the network of facilities operated under the Hampshire Waste Services contract. It is intended that this modern MRF will replace MRF capacity at Alton and Portsmouth once constructed. The MRF would process a variety of wastes from Hampshire's local collection services, Household Waste Recycling Centres (HWRC) and Veolia's Waste Transfer Stations (WTS). The site would provide for modernised materials recovery for Hampshire, to support Hampshire's existing network of waste management facilities delivered under the Hampshire Waste Services contract. The proposal would to allow the county to react to and deliver the requirements of the Environment Act 2021 in relation to waste management, as well as other national policy and guidance and the waste policies of the HMWP (2013) (Policies 25 (Sustainable waste management) and 27 (Capacity for waste management development). The industrial location of the proposal is considered to be acceptable and alternative options have been satisfactorily explored (Policy 29). Climate change mitigation and adaptation measures feature in the design of the facility (Policy 2). Proposed mitigation and off site provision of biodiversity net gain means that the proposal is considered to be acceptable from an ecological perspective (Policy 3). It is recognised that the proposal will potentially have an amenity impact specifically on 2 properties located close to the site. The proposed design, associated mitigation measures and environmental management of the site will help to mitigate this impact of the proposed development (Policies 10 and 13). Surface water, ground water and flood management are considered to meet requirements (Policies 10 and 11). The proposal will not have a severe impact on the safety or operation of the local highway network, subject to the conditions proposed. The MRF would not generate any more traffic than the previously consented waste development and would not have an unacceptable effect on the local or strategic highways network (Policy 12).

458. Taking all matters into consideration, on balance it is considered that the proposal would be in accordance with the relevant policies of the Hampshire Minerals and Waste Plan (2013) and is therefore considered to be a

sustainable waste development in accordance with paragraph 11 of the NPPF (2021) and Policy 1 (Sustainable minerals and waste development) of the HMWP (2013). It is therefore recommended that planning permission be GRANTED subject to the conditions listed in **Appendix A** and the completion of a legal agreement on the matters outlined below.

**Recommendation**

459. That planning permission be GRANTED subject to the conditions listed in **Appendix A** and completion of a legal agreement in relation to the following areas:

**a)** A Biodiversity Net Gain Plan and Management Plan for long term management of on and off-site mitigation sites;

b) a contribution of £50,000 (index linked) towards the enhancement / monitoring of the Southern Damselfly in the River Itchen; and

c) a contribution towards the recurring annual cost of monitoring the AQMAs

d) delivery of acoustic fencing near Chicken Hall Cottages.

Appendices:
Appendix A – Conditions
Appendix B – Committee Plan
Appendix C – Layout Plan
Appendix D – Elevations
Appendix E – Roof Plan
Appendix F – Indicative design

Other documents relating to this application:

https://planning.hants.gov.uk/Planning/Display/HCC/2022/0071

## REQUIRED CORPORATE AND 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 or local planning authority. | |

### Other Significant Links

| **Links to previous Member decisions:** | |
|---|---|
| Title | Date |
| | |
| **Direct links to specific legislation or Government Directives** | |
| Title | 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 |
|---|---|
| HCC/2022/0071<br>EA110<br>Land off Chickenhall Lane, Eastleigh, Hampshire<br>(The Development of a Material Recycling Facility and Associated Infrastructure | Hampshire County Council |

## EQUALITIES IMPACT ASSESSMENTS:

### 1. Equality Duty

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

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

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

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

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

OR Delete below if not applicable

### 2. Equalities Impact Assessment:

*See guidance at* https://hants.sharepoint.com/sites/ID/SitePages/Equality-Impact-Assessments.aspx?web=1

*Inset in full your* ***Equality Statement*** *which will either state*

*(a) why you consider that the project/proposal will have a low or no impact on groups with protected characteristics or*

*(b) will give details of the identified impacts and potential mitigating actions*

