

HAMPSHIRE COUNTY COUNCIL
Decision Report

Decision Maker:	Regulatory Committee
Date:	11 January 2023
Title:	Proposed extension to Nursling Recycling Centre, variations to existing site layout, erection of a new workshop building and the upgrade of parking arrangements at the adjacent paintball centre. OAD (Application No. 22/00174/CMAS Ref: TV055)
Applicant	Collard Group Ltd
Report From:	Assistant Director of Waste & Environmental Services

Contact name: Tim Felstead

Tel: 07761 330557

Email: planning@hants.gov.uk

Recommendation

1. That planning permission be GRANTED subject to the recommended conditions set out in **Appendix A** and the completion legal agreements for a financial contribution for highway safety improvements and road widening scheme to section of Lee Lane between Church Lane and the site entrance.

Executive Summary

2. This planning application relates to the existing Nursling Recycling Centre. It is for an extension of the site boundary, variations to the existing site layout, the erection of a new workshop building on the existing site, the retrospective approval of a picking station attached to the existing recycling centre, and the relocation of existing parking for the adjacent paintball centre which would be impacted by the extension.
3. The application boundary includes the whole of the existing site and the proposed extension (along with a section of land used by the paintballing centre) and consolidate the whole site operations under a new permission if this application is approved.
4. This application is being considered by the Regulatory Committee as requested by the Councillor Adams-King and due to the number of objections presented by the local residents.
5. The key issues raised are considered to be:
 - Highway safety and amenity impacts of HGVs;
 - Air quality impacts (dust);
 - Noise impacts;

- Acceptability within a countryside setting; and
 - Ecology/habitat impacts.
6. A committee site visit by Members took place on 2 November 2022 in advance of the proposal being considered by the Regulatory Committee.
 7. The proposed development is not an Environmental Impact Assessment development under the [Town & Country Planning \(Environmental Impact Assessment\) Regulations 2017](#).
 8. The principle of the development is supported by Policies 17 (Aggregate supply – capacity and source), 18 (Recycled and secondary aggregates development), 25 (Sustainable waste management), 27 (Capacity for waste management development) and 30 (Construction, demolition and excavation waste) of the [Hampshire Minerals & Waste Plan \(2013\)](#) (HMWP) in that the movement of waste materials up the waste hierarchy is encouraged to divert them from landfill, and recycling of construction, demolition and excavation (CDE) waste to produce beneficial aggregate products can provide an alternative to marine-won or land won sand and gravel for certain purposes.
 9. The extension would be to an existing, safeguarded waste site (Policy 26 – Safeguarding – waste infrastructure) taking advantage of existing infrastructure albeit in a countryside side location. The site meets the locational requirements of Policy 5 (Protection of the countryside). The addition of the picking station and development of the workshop will take place on the existing site and so does not have to meet the locational requirements of Policy 29 (Locations and sites for waste management). Regarding the extension area, it is utilising the existing site infrastructure and takes advantage of the remote location of the existing site. It is located within the Strategic Road corridor and is considered to demonstrate a special need.
 10. The proposal has been demonstrated to have low visual impact once design features like the screening bund and planting, and building colour are accounted for Policy 13 (High-quality design of materials and waste development). The extension area will be developed on relatively low value grassland/scrub habitat and the existing woodland management plan related to the existing site will remain in effect. With the proposed mitigation and management measures, including higher value habitat created through new planting, the proposal has been determined to be in accordance with Policy 3 (Protection of habitats and species).
 11. The development in in Flood Zone 1 (lowest risk) and the proposed drainage plan for the extension area and workshop building area are suitable (Policy 11 – Flood risk and prevention). Remediation of any contaminated land will be required if identified during the development with any impact on the drainage design having to be addressed before development proceeds further (Policy 10 – Protecting public health, safety and amenity).

12. Health, safety, and amenity impacts will not be unacceptably adverse (Policy 10 – Protecting public health, safety and amenity). The activities proposed for the extension area are already allowed on the existing site. The bunding around the extension area will also provide noise attenuation. The development is not anticipated to result in any unacceptable noise impacts. Noise and dust management plans will provide adequate control of the operation and these would be further controlled by the site Environmental Permit. The extra vehicles movements have been shown to result in negligible air quality impacts along the route and are not expected to result in a noticeable noise increase (though the additional vehicle movements may be noticeable). The picking station has been improved to ensure dust from the plant does not escape into the adjacent woodland. Lighting hours will be limited to operational hours and light spill beyond the site will be minimal.
13. The increase in allowed traffic to the site has been determined to not result in unsafe traffic situations (Policy 12 – Managing traffic). Some improvements to the access route along Lee Lane will be required and would be secured through a legal agreements.
14. Taking all matters into account, on balance, the proposal is considered to be in accordance with the relevant national and local planning policy and is considered to be sustainable in accordance with Policy 1 (Sustainable minerals and waste development) of the [HMWP \(2013\)](#). It is therefore recommended that permission be granted.
15. It is considered that planning permission ought to be granted subject to the conditions listed in **Appendix A** and the completion of a legal agreement for the completion of a legal agreements for width improvements to section of Lee Lane between Church Lane and the site entrance.

The Site

16. The site lies wholly within the Test Valley Borough Council administrative area and Nursling and Rownhams Parish boundary. It is located on the edge of the urban area of Southampton.
17. The existing site occupies 1.5 hectare (ha). The site is in a predominantly rural location with much of the surrounding land in agricultural use.
18. The proposed extension area is bordered by dense vegetation to the west and north. The eastern boundary of the extension area is tree lined and Lee Lane is located beyond this boundary. Much of the land surrounding the Nursling site, including the proposed extension area has been previously worked for sand and gravel. The extension area has been the subject of full restoration and, therefore considered to be a greenfield site and not Previously Developed Land.
19. The existing Nursling site is located immediately to the south of the proposed extension area, beyond which comprises land previously used as a historic

landfill which has been restored and currently used for grazing horses and paddocks. A woodland area to the west is subject to a Woodland Management Plan which is a condition of the extant planning permission and has reporting requirement until 2039.

20. A railway line is located approximately 100 metres (m) to the east of the site and runs from north to south.
21. The River Test is located approximately 450m to the west of the site and flows from north to south.
22. The site is 500m north of the M27 and is located approximately 800m northwest of the Junction 3 of the M27 site. The route from the M27 is an approximately 3.5 kilometres (km) from Junction 3 using a route south along the M271 and then north via Andes Road/Weston Lane/Station Road/Lee Lane.
23. A paintballing site is located within the woodland to the west of the proposed extension area. The paintballing site uses an access and car park on the location of the extension area.
24. The nearest residential property is located adjacent to the Delvallie Kennels approximately 200m southwest of the proposed extension area and 120m west from the existing site boundary with dense woodland located between the kennels and the site area.
25. Other residential and commercial properties are located on Church Lane approximately 350m south of the proposed extension area. These properties include the Thatched Cottage, the Church of St Boniface and Church Farm. The existing site and a large agricultural field are located between these properties and the proposed extension area. The Grove Place Retirement Village is located approximately 500m east of the proposed extension area on the opposite side of a train track. There are also properties located approximately 500m to north of the proposed extension area on Coldharbour Lane.
26. There are no Statutory Designated Ecology Sites are located within the site. The closest Statutory Designated Site to the site is the River Test Site of Special Scientific Interest (SSSI), which is located approximately 450m to the west of the site. There are no other Designated Sites within 1km of the site. The Lower Test Valley SSSI and the Solent & Southampton Water Ramsar and Special Protection Area (SPA) is located approximately 1.15km to the south-west of the site. The Solent Maritime Special Area of Conservation (SAC) is located approximately 1.8km from the site.
27. There is one Grade I Listed Building, fifteen Grade II Listed Buildings and one Grade II* listed Building within 1km of the site boundary.

28. Grove Place is a Grade I Listed Building located approximately 500m east of the proposed development site. Grove Place is immediately surrounded by a number of Grade II listed buildings:

- Griffon House Grade II Listed Building located 440m east;
- Grove Place Garden Wall Grade II located 480m east;
- Grove Place Forecourt screen Grade II located 510m east;
- Grove Place Boundary Wall Grade II located 520m east; and
- Grove Place Fountain Grade II located 560m east.

29. To the south is a cluster of listed buildings located along Church Lane as follows:

- Table Tomb 8 Metres North of Chancel Grade II Listed Building located approximately 350m south;
- Church of St Boniface Grade II* Listed Building located approximately 350m south;
- Thatched Cottage a grade II Listed Building located 360m south;
- Table Tomb 2 Metres North of Chancel Grade II Listed Building located approximately 360m south;
- Nursling House Grade II Listed Building located 375m south; and
- Church Farm House Grade II Listed Building located 375m south.

30. The existing Nursling Recycling Site has a history of industrial and waste related uses. The existing site was originally used as a processing plant site for sand and gravel working, and the proposed extension area, as well as much of the surrounding land, has been worked for sand and gravel and has since been restored with inert material. The site operations at Nursling have steadily diversified since the site was originally established as a sand and gravel processing site in the late 1990's. The Department for Environment, Food and Rural Affairs (DEFRA) historic landfill site interactive map shows that the site is a historic landfill site which has been restored to agricultural land.

31. An overhead transmission line crosses the extension area for which transmission towers are located to the east and west of the site.

32. A Public Right of Way (PROW) restricted byway (Nursling and Rownhams Footpath 25) runs north-south (120m west of existing site) and then west-east (225m south of existing site) along Church Lane. It then continues north-south along a section of Station Road under the M27 before turning west to run parallel with the M27. The PROW forms part of the Test Way long distance route.

33. The approved buildings on the existing site are a Materials Recycling Facility building, weighbridge, site offices, Ready Mix Concrete plant, and parking spaces. The present activities include recycling operations for CDE waste

including concrete crushing, aggregate/soil screening, production of Ready Mix Concrete (RMC).

34. The site has existing planning conditions that sets limits on annual tonnage of material, working hours, and traffic movements.

Planning History

35. The planning history of the site is as follows:

Application No	Proposal	Decision	Date Issued
16/00088/CMAS	Temporary variation of condition 4 of planning permission 14/00024/CMAS to remove the restriction of a maximum of six vehicles between 06:30 and 07:00 for the duration of the nearby road works i.e. until February 2017	Granted	06/05/2016
14/00024/CMAS	Construction of Materials Recycling Facility building (MRF), demolition of existing workshop and storage buildings, construction of internal screen bund, installation of a sewage treatment facility for the office and reorganisation of the site layout including, replacement of weighbridge/office and ancillary buildings, relocation of concrete plant, parking areas and aggregate storage bays, fuel tanks and skip storage, and drainage improvements and retention of aggregates depot and concrete mixing plant	Granted	24/03/2014
10/02266/CMAS	Revised consolidation application for depot, recycling, concrete plant and offices.	Granted	10/03/2011
10/00926/CMAS	Consolidation application for the continued operation and use of site for mixed development comprising: (i) the importation, storage and	Withdrawn	N/A

	distribution of land won aggregates, marine dredged aggregates, secondary aggregates and bagged cement, (ii) the recycling of construction and demolition wastes and soils, (iii) retention of all existing buildings and structures including offices, workshop, storage building and weighbridge, (iv) ancillary HCV lorry parking, (v) skip storage, (vi) concrete mixing plant and associated block moulds		
08/01785/CMAS	Additional Site Offices and Alterations to Site Access	Granted	14/10/2008
07/01508/CMAS	Proposed additional temporary offices	Granted	31/07/2007
TVS01722/20	Renewal of temporary permission for the recycling of construction and demolition wastes	Granted	25/04/2005
TVS01722/18	Renewal of Planning permission for Night Watchmans accommodation	Granted	02/07/2003
TVS01772/17	Replacement of site offices	Granted	23/06/2003
TVS01722/15	Retention of site weighbridge and associated office	Granted	23/05/2002
TVS01722/16	Relocation of Night Watchmans Caravan	Granted	28/05/2002
TVS01722/14	Relaxation of conditions for temporary period in connection with forthcoming re-surfacing of M27 Motorway Junction 2-3	Granted	04/09/2001
TVS01722/13	Recycling of construction and demolition waste to produce secondary aggregates and soils	Granted	21/07/2000
TVSCLE036	Application for a Lawful Development Certificate	Granted	20/10/1999
TVS1722/11	Retention of Night Watchmans caravan until 22-2-2000	Granted	27/10/1998
TVS1722/10	Retention of weighbridge and associated offices until 28/2/2000	Granted	27/10/1998

