

**HAMPSHIRE COUNTY COUNCIL
Decision Report**

Decision Maker:	Regulatory Committee
Date:	17 April 2019
Title:	1) Variation of conditions 1, 3 and 4 of planning permission 07/90183 to extend the time to complete the importation of waste to the landfill until 2029, revise the landfill phasing and phasing of restoration, and the completion of landfill restoration by 2031 (No. 19/10066) 2) Variation of condition 2 of planning permission 11/97613 to extend the time for the use of the Waste Transfer Station until 2030 (No. 19/10064) 3) Variation of condition 2 of planning permission 08/92516 to extend the time for the use of the landfill gas utilisation plant until March 2040 (No. 19/10063) at Blue Haze Landfill Site, Verwood Road Somerley BH24 3QE (Site Ref: NF105)
Report From:	Head of Strategic Planning

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1. Recommendations

- 1.1. It is recommended that planning permission be granted for planning application 19/10066, subject to a deed of variation to transfer the Section 106 [S106] legal obligations to 19/10066 from planning permission 07/90183, and the conditions listed in integral Appendix B.
- 1.2. It is recommended that planning permission be granted for planning application 19/10064 subject to the conditions listed in integral Appendix C.
- 1.3. It is recommended that planning permission be granted for planning application 19/10063, subject to the conditions listed in integral Appendix D.

2. Executive Summary

- 2.1 Planning application 19/10066 seeks to vary Conditions 1 (Phasing), 3 (Completion date) and 4 (Working programme) of planning permission 07/90183 at Blue Haze Landfill Site, Verwood Road, Somerley to extend the time to complete the importation of waste to the landfill by 10 years until 2029,

revise the landfill phasing and phasing of restoration, and the completion of landfill restoration by 2031.

2.2 The applicant also submitted 3 further planning applications, 19/10065, 19/10064 and 19/10063; seeking to regularise ancillary developments on the Blue Haze Landfill Site by extending their temporary planning permissions in line with that sought for the overall landfill site. Application 19/10065 was withdrawn by request of the applicant on 7 March 2019. As the determination of the 2 remaining ancillary applications are dependant on the determination of the overarching planning application 19/10066, then all 3 have been simultaneously brought to the Regulatory Committee for determination. **Therefore, this Committee Report considers all 3 applications listed below:**

- **19/10066- Blue Haze Landfill Site**
Variation of conditions 1, 3 and 4 of planning permission 07/90183 to extend the time to complete the importation of waste to the landfill until 2029, revise the landfill phasing and phasing of restoration, and the completion of landfill restoration by 2031;
- **19/10064- Waste Transfer Station [WTS]**
Variation of condition 2 of planning permission 11/97613 to extend the time for the use of the Waste Transfer Station until 2030; and
- **19/10063- Landfill Gas Utilisation Plant [LGUP]**
Variation of condition 2 of planning permission 08/92516 to extend the time for the use of the landfill gas utilisation plant until March 2040.

2.3 These applications are being considered by the Regulatory Committee as the overarching planning application 19/10066 is an Environmental Impact Assessment [EIA] development under the [Town & Country Planning \(Environmental Impact Assessment\) Regulations 2017](#).

2.4 The Blue Haze Landfill Site lies within Ringwood Forest about four kilometres north-west of Ringwood and 1km south-east of Verwood. The site has an extensive planning history operating first as a sand extraction site and more recently as a landfill with restoration. Blue Haze is an active safeguarded site under Policy 26 (Safeguarding - Waste Infrastructure) of the Hampshire Minerals and Waste Plan (HMWP) (2013). It is the only remaining active non-hazardous landfill site in Hampshire. Current planning permission, originally granted in 1999, allows the landfilling of non-hazardous wastes and the sites restoration by 22 March 2020.

2.5 Key issues raised are:

- Ecological compensation for delay in biodiversity gains and public benefit;
- The length of the extension of the lifespan;
- Public health and amenity impacts; and
- Landfill capacity in Hampshire.

- 2.6 A committee site visit by Members took place on 8 April 2019 in advance of the proposal being considered by the Regulatory Committee.

It is considered that the proposals would be in accordance with the relevant policies of the adopted [Hampshire Minerals and Waste Plan \(2013\)](#) as it provides sustainable landfill capacity for Hampshire in accordance with Policies 25 (Sustainable waste management) and 26 (Safeguarding – waste infrastructure) and has identified, through its EIA, that the proposal would have no significant adverse impact to public health, amenity or the environment when considered with the proposed condition changes.

- 2.7 It is recommended that each of the planning permissions are granted, subject to the conditions listed in the relevant, integral Appendices, and a deed of variation to transfer the S106 legal obligations to 19/10066 from existing planning permission 07/90183.
- 2.8 The following existing S106 obligations are attached to permission 07/90183:
- (i) Lorry routing agreement restricting the use of Harbridge Drove and the B3081 northwards, except for local deliveries;
 - (ii) Management Agreement for Nature Conservation and the provision of footpaths/access for public recreation; and
 - (iii) Section 106 Agreement relating to off-site heathland within Plumley Wood.