## CONDITIONS

### Reason

The proposal is considered to be in accordance with the development plan as it meets the requirements of Policies 25 (Sustainable waste development) and 27 (Capacity for waste management development)) due to the diversion of waste from landfill and the movement of waste up the waste hierarchy. The development will contribute to the waste capacity targets for Hampshire. The location of the development is appropriate as it is a site that has previously been allocated for employment within Saved Policy 112.E of the Eastleigh Borough Local Plan Review (2006) and Policy [add] of the Eastleigh Borough Council Local Plan (2022). The proposal is considered to be in accordance with Part 1 (i) and Part 2 (a), (b) and (e) of Policy 29 (Locations of sites and areas for waste management)).

The development will contribute to reducing climate change vulnerability and provide resilience to the impacts of climate change (Policy 2). When taking into consideration the proposal as a whole including the commitment to provide contributions to projects to support the Itchen Valley Southern Damselfly populations and wider biodiversity net gain provision, the development would not have a likely significant effect on the adult phase of the Southern Damselfly's life and there will be no overall effects to habitats and species with proposed landscaping facilitating biodiversity enhancements (Policy 3). Biodiversity net gain provision has also been provided on and off site. There is archaeological potential however this is not an overriding concern subject to conditions (Policy 7). An appropriate Site Waste Management Plan that gives consideration to soils will ensure the protection of soils is achieved (Policy 8) and the nature of the development.

Air Quality Management Area concerns have been appropriately addressed through the financial commitments the monitoring of the AQMA and there are no emissions concerns in relation to human health (Policy 10).

The concerns with regard to noise and odour are appropriately mitigated and will be secured through conditions and the associated legal agreement (Policy 10). Whilst there will be views of the development the high-quality design and landscape enhancement that is proposed will not have an unacceptable visual impact given its setting (Policies 10 and 13). Airport safety issues have been appropriately addressed.

The MRF would not generate any more traffic than the previously consented waste development and would not have an unacceptable effect on the local or strategic highways network based on local conditions. (Policy 12).

Subject to the developer entering into a S106 for [long term management of off-site mitigation sites for biodiversity net gain, a contribution towards the enhancement / monitoring of the Southern Damselfly and a contribution towards

the recurring annual cost of monitoring the AQMAs and the delivery of acoustic fencing alongside the planning conditions proposed, the development is considered to be a sustainable waste development (Policy 1).

**Commencement**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

   Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

**Construction**

2. Prior to the commencement of the development, the applicant should prepare and submit a Haul Road Condition Survey to the Waste Planning Authority for written approval.

   Reason: In the interests of amenity protection having regard to Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013). This is a pre commencement condition to ensure the amenity of local residents is not impacted by the construction of the development and thus goes to the heart of the permission.

3. Construction operations would be limited to 07.00hrs to 19.00hrs Monday to Saturday, with no construction work on Sundays or recognised Public or Bank Holidays.

   Reason: In the interests of amenity protection having regard to Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013).

4. Prior to the commencement of the construction of the development hereby approved, a Construction Environmental Management Plan (CEMP) should be submitted to and agreed by the Waste Planning Authority. It should set out an overall strategy for managing environmental impacts which arise during construction. The CEMP should cover the following matters:
   a) drainage, water quality and hydrology;
   b) measures to control dust, emissions and odours;
   c) control of noise and vibration during the construction period;
   d) Measures to prevent sediment run-off from the site;
   e) Measures to mitigate visual impacts;
   f) construction Plan Directional signage (on and off site);
   g) Traffic Management (to include details on the daily and total number and size of HGVs accessing the site, the turning of delivery vehicles

and lorry routing as well as provisions for removing mud from vehicles) and a programme of works;

h) provision for emergency vehicles;

i) details of the area(s) subject to construction activity to include provision for all site operatives, visitors and construction vehicles loading and unloading plant and materials;

j) provision for all site operatives, visitors and construction vehicles for parking and turning within the site during the construction period;

k) details of measures to prevent mud and other such material migrating onto the highway from construction vehicles;