TVS1722/8	Retention of weighbridge and associated office	Granted	05/03/1996
TVS1722/9	Retention of Night Watchmans caravan	Granted	05/03/1996
TVS1722/6	Retention of Night Watchmans caravan	Granted	08/03/1995
TVS1722/7	Retention of weighbridge and associated office	Granted	08/03/1995
TVS1722/5	Material change in use of land to allow the importation of inert materials in connection with silt lagoon restoration	Granted	20/10/1995
TVS1722/3	Retention of Night Watchmans caravan	Granted	13/04/1994
TVS1722/4	Retention of site weighbridge and associated office	Granted	13/04/1994
TVS1722/3	Waste disposal	Granted	13/04/1994
TVS1617/3	Tipping of waste materials	Granted	01/04/1987
TVS1617/2	Variation of final restoration contours]	Granted	02/06/1986
TVS4377	Waste disposal	Granted	07/11/1985
TVS4415	Portacabin and weighbridge	Granted	07/09/1984
TVS17722/2	Construction of haul road and access	Granted	16/09/1980
TVS1617	Waste disposal	Granted	03/11/1978
TVS1722/1	Retention of land & buildings for man/storage of concrete	Granted	05/09/1977
TVS1722	Retention of caravan	Granted	23/08/1977
RSR12578	Waste disposal	Refused	11/07/1974
RSR10286	Erection of concrete batching plant and offices	Granted	30/06/1970
RSR3629/1	Construction of conveyor bridge over C227	Granted	16/08/1965
RSR7996	Gravel extraction	Granted	17/03/1965
RSR7773	Extension to repair shop	Granted	20/07/1964
RSR2366	Gravel extraction	Granted	03/02/1956
IDC1316	Gravel extraction	Granted	13/10/1947
TVS.N.007(IDO)	Registration of interim development order permission	Granted	

36. The site is safeguarded through Policy 26 (Safeguarding – waste infrastructure) of [HMWP \(2013\)](#) for recycling including a Materials Recovery

Facility (MRF) and Construction, Demolition, and Excavation (CDE) waste for recycling to secondary aggregate and soil.

The Proposal

37. The proposal seeks to:

- extend the existing recycling site. The extension area is shown on the Proposed Extension and Revised Layout Plan (see **Appendix B**) and is approximately 2.5ha;
- erect a vehicle, plant and skip repair maintenance workshop within the existing site as detailed in the plan;
- provide retrospective planning permission for a picking station on the west side of the existing site adjacent to the existing MRF building;
- increase the allowed number of total vehicle movements to and from the site from 240 vehicles to 350 vehicles of which the number >7.5 tonnes vehicle movements would increase from 160 to 200;
- increase the allowed amount of waste, materials and aggregate imported to the site from combined total of 75,000 tonnes per annum to 125,000 tonnes per annum;
- removal of existing limit on amount of concrete to be exported from the site.

38. The site is already permitted to recycle CDE waste and soils. This was initially granted on a temporary basis in 2000 ([TVS01722/13](#)), renewed for a further temporary period in 2005 ([TVS01722/20](#)), before permanent permission was granted in 2011 ([10/02266/CMAS](#)) for the consolidation of planning permissions and the continued and permanent use of the site for this and other activities.

Extension area:

39. The existing site occupies 1.5ha and the proposed expansion area would be an additional 2.5ha.

40. The applicant has indicated that the additional space provided by the extension would allow improved separation of waste activities which would help improve the separation of associated vehicles from staff and customers allow the site to operate more efficiently.

41. The applicant notes that the closure of the Raymond Brown Rookery Farm (Swanwick) inert recycling facility means that inert waste is currently being diverted to a site near A303, Barton Stacey recycling site and then typically hauled back down to the main Southampton market. The applicant has indicated that the proposed extension would provide capacity for this material to be recycled on site instead reducing haulage requirements on Hampshire roads. The applicant has stated that the overall principal of the proposal is to

manage more waste, further up the waste hierarchy and closer to where it is sourced and the end destination of the recycled product.

42. The extension area would be used for activities that are already permitted by the extant permission.
43. The intended use of the extension area would be for inert recycling operations and for the storage of aggregates, skips and the Ready Mix Concrete (RMC) plant. Moving these operations into the extension area would allow for more space within the current site to increase active waste processing and other site works. The proposed operational area of the extension would be approximately 1.2ha.
44. The **Proposed Extension and Revised Layout Plan (see Appendix C)** shows that an internal access road would link the current and proposed sites.
45. The access road has been designed and orientated in a way to minimise views into the extension area from the south.
46. The surface of the operational area within the extension area would be rolled aggregate, which would be permeable. A roughly rectangular area in southeast corner of the extension would be used for the concrete plant and aggregate bays. The surfacing of this area would comprise an impermeable concrete pad. Separate bays would be formed through the use of concrete block push walls. A black line can be seen to define this area on the **Proposed Extension and Revised Layout Plan (see Appendix C)**.
47. The proposed extension would allow Heavy Good Vehicles (HGVs) currently parked to the rear of the MRF on the existing site to be moved to the extension area. The existing car park could then be dedicated to staff vehicles. As part of the extension area plans, the applicant is proposing to improve the access and create a new replacement parking area for the adjacent paintball site. The paintball site is currently accessed via the separate perimeter driveway running parallel with Lee Lane. The new car park and access roads will be surfaced with rolled aggregate
48. A 3 metre high ecologically enhanced screening bund would be constructed around the perimeter of the operational area. The bund in the southeast of the extension area would require removal of the existing paintball site car park. The bund would be formed through utilising soils that exist on the extension area and, if needed, imported into the site. Tree and scrub planting is also proposed in the bund and ecological receptor sites are proposed outside of the bund as well as immediately adjacent of the existing site. The existing tree line around the proposed site and the woodland that borders the existing site would continue to be retained and managed. The applicant has previously secured control of the woodland adjacent to the existing site. This woodland will be retained and managed for the duration of the use of the site and in accordance with the existing approved Woodland Management Plan.

49. Drainage has been designed to mirror the approved drainage scheme within the current site, which largely comprises a soakaway system through permeable surfacing.
50. Limited lighting is proposed within the extension area. Lighting would only be used within the existing permitted operating hours in periods of darkness.
51. The site extension and proposed activities would need operate in accordance with the existing Environmental Permit (GB3406LN/V/002) for the existing site. An application to vary the permit to cover the additional area will need to be submitted to the Environment Agency by the applicant.

Vehicle, plant and skip repair maintenance workshop:

52. The proposal also includes a dedicated maintenance workshop within the existing site to ensure all plant and vehicles operate efficiently. It would be sited in the place of the current RMC plant.
53. The pitched roof building would have a footprint of 26m by 22m, with a height of 6.87m to the eaves and 9.17m to the ridge. An **Elevation Plan** is included in the planning application.
54. It would be located immediately on the right-hand side as the site is entered as shown in the **Proposed Extension and Revised Layout Plan (see Appendix C)**
55. The building, including the roof, would be coloured olive green. Additional tree and scrub planting is proposed to the south and east of the proposed workshop building.

Retrospective planning permission for a picking station:

56. The applicant states the retrospective application for the picking station would provide numerous benefits, including health and safety (through a reduction in manual handling), operational efficiency, an increase in on-site processing and therefore a reduction in vehicle movements for transfer waste and improved recycling rates.
57. The picking station is located adjacent to the existing MRF building. The plant, including conveyors, is 56m in length of which includes a 30m long, two story high structure with an enclosed picking area above separated storage bays.
58. The plant has recently been updated to include a dust suppression unit. Other modifications to eliminate dust escaping to the adjacent woodland include a covered fines bay and a chute has been added to the incline conveyor.

Increase in number of total vehicle movements to and from the site:

59. Extant planning permission [14/00024/CMAS](#) restricts vehicle movements to no higher than 240 per day to and from the site. A maximum of 160 of these movements can be by vehicles exceeding 7.5 tonnes in weight.

60. The applicant states that in 2020 there were an average of 215 vehicle movements per day, 95 of which were >7.5 tonnes.

61. The proposal is for the total number of vehicles to increase to 350 and to uplift the restriction >7.5 tonnes vehicles from 160 to 200.

Annual throughput of material:

62. Extant planning permission [14/00024/CMAS](#) restricts the existing operations to no more than a combined total of 75,000 tonnes of waste, materials and aggregate imported to the site per annum. The applicant reports in 2020, a total of 48,000 tonnes of material were imported to the site.

63. The proposals would allow for an increased throughput to 125,000 tonnes per annum.

Removal of concrete production limit:

64. The extant planning permission has a limit placed on on-site concrete production of 30m³ (60) tonnes and no more than 20 concrete blocks (one lorry load) per day. The reason stated in the decision notice for the condition was to limit the intensity of activities on the site and thereby associated amenity impacts. The applicant has requested that that this condition be removed on the basis that spreading the existing site activities over wider area would reduce the intensity of activities from the site.

Existing planning conditions:

65. There would be no change to the existing hours of operations. Commercial vehicles are restricted from entering or leaving the site except between 0630-1930 Monday to Friday and 0700-1300 Saturday. No plant or machinery is allowed to be operated except between the following hours: 0700-1800 Monday to Friday and 0700-1300 Saturday. Working on Sundays or recognised Public Holidays is not allowed.

66. The applicant intends for other existing conditions remain unaltered and apply to the both the existing site and proposed extension. These may need to be updated in any list of recommended conditions to reflect the latest details or to address new conditions.

Other matters:

67. The applicant states the proposal is expected to increase the number of jobs at the site from 21 to 30 full time employees.

68. There is an existing site liaison panel. The panel meets on an as needed basis and the last meeting was on 28 September 2022 at the request of Councillor Adams-King.

Environmental Impact Assessment

69. The proposed development has been assessed under [Town & Country Planning \(Environmental Impact Assessment\) Regulations 2017](#). Screening under the EIA Regulations has been carried out on the proposed development as supplied. The development is classified as a Schedule 2 development as it falls within Category 13 (b), Changes and extensions, of a Category 11 'Other Projects' development, (b) Installations for the disposal of waste (unless included in Schedule 1). The existing site is greater than 0.5 hectares and also within 100m of controlled waters. However, whilst being identified under the Regulations, it is not deemed an EIA development requiring an Environmental Statement.

Development Plan and Guidance

70. Paragraph 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.

71. 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.

72. For the purposes of this application, the statutory development plan comprises the following:

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

73. The following policies are relevant to the proposal:

- Policy 1 (Sustainable minerals and waste development);
- Policy 3 (Protection of habitats and species);
- Policy 5 (Protection of the countryside);
- Policy 8 (Protection of soils);
- Policy 9 (Restoration of quarries and waste developments);
- Policy 10 (Protecting public health, safety and amenity);
- Policy 11 (Flood risk and prevention);
- Policy 12 (Managing traffic);
- Policy 13 (High-quality design of minerals and waste development);
- Policy 17 (Aggregate supply – capacity and source);

- Policy 18 (Recycled and secondary aggregates development);
- Policy 25 (Sustainable waste management);
- Policy 26 (Safeguarding - waste infrastructure);
- Policy 27 (Capacity for waste management development);
- Policy 29 (Locations and sites for waste management); and
- Policy 30 (Construction, demolition and excavation waste development).

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

74. Hampshire County Council and its partner Authorities (Southampton City Council, Portsmouth City Council, New Forest National Park Authority and South Downs National Park Authority) are working to produce a partial update to the Hampshire Minerals and Waste Plan (2013) which will guide minerals and waste decision making in the Plan Area up until 2040. The partial update to the Plan will build upon the adopted Hampshire Minerals and Waste Plan (2013), eventually providing new and updated policies based on up-to-date evidence of the current levels of provision for minerals and waste facilities in the Plan Area. Plan making is currently at the initial [Regulation 18 draft plan consultation stage](#) (for 12 weeks between the 8 November 2022 and 31 January 2023). The update to the Plan and its associated policies are only emerging policy. As stated in Paragraph 48 of the [National Planning Policy Framework \(2021\)](#) (NPPF), this means that the policies cannot be given any weight in decision making at this early stage. However, where proposed changes relate to making current policies more consistent with the NPPF then these NPPF changes should be given consideration.

