

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

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| <b>Decision Maker:</b> | Regulatory Committee  |
| <b>Date:</b>           | 16 <sup>th</sup> December 2020  |
| <b>Title:</b>          | Development of an Inert Waste Recycling Facility at Land at Three Maids Hill, off A272, Winchester SO21 2QU (No. 20/01765/HCS)<br>(Site Ref: WR243) |
| <b>Report From:</b>    | Head of Strategic Planning  |

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### **Recommendation**

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

### **Executive Summary**

2. The planning application is for Development of an Inert Waste Recycling Facility at Land at Three Maids Hill, off A272, Winchester SO21 2QU.
3. This application is being considered by the Regulatory Committee as it is a major waste development.
4. Key issues raised are:
  - Rural location;
  - Visual / landscape impact of the development
  - Impact on agricultural land and loss of best/ versatile agriculture land and woodland;
  - Highway impacts and safety;
  - Potential amenity and health impacts (noise, dusts, lighting, pollution, users of the rights of way);
  - Impact on tranquillity;
  - Concerns over hours of working including the impact of night-time operations;
  - Impact on Littleton Conservation Area;
  - The second application in the same area for the same use;
  - Impact on current and future residential areas;
  - Lack of a special or local need for the site;
  - Lack of consideration of alternative sites;
  - Biodiversity and ecological enhancement measures will not work
  - Impacts on watercourses and run off;
  - Lack of consultation with local communities;

- Impact on nearby recreational activities including the Littleton Stud;
  - Lack of confidence in the ability to monitor and enforce the development.
5. A Committee site visit by Members did not take place due to Covid-19 restrictions
  6. The proposed development is not an Environmental Impact Assessment development under the [Town & Country Planning \(Environmental Impact Assessment\) Regulations 2017](#).
  7. It is considered that the proposal would be in accordance with the relevant policies of the adopted [Hampshire Minerals and Waste Plan \(2013\)](#) and [Winchester City Council Local Plan \(2013\)](#). Although the site is located within the countryside, (Policy 5 and MTRA4) the nature of the development requires a more isolated location and a special need for the site and its good transport connections mean that it is deemed an acceptable site location (Policy 29) and a condition will ensure that the site is restored if the waste use ceases (Policy 9). The proposal provides capacity for the recycling and recovery of recycled and secondary aggregate / construction, demolition and excavation wastes (Policies 18, 27 and 30). It provides a sustainable waste management solution with a useable end product that diverts waste from landfill and reduces the reliance on primary aggregates (Policy 25). The site is not considered to be significantly visually intrusive as it is not located within a designated landscape, is already well screened to the south and east and the development proposes further screening (Policies 5, 10, 13 and CP13). The proposal will not give rise to significant adverse amenity impacts as the odour, noise and dust levels will be acceptable (Policy 10) and mitigated by conditions and regulated where necessary through Environmental Permitting. The nature of the development would not give rise to an adverse impact on protected species or local ecological designations, and in fact will lead to a net gain in Biodiversity (Policy 3 and CP16). There is no significant flood risk or surface water increase as a result of the proposal (Policy 11 and CP17). Taking all of this into account, the proposal is considered to constitute a sustainable waste development in line with Policy 1.
  8. That planning permission be granted subject to the conditions listed in Appendix A.

## **The Site**

9. The site is positioned on a parcel of land between the A34 and A272 to the north of Winchester at Three Maids Hill. The site sits approximately 1.5km from the Winchester settlement boundary. The site is positioned between the main A34 to the east and the A272 to the west, with the Three Maids Hill roundabout directly to the south of the site. Access is from the A272 which links the Three Maids Hill roundabout to the A30 to the north.

10. The site covers an area of approximately 1.82 hectares.
11. The proposal site is undeveloped and is currently agricultural land, surrounded by maturing vegetation on three sides, an integral part of the Mid Hampshire Downs landscape. Immediately to the east of the application site is the A34, beyond which lies a small block of woodland with a Motor Cross Circuit further east. To the south lies the Three Maids Hill roundabout with further agricultural land beyond. To the west is the A272 with a belt of woodland with open agricultural land beyond.
12. There is a single residential property approximately 150 metres (m) to the south west of the application site on Stud Lane with the next closest properties approximately 575m to the west (also on Stud Lane).
13. There are no Public Rights of Way (PRoW) that cross or bound the application site. However, there is a permissive footpath that runs in a north-south direction through the belt of woodland to the west of the A272 which is managed by Hampshire County Council's Countryside Services and used by pedestrians and cyclists. This route runs parallel to the A272 and is approximately 25m from the site boundary at its closest point. The nearest PRoW is located approximately 715m to the south east of the site. This footpath runs from the B3420 Andover Road to the south, to South Wonston to the north east. The next closest PRoW is 725m to the south of the application site and runs west-east from Church Lane to the B3420. A bridleway running from the A272 across Worthy Down is located approximately 850m to the north of the application site.
14. The closest statutory ecological designation is the River Itchen Site of Special Scientific Interest (SSSI) which is 3.07km to the south-east. Crab Wood SSSI is 4.13km to the south west and Brockley Warren SSSI is 4.86km to the north-west. There are several locally designated Sites of Importance for Nature Conservation (SINC) in proximity to the application site. These include Worthy Copse SINC at 0.5km to the north and Worthy Grove at 1.05km to the north. Both are designated as ancient semi-natural woodland.
15. The site is relatively flat at approximately 94m AOD. There is slight fall from south to north and a slight fall west to east across the site. More widely the land climbs steadily from south to north from a low point of 54m AOD on the B3420, approximately 1.2km to the south of the application site, to a high point of 122m AOD on Worthy Down, approximately 1km to the north of the application site.
16. The site is located in the countryside. The Landscape Part of the Mid Hants Open Downs Landscape Character Area (8e Hampshire LCA), suggests the site is characteristic of this elevated, gently rolling agricultural landscape where woodland shelterbelts of mostly 19th century origin divide the medium-large sized fields. Transport corridors adjoin the site but are largely screened from it by vegetation. However, the noise from the

strategic A34 dual carriageway and the adjacent A272, does detract from the site's tranquillity. Although in recent times this has been arable land, from historic photos it appears the remnant chalk grassland at Worthy Down (to the north) may have extended across the entirety of this large open field. Graded 3a and 3b agricultural land, the loss of downland to intensive arable production will have reduced its biodiversity value.

17. Views with maturing vegetation along three boundaries there are only glimpsed views of the site from the adjacent public highways. Of note, however, is the gap in screening vegetation alongside the A272, the western site boundary. From the east, there are glimpsed views of the site from the northbound A34 on-slip and all roads at the small roundabout at the southbound off/on slip roads junction with Christmas Hill.
18. The site is not located within an area designated for its landscape value, such as a National Park or an Area of Outstanding Natural Beauty (AONB).
19. The application is located within National Character Area (NCA) 130 – Hampshire Downs. The NCA profile states that “The majority of the area is an elevated, open, rolling landscape dominated by large arable fields with low hedgerows on thin chalk soils, scattered woodland blocks (mostly on clay with-flint caps) and shelterbelts...”. The profile also notes that “The A34 cuts north–south through the centre of the NCA connecting Southampton docks with the Midlands. Traffic on these routes has a significant impact on the landscape.”
20. The Hampshire County Integrated Character Assessment (2012) identifies that the site is located within the Mid Hampshire Open Downs. The description of the characteristics of this landscape explains that “There are several roads of Roman origin which radiate from Winchester and pass through this character area... The A34 is predominantly a new alignment... These dual carriageways and straight roads encourage fast moving traffic...A feeling of space and remoteness results from the extensive arable fieldscape with relatively little development. There are few urbanising influences from competing recreational and amenity land uses typical of landscapes closer to major settlement. The road noise and associated visual intrusion are major detractors of tranquillity in this open landscape...”
21. With reference to the Winchester City Council Landscape Character Assessment (2004) the application site is located within the Wonston Downs Landscape Character Area. The key characteristics of the area include:
  - “Gently sloping and undulating topography, forming a relatively low-lying area of downland (50-110m OD).
  - Well-drained upper chalk geology, with minor deposits of clay with flints.
  - Arable farmland predominates within the area, consisting of medium to large fields, many with straight boundaries enclosed by formal

agreement in the 18th and 19th Centuries, followed by 20th Century boundary loss...