l) storage of plant and materials used in constructing the development;

m) storage of oils, fuels or chemicals used in constructing the development;

n) measures for the protection of trees, shrubs and hedges;

o) health and safety/site management;

p) how any waste generated on site will be managed;

q) wildlife and natural features; and

r) scheme for dealing with waste soils arising from the construction of the development;

s) details of cranes and other tall construction equipment (including the details of obstacle lighting);

t) measures to protect soils (A Management Plan should be prepared in accordance with the DEFRA Code of Practice for Sustainable Use of Soils in Construction and include information relating to finished soil depths);

u) details of temporary lighting; and

v) Details on the management of any contaminated material.

The approved CEMP shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works.

Reason: To minimise the adverse impacts of construction on the amenity of local residents, River Itchen, highway traffic in accordance with Policies 3 (Protecting habitats and species), 10 (Protecting public health, safety and amenity) and 12 (Managing traffic) of the Hampshire Minerals & Waste Plan (2013) and to ensure the construction work and construction equipment on the site and adjoining land does not breach the Obstacle Limitation Surface (OLS) surrounding Southampton Airport and endanger aircraft movements and the safe operation of the aerodrome in accordance with Advice Note 4 ‘Cranes and Other Construction Issues’ and Advice Note 2 ‘Lighting Near Aerodromes’. This is a pre commencement condition to ensure the amenity of local residents, protection of ecological features landscape, and the mitigation of impacts on Southampton International Airport and local highway network by the construction of the development and thus goes to the heart of the permission.

5. No construction work shall commence on site until the Developer has agreed a “Construction Methodology” or “Crane Operation Plan” which has been submitted to and has been approved in writing by the Local Planning Authority in consultation with the Operator. Construction at the site shall only thereafter be operated in accordance with the approved “Construction Methodology / Crane Operation Plan” which shall detail the type, height, location and dates of the cranes to be used.

   Reason: In the interests of aircraft safety and the operations of Southampton Airport and NATS En-route PLC and in accordance with Policies 10 (Protecting health, safety and amenity) and 13 (High quality of design) of the Hampshire Minerals & Waste Plan (2013).

**Hours of working**

6. The development hereby permitted can operate 24hrs a day, Monday to Saturday. There shall be no working on Sundays and recognised Public Bank Holidays.

   Reason: In the interests of amenity protection having regard to Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013).

7. During operational hours (as set out in condition 6), Heavy Goods Vehicles shall only access the site between 07.00hrs and 19.00hrs.

   Reason: In the interests of amenity protection having regard to Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013).

**Annual Throughput**

8. The annual throughout of the Materials Recovery Facility shall not exceed 135,000 tonnes per annum.

   Written records of throughput should be provided to the Waste Planning Authority on request.

   Reason: In the interests of amenity protection, highway safety and to ensure the development is carried out in accordance with the approved details having regard to Policies 10 (Protecting public health, safety and amenity) and 12 (Managing traffic) of the Hampshire Minerals & Waste Plan (2013).

**Highways**

9. Occupation of the development hereby approved shall not commence until provision for the parking, turning, loading and unloading of vehicles has been made within the curtilage. The areas of land provided for such uses shall not be used for any purpose other than the parking, turning, loading and unloading of vehicles.

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

10. A maximum of 128 Heavy Goods Vehicles movements per day (64 in and 64 out) may enter or leave the site on any working day once the development hereby approved is operational

    Records of vehicle movements to and from the site and the times of entry and departure shall be kept and made available for inspection at the request of the Waste Planning Authority.

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

11. Prior to the occupation of the development hereby approved, a full Staff Travel Plan (STP) shall be submitted to and approved by the Waste Planning Authority for approval in writing.

    The STP shall describe the ways in which staff shall be encouraged to travel to the site by means other than the private car.