75. The following draft and emerging policies are of the relevance to the proposal:

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

- Policy 18: Recycled and secondary aggregates development;
- Policy 25: Sustainable waste management;
- Policy 27: Capacity for waste management development;
- Policy 29: Locations and sites for waste management; and
- Policy 30: Construction, demolition and excavation waste development.

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

76. The following policies are relevant to the proposal:

- Policy COM2: Settlement Hierarchy;
- Policy E1: High Quality Development in the Borough;
- Policy E2: Protect, Conserve and Enhance the Landscape Character of the Borough;
- Policy E5: Biodiversity;
- Policy E7: Water Management;
- Policy E8: Pollution;
- Policy LHW4: Amenity;
- Policy T1: Managing Movement; and
- Policy T2: Parking Standards.

77. Other areas of policy and guidance of relevance of to the proposal include:

[National Planning Policy Framework \(2021\) \(NPPF\)](#)

78. The following paragraphs are relevant to this proposal:

- Paragraphs 10-12: Presumption in favour of sustainable development;
- Paragraphs 38, 47: Decision making and determination;
- Paragraphs 55 – 56: Planning conditions;
- Paragraphs 81: Support of sustainable economic growth;
- Paragraphs 84-85: Rural economy;
- Paragraphs 110-113: Sustainable transport;
- Paragraphs 126-136: Design;
- Paragraphs 174: Contributions and enhancement of natural and local environment; and
- Paragraphs 183-188: Ground conditions and pollution.

National Planning Policy for Waste (2014) (NPPW)

79. The following paragraphs are relevant to the proposal:

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

National Waste Planning Practice Guidance (NWPPG)

80. The following paragraphs are relevant to the proposal:

- Paragraph 07 (Self-sufficient and proximity principle) (16 October 2014);
- Paragraph 046 (Need) (16 October 2014);
- Paragraph 050 (Planning and other regulatory regimes) (16 October 2014); and
- Paragraph 051 (Role of Environmental Permit) (16 October 2014).

Consultations

81. 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'.

82. **County Councillor Adams-King:** Has no objection subject to concerns regarding highway safety, particularly potential conflict with the Lee Lane cycle route, being addressed, the introduction of a system by which the number of lorry movements to and from the site can be controlled by the applicant (other than vehicles being turned away from the site) and continuation of the Liaison Panel.

83. **Test Valley Borough Council:** Objects to the proposal as the proposed recycling centre and car park extension is contrary to Policy COM2 of the Local Plan and therefore, consider that the proposal represents unjustified development of countryside land.

84. **Test Valley Borough Council Environmental Health Officer (EHO):** Has no objection to the proposal. Requested conditions to ensure:

- existing conditions for the protection of amenity is retained;
- to ensure site lighting is turned off when the site is not in use;
- amenity bund surrounding extension area be completed as soon as is practicable;
- application of dust management to construction of bund around extension area; and
- Compliance with noise management plan.

Initial consultation response identified potential air quality impacts from the proposed increase in vehicles, in particular along Station Road - an Air Quality Assessment was recommended. Noted that the increase in traffic noise would likely be insignificant in terms of cumulative average traffic noise but additional vehicle movements themselves may well be noticed by residential properties on Station Road to the south. Considered risk of noise and dust emissions from the site to residential amenity as unlikely to be significant. Also noted site currently operates under an Environmental Permit issued by the Environment Agency. Raised issue of potential for contaminated land in area to be excavated for new workshop given apparent fill history of the site.

Later confirmed potential concerns over air quality impact were addressed in Air Quality Assessment subsequently submitted by applicant.

85. Nursling and Rownhams Parish Council: Has objection due to:

- loss of countryside due to expansion of site;
- impact of additional traffic in particular on Lee Lane and Station Road with concerns raised about suitability of road to withstand weight and frequency of traffic. Referenced narrowness of actual or effective width on Station Road (once parked cars are taken into account) and noise and vibration impacts on quality of life. Noted other commercial traffic also used the route along Station Road;
- impact on noise and air pollution in area; and
- environmental impact on wildlife and water quality noting location of River Test SSSI.

Considered it was not possible to mitigate against impacts of site expansion.

86. Romsey Extra Parish Council: Has objection due to:

- inappropriate expansion for the location;
- proposal infringes on the amenities of Lee Lane; and
- traffic will increase for those living to south of application site.

Response was not received directly by Minerals and Waste Planning Authority from Parish Council but was summarised via the Test Valley Borough Council consultation response.

87. Natural England: Has no objection. Based on the plans submitted, Natural England considered that the proposed development will not have significant adverse impacts on designated sites.

Initial response stated that without appropriate mitigation the application would impact the River Test SSSI. Recommended utilisation of a Sustainable Drainage System (SuDS) and adherence to the submitted drainage plan, the environmental mitigation plan and the dust management plan. Additional

drainage details were submitted including a SUDS. These revised drainage plans were reviewed by the Local Lead Flood Authority (see below).

88. **Environment Agency:** Has no objection subject to a condition requiring remediation actions necessary if contamination is found. Noted the site is located on ground that has previously been infilled, which means it is possible that some contamination may be encountered during the development. Also noted:

- infiltration drainage features should not be located in any areas of contaminated land;
- refuelling activities and storage of pollutants should protect groundwater including controlling and containing drainage from refuelling facility areas; and
- Any storage or processing of any non-inert waste stream that may be brought onto the site should take place on hardstanding and drain to a sealed drainage system with adequate capacity.

89. **National Grid:** Has no objection. Based on the location entered into the system for assessment, the area has been found to not have transmission apparatus.

90. **Southern Electric:** Was notified.

91. **Local Highway Authority:** Has no objection and is satisfied that with the proposed mitigation measures, the highway impacts of the proposal are acceptable subject to a Section 106 Agreement to secure the a Financial contribution of £15,000 to be used to bring forward enhanced on Station Road as well as planning conditions relating to widening works, HGV vehicle movements, sheeting of vehicles, preventing mud and debris on the road and the submission of a Construction Traffic Management Plan.

Initial response requested Personal Injury Accident (PIA) taken from Hampshire Constabulary for the previous 5 years. Also requested Swept Path Analysis to understand impact of increased number of HGVs passing on narrow sections of Lee Lane (between site entrance and junction of Upton Lane/Church Lane) noting the use of the road as by cyclists (10% of recorded movements from Transport Statement).

Subsequently, additional PIA data was submitted as well as Swept Path Analysis. The latter demonstrated sections of Lee Lane (south of the site) which would not allow two 16.5m articulated HGVs to pass one another without overrunning the verge. It was also noted there were sections of the existing site bellmouth and on Lee Lane (south of the site) with overrunning on the grass verge of the highway.

Based on the PIA and Swept Path Analysis data the applicant was requested to submit a road improvement scheme proposals for mitigating the likelihood of

HGVs coming into conflict with one another (or other road users) and minimize the likelihood of excess mud being tracked on to the road in wet weather.

The applicant submitted the required information at which point the Highway Authority required some additional passing places to be provided. The applicant has submitted further topographical survey information showing four locations for road widening to allow HGVs to pass, and an associated Stage 1 - Road Safety Audit. The proposal was acceptable to the Highways Authority.

92. **Lead Local Flood Authority (LLFA):** Has no objection. Initially requested additional information on infiltration rates to support use of the proposed permeable gravel surfaces, swales, and soakaways. Also requested a more detailed drainage strategy. These details were provided by the applicant.

93. **County Landscape Architect (Hampshire County Council):** Has no objection. Initially stated main landscape reservation related to the proposed extension of this site relates to the impact on the surrounding rural roads and the further downgrading of their rural character along with the direct impacts on verges and vegetation either side of Lee Lane, from increased numbers of large vehicles using this rural lane.

Noted the proposed layout and mitigation of the proposal should allow the development to be absorbed on the immediate site with little visual or landscape impact. The main area of concern are views from Church Lane and Nursling Churchyard. Stated that additional planting along the southern boundary of the site should be able to reduce these views.

Requested proposed planting to have additional trees added to the mixes, around the bunds of the extension site, in front of the new building and along the southern boundary.

A revised planting plan was submitted by the applicant to address the above request and was acceptable to the County Landscape Architect.

94. **County Ecologist (Hampshire County Council):** Has no objection subject to a condition that requires implementation of the revised Environmental Mitigation Management Plan and revised Landscape Ecological Mitigation and Enhancement Plan.

Initially noted that survey work for reptiles, badgers, and bats were complete but further surveys for Great Crested Newts and nesting birds were required. Also recommended an amend proposed planting plan and inclusion of measures to protect dormouse from harm or injury. These were addressed in further submissions by the applicant.

95. **County Arboriculture (Hampshire County Council):** Has no objection subject to condition that requires submission of arboricultural method statement that would demonstrate how the bund would be constructed without causing wider harm to the nearby vegetation. Further stated any arboricultural mitigation must include how the root protection areas of retained trees will be

protected and preserved, how the site levels will be managed, what tree pruning is required, how issues such as contaminated run-off and dust suppression are to be achieved.

Initially commented on potential impact of development on mature woodland to west and had questions on ownership of woodland. Asked for additional information on proposed planting stock.

The applicant provided additional details to clarify the ownership and a planting plan.

96. Public Health (Hampshire County Council): Was notified.

Representations

97. Hampshire County Council's [Statement of Community Involvement \(2017\)](#) (SCI) sets out the adopted consultation and publicity procedures associated with determining planning applications.

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

- Published a notice of the application in the [Hampshire Independent](#);
- Placed notices of the application at the application site and local area;
- Consulted all statutory and non-statutory consultees in accordance with [The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#); and
- Notified by letter all residential properties within 100 metres of the boundary of the site and additional properties on Church Lane to the west of the site.

99. As of 3 January 2023, a total of 22 representations (16 respondents) to the proposal have been received and objected to the proposal. A petition was also received with 20 names objecting to the application. The main areas of concern raised in the objections related to the following areas:

- impact on wildlife;
- impact of the site and its activities on the rural location;
- the development is out of character in the rural area and should be located in an industrial, not a rural location;
- impact of lighting associated with the development especially at night;
- Impact on the amenity of local residents;
- noise and vibration impacts from traffic (in particular on Station Road) and site operations;
- impact on air quality;
- local roads not suitable for additional HCV movements (in particular Weston Lane, Station Road, Lee Lane);

- lack of environmental net gains (habitat and landscaping);
- increase in traffic and HCV traffic using local roads (especially regarding Station Road);
- impact on vulnerable road users (pedestrians and cyclists) using Lee Lane/Station Road;
- lack of public consultation;
- inaccurate information submitted as part of the planning application (i.e. the access route stated in the planning statement); and
- impact on house prices.

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

Habitats Regulation Assessment [HRA]

101. The [Conservation of Species and Habitats Regulations 2017](#) (otherwise known as the 'Habitats Regulations') transpose European Directives into UK law.
102. In accordance with the Habitats Regulations, Hampshire County Council (as a 'competent authority') must undertake a formal assessment of the implications of any new projects we may be granting planning permission for e.g. proposals that may be capable of affecting the qualifying interest features of the following European designated sites:
- Special Protection Areas [SPAs];
 - Special Areas of Conservation [SACs]; and
 - RAMSARs.
103. 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.
104. It is acknowledged that the proposed development includes environmental mitigation essential for the delivery of the proposed development regardless of any effect they may have on impacts on European designated sites.
105. The applicant submitted a shadow HRA to screen for the possible impacts from the development. The shadow HRA did not identify any pathways with the potential to result in likely significant effects on European Sites
106. The HRA screening hereby carried out by the MWPA considers the proposed development to have **no likely significant effect** on the identified European designated sites due to:

- It is not located at a distance to be considered to have proximity to directly impact on the European designated sites;
- The site is not considered to have any functional impact pathways connecting the proposed works with any European designated sites; and
- The proposal does not have any significant increase on any adverse impacts the wider site may have.