- A widely spaced network of straight roads, lanes and tracks providing access to the farms, together with a limited rights of way system and public access. Some busy routes pass through the area, including the Andover Road and the A34, originally Roman roads, and the railway.
  - The area itself is relatively sparsely populated; the main settlement being South Wonston. However, the influence of Winchester and Kings Worthy to the south and the intrusion of the main roads create a more populated feel..."
22. The National Soil Map shows the land to be within the Andover 1 Association, comprising shallow mainly well drained calcareous silty soils over chalk on slopes and crests, with deeper soils in valley bottoms.
  23. The Natural England Agricultural Land Classification provisionally classifies the soils that overlay the application site as Grade 3: Good to Moderate.
  24. The site is located in Flood Zone 1 (land at the lowest risk of flooding). The site is not located within a Groundwater Source Protection Zone but does overlie a Major Aquifer of High Permeability. There are no surface water features within 500m of the application site.
  25. The site is not located within an Air Quality Management Area. A review of wind rose data from the nearest record station at Middle Wallop shows the prevailing wind direction at the application site to be from the south west (occurring 4.8% of the time) with an average wind speed of 9.2mph.
  26. There are no designated heritage assets within the site boundary. The nearest Listed Buildings are located at Littleton Village approximately 1km to the south-west of the site. Worthy Down Ditch is the closest scheduled monument located approximately 950m to the north of the site. Long Barrow scheduled monument is located approximately 1.5km to the north of the Site.
  27. It is noted that the biodiversity value of the site may have reduced in recent years due to agricultural intensification.
  28. The site contains two recorded archaeological assets, one of which is a substantive Bronze Age landscape boundary that crosses it, the other the possible edge of a substantial Bronze Age burial mound. In addition, there are a number of substantive archaeological sites in its immediate vicinity that suggest a high archaeological potential.

## **Planning History**

29. The site has no previous planning history but Winchester City Council have recently received a Scoping Request for a Ground Mounted Solar Farm on

land to the East of the A272, Three Maids Hill, Winchester, SO21 2QU which is nearby.

## **The Proposal**

30. The proposed development principally comprises the creation of an inert Waste Recycling Facility. The operation would ensure that inert waste generated from construction, demolition and excavation works by the applicants customers is recovered and recycled for re-use in construction and engineering works. It is proposed that the facility would accept and process material imported by both applicant and third-parties approved by the applicant.
31. The proposed operation would require the use of plant and machinery and would require the installation on site of supporting infrastructure. In addition, a central design element requires the delivery of biodiversity net gain and ecological enhancements which includes the construction of landscaped bunds to screen the application site.
32. The works propose a waste recycling facility with development in the form of a 20 x 20 x 7m storage barn, aggregate storage bays, a weighbridge, a compound and welfare unit, stockpiling area on hardstanding, machinery and landscape bunds together with improved site access. The barn's proposed location is in the lower part of the site 4.5m below the level of the A272 to reduce its visual impact.
33. The proposed layout of the Inert Waste Recycling Facility is shown in Figure 3 Rev A (Site Layout & Drainage). In broad terms the development and operation would comprise:
  - An improved site entrance off the A272;
  - A site compound with office and welfare facilities;
  - Installation of a weighbridge;
  - Installation of aggregates storage bays / hardcore storage bay / soils storage bay;
  - Erection of Topsoil and Materials Storage Barn;
  - Creation of stockpiling and processing area;
  - Construction and Planting of Landscaped Bunds; and
  - Installation of a drainage system.

### Site selection

34. The site has been selected to allow the applicant to serve the markets. A review of other available sites was undertaken to support the application.

### Site Access and Compound

35. The site has access to the [Strategic Road Network](#).

36. It is stated that access to the site will be via an existing field access off the A272 approximately 140 metres north of the roundabout junction between the A272, the B3420, Stud Lane and Down Farm Lane.
37. The existing field entrance from the A272 would be improved to create a safe access and exit point for HGVs. This would involve re-orientating the gateway and opening-up a bellmouth with improved visibility splays. The bellmouth would be surfaced with asphalt and tie into the A272. The entrance would also be gated and closed for security outside of operational hours. This would operate on a one-way system.
38. The entrance lane access road would lead to a weighbridge adjacent to the site office which would be positioned centrally within the site to ensure there is adequate capacity for HGVs to queue within the site without backing up on to the A272. The proposed position of the weighbridge and site office is shown on Figure 3 Rev A (Site Layout & Drainage).
39. The internal site haul road would have a stone surface reinforced with a geo-grid (e.g. cellweb or similar) as would the dedicated tipping and loading bays.
40. The site compound would include a portacabin style building providing office and welfare facilities for staff, an area for staff car-parking, and a fuel tank storage area.
41. The proposed clean and stable running surface for HGVs on the site haul road system would remove any requirement for a wheelwash facility. Nevertheless, the site compound would be fitted with a source of water and a jet wash would be available to clean HGVs (in the unlikely event any mud or dust is accumulated on tyres) before leaving the site. This would ensure that no mud or dust from the site is tracked onto the main highway.
42. The site compound would have secure weld-mesh style fencing. The boundary of the site already benefits from timber post and rail fencing – where there are currently gaps in this fencing, they would be filled with new fencing to match the existing.
43. It is stated that due to the location of the sources of waste material and markets for the recycled product, all HGV traffic would typically arrive and depart via the A34. HGV traffic will only arrive from the north via the A272 or the south via the B3420 (Andover Road) for exceptional local collections or deliveries.
44. The proposed development has been assessed under [Town & Country Planning \(Environmental Impact Assessment\) Regulations 2017](#). The development was screened and was classified as a Schedule 2 development as it falls within Category 11(b) (ii) and exceeds the size threshold [0.5ha]. However, whilst being identified under the Regulations, it

does not lie within a sensitive area and is not deemed an EIA development requiring an Environmental Statement.

### Processing & Storage Area

45. The main processing and storage area would include aggregates storage bays, a hardcore storage bay, and a soil storage bay. These would be constructed with concrete lego-block style walls. This allows the bay sizes to be easily altered depending on the volume and composition of material and products stored on site at any one time.
46. In addition, a small barn structure measuring approximately 20m x 20m x 7m (high) would be constructed to store topsoil and other materials as required. For topsoil the ability to store this in the dry protects its quality and would enable TMR to produce, store and sell this recycled product throughout the year. It is proposed that the storage barn would be steel framed, have Farmscape 'P6R' profile reinforced fibre cement sheet roofing and 2m of tanalised timber space boarding on three elevations from the eaves.
47. The main operational footprint of the site would be laid to hardstanding and would comprise an open area for the stockpiling, processing and storage of imported inert waste. The recycling operation would produce hardcore, 6F5 crushed material, stone, class A fill, subsoil, topsoil, and other aggregate products.
48. The plant and machinery to be operated in the Inert Waste Recycling Facility to produce the range of recycled products would include:
  - Soil Screener;
  - Trommel;
  - Concrete Crusher;
  - 360 excavator; and
  - Loading Shovel.
49. The soil screener and trommel would typically be based on site whereas the concrete crusher would be hired in by the applicant to operate on a campaign basis, as and when a sufficient volume of material requiring crushing has been accumulated. It is anticipated that the crusher would be hired in approximately once per month for a few days at a time. The applicant would operate the facility in accordance with an Environmental Permit that allows for the treatment of up to 75,000 tonnes per annum of waste to produce soil, soil substitutes and aggregates.
50. Two ecologically enhanced screening bunds would be constructed with a combination of topsoil stripped from the application area (prior to levelling and the laying of hardstanding), imported subsoil, and topsoil produced by the onsite recycling operation. As well as forming part of a wider strategy to deliver a net gain in biodiversity the proposed bunds would aid in visually and acoustically screening the proposed operation with one bund

positioned along the northern boundary and the other around the eastern, southern and western boundary.