    The approved STP shall be monitored and reviewed in accordance with an approved programme and a copy of those reviews and action plans arising shall be submitted to the Waste Planning Authority. The measures described in the Action Plans shall be implemented in the time period identified.

    Reason: In the interest of sustainable travel in accordance with Policy 12 (Managing traffic) of the Hampshire Minerals & Waste Plan (2013).

12. All Heavy Goods Vehicles (HGV) entering or exiting the site shall be sheeted to prevent material being spilt onto the road. HGVs should not be unsheeted until they have entered the waste reception hall.

    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 & Waste Plan (2013).

**Site operations**

13. Prior to the full operation of the development hereby permitted, an Environmental Management Plan (EMP) shall be submitted to and agreed in writing by the Waste Planning Authority. The EMP should cover the following areas:

a) Details of Dust management measures;
b) Details of Odour management measures;
c) Details of the management of operational noise.

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

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

14. **Add finalise condition on noise levels – this will be reported to committee.**

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

15. **Condition to be finalised and will be reported to committee**- Prior to the commencement of the development hereby approved, a detailed Noise Mitigation Scheme to achieve background levels of [add] as set out in condition [add] shall be submitted to and agreed in writing by the Waste Planning Authority. Mitigation measures shall ensure that a site rating level of at least 5 decibels below the background sound level is achieved at the nearest residential property (in free field conditions, as defined in (add British standard), with representative background levels measured in accordance with [add British standard].

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

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

16. **Condition to be finalised and will be reported to committee -** Within 6 months of the date of the development hereby permitted, a post occupation Noise Impact Assessment shall be submitted to and approved in writing in to the Waste Planning Authority.

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

17. No vehicles and mobile plant used exclusively on site shall be operated unless they have been fitted with and use white noise reversing alarms. HGVs shall either be fitted with and use white noise reversing alarms, or other non-tonal alarms, or be routed and managed to minimise reversing manoeuvres.

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

18. No vehicle, plant, equipment or machinery used exclusively on site shall be operated at the site unless it has been fitted with and uses an effective silencer. All vehicles, plant, equipment or machinery shall be maintained in accordance with the manufacturer's specification.

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

19. The Material Recovery Facility's roller shutter doors should be kept closed at all times except for when the Heavy Goods Vehicles enter and exit the site for offload/collection.

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

**Storage of waste**

20. The only external storage will be baled or wrapped plastics and metals as shown on drawing 2710-01-004.

    External bale storage will be to a maximum of 4 metres high.

    Reason: In the interests of visual amenity in accordance 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).

**Design**

21. Prior to the commencement of the development, samples and/or details of the materials and finishes to be used for the external walls and roofs of the proposed buildings shall be submitted to and approved by the Waste Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: In the interests of visual amenity and to secure a high-quality design in accordance with Policies 10 (Protecting health, safety and amenity) and 13 (High quality of design) of the Hampshire Minerals & Waste Plan (2013). This is a pre-commencement condition as such details need to be considered to ensure the satisfactory design of the proposal and thus goes to the heart of the planning permission.

22. Prior to the commencement of the development hereby permitted, a Navigation Aid Mitigation Scheme, (including a timetable for its implementation during construction) needs to be agreed with NATS (En Route) plc and submitted to and approved in writing by the Waste Planning Authority.

    The scheme shall be implemented as agreed.

    Reason: In the interests of aircraft safety and the operations of Southampton Airport and NATS En-route PLC and in accordance with Policies 10 (Protecting health, safety and amenity) and 13 (High quality of design) of the Hampshire Minerals & Waste Plan (2013). This is a pre-commencement condition as such details need to be considered to ensure the satisfactory design of the proposal and thus goes to the heart of the planning permission.

23. No external cladding shall be fitted on the south western aspect above 22mAOD unless and until the approved Navigation Aid Mitigation Scheme has been implemented. The Mitigation Scheme shall be maintained and retained for the lifetime of the building, unless following decommissioning of the Navigation Aid, the Waste Planning Authority gives permission in writing for its removal or discontinuation, in consultation with the Operator.