Climate Change

107. 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.
108. *Policy 2 (Climate change - mitigation and adaption)* of the [HMWP \(2013\)](#) states that developments should minimize their impact on the causes of climate change and vulnerability and resilience to the impacts of climate change. This includes through the selection of location and design to reduce emission, utilisation energy recovery facilities and low carbon technologies, and avoiding areas vulnerable to climate change and flood risk if the risk cannot be mitigated.
109. The Planning Statement briefly addresses climate change. In particular, the statement emphasises the reduction in CO₂ that would result from reduced transportation miles. The applicant states that material previously processed at the Rookery Farm inert recycling facility (Swanwick) is currently being hauled for processing at their A303 Enviropark site before being hauled to the Nursling site for sale to the Southampton area market. It states that processing on the Southampton site would result in a reduction in vehicle mileage although no estimates of mileage saved have been provided and so this claim cannot be scrutinized. Officers are aware of some processing of secondary aggregate currently occurring at the existing Nursling site although the amount of material able to be stockpiled and processed is constrained by the size of the existing site.
110. The supporting text for Policy 2 (Paragraph 4.7) notes that the location of development adjacent to local markets may provide opportunities to reduce emissions from transport.

111. In general, the proposal is considered to be in accordance with Policy 2 (Climate Change – mitigation and adaptation) of the [HMWP \(2013\)](#) though the extent to which this influences the overall recommendation is limited due to lack of specific evidence.

Commentary

Principle of the development

112. *Policy 27 (Capacity for waste management development)* of the [HMWP \(2013\)](#) supports additional capacity to be created in order to maintain and provide additional capacity for the non-hazardous recycling and recovery. The policy identifies four potential locations categories for recycling sites and includes Part a) the use of existing waste management sites, and Part b) extension of suitable sites. When considering the extension of suitable sites, the extension must be ancillary to the operation of the existing site and improve current operating standards. The supporting text (paragraph 6.180) states that in cases of developments on existing waste management sites, cumulative impacts will need to be taken into account, and applicant should explain how proposals will enhance operating standards or reduce the amount of waste sent for landfill.
113. *Policy 25 (Sustainable waste management)* of the [HMWP \(2013\)](#) supports developments that will result in movement of wastes up the hierarchy, reduce the amount of residual waste sent to landfill, be located near sources of waste and markets for use opportunities, and to share infrastructure at existing sites. However, it also states co-location of activities should not result in intensification of uses that would cause unacceptable harm to the environment or communities in a local area (including access routes), or prolong unacceptable impacts associated with the existing developments.

Picking station:

114. The extant planning application for the site allows for the importation and processing of waste (e.g. skip waste). Before the introduction of the picking station subject to retrospective planning permission, the waste was imported to the existing MRF building where it was subject to a primary sorting before being bulked for collection and removal offsite. The picking station allows for a more specific sorting of the imported waste. The applicant states that this provides numerous benefits, including health and safety (through a reduction in manual handling), operational efficiency, an increase in onsite processing and therefore a reduction in vehicle movements to transfer waste, and improved recycling rates.

Extension of site:

115. The proposed extension area would host the processing of waste concrete and soils, and manufacture of concrete. The expansion would allow more space for additional concrete and soils to be screened or crushed on site. These activities are also currently allowed at the existing site under the

extant planning permission. The new access driveway and parking area for the adjacent paintball facilities are required to mitigate the impact of the proposed extension on the existing parking and access to the paintball facility. The proposal would see the existing parking facility incorporated into an access driveway or be landscaped as part of the bund/restored grassland on the east of the expansion area.

Increase in capacity limits (vehicles and tonnage):

116. The extant planning permission includes conditions which limit the waste processing capacity of the existing site through maximum limits on the number of vehicles trips and the tonnage of waste and materials. The proposal seeks to increase both the number of vehicle trips (including HGVs over 7.5 tonnes) and the waste and material throughput. The applicant has provided figures for 2020 that suggests the daily vehicle limit is close to being reached but that there is still some headroom before the maximum number of HGVs <7.5 tonnes is reached. However, the number of vehicles <7.5 tonnes would have to decrease to accommodate the allowable HGV limit. The extant planning permission also limits the amount of concrete that can be exported from the site in a day to 60 tonnes and 60 concrete blocks (equivalent to one HGV load) – the applicant has requested that this limit be removed entirely.
117. The extant planning permission states that limits on the number of vehicles, including by size, was for highway safety and for policies relating to public amenity and traffic impacts (Policies 10 and 12 of [HMWP \(2013\)](#) respectively). The reason for the limit on tonnage was in order to control the scale of the development and policy relating to public amenity impacts (Policy 10 of the [HMWP \(2013\)](#)). The reason for the limit on concrete production was stated as being to prevent intensification of activities at the site in the interests of local amenity and to ensure the development is in accordance with Policy 10 of [HMWP \(2013\)](#). These conditions were first added under Planning Permission [10/02266/CMAS](#) which consolidated all site activities under one planning permission.
118. Prior to the granting of planning permission [10/02266/CMAS](#), the site was operating under a number of planning permissions (both temporary and permanent) addressing the various activities occurring on the site and also a Certificate of Lawful Use (CLU). The granting of [10/02266/CMAS](#) consolidated all permitted activities and saw the CLU surrendered through a legal agreement. The latter was of particular importance in considering that earlier application since the lack of planning control over the uses already permitted by the CLU meant there were no restrictions on hours of working or lorry movements (although there were such restrictions for waste recycling permitted under the previous temporary consents which were soon to expire).
119. The elements of the proposal to expand the site and the addition of the picking station are in accordance with Policies 25 (Sustainable waste management and 27 (Capacity for waste management development) of the

[HMWP \(2013\)](#). However, as described in the above policies, the impacts of the proposed increase in vehicle numbers, increase in tonnage of waste and materials, and removal of the limitation on concrete exported must be further analysed to determine if they are in accordance with other policies. This analysis is provided in the relevant sections of the commentary below. Whilst the [update to the HMWP](#) cannot be given any policy weight in decision making (as it is emerging and only at a very early stage in the process), the proposal is considered to meet the requirements of emerging Policies 25 and 27.

120. Whether the proposal is considered to be a sustainable waste development, in accordance with Policy 1 (Sustainable waste development) of the [HMWP \(2013\)](#) will also be considered.

Demonstration of need and capacity for waste management

121. Policies 17 (Aggregate supply – capacity and source) and 18 (Recycled and secondary aggregates) of the [HMWP \(2013\)](#) both support developments, which will contribute to and invest in infrastructure for the provision of alternative sources of aggregate to marine and land-won. Policy 30 (Construction, demolition, and excavation waste development) also supports the recovery of construction, demolition and excavation waste for high quality/secondary aggregates.
122. The **Planning Statement** explains that the Rookery Farm inert recycling facility has recently closed and the hardcore material (around 10,000 tonnes per annum) that was taken to Rookery Farm had to be diverted for processing near Andover and then typically hauled back down to the main Southampton market. The applicant indicates that the proposed extension would allow for this material to be brought into the Nursling site and would be recycled on site. This is stated as lowering haulage requirements on Hampshire's roads and allow for an increased amount of material to be recycled in the existing site. The applicant also states inert soil and stone is currently sent to inert landfill at Brickworth and consider that up to 95% of that material is recyclable. They explain that the expansion will enable this material to be brought to Nursling with an anticipated 5,000 tonnes per annum reduction in material being disposed of at landfill.
123. It should be noted that the use of the landfill referenced above would be associated with the required restoration activities for existing quarries, and are serving a necessary role in the extraction of high quality land-won aggregates.
124. The proposal is in accordance with Policies 17 (Aggregate supply – capacity and source), 18 (Recycled and secondary aggregates) and 30 (Construction, demolition and excavation waste development) of the [HMWP \(2013\)](#). Whilst the [update to the HMWP](#) cannot be given any policy weight in decision making (as it is emerging and only at a very early stage in the process), the proposal is considered to meet the requirements of emerging Policies 17, 18 and 30.

Development in the countryside and location

125. *Policy 5 (Protection of the countryside)* of the [HMWP \(2013\)](#) states that minerals and waste development in the open countryside, outside the National Parks and Areas of Outstanding Natural Beauty, will not be permitted unless it is a time-limited mineral extraction or related development; or the nature of the development is related to countryside activities, meets local needs or requires a countryside or isolated location; or the development provides a suitable reuse of previously developed land, including redundant farm or forestry buildings and their curtilages or hard standings. The policy also includes an expectation that the highest standards of design, operation and restoration will be met and there will be a requirement that it is restored in the event it is no longer required for minerals and waste use.
126. *Policy 29 (Locations and sites for waste management)* of the [HMWP \(2013\)](#) provides the framework for the location of new waste sites in Hampshire. Parts 1 of the policy addresses proximity to urban areas, strategic road corridors or major new or planned development, and Part 2 relates to the status of the land to be developed. Parts 1 and 2 of the policy are read together. Sites which do not meet the requirements of Parts 1 and 2 should be considered against the requirements of Part 3. Part 3 requires good transport connection to sources and markets for waste, and a special need for the specific location. Appropriateness of the proposal in the setting is also a consideration under the policy.
127. Policy COM2 (Settlement Hierarchy) of the [TVBRLP \(2016\)](#) identifies boundaries of existing settlements in the Borough and states that development outside of the identified settlement will only be permitted if it is either appropriate to the countryside as set out under exception policies, or it is essential for the proposal to be located in the countryside.
128. The location of the existing site is located in an area of former mineral working and landfill. This was then redeveloped for other waste uses including the consolidated planning permission [10/02266/CMAS](#).
129. Nursling and Rownhams Parish Council (N&RPC) have stated that the proposed development would result in loss of countryside and result in further urbanisation of the Parish.
130. The Test Valley Borough Council (TVBC) consultation response note that the proposed workshop building would be permitted under Policy COM2 if it was found to meet exception Policy LE17 (Employment sites in the countryside). Policy LE17 allows redevelopment, extension of buildings or erection of new buildings on existing employment sites for employment use provided that it is contained within a lawful employment site; the proposal is well related to any retained building, and does not include outside storage where this could be visually intrusive. TVBC did not further comment

following inclusion of the picking station in the application, but this would be subject to the same criteria as the workshop.

131. TVBC do not consider the site expansion to meet any of the required exceptions under COM2. The exception policies are silent on situations where existing sites wish to expand. However, Paragraph 6.92 of [TVBRLP \(2016\)](#) which supports Policy LE17 acknowledges that there are existing employment sites in the countryside and proposals for redevelopment or intensification can take place within the boundary provided that it does not result in significant harm to the landscape and deals with the whole site. It goes on say that proposals which involve extension of the site boundary into the countryside should be considered on their individual merits and that open storage can be permitted if it is not visually intrusive.
132. The principle of the addition of the picking station and construction of the new workshop building on the existing site is acceptable provided other policies related to design and operation are satisfied. The workshop and picking station would be located on Previously Developed Land (PDL) and therefore satisfy Part c) of Policy 5 of the [HMWP \(2013\)](#).
133. Paragraph 4.37 of the supporting text for of Policy 5 of the [HMWP \(2013\)](#) identifies that some large-scale waste uses that require open sites are difficult to accommodate in urban areas. It states that while waste uses that are not linked to natural occurrence of minerals should be located in urban areas, it also acknowledges that it is not always feasible on amenity grounds. Paragraph 4.38 of [HMWP \(2013\)](#) also acknowledges that appropriately managed waste developments are important to support employment and services in rural areas. The applicant states that the increased capacity would generate an additional 9 jobs in addition to the 21 existing jobs on the site.
134. The extension of the site will use land currently considered to be countryside. While the extension area is described as a previously a restored quarry site (although it does not appear in the Defra database of former landfills), based on the NPPF definition of previously development land (PDL) it is considered an undeveloped, greenfield site. However, the existing site is well established and currently serving the Southampton area in terms of waste processed and recycled aggregate and concrete sold. The concrete crushing/screening activity would be of a scale that would benefit from a more isolated location and it is therefore considered to meet a local need/isolated location therefore meeting Part b) of Policy 5 of the [HMWP \(2013\)](#).
135. The consistency with the [HMWP \(2013\)](#) on development in the countryside also provides weight in determining the merits of expansion of the site under Policy COM2 of the [TVBRLP \(2016\)](#). The Borough Council have objected indicating that the proposal does meet the exceptions directly in the policy. However, no reference has been made by Borough Council to the supporting text of the policy which recognises site expansions and says they should be treated on their own merits having particular regard to visual intrusion.