51. The northern bund would be constructed to a height of approximately 1.5m with a width of 25m and an approximate length of 80m. The eastern, southern and western bund would be constructed to a maximum height of 2m in its central section (to provide the required level of acoustic screening) and taper to a height of 1.5m at its north western extent (by the site entrance) and 1m at its north eastern extent (by the topsoil storage barn). The bund would have a width of approximately 17m and a length of approximately 200m.
52. The width of each bund also includes buffer planting. The northern bund would have a large 10m wide buffer of species-rich grassland along its entire northern edge and a 4m buffer of species-rich grassland on its internal southern edge. The southern and western bund would have a 4m wide species-rich grassland buffer on its internal edge.
53. Planting Notes are provided as part of the application. In summary the bunds would be planted with a mix of hawthorn, hazel, holly, common privet, dogwood, wild plum, and honeysuckle to reflect those species already found on site and in the surrounding area. In addition, larger specimen trees (approx. 50 no.) would be planted in key locations. These would include beech, oak, crab apple, field maple, and wild cherry. Beech and oak would be planted along the A272 boundary to continue the existing line of trees.
54. The species-rich grassland habitat on the northern buffer to the northern bund and the internal buffer to both bunds would be created using the topsoil stripped from the site and would use a suitable prescribed grass seed mix of UK origin.
55. The planting on the bunds and in the buffer zones as well as retention of existing tree planting around the boundaries of the site would create a visually well-screened site that replaces cereal cropland of low ecological value with a mosaic of new habitats that would increase opportunities for biodiversity across the site. Of the approximate 1.8ha application boundary approximately half of that area (0.9ha) is solely utilised for habitat creation.

### Drainage System

56. The proposed facility would be fitted with a drainage system to manage and control surface water run-off to ensure the development does not increase the risk of off-site flooding. The drainage system would include a full retention interceptor, a swale, and a soakaway and follow the principles of a sustainable urban drainage system (SuDS).
57. The swale (measuring some 100m in length), located within the species-rich grassland buffer around the north eastern corner of the site, would

have a width of 1m and a depth of 1m to 2m and assist in delivering biodiversity net gain. The soakaway would have a capacity of approximately 150m<sup>3</sup> and would be located below part of the species-rich grassland buffer along the northern boundary of the site, as shown on Figure 3 Rev A (Site Layout & Drainage).

58. Clean roof water from the Topsoil Barn would be captured in a storage tank for re-use on site (i.e. damping down, wheel cleaning etc) with any overflow draining to the soakaway. There would also be an 8000 litre septic tank to serve the portacabin and welfare facilities. A full drainage scheme report supported the application.
59. The compound and welfare unit are located in the north part of the site opposite the entrance. The aggregate bays are situated against the western boundary and the stockpiling area against the south boundary. The applicant proposes that 50% of the site be used for mitigation works: bunding around the entire site ranging from 2m high on the western boundary to 1m high by the barn; native species planting on the bunding; species rich grassland on buffer strips 4 – 10m wide beside the bunds. A 100m long swale is located in the northern most swathe of grassland. External lighting comprises a light to the site offices/welfare unit; no floodlighting. In the event of the works ceasing, a landscape restoration plan proposes the site be returned to species rich grassland with the removal of all structures and hard standing.

### Site Operations

60. It is proposed that the site would principally operate during the following hours:
  - Monday – Friday 07:00 – 18:00
  - Saturday 07:00 – 13:00
61. There would be no operations on Sundays and recognised Public Holidays.
62. On occasion, the applicant (TMR) are contracted to provide material haulage associated with highways works that occur during the night-time period. Therefore, TMR would request any consent allow for the drop-off of associated wastes, such as road planings, and the collection of recycled product for use in the highways works during the night-time period (18:00 – 07:00) on up to ten occasions per year.
63. There would be no processing operations e.g. sorting, screening and crushing undertaken outside of the hours stated.

### Material Movements

64. Inert material would principally be imported and exported from site by TMR in 4-axle tippers, with other pre-approved third-parties importing waste in similar 4-axle tippers or smaller 7.5 tonne flat beds or transit style tippers.

Based on the proposed throughput of up 75,000 tonnes per annum it is anticipated that the operation would generate approximately 50 – 76 HGV movements per day (25 – 38 in and 25 - 38 out).

65. Based upon the principal sources of waste material and the markets for recycled product, together with the site's location, it is anticipated that all HGV traffic would typically arrive and depart via the A34. Only for exceptional local collections or deliveries would HGV traffic be anticipated to arrive from the north via the A272 or the south via the B3420 (Andover Road). HGVs operated by TMR would not use Stud Lane to the west of the site.
66. The proposed development is expected to generate up to 5 additional staff to manage the recycling facility.

### Lighting

67. There would be no fixed floodlighting of the main processing area. The only fixed lighting would be low-level lighting affixed to the site office / welfare facility for the health and safety of staff opening or closing-up during the hours of darkness.
68. For the limited operations that would occur during hours of darkness (and occasional deposit or collection of material associated with highways works in the night-time period) this would be undertaken with the night-lights fitted to HGVs and other lighting that is integral to the site plant and machinery.
69. It is anticipated that during winter months the main inert recycling operations would typically be limited to daylight hours.

### **Development Plan and Guidance**

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

#### [National Planning Policy Framework \(2019\) \(NPPF\)](#)

71. The following paragraphs are relevant to this proposal:
  - Paragraph 11: Presumption in favour of sustainable development;
  - Paragraph 80: Support of sustainable economic growth;
  - Paragraph 102-103: Sustainable transport;
  - Paragraph 117: Effective use of land;
  - Paragraph 170: Contributions and enhancement of natural and local environment

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

72. The following paragraphs are relevant to the proposal:

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

### **National Waste Planning Practice Guidance (NWPPG) (last updated 15/04/2015)**

73. The following paragraphs are relevant to the proposal:

- Paragraph 007 (Self-sufficient and proximity principle);
- Paragraph 0046 (Need); and
- Paragraph 0050: (Planning and regulation).

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

74. The following policies are relevant to the proposal:

- Policy 1 (Sustainable minerals and waste development);
- Policy 2 (Climate change – mitigation and adaptation);
- Policy 3 (Protection of habitats and species);
- Policy 4 (Protection of the designated landscape);
- Policy 5 (Protection of the countryside);
- Policy 7 (Conserving the historic environment and heritage assets);
- Policy 8 (Protection of soils);
- Policy 9 (Restoration of quarries and waste developments);
- Policy 10 (Protecting public health, safety and amenity);
- Policy 11 (Flood risk and prevention);
- Policy 12 (Managing traffic);
- Policy 13 (High-quality design of minerals and waste development);
- Policy 14 (Community benefits);
- 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).

### **Winchester City Council (Local Plan Part 1 – Joint Core Strategy (2013)) (WCCCS (2013))**

75. The following policies are relevant to the proposal:

- Policy DS1 – Development Strategy and Principles
- Policy MTRA4 – Development in the Countryside;
- Policy CP10 – Transport

- Policy CP13 – High Quality Design;
- Policy CP15 – Green Infrastructure; and
- Policy CP16 – Biodiversity.

### Winchester City Council (Local Plan Part 2 – Development Management and Site Allocations)

76. The following policies are relevant to the proposal:
- Policy DM1 – Location of New Development;
  - Policy DM10 – Essential Facilities & Services in the Countryside;
  - Policy DM15 – Local Distinctiveness;
  - Policy DM16 – Site Design Criteria;
  - Policy DM17 – Site Development Principles;
  - Policy DM18 – Access and Parking;
  - Policy DM19 – Development and Pollution;
  - Policy DM20 – Development and Noise;
  - Policy DM23 – Rural Character;
  - Policy DM24 – Special Trees, Important Hedgerows and Ancient Woodlands; and
  - Policy DM26 – Archaeology.