3. The Site

- 3.1 The Blue Haze Landfill Site covers an area of approximately 31 hectares on the Somerley Estate, situated in a rural setting adjacent to Ringwood Forest in the New Forest District, bounded on all sides by commercial conifer plantations. It is about 4 km [kilometres] north-west of Ringwood and 1 km south-east of Verwood. The site has an extensive planning history operating firstly as a sand extraction site and more recently as landfill. The Landfill was granted consent in 1999.
- 3.2 Blue Haze is an active safeguarded site under Policy 26 (Safeguarding - Waste Infrastructure) of the Hampshire Minerals and Waste Plan (HMWP) (2013). It is the only remaining active non-hazardous landfill site in Hampshire. Current planning permission allows the landfilling of non-hazardous wastes and restoration by 22 March 2020.
- 3.3 The site comprises of 10 cells (phased areas). Refer to the Landfill and Restoration Phasing Plans, 2018 to 2021 (drawing 1215/2062/26) and 2021 to 2030 (drawing 1215/2062/27). Generally, the perimeter of the site has been landfilled and restored. The cells to the centre of the site are currently being landfilled and the cells to the north of the centre of the site are used to locate the landfill site's operations. The site's reception area includes car parking, offices, the Waste Transfer Station [WTS], the Landfill Gas Utilisation Plant [LGUP] and other site building and structures (refer to Reception Area Layout Plan, drawing LAY-01).

- 3.4 The site is accessed from the B3081 (Verwood Road), approximately 3.5 km northwest of the junction with the A31, via a metalled access road to the landfill site's reception area.
- 3.5 There are the following residential properties in proximity to the site:
- Blue Haze, 28m east;
 - Belt Cottage, 56m east;
 - Ebblake House, 215m north-west;
 - Nursery Cottages, 630m west;
 - Reservoir Cottages, 660m north;
 - White Hoe Cottages, 700m north-east;
 - Burnt Hill House, 830m north-east;
 - New Barn Cottages, 870m north-east;
 - Old Laundry Cottages, 870m east;
 - Park Cottage, 1,000m east; and
 - Verwood Village, 400m north-west.
- 3.6 Duncombe Lodge (560m south-east) and Nea Lodge (725m north-east) are two listed buildings in proximity to the site.
- 3.7 There are the following Ancient Monuments and Archaeological sites in proximity to the site:
- Potential Bronze Age Barrow (Alert yellow), 370m south-west;
 - Two bowl barrows (Alert Red & Ancient Monument), 590m south-west; and
 - Bowl Barrow, 420m north-west.
- 3.8 There are the following Conservation Areas in proximity to the site:
- Ringwood (adjacent to A31), 3km south-east;
 - Western Escarpment, 4km east;
 - Harbridge, 3.4km east; and
 - Ibsley, 2.1km north-east.
- 3.9 The Somerley Household Waste Recycling Centre [HWRC] is located 100m south of the landfill site.
- 3.10 There are no Public Rights of Way [PROW] crossing the application site. PROW 78, a bridleway that runs west to east is 100m north of the site; links Verwood and Somerley. The intervening land is principally wooded / afforested in character, the site being generally well screened by commercial forestry blocks. This surrounding land is managed for commercial forestry and is a Site of Interest for Nature Conservation (SINC).
- 3.11 There are a number of ecologically designated sites within the vicinity of the application site:
- Sites of Importance for Nature Conservation [SINCs]:
Ringwood Forest and Homewood (the Site is within this SINC), Somerley Closed Landfill (abuts southern boundary of site) Home Wood (Ancient Replanted) (1,270m east) and Ancient Woodland (775m west);

- Sites of Special Scientific Interest [SSSIs]: Ebblake Bog (500m west), Moors River System (1,200m south-west), Avon Valley (1,500m east), The New Forest (4km east) and various (>1500m north); and
- Special Protection Areas [SPAs], Special Areas of Conservation [SACs] and RAMSARs: Dorset Heathlands (Ramsar, SAC and SPA) (500m west), Avon Valley and River Avon (Ramsar and SAC) (1.5km east) and various (>1500m north).

3.12 This site is located 4km west of the New Forest National Park. The A31 is the main highway route for Hampshire waste being delivered to the site. The A31 runs through the National Park.

3.13 The site has conditioned operating times of 0700 to 1800 Monday to Friday (except on recognised public holidays, apart from 25 and 26 December, when the hours are restricted to between 0800 and 1630 for the receipt of domestic and household waste recycling centre waste), 0700 and 1630 on Saturday and 0800 to 1630 on Sunday (for the receipt of domestic and household waste recycling centre waste).