136. Regarding Policy 29 of the [HMWP \(2013\)](#), the addition of the picking station and development of the workshop will take place on the existing site and so meets the locational requirements of Policy 29 Part 1(ii) and Part 2(c). The extension site is located along a Strategic Road Corridor (the M27), meeting Part 3a of the policy, and in terms of proximity to urban areas is just outside the urban area of Southampton and in relatively close proximity to Romsey. The site also has good proximity to sources of waste and in particular the Southampton urban area market. Paragraphs 6.205 of the [HMWP \(2013\)](#) recognises that recycling and recovery activities '*will largely take place in the open*' and such activities are not '*easily assimilated in built areas*'. As an extension to an existing site on the urban fringe, making use of the existing infrastructure in a relatively isolated setting suitable for open air recycling of inert waste, it is considered that a special need for the location required by Policy 29, Part 3b is on balance met. The proposed ancillary development facilitates the operations of an existing facility, thereby reducing amenity impacts.
137. The applicant has also submitted an Alternative Sites Assessment which reviews other potential locations for the proposed site expansion. The assessment initially searches for sites that would comply with the locational requirements of Policy 29 (Locations and site for waste management) of [HMWP \(2013\)](#). A short-list of six sites was identified for more detailed investigation. For reasons of site size, cost, suitability for CDE waste operations, distance from existing site, and surrounding land uses, the Assessment concluded the proposal for the extension of the existing site was justified. The Minerals and Waste Planning Authority has reviewed this assessment and is satisfied with its findings.
138. On balance, the proposal is considered to be in accordance with Policy 5 (Protection of the Countryside) of the [HMWP \(2013\)](#) as well as Policy COM2 (Settlement Hierarchy) (including supporting text) of the [TVBRLP \(2016\)](#). The extension element of the proposal is in accordance with the relevant parts of Policy 29 of the [HMWP \(2013\)](#). Whilst the [update to the HMWP](#) cannot be given any policy weight in decision making (as it is emerging and only at a very early stage in the process), the proposal is considered to meet the requirements of updated Policy 5.

Visual impact and landscape

139. *Policy 13 (High-quality design of minerals and waste development)* of the [HMWP \(2013\)](#) requires that minerals and waste development should not cause an unacceptable adverse visual impact and should maintain and enhance the distinctive character of the landscape. The design should be appropriate and should be of high-quality and contribute to sustainable development. This reinforces the requirement of *Policy 5 (Protection of the countryside)* of the [HMWP \(2013\)](#) for highest-quality design. In addition, *Policy 10 (Protecting public health, safety and amenity)* of the [HMWP \(2013\)](#) protects residents from unacceptable adverse visual impact.

140. Policies E1 (High quality development in the Borough) and E2 (Protect, Conserve and Enhance the Landscape Character of the Borough) of the [TVBRLP \(2016\)](#) address visual impacts of the proposed developments.
141. The development site sits within the 'Lower Test Floodplain' Landscape Character Area. The relevant parts of the Landscape Character Assessment describe this area as:

'South of Romsey there is a strong rural character around the hamlet of Lee with a lack of development on the valley floor which also continues down to the M27',

142. The applicant has submitted a **Landscape and Visual Appraisal** which assess the impact of the proposal on the character of the landscape. A **Landscape and Ecological Mitigation and Enhancement Plan (LEMEP)**, and **Proposed Planting Plan (PPP)** was also submitted by the applicant.
143. The County Landscape Architect has reviewed the proposal, and subject to the additional screening of the site by the proposed 3m bunds and site planting, the proposal is considered acceptable. The colour of the workshop building is proposed to be olive green to reduce the visual impact and would be in keeping with the colour of the existing office, weighbridge and MRF buildings – a condition to this effect is recommended. A condition requiring the implementation of the proposed planting is also recommended in **Appendix A**.
144. The County Arboriculturist has also reviewed the proposal and no objection has requested a condition be added that requires submission of an Arboricultural Method Statement and Tree Protection Plan to ensure new planting is maintained and existing planting on the site is adequately protected. A pre-commencement condition to this effect and addressing specific areas of concern provided in the consultation response is set out in **Appendix A**.
145. The existing Woodland Management Plan (as set out under planning permission ([14/00024/CMAS](#)) for woodland to the west of the existing site will be continued and will be added as an advisory note to the applicant in **Appendix A**.
146. A condition requiring implementation of the LEMEP is set out in **Appendix A**.
147. Based on the proposed mitigation and planning conditions proposed, the proposal is in accordance with Policies 13 (High-quality design of minerals and waste development), 5 (Protection of the Countryside) and 10 (Protecting public health, safety and amenity) of the [HMWP \(2013\)](#), and Policies E1 (High quality development in the Borough) and E2 (Protect, Conserve and Enhance the Landscape Character of the Borough) of the [TVBRLP \(2016\)](#). Whilst the [update to the HMWP](#) cannot be given any policy weight in decision making (as it is emerging and only at a very early stage in

the process), the proposal is considered to meet the requirements of updated Policies 5, 11 (Protecting public health, safety, amenity and well-being) and 14 (High-quality design of minerals and waste development).

Soil Protection

148. *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. *Policy 5 (Protection of the Countryside)* requires that sites within open countryside are restored once the waste use ceases.
149. The majority of the surface of the operational area within the extension area would be rolled aggregate, which would require replacement of the existing top soil. The applicant has stated that the bunds would be created from soils currently in-situ in the extension area, and if needed, imported to the site.
150. A condition on the handling of existing soils is recommended and is set out in **Appendix A**.
151. On the basis of the recommended condition, the proposal is in accordance with Policy 8 (Protection of soils) of the [HMWP \(2013\)](#). Whilst the [update to the HMWP](#) cannot be given any policy weight in decision making (as it is emerging and only at a very early stage in the process), the proposal is considered to meet the requirements of updated Policy 9 (Protection of soils).

Cultural and Archaeological Heritage

152. *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.
153. While some Listed Buildings are identified in the wider area around the site, they will be sufficiently distant and screened from the site for their setting not to be adversely impacted by the proposed development.
154. The proposal is in accordance with Policy 7 (Conserving the historic environment and heritage assets) of the [HMWP \(2013\)](#). Whilst the [update to the HMWP](#) cannot be given any policy weight in decision making (as it is emerging and only at a very early stage in the process), the proposal is considered to meet the requirements of updated Policy 7.

Ecology

155. *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.
156. *Policy E5 of the TVBRLP (2016)* aims to ensure that development conserves, and where possible restore and/or enhance biodiversity.
157. N&RPC and some public representations raised concerns about potential ecology impacts from the proposed development. The potential impact to the Test Valley SSSI, net losses in habitat and concern over the appropriateness of the mitigation methods were specifically mentioned. These concerns are acknowledged.
158. The applicant has submitted an **Ecological Appraisal**, and a number of species specific reports (reptiles, bats, plant communities, Great Crested Newts). The Ecological Appraisal focusses on the extension area as the existing site including where the workshop and picking station will be located is fully developed.
159. The achievement of Biodiversity Net Gain (BNG) is not currently mandatory, although maximising the net gain from all developments is encouraged by the Minerals and Waste Planning Authority. Specific Biodiversity Net Gain calculations using the DEFRA BNG Metric were not included in the Ecological Appraisal and there is currently no requirement to use the DEFRA Metric to quantify the level of net gain delivered. Additional habitat is being created as part of the mitigation/enhancements measures proposed. The County Ecologist and Natural England did not cover any BNG requirement in their responses and as there is not specific policy requirement for it (within the HMWP and TVBCLP at this stage) and BNG is not mandatory, BNG does not formally need to be delivered.
160. A site wide **Environmental Mitigation Management Plan (EMMP)** was also submitted which describes management and mitigation actions to be implemented during the construction of the extension area. A **Landscape and Ecological Mitigation and Enhancement Plan (LEMEP)** and associated Planting Plan were also submitted. The LEMEP shows a number of habitat to be created (e.g. log piles, bad boxes, Hibernaculum, bird boxes, harvest mouse tennis ball nests, and insect housing). There will also be new additional planting of species rich grasses, shrubs, and trees will also

provide additional habitat. Receptor sites for translocation of species are also shown.

161. The Ecological Appraisal states the current habitats in the extension area are common, widespread and of low value comprising of semi-improved grassland, scrub and tall ruderal vegetation. The appraisal notes a high density of slow worms across which will be relocated with reptile fencing added to prevent them moving back and eventually a destructive search when the grassland top layer /scrub/tree roots are removed.
162. Bats were recorded in the area with trees around the periphery used the most and these will be retained. It is stated in the EMMP that lighting will be controlled with no lighting between 7pm and 6.30am and when lighting is used it is intended to be designed to ensure no more than an increase of 1 Lux during times they are switch on. A condition requiring a lighting plan demonstrating this is recommended in **Appendix A**.
163. No badger setts were identified though foraging works were identified and setts will be checked for during pre-works.
164. The site vegetation and condition of the vegetation was determined to be unsuitable for ground nesting birds. The extension site is considered to have limited suitability for dormouse habitat. Mitigation of potential harm and injury to dormouse and protect any retained suitable habitat has been included in the EMMP.
165. The County Ecologist has reviewed the proposal and has no objection subject to the implementation of the EMMP and LEMEP – this has been included in **Appendix A**.
166. Natural England also have no objection subject to conditions that require adherence to the submitted plans relating to drainage and surface water management, the EMMP and the Dust Management Plan. These are included in **Appendix A**.
167. As mentioned above, the woodland area immediately west of the existing site is subject to an existing Woodland Management Plan which will be continued forward. This requirement is set out in **Appendix A**.
168. On the basis of the proposed mitigation and proposed planning conditions, the proposal is in accordance with Policy 3 (Protection of habitats and species) of the [HMWP \(2013\)](#) and Policy E5 (Biodiversity) of the [TVBRLP \(2016\)](#). Whilst the [update to the HMWP](#) cannot be given any policy weight in decision making (as it is emerging and only at a very early stage in the process), the proposal is considered to meet the requirements of updated Policy 3 with the exception of the 10% BNG requirement, which for the reasons outlined is not currently a mandatory requirements at the time of the decision.

Impact on amenity and health

169. *Policy 10 (Protecting public health, safety and amenity)* of the [HMWP \(2013\)](#) requires that any development should not cause adverse public health and safety impacts, and unacceptable adverse amenity impacts. Also, any proposal should not cause an unacceptable cumulative impact arising from the interactions between waste developments and other forms of development.

170. *Policy E8 (Pollution)* of [TVBRLP \(2016\)](#) seeks to ensure that development does not adversely impact the general amenity of the area. In addition, *Policy LHW4 (Amenity)* of the [TVBRLP \(2016\)](#) aims to ensure that the proposed development will not give rise to a negative impact on the living conditions of residential property.

a) Light pollution

171. No lighting plan has been submitted but the **Planning Statement** states that lighting is only turned on during the approved operating hours. As mentioned above under 'Ecology' a condition is recommended that requires submission of a lighting plan to ensure site does not unnecessarily illuminate the tree areas around the perimeter of the site. A planning condition will also cover its usage.

172. The extant planning permission includes a condition requiring adherence to an existing approved plan showing the lighting on the MRF building and will be carried forward in the new lighting condition as set out in **Appendix A**.

b) Noise and vibration

173. N&RPC and public representations raise concerns about increased noise as a result of the development – both site noise and traffic noise.