### **Consultations**

77. **Lead Local Flood Authority (HCC):** No objection subject to conditions relating to the submission of a detailed surface water drainage scheme for the site.
78. **Planning Policy:** Has no objection.
79. **South Wonston Parish Council:** Objects to the proposal on the following grounds:
1. Change of Character of the Local Area;
  2. Would set a precedent for further industrial developments north of Three Maid Hill and west of the A34;
  3. Highway impact (congestion) on A34 and surrounding roads and safety (including cycle safety);
  4. Impact of noise from the development on the amenity of residents of South Wonston including overnight;
  5. Concerns over the suitability of the proposed dust management measures;
  6. Alternative sites not properly considered – other sites more suitable location for the proposed development;
  7. Change of a green field, rural site is inappropriate;
80. **Kings Worthy Parish Council:** Objects to the proposal on the following grounds:

1. HGV movements – The number of proposed Heavy Goods Vehicle movements (50-76 per day) will have a significant impact on the A34, three maids hill roundabout and other local infrastructure.
2. Dust – Whilst dust mitigation measures have been planned, from the documentation provided these measures will not remove the risk of dust affecting the surrounding roads, particularly the A34, posing a safety hazard to vehicles.
3. Noise and Night Operations – The documentation provided indicates that there will be some night-time operations. The resultant night-time traffic will have significant impact on the properties in the surrounding area, particularly those adjacent to the A34. The Parish Council do not feel this is an appropriate use of this site given the issues above and the rural setting of the surrounding parishes.

81. **Crawley Parish Council:** Objects to the proposal as it is an industrial land use encroaching into an area of Winchester that is currently undeveloped peaceful agricultural countryside. Requests that alternative brown field sites in and around the existing motorway network rather than in such close vicinity of residential, farmland and equestrian land uses are explored. Should HCC approve this application, the parish asks for detailed assurances in respect of noise and traffic impact upon the residents and visitors of Crawley Village as follows:

1. The planning statement indicates that natural bunds will be created around the boundaries for noise abatement. The landscape drawing, however, indicates that this is only provided in the south west corner. Requests assurance that noise abatement bunds be extended to the west and north boundaries as well as the southern corner.
2. Noted that the applicant will not access the site from Stud Lane, however there is no provision to restrict access along this road for private contractors. I suspect that without regulation, contractors' HGVs from Winchester City Centre and the towns and villages to the south and west will follow the shortest routes to the site through Crawley Village. These roads are unsuited to heavy traffic and this will cause danger and inconvenience to the residents of the village. We request that firm operating procedure be applied to all contractors using the facility to ensure that traffic will not be permitted to access the site through Stud Lane, and any of the roads passing through Crawley Village.

82. **Headbourne Worthy Parish Council:** Objects to the application on the grounds that the location of the site is unsuitable for the location for a large re-cycling centre. The application specifies that the centre will service 73,000 tons of waste a day which will be delivered and taken away by 50-76 HGV movements per day. This number of heavy vehicles will greatly impact negatively on the local infrastructure. The A34 is already over-capacitated and experiences regular tail backs because of the over-use of the road. The junction is also an important part of the local road infrastructure feeding down the Andover Rd to the new residential community of Kings Barton and into Winchester. An overload of heavy traffic at this point will impact the flow

of traffic in these residential areas negatively as well as into the community of Littleton. The site will also generate a substantial amount of noise and dust which the Council considers unacceptable since it is situated too close to the residential areas of a major city. The residents of Headbourne Worthy have experienced noise pollution when the Motocross was in operation and this facility will generate far more noise from deliveries being discharged and consignments being loaded which the Council finds unacceptable. The Council also feels that it is inappropriate to eliminate a rural landscape from the outskirts of Winchester. The Council considers that this proposal is wholly inappropriate for a rural setting and is too close to urban development.

83. **Littleton and Harestock Parish Council:** Objects to the application on the following grounds:
1. Concerns about the significant change of use and industrialisation of the Three Maids Hill area in terms of the long-term spatial strategy for north Winchester.
  2. Impacts of this site working alongside another proposed aggregate recycling planning application site;
  3. Impacts on the MoD Flowerdown Estate which is due for redevelopment;
  4. The industrialisation of the Three Maids Hill area should be seen from the perspective of the WCC Strategic Housing and Employment Land Availability Assessment (SHELAA) which shows the potential for all sorts of development right up to the Three Maids Hill roundabout. It is unclear to LHPC where the positioning of aggregate recycling centres in the Three Maids Hill area fits into rapidly changing planning policies and the future Spatial Strategy for North Winchester.
  5. Siting of the Inert Waste Recycling Facility at Three Maids Hill - The Planning Application does not represent an accurate analysis of the impact of the recycling site's location, and we advise that this is a serious omission. The proposed site edge lies approximately about 150m north of the commercial Littleton Stud, which is not agricultural land as claimed in the Planning Application. This site and the horses would be significantly impacted by the proposal.
  6. Intensity of recycling operations/working times and impact on amenity / Littleton Stud;
  7. HGV Movements, impact and use of surrounding roads;
  8. General Impact on the Littleton Settlement, Littleton Conservation Area and residents amenity.
84. **County Landscape Architect:** Initially raised concerns, which the applicant has addressed. Therefore, has no objection subject to the inclusion of conditions on stockpile heights and for the submission of planting and maintenance details.
85. **County Arboriculture (HCC):** Noted that the existing tree belt is important for both screening and trapping particulates so keeping the existing tree cover is highly desirable and they are largely on Hampshire County Council

land at the southern end. Requested a condition relating to the submission of a Tree Protection Plan. Welcomes the improvement of the tree cover through new planting. Any trees onto highway owned land will need permission and a commuted sum of £780 to maintain into the future after a four-year establishment period. Requires confirmation about the removal of the tree and notes that this may require CAVAT compensation in line with highway policy.

86. **Environment Agency:** No objection to the proposal.
87. **Highway Authority:** Further information was requested relating to the detailed proposals for the site access works (including junction radii, visibility splays and highway boundary). A response from the Highway Authority is awaited and will be reported in an Update Paper.
88. **County Archaeologist:** Requested a Heritage Statement to be submitted which addresses the archaeological sites recorded, the archaeological potential implied, the impact of development on below ground archaeological remains and an archaeological mitigation strategy implied by that assessment. Further information was submitted but was still considered to be insufficient. However, the County Archaeologist indicated that conditions relating to archaeological evaluation and archaeological mitigation strategy could address this.
89. **Winchester City Council - Environmental Health Officer:** Has no objection but recommended that conditions are included to ensure the operation is conducted in accordance with that assumed within the acoustic modelling. Specifically, this should include:
  1. General Hours of use restrictions.
  2. Restrictions on the number of night time operations and limiting operations taking place over such events (i.e. no processing/screening/crushing)
  3. The installation and maintenance thereafter of the proposed 2m perimeter bunding
90. **County Ecologist:** Has no objection, but recommends that all ecological mitigation, compensation and enhancement measures be secured through a condition requiring a single ecological mitigation, compensation and enhancement plan. This should include aims, objectives and detailed prescriptions for all ecological mitigation and enhancement measures and details of all ongoing management.
91. **Winchester City Council:** Objects to the proposal on the following grounds:
  1. The impact on the surrounding road network has not been adequately assessed;
  2. Additional landscaping details are required prior to determination to ensure the site can be adequately screened;
  3. The impact on archaeology has not been addressed.

92 **Councillor Porter:** Was notified.

93 **Natural England:** Was notified

## Representations

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

95. In complying with the requirements of the SCI, HCC:

- Published a notice of the application in the [Hampshire Independent](#);
- Placed notices of the application at the application site 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.