    Reason: In the interests of aircraft safety and the operations of Southampton Airport and NATS En-route PLC and in accordance with Policies 10 (Protecting health, safety and amenity) and 13 (High quality of design) of the Hampshire Minerals & Waste Plan (2013).

24. Within three months of occupation of the development hereby permitted, a copy of a post-construction completion certificate, verifying that the building has achieved a BREEAM "excellent" rating (or equivalent standard) or above, has been submitted to the Waste Planning Authority.

    Reason: To ensure the development achieves the highest quality of design in accordance with Policies 10 (Protecting health, safety and amenity) and 13 (High quality of design) of the Hampshire Minerals & Waste Plan (2013) and Policy DM2 - Environmentally sustainable development of the Eastleigh Borough Local Plan (2016-2036) (2022).

25. Within 6 months of the opening of the development hereby approved, a Post Occupancy Evaluation (POE) should be submitted to and approved in writing by the Waste Planning Authority.

Reason: In the interests of visual amenity and to secure a high-quality design in accordance with Policies 10 (Protecting health, safety and amenity) and 13 (High quality of design) of the Hampshire Minerals & Waste Plan (2013 and Policy DM2 - Environmentally sustainable development of the Eastleigh Borough Local Plan (2016-2036) (2022).

**Landscaping, ecology and arboriculture**

26. Prior to commencement of landscape and ecological mitigation works, a Landscape and Ecological Management Scheme, shall be submitted to and approved in writing by the Waste Planning Authority. The scheme shall incorporate:
(a) details of the species, number and spacing of trees and hedgerows (hedgerow planting should also include hedgerow trees) and shrubs including enhanced boundary planting;
(b) details of any water features (all water features and attenuation ponds must be netted)
(b) a description and evaluation of the features and measures to be managed for landscape and habitat and protected/notable species protection;
(c) aims and objectives of landscape and ecological management;
(c) appropriate management options for achieving aims and objectives;
(d) prescriptions for management actions;
(e) preparation of a work schedule (including annual work plan and the means by which the plan will be rolled forward annually);
(f) personnel responsible for implementation of the plan; and
(g) robust monitoring, management and remedial/contingencies measures triggered by monitoring.

    The scheme as agreed in writing by the Waste Planning Authority shall be implemented in full and maintained for the lifetime of the site.

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

    Reason: In the interests of amenity protection, landscape character and biodiversity and to ensure there is minimal attractiveness to birds which could endanger the safe movement of aircraft and the operation of Southampton Airport having regard to Policies 3 (Protection of habitats and species), 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).

27. Prior to the commencement of development, a detailed Landscaping Scheme for the site shall be submitted to and approved by the Waste Planning Authority in writing. The scheme shall specify the types, size and

species of all trees and shrubs to be planted; details of all trees to be retained; and details of fencing/enclosure of the site, phasing and timescales for carrying out the works, and provision for future maintenance.

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

Reason: In the interests of amenity protection, landscape character and biodiversity and to ensure there is minimal attractiveness to birds which could endanger the safe movement of aircraft and the operation of Southampton Airport having regard to Policies 3 (Protection of habitats and species), 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).

28. Prior to the commencement of the construction of the development, existing trees for retention should be protected, adopting the recommendations of the Arboricultural Impact Assessment (February 2022) and Arboricultural Impact Assessment Plan (February 2022) in line with BS 5837 Trees in relation to Design, Demolition and Construction and a Tree Protection Plan showing the location of protective fencing.

    Reason: In the interests of the protection of flora and fauna, landscape character and visual amenity in accordance with Policies 3 (Protection of habitats and species), 10 (Protecting public health, safety and amenity) and 13 (High-quality design of minerals and waste developments) of the Hampshire Minerals & Waste Plan (2013). This is a pre-commencement condition as such details need to be considered prior to the commencement of development to ensure the satisfactory protection of trees and thus goes to the heart of the planning permission.