174. No Noise Assessment has been submitted with the application but the Planning Statement explains that the activities in the extension area will only be those already allowed on the site. The proposed 3m bunds around the extension will provide some noise mitigation and the EHO recommends the bund is secured within a reasonable timeframe. The site is relatively remote with the nearest residence located adjacent to the Delvallie Kennels approximately 200m south west of the proposed extension area and 120m west from the existing site boundary with dense woodland located between the kennels and the site.

175. The extant planning permission includes a condition that requires all vehicles, plant, and machinery on the site to be maintained and the use of white noise reversing alarms. In addition, a **Noise Management Plan** has been submitted (which is also a requirement of the Environmental Permit – see 'Pollution' below). A condition requiring adherence to the Noise Management Plan and the existing noise condition is also recommended.

176. The EHO has reviewed the application and has raised no objection. The EHO specifically references transport noise at residential properties on Station Road in their response and bases their assessment of the potential noise impact on the increase in traffic stated in the **Transport Statement**. The EHO concludes that while the additional vehicle movements may be noticeable (e.g. at receptors along Station Road), these movements will be insignificant in terms of cumulative average traffic noise experienced at the receptors.
177. Concerns raised about noise from HGV movements have been submitted to the Minerals and Waste Planning Authority during the processing of this planning application. Investigations have shown that a pot hole was located on Station Road, impacting noise and vibration. This will be addressed by highway maintenance.
178. In terms of noise from the site, the EHO notes its remoteness from residential receptors. Moving screening and crushing activities into the extension area would move it further from residential properties on Church Lane but inevitably close to properties to the north on Lee Lane. However, the nearest property to the north (at the junction of Coldharbour and Lee Lane) would be 600m from the extension boundary.
179. Noise management will also be covered by the Environmental Permit.

c) *Air quality*

180. An **Air Quality Assessment** has been submitted in response to concerns raised by the EHO regarding potential impacts of the additional traffic on the receptors along Station Road.
181. The Air Quality Assessment shows that the additional road traffic would result in negligible effects on Nitrogen Dioxide (NO₂), and PM₁₀ or PM_{2.5} levels at receptors on Station Road.
182. The Air Quality Assessment also examined ecology impacts from Oxides of Nitrogen (NO_x), and determined the development would not exceed a level that would require a detailed assessment. The EHO confirmed that the assessment addressed their concerns and was acceptable.

d) *Dust*

183. A **Dust Management Plan** has been submitted with the application that covers all operations on site. The EHO has commented that adherence to the Dust Management Plan should be required by condition in the interests of public amenity and that it should also apply to the construction phase of the new bund. This is set out in **Appendix A**.
184. Some public representations have commented on dust that was being produced by the picking station which was blowing into the adjacent woodland. These are noted. The operator has undertaken modifications to

the plant since these complaints to enclose potential routes for dust to escape from picking station conveyors and screeners.

185. The County Arboricultural Officer has requested that protection of adjacent woodland is protected from dust as part of the Arboricultural Method Statement. This is set out in **Appendix A**.

186. Dust management will also be covered by the Environmental Permit.

e) Odour

187. Inert waste recycling sites rarely emit any odours due the type of material being processed. Odour issues would be covered by the Environmental Permit.

f) Cumulative Impacts

188. Policy 10 (Protecting public health, safety and amenity) of the [HMWP \(2013\)](#) states that a proposal should not cause an unacceptable cumulative impact arising from the interactions between minerals and waste developments, and between mineral, waste and other forms of development. It also states that the potential cumulative impacts of minerals and waste development and the way they relate to existing developments must be addressed to an acceptable standard.

189. The site is relatively isolated in setting and is not adjacent to other land uses that produce adverse amenity impacts and there are no proposed developments in the vicinity that would be impacted.

190. Public representations have raised concerns about the impact of additional traffic on residential properties on Station Road. These concerns are acknowledged. The additional noise, emissions, or vehicles resulting from the development or its associated traffic are not expected to cause adverse public health and safety impacts, or unacceptable amenity effects.

191. Taking all matters into account, with the proposed mitigation and proposed planning conditions, the proposal is considered to be accordance with Policy 10 (Protecting public health, safety and amenity) of the [HMWP \(2013\)](#) and Policy NBE11 of the [TVBRLP \(2016\)](#). Whilst the [update to the HMWP](#) cannot be given any policy weight in decision making (as it is emerging and only at a very early stage in the process), the proposal is considered to meet the requirements of updated Policy 11 (Protecting public health, safety, amenity and well-being).

Potential pollution associated with the development

192. 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](#)).

193. 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.
194. The site already operates under an Environmental Permit (GB3406LN/V/002) from the Environment Agency (EA) which amongst other things considers the waste material being stored and the manner in which it is stored, noise and dust management, and prevention of water pollution. This permit will need to be amended to cover the extension area.
195. According to NPPG for Waste (Paragraph 51), the aim of the permit is to prevent pollution through the use of measures to prohibit or limit the release of substances to the environment to the lowest practicable level. It also ensures that ambient air and water quality meet standards that guard against impacts to the environment and human health.
196. 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.
197. The scope of an Environmental Permit is defined by the activities set out in the Environmental Permitting Regulations (England and Wales) 2016 (EPR).
198. The regulations define 'pollution' as:
other than in relation to a water discharge activity or groundwater activity, means any emission as a result of human activity which may—
 - (a) be harmful to human health or the quality of the environment,*
 - (b) cause offence to a human sense,*
 - (c) result in damage to material property, or*
 - (d) impair or interfere with amenities or other legitimate uses of the environment.*
199. 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.
200. 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.

201. The existing site already has an Environment Permit and this will need to be updated to include the extension area should the proposed facility be acceptable in terms of planning. Should a permit be granted for the proposed operations, 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.
202. In terms of pollution aspects of amenity and health, the proposal is accordance with Policy 10 (Protecting public health, safety and amenity) of the [HMWP \(2013\)](#) and Policy NBE11 of the TVBRLP (2020).

Flooding and drainage

203. *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.
204. *Policy E7 (Water management)* of the [TVBRLP \(2016\)](#) aims to prevent development from resulting in an adverse flood risk or detrimental impact on the quality of water supply assets.
205. A **Flood Risk Assessment, Drainage Assessment and Surface Water Management Plan** and supporting technical note has been submitted with the application.
206. Regarding flood risk, the site is located in Flood Zone 1 (lowest risk of flooding) and there is no flood risk to the site from Fluvial, Marine, Pluvial or Groundwater sources. The assessment identifies a nearby interurban flood source which is the consequence of under capacity highway drains. However, there is no flood risk to the proposed development on account of its elevated nature above the potential flood source.
207. Except for amendments to the drainage around the new workshop, the existing drainage design of the existing site will not be altered. The extension area will be surfaced with pervious rolled hardcore except for the concrete pad that the concrete plant will be located on. The concrete pad will drain to a soakaway system.

208. Two drainage plans have been submitted, one in the Flood Risk, Drainage Assessment and Surface Water Management Plan which addressed the workshop site and the extension area, and a second which provides an updated plan for the extension area. As a result, a condition is recommended which requires adherence to the site wide drainage plan except as amended by the revised plan submitted for the extension area. This will also include adherence to the maintenance schedule for the drainage infrastructure. This condition is set out in **Appendix A**.
209. The extant planning permission includes a condition that addresses the storage of fuels, oils, chemicals etc to ensure they do not pollute water courses. A further condition also requires no sewage or effluent to be discharged to water courses.
210. The Lead Local Flood Authority (LLFA) has no objection to the drainage proposal.
211. The Environment Agency has no objection subject to a condition that any land that is found to be contaminated during the development then no further development should occur until a strategy on remediation is approved. This condition is set out in **Appendix A**. It also highlights other drainage requirements associated with the Environmental Permit.
212. Natural England have no objection subject also commented that to protect the River Test SSSI, a Sustainable Drainage System (SuDS) and adherence to the mitigation measures in the Flood Risk, Drainage Assessment and Surface Water Management Plan.
213. Based on the proposed mitigation and planning conditions, the proposal is in accordance with Policy 11 (Flood risk and prevention) of the [HMWP \(2013\)](#) and Policy E7 (Water Management) of [TVBRLP \(2016\)](#). Whilst the [update to the HMWP](#) cannot be given any policy weight in decision making (as it is emerging and only at a very early stage in the process), the proposal is considered to meet the requirements of updated Policies 8 (Water resources) and 12 (Flood risk and prevention).

Highways impact

214. *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.
215. *Policy T1 (Managing movement)* of the [TVBRLP \(2016\)](#) seeks to ensure development does not have an adverse impact on the highway safety of all users of the local road network.

216. The [Test Valley Cycle Strategy and Network SPD \(2015\)](#) identifies Lee Lane as a proposed on-road cycle route linking Romsey and Nursling.
217. Councillor Adams King raised the possibility of introducing system by which the number of lorry movements to and from the site can be controlled by the applicant (other than vehicles being turned away from the site). This is acknowledged. Conditions are included on the submission of a construction traffic management plan as well as an operational traffic management plan are included in **Appendix A**.
218. N&RPC and a number of public representations raise concerns about the impact of the additional traffic to residents of Station Road where the housing is relatively close to the road and it is also used for on-street parking. The concerns relate to both safety and amenity and are noted.
219. The **Planning Statement** describes the access to the site as coming from the north section of the M271 and then via Coldharbour and Lee Lane, this is not a correct reflection of the route HGVs use to access the site. Coldharbour Lane and Upton Lane, while offering general vehicle access to Lee Lane, would require the use of rail bridges with weight restrictions (3.5 tonnes). The Transport Statement which assess the transport impact in detail correctly considers Station Road to Lee Lane as the established route. The application has been considered on this basis.
220. The applicant has submitted a **Transport Statement** to assess the impact on highway safety. Additional information on accident statistics and a Sept Path Analysis along Lee Lane was submitted. They demonstrated a road improvement scheme to facilitate the passing of vehicles and other road users on the section of Lee Lane (between Church Lane and the site entrance), and improvements to the site bellmouth. Traffic count data for a week period was also provided for a location on Lee Lane between Church Lane and the site entrance. This count data shows an average of 913 weekly movements.
221. The proposal would see an increase in the number of vehicles allowed to enter and leave the site from 240 vehicles (160 of which can be >7.5 tonnes) to 350 vehicles per day (200 of which could be >7.5 tonnes). The count data indicates that the proposed increase in vehicle movements would represent a 12% increase in the currently recorded traffic levels – this would be a lower percentage increase at Station Road once additional vehicles related to other sites are taken into account (e.g. Crescent Estates or Church Lane). Based on the approach used in the report to estimate the additional frequency of vehicles over the current situation (i.e. an additional 110 vehicle movements over an 11 hour period = an additional vehicle every 6 minutes) it is possible to understand the change in frequency if the existing and proposed limits on HGVs >7.5 tonnes were being met. The current 160 HGV limit would result, on average, in an HGV in just over every 4.1 minutes while the proposed HGV limit of 200 HGVs would result, on average, in an HGV just over every 3.3 minutes.

222. On the same basis the frequency of all commercial vehicles coming to or from the site would be just under every 1.9 minutes. It is recognised that other vehicles (including HGVs) travel along Station Road including to the Crescent Estates industrial estate immediately adjacent to the M27 which is accessed directly off Station Road.
223. Planning Permission [10/02266/CMAS](#) had an associated legal agreement where the site operator provided a contribution for construction of traffic calming 'gates' along the section of Station Road and the speed limit was reduced to 30 mph.
224. In addition to limits on the number of vehicles, the extant planning permission includes conditions regarding highway safety. These require the sheeting of vehicles, ensuring vehicles are free from mud, a concrete or metalled surfacing of the existing site's access driveway and MRF yard, and submission of a Construction Traffic Management Plan. These conditions are recommended to be brought forward.
225. While comments regarding the use of Station Road are acknowledged, paragraph 11 of the NPPF (2021) is clear that planning permission can only be turned down on highways grounds if there is an unacceptable impact on highway safety, or the impact on the road network would be severe.
226. The Highways Authority had initial concerns about the ability of two HGVs being able to pass each other on the stretch of Lee Lane between Church Lane and the site entrance. An increase in allowed HGV would increase the likelihood of this occurring. The applicant subsequently undertook a topographic survey of the section of road in question and submitted a proposal for a marginal widening of the existing highway at four points to accommodate passing vehicles. The Highways Authority has found these to be acceptable and, should planning permission be granted, a Section 278 agreement with the applicant would need to be completed prior to any decision notice being issued. On this basis, the Highways Authority has no objection to the application subject to conditions and the completion of a legal agreement addressing works to Lee Lane and a financial contribution for highway safety measures. These conditions are included in **Appendix A**.
227. On the basis of the legal agreement and condition proposed, the proposal is in accordance with Policy 12 (Managing traffic) of the [HMWP \(2013\)](#) and Policy T1 (Managing movement) of the [TVBRLP \(2016\)](#). Whilst the [update to the HMWP](#) cannot be given any policy weight in decision making (as it is emerging and only at a very early stage in the process), the proposal is considered to meet the requirements of updated Policy 13 (Managing traffic).