96 As of 7th December 2020, a total of 208 representations to the proposal have been received. All representations submitted object to the proposal. The main areas of concern raised in the objections related to the following areas:

- Unsuitable site and location, industrialisation of the area, rural location is not acceptable for the proposed development;
- Landscape and visual impact of the development (including on the Hampshire Downs / National Character Area and Littleton Conservation Area);
- Impact on agricultural land and loss of best/ versatile agriculture land;
- Adequacy of the Landscape and Visual Appraisal submitted;
- Inadequacy of the proposed mitigation measures;
- Harm to the character of the setting of Winchester;
- Unsuitability / unsafe surrounding roads which are not suitable for additional movement of HGV vehicle's;
- How will use of other roads be restricted?
- Noise impacts and inadequacy of the Noise Assessment;
- Dust impacts;
- Environmental and amenity (including health and wellbeing) impacts on residents Littleton, South Wonston, Harestock, Kings Worthy;
- Impact on tranquillity;
- Concerns over hours of working (including night-time operations);
- Air quality impacts;
- Already have environmental health issues with the Motocross which requires regular reports to the EHO;
- Impact of lighting;
- Near to another application for the same use;

- Lack of reference to Kings Barton in supporting documents;
- No special or local need for the site;
- Lack of consideration of alternative sites / Other sites will be more suitable e.g. industrial estates, Bar End, junction of M3/A31;
- Impact on users of nearby rights of way;
- Biodiversity and ecological enhancement will not work as noise and disturbance on existing agricultural land will stop this;
- Impact on surrounding woodland and loss of trees
- Impacts on watercourses and run off;
- Lack of consultation with local communities;
- Impact on nearby recreational activities and facilities (including the Littleton Stud);
- Lack of confidence in the ability to monitor and enforce the development;
- The impact statement does not take into account the sensitive nature of the underlying chalklands as defined by Natural England;
- Impact on wildlife and natural habitats;
- Non compliance with national and local planning policy;
- Archaeology not appropriately considered;
- Loss of green space; and
- Types of waste being brought onto site.

97 Some responses acknowledged support for the principal of the application to recycle inert waste material, which is important for the environment.

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

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

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

100 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.

101 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.

- 102 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.
- 103 The HRA screening hereby carried out by the MWPA considers the proposed development to have **no likely significant effect** on the identified European designated sites due to it not being located at a distance to be considered to have proximity to directly impact on the European designated sites; the site is not considered to have any functional impact pathways connecting the proposed works with any European designated sites.

## **Climate Change**

- 104 Hampshire County Council declared a climate change emergency on 17 June 2019. This proposal has been considered against Policy 2 (Climate change – mitigation and adaptation) of the HMWP (2013) and Paragraph 148 (supporting the transition to a low carbon future) of the NPPF (2019).
- 105 The application does not contain a Climate Change Assessment, but it seeks to recycle aggregates and push waste further up the Waste Hierarchy which is in line with sustainability principles. The site will also provide net gains in biodiversity in line with the NPPF (2019) and forthcoming Environment Bill.

## **Commentary**

### Principle of the development

- 106 Policy 1 (Sustainable minerals and waste development) of the HMWP (2013) states that the Hampshire Authorities will take a positive approach to minerals and waste development that reflects the presumption in favour of sustainable development contained in the NPPF (2019).
- 107 Policy 25 (Sustainable waste management) of the HMWP (2013) supports development which encourages sustainable waste management and reduces the amount of residual waste currently sent to landfill. This development would drive waste to be managed at the highest achievable level within the waste hierarchy. It is therefore considered to be in accordance with Policy 25 of the HMWP (2013).
- 108 The site could help Hampshire meet its waste management objectives as set out in the HMWP (2013). This site provides benefits that can be difficult to find such as: well established vegetation, a remote location from residential areas, direct access to the Strategic Road Network, a large enough site area for the proposed use and a central location in proximity to sources of waste. It is therefore considered that the proposal is in accordance with Policy 29 (Locations and sites for waste management) of the HMWP (2013).

- 109 It is noted that concerns have been raised about the concept of precedent (i.e. how the grant of any individual planning permission will impact upon the grant or refusal of any future planning permissions). However, this is not a material consideration in the determination of this planning application. Rather, each application for a proposed development should be considered on its own merits and not in view of previous permissions, nor its anticipated impact or otherwise on any future application.
- 110 Concerns raised about the non-compliance with sections 7 and 11 of the National Planning Policy Framework are noted. Issues relating to these aspects are covered in the remaining part of this commentary, where they are of relevance to the proposal.

#### Development in the countryside

- 111 The site lies outside the settlement boundary defined within the Winchester District Local Plan (2013) and as such is located in the countryside. Policy MTRA4 (Development in the Countryside) of the WCCLP (2013) will only permit development that has an operational need for such a location. The proposal is requesting permanent retention of the site for waste recycling use. This means that in order to meet Policy 5 (Protection of the countryside) of the HMWP (2013), the nature of the development must require a countryside or isolated location.
- 112 Policy 29 (Locations and sites for waste management) of the HMWP (2013) sets out criteria for suitable sites and locations for waste management. The site comprises a parcel of agricultural land outside the settlement boundary defined within the Winchester District Local Plan and as such is located in the Countryside. As such, for planning purposes the land is also required to be considered as greenfield. Therefore, the site does not meet the definition of previously developed land in Part 2 of Policy 29 of the HMWP (2013) and instead must be considered in accordance with Part 3. Part 3 of Policy 29 supports development in locations other than those identified in Parts 1 and 2 where it can be demonstrated that the site has good transport connections and a special need for the location and the site is suitable for the proposal.
- 113 Concerns raised about the non-compliance with Policy 5 of the HMWP (2013), WCC Local Plan Part1 Policy MTRA4 Development in the Countryside and Local Plan Part 2 Policies DM1 and DM23 Rural Character are noted.
- 114 It is noted that many representations questioned the suitability of this location for the proposed development, as well as the lack of consideration of alternative sites. Appendix B "Site Selection Review" provided by the applicant demonstrates that several other sites were considered based on a variety of factors such as the size of site required, strategic road access, proximity to sources and markets for products, surrounding area and availability and cost of the site. Of the sites considered, this site best met these criteria and is the most policy compliant.

- 115 Paragraph 6.205 of the HMWP (2013) recognises that recycling and recovery activities that predominantly take place in the open are better suited to countryside locations by virtue of their potential for noise, odour and other emissions. Paragraph 6.195 states that sites which have not previously been developed (i.e. greenfield) but are in well-screened locations away from residential areas may provide opportunities for locating facilities which require a more isolated location. Paragraph 6.209 states that open-air facilities can be justified on sites outside the main urban areas where there is a special need or exceptional circumstances. The proposed development meets these criteria.
- 116 The proposed uses for the site are for the for the transfer, storage and processing of inert waste which are recycling activities generally carried out outdoors. Therefore, subject to a condition that the site be restored if it is no longer required for waste use, the proposal is considered to comply with Policy 5 (Protection of the countryside) of the HMWP (2013) and Policy MTRA4 (Development in the countryside) of the WCCLP (2013).

#### Demonstration of need and capacity for waste management/recycled aggregates

- 117 Policies 17 (Aggregate supply – capacity and source) and 18 (Recycled and secondary aggregates development) of the HMWP (2013) support development of infrastructure to provide supply of recycled and secondary aggregates.
- 118 Policy 27 (Capacity for waste management development) of the HMWP (2013) states the need for additional waste infrastructure capacity for non-hazardous recycling and recovery capacity in Hampshire. Policy 30 (Construction, demolition and excavation waste development) supports development that will maximise the recovery of CDE waste to produce at least 1mtpa of recycled/secondary aggregates. The proposed development will provide additional infrastructure for a non-hazardous waste recycling facility, which will recover CDE waste and will create additional aggregate supply through recovery. It is therefore in accordance with policy 17, 18, 27 and 30.
- 119 Concerns have been raised about the lack of special or local need for the development and these are noted. The National Planning Policy for Waste (2014) (NPPW) sets out the Government's ambition to work towards a more sustainable and efficient approach to resource use and management. Policy 7 of the NPPW states that when determining waste planning applications, Waste Planning Authorities should only expect applicants to demonstrate the quantitative or market need for new or enhanced waste management facilities where proposals are not consistent with an up-to-date Local Plan. In this case, the proposed development is considered consistent with the relevant policies of the HMWP (2013) and so the applicant is not required to demonstrate market need. The site is located next to the A34, part of the

Strategic Road Network as identified in the HMWP (2013) and is therefore considered to be in proximity to the waste sources and markets of Hampshire. It is therefore considered that the proposed development is in accordance with Policies 17, 18, 25 and 27 of the HMWP (2013).