3.14 The existing permission is conditioned to control amenity impacts such as noise, vermin, dust and odour. The site has an existing approved restoration scheme.

3.15 In 2017, the site imported 122,987 tonnes of household, commercial and industrial waste to landfill. 14,437 tonnes of soil were imported for restoration. In addition to this, the WTS has an annual throughput of 25,000 tonnes of waste. Planning permission 15/10979 for the importation and processing of a Road Sweeping and Gully Waste site within the Blue Haze Landfill Site was never implemented but is discussed in these planning applications for the potential importation of up to 50,000 tonnes of road sweepings and gulley waste per year. This results in a current total of 32,940 HGV movements (to and from the site) per annum, which accounts to 126 daily HGV movements.

The Waste Transfer Station [WTS]

3.16 The WTS has a site area of 0.75 hectares as shown on the Application Boundary Plan, drawing WTS-APP-01 rev 0. The site is located within the Landfill site's reception area, adjacent to the site offices and the Landfill Gas Utilisation Plant compound. It is not visible from outside the landfill site.

3.17 The WTS comprises a three-bay shed measuring 30m x 20m x 11m and a forecourt area. The shed is of steel frame construction with concrete block walls. The flooring within the shed comprises concrete and is used as a tipping area. The forecourt area is also concreted. Two weighbridges are located to the south of the WTS on the internal access road. In 2017, the WTS contributed 10,814 HGV movements to the total travelling to and from

the Blue Haze Landfill site (approximately one third), resulting in an annual throughput of approximately 25,000 tonnes of waste. The WTS existing planning permission, 11/97613, has no limit to the amount of waste imported, nor to number of HGV movements.

Landfill Gas Utilisation Plant [LGUP]

- 3.18 The LGUP has a site area of 0.2 hectares as shown on the Application Boundary Plan, drawing GUP-APP-01 rev 0. The site is located to the south of the Landfill site's reception area, where the site offices and waste transfer area are located, as shown on the Reception Area Layout Plan, drawing LAY-01 rev 0. It is not visible from outside the landfill site.
- 3.19 The development comprises of a series of high density polyethylene collection pipes that collect and transport landfill gas from the wider Blue Haze landfill site to the LGUP compound. Within the compound there are four engines generating a total of approximately 5.6 MW of electricity. The plant therefore generates at maximum output enough energy to power approximately 4,000 homes.
- 3.20 A secondary gas flare is also located within the compound which is 9m high and provides sufficient capacity to ensure that if all the landfill gas engines fail, no gas will escape to the atmosphere.
- 3.21 To ensure maximum efficiency of the engines, the landfill gas is subjected to scrubbing before entering the engines. Landfill gas scrubbing is designed to clean the gas by removing inhibiting substances to ensure maximum energy output can be obtained. The equipment consists of active carbon and active graphite filters which remove water, siloxanes and hydrogen sulphide. The development includes installed lighting, with dawn-dusk sensors, for health and safety and security requirements, as shown on the Layout Plan, drawing LAY-01 Rev 0. The activity is regulated by the Environment Agency using Environmental Permit reference EPR/BU5208IJ.

4. Planning History

- 4.1 The planning history of the site is as follows:

Application No	Location	Proposal	Decision	Decision Date
SCO/2018/0763	Blue Haze Landfill Site	EIA Scoping for the Extension of time for landfilling and ancillary waste management operations	Advice	22.10.18
15/10979	Road Sweeping and Gully Waste site, within the	Construction and operation of a plant for the processing of road sweepings and gully	Granted	09.12.15

	Blue Haze Landfill Site	waste to recover material suitable for use in landfill restoration		
12/99128	Incinerator Bottom Ash (IBA) processing facility area, cell 4, within the Blue Haze Landfill Site	Variation of condition 2 of planning permission 07/90181 to extend the life of an Incinerator Bottom Ash (IBA) processing facility	Granted	16.10.12
12/98419	Site reception area within Blue Haze Landfill Site	The Installation of a Leachate Treatment Facility with Associated Plant and Machinery	Granted	26.04.12
11/97613	Site reception area within Blue Haze Landfill Site	Variation of condition 3 of Planning Permission 07/90182 to allow extended hours of operation of the Waste Transfer Station on Saturdays (0700-1630)	Granted	17.10.11
08/92516	Adjacent to the site reception area within Blue Haze Landfill Site	The Installation of Four Landfill Gas Engines, Replacement Landfill Gas Flare, Gas Scrubbing Equipment, Control Cabin, Leachate Treatment Facility and Associated Plant within a Secure Compound.	Granted	13.08.08
07/90183	Blue Haze Landfill Site	Non-compliance with condition 3 of planning permission No. 06/88024 for a revised phasing and restoration programme	Granted	27.07.07

4.2 Blue Haze Landfill Site is identified in the adopted Hampshire Minerals and Waste Plan (2013) as a safeguarded landfill site.