29. Prior to the commencement of development hereby approved, a Tree Protection Plan identifying all trees on the application site and those which are to be retained/protected during development shall be submitted to the Waste Planning Authority for approval in writing.

    The development shall be implemented in accordance with the approved scheme and shall be undertaken in accordance with the relevant British Standards.

    Reason: In the interests of the protection of flora and fauna, 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).

30. The species-specific measures such as habitat piles, retention of deadwood features, bat and bird boxes as set out in Chapter 6, Appendix 6.2 of the Environmental Statement shall be implemented as approved.

    Reason: To enhance habitats and species in accordance with Policy 3 (Protection of habitats and species) of the Hampshire Minerals & Waste Plan (2013).

**Lighting**

31. Within 3 months of the date of this permission, a detailed Lighting Scheme shall be submitted to and approved in writing by the Waste Planning Authority. This should ensure that include no UV elements in the luminaries, a warm white spectrum (ideally <2700 Kelvin) to be adopted, Luminaries to feature peak wavelengths higher than 550 mm, 0% upward light spill, luminaries to be mounted on the horizontal with no upward tilt, external security lighting set on motion-sensors and short (1 minute) timers and the potential use of baffles, hoods or louvres.

    The scheme shall be implemented as approved.

    Reason: To manage any visual impacts associated with lighting 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).

32. All external security lighting implemented as part of the Lighting Scheme as set out in condition 31, shall be set on motion-sensors and short (1 minute) timers.

    Reason: To manage any visual impacts associated with lighting 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).

33. Lighting within the development hereby approved shall be turned off when the facility is unoccupied.

    Reason: To manage any visual impacts associated with lighting 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).

**Bird Hazard**

34. Prior to the commencement of the development hereby approved, a Bird Hazard Management Plan shall be submitted to and approved in writing by the Waste Planning Authority.

    The approved plan shall be implemented as approved throughout the construction of the development and shall remain in force for the life of the building.

    Reason: In the interest of managing the site in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Southampton Airport in accordance and 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).

**Contamination**

35. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Waste Planning Authority) shall be carried out until a Remediation Strategy detailing how this contamination will be managed. The Remediation Strategy should be submitted to and agreed in writing by the Waste Planning Authority prior to the recommencement of any further works.

    Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in accordance with Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013).

**Historic environment**

36. No development shall take place until the applicant has secured the implementation of a Programme of Archaeological Evaluation in accordance with a written specification that has been submitted to and approved by the Waste Planning Authority. This should include archaeological evaluation on parts of the site which have not previously been evaluated (unless they fall within an area that can be demonstrated to have been impacted by past gravel extraction).

    The programme shall be implemented as approved.

Reason: To contribute to knowledge and understanding of our past by ensuring that opportunities are taken to capture evidence from the historic environment and to make this publicly available in accordance with Policy 7 (Conserving the historic environment and heritage assets) of the Hampshire Minerals & Waste Plan (2013).

37. Prior to the commencement of the development hereby approved, a programme of archaeological mitigation of impacts, informed by the archaeological evaluation of the site, in accordance with a Written Scheme of Investigation shall be undertaken and be submitted to and approved in writing by the Waste Planning Authority.

    Reason: To mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations in accordance with Policy 7 (Conserving the historic environment and heritage assets) of the Hampshire Minerals & Waste Plan (2013). This is a pre-commencement condition as such details need to be considered prior to the commencement of development to ensure the effect on potential heritage assets and thus goes to the heart of the planning permission.

38. Following completion of archaeological fieldwork, a report shall be produced in accordance with an approved programme including where appropriate post-excavation assessment, specialist analysis and reports, publication and public engagement. The report of the mitigation recording should be made publicly available.

    Reason: To contribute to knowledge and understanding of our past by ensuring that opportunities are taken to capture evidence from the historic environment and to make this publicly available in accordance with Policy 7 (Conserving the historic environment and heritage assets) of the Hampshire Minerals & Waste Plan (2013).