### Visual impact and landscape

- 120 Policy 13 (High-quality design of minerals and waste development) of the HMWP (2013) requires that waste development should not cause an unacceptable adverse visual impact and should maintain and enhance the distinctive character of the landscape. In addition, Policy 10 (Protecting public health, safety and amenity) of the HMWP (2013) protects residents from significant adverse visual impact. Policy DM23 (Rural Character) of the Winchester Local Plan Part 2 states that development will be permitted where they do not have an unacceptable effect on the rural character of the area, by means of visual intrusion, the introduction of incongruous features, the destruction of locally characteristic rural assets, or by impacts on the tranquillity of the environment.
- 121 Many concerns have been raised in representations relating to the potential landscape and visual impact of the development (including on the Hampshire Downs / National Character Area) and the potential impact on the setting of the city of Winchester. In addition, some representations question the adequacy of the Landscape and Visual Appraisal submitted and the proposed mitigation measures.
- 122 Planning decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside and the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland (NPPF para 170).
- 123 The site is currently an empty agricultural field with existing tree screening along the southern and eastern borders. The land is not degraded by previous development, it is an agricultural setting contiguous with the adjacent Worthy Down. Policy 5 (Protection of the countryside) of the HMWP (2013) applies and requires that minerals and waste development should not cause an unacceptable adverse visual impact and should maintain and enhance the distinctive character of the landscape and townscape.
- 124 This site is currently greenfield, undisturbed farmland sitting beyond the Winchester settlement boundary within the countryside of the mid-Hampshire Downs. Paragraph 170 of the NPPF (2019) and policies 5, 10 and 13 of the HMWP (2013) make provision for waste sites within countryside providing they contribute to and enhance the natural and local environment, do not cause unacceptable adverse visual impact, and enhance distinctive landscape character.

- 125 The site is not located in a designated landscape as defined by Policy 4 (Protection of the designated landscape) of the HMWP (2013) it is nevertheless part of the Mid Hampshire Open Downs Landscape Character Area (8e Hampshire Landscape Character Area), and therefore presents some level of landscape value. However, it is also located directly in between two major 'A' roads, the A272 and the A34. It is noted within the 'National Character Area' description that traffic on these routes have a significant impact on the landscape and the tranquillity of the area.
- 126 Concerns have been raised in some representations about the lack of a bund in the North West corner of the site. This is an issue that was also originally raised by the County Landscape Architect, however the bund design has been altered and extended to further decrease visibility into the site from public viewpoints and the County Landscape Architect is now satisfied with the proposal.
- 127 The proposal by virtue of its contribution to the landscape fabric of the area, the additional grassland and woodland habitat it provides, the screening afforded to the development by the surrounding planting (and the lower level of the topography), can be said to enhance the environment and not cause an unacceptable adverse visual impact.
- 128 The concerns raised about the impact on woodland and the loss of trees are noted. The development will result in the loss of one moderate value tree, but proposes the planting of a large number of additional trees, particularly on the northern and western boundaries of the site. The County Arboriculturist supports this and requests that existing trees be protected. A condition requiring the submission of a Tree Protection Plan has been included in Appendix A.
- 129 County Landscape and Arboriculture were both consulted on the proposal and subject to the inclusion of conditions restricting stockpile heights and requiring the submission of planting and maintenance details, both have no objection to the development. It is therefore considered to be in accordance with Policies 5 (Protection of the countryside), 10 (Protecting public health, safety and amenity) and 13 (High-quality design of minerals and waste development) of the Hampshire Minerals and Waste Plan (2013) and Policy DM23 (Rural Character) of the WCCLP (2013).

#### Impact on recreation

- 130 Concerns raised about the potential impact on the users of the nearby rights of way and the Littleton Stud are noted. There are no Public Rights of Way that cross or bound the application site. The nearest PRow is located approximately 715m to the south-east of the site. The proposal is not considered to have an impact on this rights of way. However, there is a permissive footpath that runs in a north-south direction through the belt of woodland to the west of the A272 which is managed by Hampshire County Council's Countryside Services and used by pedestrians and cyclists.

133. Concerns raised about the potential impact on the Littleton Stud are acknowledged. The proposed mitigation measures associated with the proposal have been considered by the Environmental Health Officer and other consultees and are considered to be acceptable.

#### Soil Protection

134. Policy 8 (Protection of soils) of the HMWP (2013) requires minerals and waste development to protect and, wherever possible, enhance soils. It also states that development should not result in the net loss of best and most versatile agricultural land and gives provisions for the protection of soils during construction. The Agricultural Land Classification (ACL) system classifies land into five grades, with Grade 3 subdivided into Subgrades 3a and 3b. The best and most versatile land is defined as Grades 1, 2 and 3a.
135. Concerns have been raised in some representations about the impact on agricultural land and loss of best/ versatile agriculture land. It is noted that the current use of the land is grazing/arable crop production/recreation. This site is noted as Grade 3 ACL, however only 0.6 ha of the site have been identified as Grade 3a good quality agricultural land. Natural England consider any site less than 20 hectares in size to not represent a significant loss of best and most versatile agricultural land. The site also intends to utilise the existing soils on site to create the bunds, and so in the event that the use of the site ceases and is restored, there would be minimal loss of soils.

#### Cultural and Archaeological Heritage

136. 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.
137. The site contains two recorded archaeological assets, one of which is a substantive Bronze Age landscape boundary that crosses it, the other the possible edge of a substantial Bronze Age burial mound. In addition, there are a number of substantive archaeological sites in its immediate vicinity that suggest the site has high archaeological potential. Concerns on the potential impact on the Littleton Conservation Area are noted.
138. The County Archaeologist was consulted on the application and raised no objection subject to conditions, relating to the further assessment of the site's archaeological potential, this will ensure the development is acceptable from an archaeological perspective. These conditions have been included below and as such the proposal is considered to be in accordance with Policy 7 of the HMWP (2013).

## Ecology

139. 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 as does Policy CP16 (Biodiversity) of the WCCLP (2013). 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.
140. Concerns have been raised in some representations that the proposed biodiversity and ecological enhancement measures will not work due to as noise and disturbance. The County Ecologist raises no such concerns and welcomes the proposed enhancement, stating that the proposed noise attenuation bunds are an excellent opportunity for meaningful biodiversity enhancement.
141. The County Ecologist states that the site overall is of low ecological value and supports the biodiversity net gains that are proposed on site. They were satisfied with the ecological information provided with the application and have recommended a condition to secure the ecological mitigation, compensation and enhancement measures put forward. This has been included and as such the development is in accordance with Policy 3 (Protection of habitats and species) of the HMWP (2013) and Paragraph 170 of the NPPF (2019).

## Impact on amenity and health

142. As detailed in the representations section, there have been a number of concerns raised over the potential for adverse impacts to local amenity and health. This includes the potential impact on the amenity of nearby residential areas, on further proposed development and nearby schools. These issues are interlinked but have been split into subcategories for the purpose of clarity in this report. 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, this is echoed in Policy DM19 (Development and Pollution) of the WCCLP (2013). Also, any proposal should not cause an unacceptable cumulative impact arising from the interactions between waste developments and other forms of development.
143. Concerns raised about the non-compliance with Policy 10 of the HMWP (2013) are noted. Concerns have also been raised about the proposed hours

of working and night time working. The daytime working hours of the site have been assessed in the submitted noise assessment as acceptable and the Winchester Environmental Health Officer (WCCEHO) raised no concerns. The hours proposed are in line with normal working hours of other sites of a similar nature. The WCCEHO suggested that night time working should be restricted by way of condition and this has been included below to ensure that this is suitably restricted and will not have a significant adverse impact on amenity. It is therefore seen to be in accordance with Policy 10.

### *Light Pollution*

144. Concerns raised over the impact of lighting from the development and associated with HGV movements are noted. The proposal does not include the provision of any outdoor lighting. The only fixed lighting would-be low-level lighting affixed to the site office/welfare facility for the health and safety of staff opening or closing-up during the hours of darkness.
145. For the limited operations that would occur during hours of darkness (and occasional deposit or collection of material associated with highways works in the night-time period) this would be undertaken with the night-lights fitted to HGVs and other lighting that is integral to the site plant and machinery.
146. It is stated that during winter months the main inert recycling operations would typically be limited to daylight hours, although concerns were raised regarding the amenity impacts of vehicle lighting. On the basis that there is only one nearby residence 150m to the south west of the site and this is protected from lighting impacts by both its distance away from the site and a large amount of tree and hedgerow screening, this is not considered likely to cause significant amenity impact.
147. The County Ecologist has raised no concerns regarding the impact of this proposed safety lighting on protected species and the Winchester City Council Environmental Health Officer (WCCEHO) has also raised no objection regarding amenity impacts. However, to ensure that this remains the case, a condition has been added to control any future lighting that the site may require. As such the proposal is seen to be in accordance with Policy 10 (Protecting the health, safety and amenity) of the HMWP (2013).