Restoration

228. *Policy 9 (Restoration of minerals and waste developments)* of the [HMWP \(2013\)](#) requires temporary minerals and waste development to be restored to beneficial after-uses consistent with the development plan. Furthermore,

Policy 5 (Protection of the countryside) of the [HMWP \(2013\)](#) requires restoration of minerals and waste developments should be in keeping with the character and setting of the local area, and should contribute to the delivery of local objectives for habitats, biodiversity or community use where these are consistent with the development plan.

229. To ensure restoration of the site when the proposed use ceases, a condition has been recommended requiring a restoration scheme to be approved and ultimately restoration back to agriculture use implemented. This is included in **Appendix A**.
230. On the basis of the planning conditions included on restoration, the proposal is in accordance with Policies 5 (Protection of the countryside) and 9 (Restoration of minerals and waste developments) of the [HMWP \(2013\)](#). Whilst the [update to the HMWP](#) cannot be given any policy weight in decision making (as it is emerging and only at a very early stage in the process), the proposal is considered to meet the requirements of updated Policy 10 (Restoration of minerals and waste developments).

Retrospective nature of the picking station

231. A number of public representations have raised the issue that the current application is retrospective. These are noted.
232. Paragraph 3 of the 'Enforcement and post-permission matters NPPG' states there are a range of ways of tackling alleged breaches of planning control, and local planning authorities should act in a proportionate way. Local planning authorities have discretion to take enforcement action when they regard it as expedient to do so, having regard to the development plan and any other material considerations. Paragraphs 12 and 13 of the states that local Planning Authorities can invite retrospective applications when they consider it an appropriate way forward to regularise the situation.
233. The Minerals and Waste Planning Authority was first made aware of the installation of the picking station in May 2022 following its mention in public representations while the application for the extension area and workshop were under consideration. An amendment to the application to regularise the picking station was submitted together with the additional information required for the existing application.

Other matters

234. Some public representations from residents on Station Road raised that they felt they were not adequately consulted when the application was first submitted. Consultation on the planning application has been undertaken in accordance with the adopted [Statement of Community Involvement \(2017\)](#). The notification area for the application was extended beyond 50m to capture the two nearest residential properties on Church Lane. During the application process residents from Station Road approached the MWPA

regarding their concerns about the impact of the additional traffic and complaints about current HGV traffic and they have been invited to make representations. All representations received have been considered in this Officer Report. The residents have been invited to participate in the re-established Liaison Panel and a number did so in the November meeting.

235. The impact of the additional vehicle movements on house prices along Station Road has been raised as a concern by residents. Impact on private property value is not a material planning consideration.

Planning conditions

236. Although the subject application is not a Section 73 planning application, it does subsume the existing site and associated existing activities. As a result, many conditions from the extant planning permission for the exiting site ([14/00024/CMAS](#)) are recommended to be brought forward should the current application be granted. These are set out in **Appendix A**.
237. A number of the existing conditions have also been updated to reflect updated site layout plans and the approved Woodland Management Plan
238. New or updated planning conditions are proposed on the following matters:
- HGV movements (update);
 - Construction Traffic Management Plan;
 - Tonnages of material handled by the site;
 - Operational Traffic Management Plan.
239. An informative is also included on plans and particulars showing the detailed proposals for the road widening works.
240. A condition on the use of the concrete plant, as permitted under planning permission [14/00024/CMAS](#) has not been included in the proposed decision notice. The updated condition on HGV movements and tonnage of materials is considered to control the intensity of site use.

Community involvement and benefits

241. Paragraph 5.59 of the [HMWP \(2013\)](#) states that there is an expectation that all 'major' minerals and waste development will be accompanied by a site Liaison Panel. The site already has a Liaison Panel established which meets on an as needed basis.
242. Changes of site ownership and COVID has meant the Liaison Panel had not met for at least three years prior to the latest meeting on 28 September 2022. **Appendix A** includes an informative on continuation of the liaison

panel to facilitate effective engagement with stakeholders in the interests of promoting communication between the site operator and local community.

Conclusions

243. The proposed development has a number of elements:

- An extension area to provide additional space for recycling of inert CDE waste in particular concrete crushing and soil screening. It would see the relocation of the existing RMC plant to a new concrete pad in the extension area;
- Construction of a vehicle, plant and skip repair maintenance workshop on the current location of the RMC plant within the existing site;
- Retrospective planning application for a picking station attached to the existing MRF;
- Increase in the maximum number of allowed vehicle movements entering or leaving the site from 240 vehicles per day (up to 160 of which HGVs >7.5 tonnes) to 350 vehicles per day (up to 200 of which can be HGVs >7.5 tonnes);
- Increase in the maximum amount of imported waste and materials to the site from 75,000 tonnes per annum to 125,000 tonnes per annum; and
- Removal of the concrete production limit placed on on-site concrete production of 30m³ (60) tonnes and no more than 20 concrete blocks (one lorry load) per day.

244. The principle of the development is supported by Policies 17, 18, 25, 27 and 30 of the [HMWP \(2013\)](#) in that the movement of waste materials up the waste hierarchy is encouraged to divert them from landfill, and recycling of CDE waste to produce beneficial aggregate products can provide an alternative to marine-won or land won sand and gravel for certain purposes.

245. The extension would be to an existing, safeguarded waste site taking advantage of existing infrastructure albeit in a countryside side. The site meets the locational requirements of Policy 5 of the [HMWP \(2013\)](#). The construction of the workshop and location of the picking station would be on the existing site which is Previously Developed Land (PDL). The scale of the proposed concrete crushing and soil screening requires an open location which has been shown to be hard to find in nearby urban areas. The countryside setting of the extension area would also mitigate amenity impacts from the activity that might be result from being in an urban location. Restoration of the site would be required if the granted use ceases. The proposal is considered to meet the requirements of Policy COM2 when considering the associated supporting text on site extensions.

246. The addition of the picking station and development of the workshop will take place on the existing site and meets the requirement for use of PDL under

Policy 29. The extension site located along the strategic road network (the M27), and just outside the urban area of Southampton and in relatively close proximity to Romsey so has good proximity to sources of waste and in particular the market. Regarding the extension area, it is utilising the existing site infrastructure and takes advantage of the remote location of the existing site. It is located within the Strategic Road corridor and is considered to demonstrate a special need as required by Policy 29.

247. The proposal has been demonstrated to have low visual impact once design features like the screening bund and planting, and building colour are accounted for (Policy 13). The extension area will be developed on relatively low value grassland/scrub habitat. The existing woodland management plan covering the woodland immediately west of the existing site will remain in effect. With the proposed mitigation and management measures including higher value habitat created through new planting the proposal has been determined to be in accordance with Policy 3.
248. The development is in Flood Zone 1 (lowest risk) and the proposed drainage plan for the extension area and workshop building area are suitable. (Policy 11). Remediation of any contaminated land will be required if identified during the development any impact on the drainage design addressed (Policy 3).
249. Health, safety, and amenity impacts will not be unacceptably adverse (Policy 10). As the activities proposed for the extension area are allowed on the existing site it is not anticipated to result in any unacceptable noise impacts. The bunding around the extension area will also provide noise attenuation. Noise and dust management plans will provide adequate control of the operation, and these are further controlled by the site Environmental Permit. The extra vehicles movements have been shown to result in negligible air quality impacts along the route and are not expected to result in a significant increase in noticeable noise increase in cumulative average traffic noise (though the additional vehicle movements may be noticeable). The picking station has been improved to ensure dust from the plant does not escape into the adjacent woodland. Lighting hours (except for limited security lighting) will be limited to operational hours and light spill beyond the site will be minimal.
250. The increase in allowed traffic to the site has been determined to not result in unsafe traffic situations (Policy 12). Some improvements to the access route along Lee Lane will be required and would be secured through a legal agreement.
251. Paragraph 3.5 of the [HMWP \(2013\)](#) describes how, in making a planning decision judgement should be used in the weight given to the various elements of the plan and other material considerations when concluding whether the balance of evidence shows the development to be sustainable and should be granted planning permission. Taking all matters into account, on balance, the proposal is considered to be in accordance with the relevant national and local planning policy and is considered to be sustainable in

accordance with Policy 1 (Sustainable minerals and waste development) of the [HMWP \(2013\)](#). It is therefore recommended that permission be granted. Whilst the [update to the HMWP](#) cannot be given any policy weight in decision making (as it is emerging and only at a very early stage in the process), the proposal is considered to meet the requirements of updated Policies.

Recommendation

252. It is recommended that planning permission be GRANTED subject to the recommended conditions set out in **Appendix A** and the completion legal agreements for a financial contribution for highway safety improvements and road widening scheme to section of Lee Lane between Church Lane and the site entrance.

Appendices:

Appendix A – Conditions

Appendix B – Committee Plan

Appendix C – Layout Plan

Appendix D – Elevations of new workshop

Other documents relating to this application:

<https://planning.hants.gov.uk/Planning/Display/HCC/2021/0784>

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:

<u>Title</u>	<u>Date</u>

Direct links to specific legislation or Government Directives

<u>Title</u>	<u>Date</u>

Section 100 D - Local Government Act 1972 - background documents

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

Document

Location

HCC/2021/0784

Hampshire County Council

TV055

Nursling Recycling Centre, Lee Lane, Nursling
Southampton SO16 0AD

(Proposed extension to Nursling Recycling
Centre, variations to existing site layout,
erection of a new workshop building and
the upgrade of parking arrangements at
the adjacent paintball centre

EQUALITIES IMPACT ASSESSMENTS:

Equality Duty

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

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

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

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

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

CONDITIONS

Reasons for approval

It is considered that the proposal would be in accordance with the relevant policies of the development plan and would not materially harm the character of the area or the cause and unacceptable adverse amenity of local residents (Policy 10). The proposal to recycle CDE waste to produce beneficial aggregate products means the proposal meets Policies 17, 18, 25, 27 and 30 of the [HMWP \(2013\)](#). The site meets the locational requirements of Policy 5 of the [HMWP \(2013\)](#). The construction of the workshop and location of the picking station would be on the existing site which is Previously Developed Land. The scale of the proposed concrete crushing and soil screening requires an open location. The picking station and development of the workshop will take place on the existing site and meets the requirement for use of PDL (Policy 29). The extension area would utilise existing site infrastructure and is considered to demonstrate a special need (Policy 29). The proposal has been demonstrated to have low visual impact once design features are installed (Policies 10 and 13). The extension area will be developed on relatively low value grassland/scrub habitat. The proposed mitigation and management measures ensure the proposal is in accordance with Policy 3. The proposed increase in allowed traffic has been determined to not result in unsafe traffic situations (Policy 12). Improvements to the access route along Lee Lane will be required and would be secured through a legal agreement. Taking all matters into account, on balance, the proposal is considered to be in accordance with the relevant national and local planning policy and is considered to be sustainable in accordance with Policy 1 (Sustainable minerals and waste development) of the [HMWP \(2013\)](#).

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.

Pre-commencement - Arboriculture

2. Prior to commencement of the development hereby permitted, an Arboricultural Method Statement and Tree Protection Plan in accordance with BS5837: 2012 and BS3998:2010 shall be submitted to, and have approved in writing by, the Minerals and Waste Planning Authority.