**Restoration**

39. In the event that the development hereby permitted ceases use, the buildings and associated infrastructure shall be removed from the site and the land shall be restored to its original condition within 24 months of the cessation of the use.

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

## Plans

40. The development hereby permitted shall be carried out in accordance with the following approved plans: **2710-01-002, 2710-01-003, 2710-01-006, 2710-01-007, 2710-01-008, 2710-01-010, 2710-01-011, 2710-01-004RevD, 2710-01-005RevC, 2710-01-009RevC**

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

## Note to Applicants

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 (2021), as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.
2. This decision does not purport or convey any approval or consent which may be required under the Building Regulations or any other Acts, including Byelaws, orders or Regulations made under such acts
3. An HGV is defined for the purposes of this permission as a commercial vehicle over 7.5 tonnes unladen weight.
4. Under the Environmental Permitting (England and Wales) Regulations 2016 the operator of a waste site will require an environmental permit for the importation, storage and treatment of waste.
5. A Liaison Panel should be set up between the site operator, Minerals and Waste Planning Authority, interested parties 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. The County Council's guidance on the establishment of panels is available to the applicant.
6. The developer must ensure that their proposal, both during construction and after completion does not:
   - encroach onto Network Rail land
   - affect the safety, operation or integrity of the company's railway and its infrastructure
   - undermine its support zone
   - damage the company's infrastructure
   - place additional load on cuttings
   - adversely affect any railway land or structure
   - over-sail or encroach upon the air-space of any Network Rail land
   - cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future

   Network Rail strongly recommends the developer complies with the following comments and requirements to maintain the safe operation of the railway and protect Network Rail's infrastructure.

7. The applicant must ensure that any construction and subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of/or encroaching upon Network Rail's adjacent land and air-space. Therefore, any buildings are required to be situated at least **2 metres (3m for overhead lines and third rail)** from Network Rail's boundary. This requirement will allow for the construction and future maintenance of a building without the need to access the operational railway environment. Any less than **2m (3m for overhead lines and third rail)** and there is a strong possibility that the applicant (and any future resident) will need to utilise Network Rail land and air-space to facilitate works as well as adversely impact upon Network Rail's maintenance teams' ability to maintain our boundary fencing and boundary treatments. Access to Network Rail's land may not always be granted and if granted may be subject to railway site safety requirements and special provisions with all associated railway costs charged to the applicant.
8. Any works within Network Rail's land would need approval from the Network Rail Asset Protection Engineer. This request should be submitted at least 20 weeks before any works are due to commence on site and the applicant is liable for all associated costs (e.g. all possession, site safety, asset protection presence costs). However, Network Rail is not required to grant permission for any third-party access to its land.
9. The applicant's attention to the requirement within CAP1096 the Guidance to crane users on the crane notification process and obstacle lighting and marking.
10. "Navigation Aid Mitigation Scheme" or "Scheme" means a detailed scheme agreed with the Operator which sets out the measures to be taken to avoid at all times the impact of the development on the Southampton DVOR/DME navigation beacon and air traffic management operations of the Operator.
11. "Crane Operation Plan (COP)" means a detailed plan agreed with the Operator which defines the type of crane and the timing and duration of all crane works to be carried out at the site in order to manage and mitigate at all times the impact of the development on the Southampton DVOR/DME navigation beacon and associated air traffic management operations of the Operator.
12. The site should be operated in accordance with the agreed Environmental Management System (EMS), certified to ISO 14001 for the facility.
13. There is a legal agreement associated with this development in relation to the following areas:
    a) for long term management of off-site mitigation sites for biodiversity net gain;
    b) a contribution towards the enhancement / monitoring of the Southern Damselfly in the River Itchen; and
    c) a contribution towards the recurring annual cost of monitoring the AQMAs;
    d) delivery of acoustic fencing near Chicken Hall Cottages.