### *Noise*

148. The nearest residential property to the site is 'Three Maids Bungalow' which is located approximately 160m to the south-west of the proposed operational site. This property is part of the Littleton Stud. There are further residential properties located at Lower Farm more than 500m to the west of the site.
149. Concerns raised about the potential noise associated with the development as well as the adequacy of the Noise Impact Assessment are noted.

150. A Noise Impact Assessment was submitted with the application which concludes that it is likely that the noise impact will fall below Lowest Observable Adverse Effect Level (LOAEL) (as defined in the NPSE/ PPG) at sensitive receptors and should not cause any changes in behaviour or attitude. Therefore, the degree of noise impact relating to the proposals would be acceptable.
151. The EHO has reviewed the information and has no objection to the proposal subject to conditions for hours of use restrictions in line with those detailed in the noise assessment, restrictions on the number of night time operations and limiting operations taking place over such events (i.e. no processing/screening/crushing), and the installation and maintenance thereafter of the proposed 2m perimeter bunding. These conditions have all been included in Appendix A and as such the proposal is seen to be in accordance with Policy 10 (Protecting the health, safety and amenity) of the HMWP (2013) and Policy DM20 (Development and Noise) of the WCCLP (2013).

#### *Dust and Air Quality*

152. The concerns raised by members of the public regarding potential impacts on residential amenity and health as a result of emissions and dust are acknowledged. However, the only source of emissions which will be associated with the development will relate to vehicle and plant exhausts, both of which are not of a large scale. Vehicles would be passing by the residents for a brief period of time, so the exposure is not significant. These issues have been considered by the Highway Authority and the EHO. The proposed types of waste to be recycled are mainly inert and as such would not produce noticeable amounts of dust or odour and there are not a large number of houses immediately adjacent to the site to be affected. An Environmental Management Plan is also recommended in a condition to ensure that dust does not reach beyond the site in unacceptable levels. This is included in Appendix A. Therefore, the proposal is considered to be in accordance with Policy 10 (Protecting the health, safety and amenity) of the HMWP (2013) and Policy DM19 (Development and Pollution) of the WCCLP (2013).

#### *Health*

153. Concerns raised about the potential impact on health and wellbeing are acknowledged. The WCCEHO has considered the application and has not raised an objection. In addition, in the event that planning permission is granted, the site will also be subject to an Environmental Permit from the Environment Agency.

#### Potential pollution associated with the development

155. Concerns raised through representations relating to contributing to pollution are noted. National Planning Practice Guidance states that Planning

Authorities should assume that other regulatory regimes will operate effectively rather than seek to control any processes, health and safety issues or emissions themselves where these are subject to approval under other regimes ([Paragraph 050 Reference ID: 28-050-20141016](#)). Planning and permitting decisions are separate but closely linked. Planning permission determines if a development is an acceptable use of the land. Permitting determines if an operation can be managed on an ongoing basis to prevent or minimise pollution.

156. Material imported to the site shall comprise of inert construction and demolition waste (CDE waste). This shall comprise only of clean, uncontaminated soils, rubble, concrete, wood and road planings. The types of waste will be controlled Environmental Permit. The site will require an Environmental Permit which will control the suitability of the waste material imported to the site.

### Flooding

157. 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.
158. The Lead Local Flood Authority was consulted in relation to the proposal and subject to the inclusion of a condition for the submission of a Surface Water Drainage Scheme, they are satisfied that the proposed development will not increase flood risks. The Environment Agency were also consulted and had no objection. It is therefore considered to be in accordance with Policy 11 (Flood risk and prevention) of the HMWP (2013).

### Highways impact

159. 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.
160. A number of concerns were raised in representations relating to potential highway impacts. These included roads and lanes off the A34 and A272 not being considered suitable for additional movement of HGV vehicle's, existing infrastructure already cannot cope with existing traffic levels, fear of local roads being used as 'rat runs', concerns over the safety of the A272 junction. These are all noted.

161. The Highway Authority were consulted on the application and requested further information relating to the proposed access. A response from the Highway Authority is awaited and this will be reported in an Update Report.

#### Lack of public consultation

162. As documented in the representations section of this report, the proposal was subject to a public consultation in accordance with the adopted Hampshire Statement of Community Involvement.

#### Monitoring and enforcement

163. Concerns and a lack of confidence in the ability to monitor and enforce the development raised in representations are noted.

164. In the event that planning permission is granted for the proposal, all planning conditions will be actively monitored by the Council's Monitoring and Enforcement team to ensure compliance.

#### Community benefits

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

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

167. In addition to the above, paragraph 5.59 of the HMWP (2013) states that there is an expectation that all 'major' minerals and waste development will be accompanied by a site Liaison Panel. An informative note to applicant is recommended on the re-establishment of a liaison panel for the site if permission were to be granted in the interests of promoting communication between the site operator and local community.

#### Conclusions

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

- deliver additional waste management capacity through the addition of a wood processing facility which would help to recycle waste at the highest achievable level within the waste hierarchy, and reducing the volume of waste sent to landfill;
- have good transport connections to the sources of and/or markets for the type of waste proposed to be managed at the site and be suited to the isolated location of the application site;
- not cause an unacceptable adverse visual or landscape impact; and
- not cause adverse public health and safety impacts, and/or unacceptable adverse amenity impacts.

### **Recommendation**

168. That planning permission be granted subject to the conditions listed in Appendix A.

Appendices:

Appendix A – Conditions

Appendix B – Committee Plan

Appendix C – Site Layout and Drainage Plan

Appendix D – Landscape Strategy Plan

Other documents relating to this application:

<https://planning.hants.gov.uk/ApplicationDetails.aspx?RecNo=21326>

**REQUIRED CORPORATE AND LEGAL INFORMATION:**

**Links to the Strategic Plan**

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

**Section 100 D - Local Government Act 1972 - background documents**

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

Document

Location

20/01765/HCS  
WR243

Hampshire County Council

Land at Three Maids Hill, off A272,  
Winchester SO21 2QU  
(Development of an Inert Waste Recycling  
Facility)

## **EQUALITIES IMPACT ASSESSMENTS:**

### **1. Equality Duty**

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

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

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

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

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

## CONDITIONS

### Commencement

1. The development hereby permitted shall be begun before the expiration of three years from the date on which this planning permission was granted.

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

### Hours of Working

2. No heavy goods vehicles (HGVs are vehicles over 3.5 tonnes gross weight) shall enter or leave the site except between the following hours: 07.00 - 18.00 Monday to Friday and 07.00 - 13.00 Saturday. No plant or machinery shall be operated except between the following hours: 07.00 - 18.00 Monday to Friday and 08.00 - 13.00 Saturday. There shall be no working on Sundays or recognised Public Holidays.

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

3. Night works shall only take place Monday-Friday following the advance agreement of the Minerals and Waste Planning Authority. Night-working is permitted up to 10 occasions per year (as applied for) and shall only take place Monday to Friday. Night-works should not comprise any sorting, screening, or crushing of material. Any additional occasions of night working will require advance agreement from the Minerals and Waste Planning Authority.

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

### Highways

4. For the duration of the development, measures shall be taken to clean vehicles leaving the site to prevent mud and spoil from being deposited on the public highway. No vehicle shall leave the site unless it has been cleaned sufficiently to prevent mud and spoil being carried on to the public highway. In the event that mud and spoil from vehicles leaving the site are deposited on the public highway, measures shall be taken to clean the highway.

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

## **Tonnage**

5. No more than 75,000 tonnes of waste/mineral shall be imported/exported from/to the site per annum. A written record of tonnage entering/leaving the site associated with the permission hereby granted shall be kept onsite and shall be made available to the Minerals and Waste Planning Authority for inspection upon request.