The Arboricultural Method Statement and Tree Protection Plan should include details of how the root protection areas of retained trees will be protected and preserved, how the site levels will be managed, what tree pruning is required, how issues such as contaminated run-off and dust suppression are to be managed.

The development hereby permitted shall then be carried out in accordance with the approved Arboricultural Method Statement and Tree Protection Plan, including implementation of tree protection prior to any activity effecting arboriculture.

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

Hours of Working

3. Unless otherwise agreed in writing by the Minerals and Waste Planning Authority, no commercial vehicles shall enter or leave the site except between the following hours: 0630-1930 Monday to Friday and 0700-1300 Saturday and no plant or machinery shall be operated except between the following hours: 0700-1800 Monday to Friday and 0700-1300 Saturday. There shall be no working on Sundays or recognised Public Holidays.

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

Highways

4. There shall be no more than 350 commercial vehicle movements per day to and from the site, of which there shall only be a maximum of six between 0630 and 0700 Monday to Friday. No more than 200 of these movements shall be by vehicles exceeding 7.5 tonnes gross vehicle weight. Records of vehicle movements to and from the site shall be kept and made available for inspection at the request of the Minerals and Waste Planning Authority.

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

5. No lorry shall leave the site unless its wheels and chassis have been cleaned sufficiently to prevent mud being carried onto the highway.

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

6. All lorries shall be sheeted to prevent material being spilt onto the road.

Reason: In the interest of highway safety and to ensure the development is in accordance with Policy 12 (Managing traffic) of the Hampshire Minerals & Waste Plan 2013.

7. Prior to the commencement of the development hereby permitted a Construction Traffic Management Plan, to include details on provision to be made on site for contractor's parking, access and parking arrangements for the paintball site, construction traffic access, the turning of delivery vehicles and lorry routing as well as provisions for removing mud from vehicles and a programme of works has been submitted to and approved in writing by the Minerals and Waste Planning Authority.

The approved details shall be implemented before the development hereby permitted is commenced and retained throughout the duration of construction.

Reason: In the interests of highway safety and to ensure the development is in accordance with Policy 12 (Managing traffic) of the Hampshire Minerals & Waste Plan 2013. This is a pre-commencement condition to ensure the safe use of the highway ensuring construction and thus goes to the heart of the permission.

8. Within 2 months of the date of the permission hereby approved, an Operation Traffic Management Plan shall be submitted to and approved in writing by the Minerals and Waste Planning Authority. This Plan should include details of the management vehicle numbers, their use of the highway, driver education measures and a complaints procedure.

The approved Management Plan shall be implemented for the duration of development.

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

Tonnage

9. The combined throughput of waste and materials at the site shall not exceed 125,000 tonnes per annum. A record of the tonnage of material handled shall be kept at the site and be made available to the Minerals and Waste Planning Authority on request.

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

10. The concrete plant relocated to the Extension Area as shown on Drawing 277/12 Rev J 'Proposed Layout Plan' Dated 25 November 2021 shall be that shown on Drawing 8MX150 'SCD 8M-150MX' dated 21 January 2009 approved under planning permission 10/02266/CMAS.

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

Protection of Water Environment

11. Surfacing and drainage of the Existing Site shall be as shown on Drawing number N6/RB/25 Rev A 'Revised Layout' Dated 04 June 2016, as approved under Non-Material Amendment NMA/2016/0297 of Planning Permission 14/00024/CMAS.

Excepting that drainage around the workshop area shall be modified as shown on the following drawings in Appendix F of the 'Flood Risk, Drainage Assessment and Surface Water Management Plan' dated 15 December 2021:

- Drawing B031539-TTE-00-ZZ-DR-S-W003/P01 'Indicative Drainage Layout' dated December 2021; and
- Drawing B031539-TTE-00-ZZ-DR-S-W011/P01 'Indicative drainage details' dated November 2021

Drainage of the Extension Area shall be according to the according to the following drawings in the 'Surface Water Discharge PCR Technical Note' dated 05 July 2022:

- B031539-TTE-00-ZZ-DR-S-W010/P02 'Drainage Layout' July 2022;
- B031539-TTE-00-ZZ-DR-S-W011/P02 'Drainage Details' July 2022

Maintenance of the drainage shall be performed according to the maintenance schedule in Section 4.5.7 of Flood Risk, Drainage Assessment and Surface Water Management Plan, dated 15 December 2021.

No operational use of the Workshop Building or the Extension area shall be allowed until the approved drainage has been constructed.

Once constructed the drainage shall be implemented for the duration of the development hereby permitted.

Reason: To prevent pollution of the water environment and risk of local flooding and to ensure the development is in accordance with Policies 10 (Protecting public health, safety, and amenity) and 11 (Flood risk and prevention) of the Hampshire Minerals & Waste Plan (2013).

12. If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until a Remediation Strategy detailing how this contamination will be dealt with, has been produced and agreed in writing with the Minerals and Waste Planning Authority.

No infiltration drainage features shall be located in any area of ground found to be contaminated.

Reason: To prevent unacceptable levels of water pollution from previously unidentified contamination sources at the development site and to ensure the development is in accordance with Policies 3 (Protection of habitats and species) and 10 (Protecting public health, safety, and amenity) in the Hampshire Minerals & Waste Plan (2013).

13. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The bund capacity shall give 110% of the total volume for single and hydraulically linked tanks. If there is multiple tankage, the bund capacity shall be 110% of the largest tank or 25% of the total capacity of all tanks, whichever is the greatest. All filling points, vents, gauges and sight glasses and overflow pipes shall be located within the bund. There shall be no outlet connecting the bund to any drain, sewer or watercourse or discharging onto the ground. Associated pipework shall be located above ground where possible and protected from accidental damage.

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

14. No sewage or trade effluent (including vehicle wash or vehicle steam cleaning effluent) shall be discharged to any surface water drainage system.

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

Storage

15. No stockpiles shall exceed 6 metres in height. No machinery shall operate on top of the stockpiles.

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

Noise and Dust

16. The Dust Management Plan, dated June 2022, shall be implemented for the duration of the permission.

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

17. The Noise Management Plan, dated June 2022, shall be implemented for the duration of the permission.

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

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

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

19. Prior to the operational use of the Extension Area, the 3m screening bund shall be constructed as shown on Drawing 277/12 Rev J 'Proposed Layout Plan' Dated 25 November 2021, and Drawing 277/14 Rev A 'Proposed development area: East - West Cross-section' 02 November 2022.

Reason: To minimise noise disturbance from operations at the site and in the interests of visual amenity, and to ensure the development is 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.

Ecology

20. Development shall proceed in accordance with the measures set out in the 'Environmental Mitigation Management Plan' dated June 2022 and 'Landscape Ecological Mitigation and Enhancement Plan' (July 2022), and be implemented as approved for the duration of the use of the land hereby permitted.

Reason: To ensure no net loss of biodiversity, and protection of local ecology and biodiversity from unacceptable impacts in accordance with Policies 3 (Protection of habitats and species) and 5 (Protection of the countryside) in the Hampshire Minerals & Waste Plan (2013).

21. The approved Woodland Management Plan approved under Condition 17 of Planning Permission 14/00024/CMAS, approved on 19 September 2014, for the retention and management of the woodland within the blue line shown on Drawing 277/19 Rev A 'Application Plan' Dated 13 December 2021, shall be implemented as approved for the duration of the use of the land hereby permitted.

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

Landscape

22. The weighbridge facility, site office, MRF building, and proposed new workshop shown on plan Drawing 277/12 Rev J 'Proposed Layout Plan', dated 25/11/21 shall all be coloured/painted olive green and maintained as such for the duration of the permission.

The dust covers on the exterior conveyor and screeners associated with the picking station shall be dark green or black in colour and maintained as such for the duration of the permission.

Reason: In the interests of visual amenity and to ensure the development is in accordance with Policies 5 (Protection of the countryside) and 13 (High quality design of minerals and waste developments) of the Hampshire Minerals & Waste Plan (2013).

23. Additional landscaping for the internal bund of the extension area, strengthening the southern hedgerow, and planting around the proposed workshop shall be implemented as shown and specified in the planting scheme on Drawing 277/25 Rev B 'Proposed Planting Plan', dated 28/02/2022. Other trees, hedgerows and grass areas shown on the plan shall be retained.

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 planting of the extension area and around the workshop shall be implemented in the first planting season following their construction with measures to strengthen and improve the density and height of southern hedgerow to be implemented immediately.

Reason: In the interests of visual amenity and to mitigate loss of habitat in accordance with Policies 3 (Protection of habitats and species) and 13 of the Hampshire Minerals & Waste Plan (2013).

Lighting

24. Within 2 months of the date of this permission, an updated Lighting Plan, for the existing site and extension area shall be submitted to, and approved in writing by, the Minerals and Waste Planning Authority.

The lighting design shall result in zero upward light spill and light spill of less than 1 lux onto retained and created boundary habitats and features with lighting directed inward from the boundary features. LED lamps shall be used with a colour temperature of below 3500K.

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

Reason: In the interest of visual amenity and to protect wildlife, 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).

25. Lighting shall only be switched on in periods of darkness during the approved operating hours except for security lighting in the vicinity of the existing office as shown on the lighting plan approved under Condition 24.

Reason: In the interest of visual amenity and to protect wildlife, 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).

Restoration

26. In the event of the cessation of the uses hereby permitted, within 3 months, a Restoration Scheme shall be submitted and approved in writing by the Mineral and Waste Planning Authority detailing the return of the site to agricultural uses.

The scheme shall include details of:

- (i) the thickness and quality of subsoil and topsoil to be used and the method of soil handling and spreading, including the machinery to be used;
- (ii) the ripping of any compacted layers of final cover to ensure adequate drainage and aeration, such ripping to take place before placing of topsoil;
- (iii) measures to be taken to drain the restored land; and
- (iv) details of proposed seeding.

Reason: To ensure satisfactory restoration in accordance with Policies 4 (Protection of the designated landscape), 5 (Protection of the countryside) and 9 (Restoration of minerals and waste developments) of the Hampshire Minerals & Waste Plan (2013).

27. All topsoil and overburden stripped from the Extension Area shall be removed and stored separately before operations commence for use in site restoration. Topsoil shall only be handled when dry and friable.

Reason: To ensure the satisfactory restoration of the land to agriculture in accordance with Policies 5 (Protection in the Countryside), 8 (Protection of soils), and 9 (Restoration of minerals and waste developments) of the Hampshire Minerals & Waste Plan (2013).

Plans

28. The development hereby permitted shall be carried out in accordance with the following approved plans: 277/21, 277/19 Rev A, 277/12RevJ, 277/13RevA, 277/14RevA, 277/22Rev A, 277/25RevB

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

Note to Applicants

1. 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.
2. In determining this planning application, the Minerals and Waste Planning Authority has worked with the applicant in a positive and proactive manner in accordance with the requirement in the National Planning Policy Framework (2021), as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.
3. For the purposes of matters relating to this decision Heavy Goods Vehicles (HGVs) are defined as vehicles over 7.5 tonne un-laden).
 4. The existing Liaison Panel set up between the site operator, Minerals and Waste Planning Authority, interested parties and community representatives should continue to meet at a suitable frequency to facilitate effective engagement with stakeholders in the interests of promoting communication between the site operator and local community. The County Council's [guidance](#) on the establishment of panels is available to the applicant.
 5. The Environmental Permit for the site will need to be varied to account for the development hereby approved.

HAMPSHIRE COUNTY COUNCIL

Regulatory Committee Meeting 11 January 2023

Update Report from Assistant Director of Waste & Environmental Services

Item No: 7

Proposed extension to Nursling Recycling Centre, variations to existing site layout, erection of a new workshop building and the upgrade of parking arrangements at the adjacent paintball centre at Nursling Recycling Centre, Lee Lane, Nursling Southampton SO16 0AD (Application No. 22/00174/CMAS Site Ref. TV055)

1) Representations:

A further public representation has been submitted from an existing respondent. This further representation restates their current objection to the proposal.

This amends Paragraph 99 to read '*23 representations from 16 respondents*'.

The Committee has also received an email directly from one respondent who attached a letter of objection which was already on the planning record.

END