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

## **Nature Conservation**

6. Development shall proceed in accordance with the ecological mitigation,, compensation and enhancement measures detailed within the Ecological Appraisal (CES, October 2020), Reptile Survey (CES, May 2020), Bird Scoping report (CES, June 2020), Bat Activity report (CES, July 2020) and the Landscape Strategy Plan Rev. B (Johns Associates, October 2020). All ecological mitigation, compensation and enhancement measures should be implemented in accordance with ecologist's instructions and managed and maintained in accordance with their intended function.

Reason: To protect biodiversity in accordance with the Conservation Regulations 2017, Wildlife & Countryside Act 1981, the NERC Act (2006), NPPF (2019) and in accordance with Policy 3 (Protection of habitats and species) of the Hampshire Minerals & Waste Plan (2013).

## **Landscape**

7. Prior to the commencement of development, a detailed scheme of landscaping for the site shall be submitted to and approved by the Minerals and Waste Planning Authority in writing. The scheme shall specify the types, size and species of all trees and shrubs to be planted; details of all trees to be retained; and details of fencing/enclosure of the site, phasing and timescales for carrying out the works, and provision for future maintenance. Any trees or shrubs which, within a period of five years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The scheme shall be implemented as approved.

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

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

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

### **Perimeter Bunds**

9. The perimeter bunds shall be constructed and maintained in accordance with the approved plan and cross section details as shown on Drawings J00546-020 Rev B and J00546-021 Rev A for the duration of the development.

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

### **Arboriculture**

10. Prior to the commencement of development, a Tree Protection Plan identifying all trees on the application site and those which are to be retained and protected during development shall be submitted to the Minerals and Waste Planning Authority for approval in writing. The development shall be implemented in accordance with the approved scheme and maintained for the duration of the development.

Reason: This is a pre-commencement condition in the interest of preserving the natural features of the site and the protection of trees, retaining the landscape character of the area and in accordance with Policies 10 (Protecting public health, safety and amenity) and 13 (High-quality design of minerals and waste developments of the Hampshire Minerals and Waste Plan (2013).

### **Archaeology**

11. No development shall take place until the applicant has secured the implementation of a programme of archaeological evaluation, comprising of trial trenching which should explore the archaeological potential of the site, and the character and date of the two known archaeological sites in order to inform subsequent mitigation by recording. This should be done in accordance with a written specification that has been submitted to and approved by the Minerals and Waste Planning Authority.

Reason: In the interests of archaeology in accordance with Policy 7 (Conserving the historic environment and heritage assets) of the Hampshire Minerals & Waste Plan (2013). This is a pre-commencement

condition as the works have the potential to cause harm to archaeological remains and need to be appropriately managed.

12. No development shall take place until the applicant has secured the implementation of a programme of archaeological mitigation in accordance with a written specification that has been submitted to and approved by the Minerals and Waste Planning Authority.

Reason: In the interests of archaeology in accordance with Policy 7 (Conserving the historic environment and heritage assets) of the Hampshire Minerals & Waste Plan (2013).

13. Following completion of archaeological fieldwork, a report will be produced in accordance with an approved programme including where appropriate post-excavation assessment, specialist analysis and reports, publication and public engagement.

Reason: In the interests of archaeology in accordance with Policy 7 (Conserving the historic environment and heritage assets) of the Hampshire Minerals & Waste Plan (2013).

### **Noise, Dust and Odour**

14. Prior to the commencement of development, an Environmental Management Scheme for the control of noise/dust/odour at the site shall be submitted to the Minerals and Waste Planning Authority for approval in writing. The Scheme shall be implemented as approved for the duration of the permission.

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

15. 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.

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

16. All Heavy Goods Vehicles entering and leaving the site carrying waste or recycled material shall be fully sheeted.

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

## **Lighting**

17. Prior to use of the development, a Lighting Scheme shall be submitted to the Minerals and Waste Planning Authority for approval in writing. The scheme shall include details of all outside lighting, including floodlighting, safety lighting and illumination from within the plant, and measures to prevent light pollution. The Scheme shall be implemented as approved for the duration of the permission.

Reason: In the interests of the protection of fauna, landscape character and visual and local amenity in accordance with Policies 3 (Protection of habitats and species), 10 (Protecting public health, safety and amenity) & 13 (High-quality design of minerals and waste developments) of the Hampshire Minerals & Waste Plan (2013).

## **Types of Materials**

18. There shall be no burning of waste or materials on site.

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

## **Water Environment**

19. No development shall begin until a detailed Surface Water Drainage Scheme for the site, based on the principles within the Flood Risk Assessment & Drainage Strategy ref: CM/37, has been submitted and approved in writing by the Minerals and Waste Planning Authority. The submitted details should include:
  - a. A technical summary highlighting any changes to the design from that within the approved Flood Risk Assessment.
  - b. Infiltration test results undertaken in accordance with BRE365 and providing a representative assessment of those locations where infiltration features are proposed
  - c. Detailed drainage layout drawings at an identified scale indicating catchment areas, referenced drainage features, manhole cover and invert levels and pipe diameters, lengths and gradients.
  - d. Detailed hydraulic calculations for all rainfall events, including the listed below. The hydraulic calculations should take into account the connectivity of the entire drainage features including the discharge location. The results should include design and simulation criteria, network design and result tables, manholes schedule tables and summary of critical result by maximum level during the 1 in 1, 1 in 30

and 1 in 100 (plus an allowance for climate change) rainfall events. The drainage features should have the same reference that the submitted drainage layout.

- e. Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.

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

Reason: To protect the site from flooding in accordance with Policy 11 (Flood risk and prevention) of the Hampshire Minerals & Waste Plan (2013).

### **Restriction of Permitted Development Rights**

20. Notwithstanding the provisions of Parts 4, 7 and 16 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order):

- (i) fixed plant or machinery, buildings, structures and erections or private ways shall not be erected, extended, installed or replaced at the site without the prior agreement of the Minerals and Waste Planning Authority in writing;
- (ii) no telecommunications antenna shall be installed or erected without the prior agreement of the Minerals and Waste Planning Authority in writing.

Reason: to protect the amenities of the area in accordance with Policies 10 (Protecting public health, safety and amenity) and 13 (High-quality design of minerals and waste developments) of the Hampshire Minerals & Waste Plan (2013).

### **Restoration**

21. Should the site no longer be required for the permitted waste uses it shall be restored to agriculture in accordance with a scheme to be submitted to and agreed in writing by the Minerals and Waste Planning Authority. The scheme shall be submitted within six months of cessation of the permitted uses. The scheme shall include details of:

- (i) 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 and that the development is in accordance with Policies 5 (Protection of the countryside) and 9

(Restoration of minerals and waste developments) of the Hampshire Minerals & Waste Plan (2013).

## Plans

22. The development hereby permitted shall be carried out in accordance with the following approved plans: **Figure 1RevA, Figure 2RevA, Figure 3RevA, Figure 4RevA, Figure 5RevA, J00546-022RevA, T.066/2RevB, T.066/3, T.066/4, J00546-20RevB, J00456-021RevA**

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

## Notes to Applicant

1. In determining this planning application, the Minerals and Waste Planning Authority has worked with the applicant in a positive and proactive manner in accordance with the requirement in the National Planning Policy Framework (2019), as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.
2. This decision does not purport or convey any approval or consent which may be required under the Building Regulations or any other Acts, including Byelaws, orders or Regulations made under such acts
3. Any trees planted onto highway owned land will need permission from the Highways Authority and a commuted sum of £780 must be paid to maintain into the future after a four-year establishment period.
4. The tree to be removed by the entrance to the site may require CAVAT compensation in line with highway policy.
5. The County Council supports the establishment of the Liaison Panel between the site operator, Waste Planning Authority and community representatives at a suitable frequency to facilitate effective engagement with stakeholders in the interests of promoting communication between the site operator and local community. Guidance on the establishment of liaison panels is available:  
<http://documents.hants.gov.uk/planningstrategic/LiaisonPanelProtocolforHCCsites-November2016.pdf>