4.3 Somerley HWRC, south of the application site, is identified in the adopted Hampshire Minerals and Waste Plan (2013) as a safeguarded HWRC site.

5. The Proposals

19/10066 - Blue Haze Landfill Site

5.1 This proposal seeks variation of Conditions 1 (Phasing), 3 (Completion date) and 4 (Working programme) of planning permission 07/90183 to extend the time to complete the importation of waste to the landfill until 2029, revise the

landfill phasing and phasing of restoration, and the completion of landfill restoration by 2031.

- 5.2 The objective is to continue operating the landfill site for the remainder of the Project Integra contract with Hampshire, Portsmouth and Southampton Councils with no increase in adverse impacts from its existing operation other than its continuation for an additional 10 years. The Planning Statement identifies the need for the timescale extension is the decrease in rate of waste to landfill. The original proposal anticipated a rate of approximately 200,000 tonnes per annum over a twenty-year period, resulting in the land void being full by 2020. However, the improvements in managing municipal waste in raising it up the waste hierarchy means the annual landfill rate has consistently fallen over the past 5 years to 137,000 tonnes in 2017 and is projected to continue to fall to 100,000 tonnes in 2018 and beyond. The remaining void at the Blue Haze site was estimated at 1,000,000 tonnes at the end of 2017. Therefore, for the predicted, decreasing annual rates of waste being imported to the site for landfill, the applicant proposes an extension of time to landfill until 2029 to allow for the remaining landfill void to be fully utilised.
- 5.3 The planning statement identifies that the site currently has approximately 120 daily HGV movements and this is anticipated to continue to decrease as volumes of waste requiring landfilling continues to decrease.
- 5.4 The site has an existing approved restoration scheme. This application proposes to retain the approved scheme; but seeks revision to the phasing of landfill and restoration to enable restoration based on the current site layout.
- 5.5 Condition 1 (Phasing) of planning permission 07/90183 currently states:
- The working and phasing of the site shall be implemented in accordance with phasing plans C4-3a to C4-3n (as revised) subject to the requirements of Condition 2.*

Reason: In the interest of local amenities.

- 5.6 The proposal is to amend the wording of Condition 1 (Phasing), to the following:

- The working and phasing of the site shall be implemented in accordance with the Landfill and Restoration Phasing Plan 2018-2021 (drawing 1215/2062/26 rev 0) and the Landfill and Restoration Phasing Plan 2021-2030 (drawing 1215/2062/27 rev 0) subject to the requirements of Condition 2 (Notification of commencement).

Reason: To ensure restoration of the site within the approved timescale and in the interest of local amenity in accordance with Policies 9 (Restoration of quarries and waste developments) and 10 (Protecting

public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

5.7 Condition 3 (Completion date) of planning permission 07/90183 currently states:

3. *This permission shall be time limited as approved under Permission No. 0006040M (subsequently amended by 06/88024) to no later than 22 March 2020, by which time extraction and tipping operations shall have ceased and the site restored in accordance with the scheme approved under Condition (33) below and shall be subject to aftercare for a period of five years unless otherwise stated by the Waste Planning Authority in writing.*

Reason: To provide for the completion and progressive restoration of the site within the approved timescale and in the interest of local amenity.

5.8 The proposal is to amend the wording of 3 (Completion date), to the following:

3. The permission hereby granted shall be time limited. The extraction and tipping operations shall cease by 31 March 2029. The site shall be restored by 31 March 2031 in accordance with the approved scheme under Condition 8 (Restoration) and shall be subject to aftercare for a period of five years.

Reason: To ensure restoration of the site within the approved timescale and in the interest of local amenity in accordance with Policies 9 (Restoration of quarries and waste developments) and 10 (Protecting public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

5.9 Condition 4 (Working programme) of planning permission 07/90183 currently states:

4. *Operations at the site shall be carried out in accordance with the Working Scheme shown on approved plans C4-3a to C4-3n (as revised) and as defined in the approved Supporting Statement (May 2007) including the Table 1 Sequence of Working Summary.*

Reason: To control the development and minimise impacts on the amenities of the local area.

5.10 The proposal is to amend the wording of Condition 4 (Working programme), to the following:

4. Operations at the site shall be carried out in accordance with the Working Scheme as shown on approved plans Reception Area Layout (drawing Lay/01), the Landfill and Restoration Phasing Plan 2018-2021 (drawing 1215/2062/26 rev 0), the Landfill and Restoration Phasing Plan 2021-2030 (drawing 1215/2062/27 rev 0) and the Surface Water Management Plan (drawing No. 2), and as defined in the approved Planning Statement (November 2018) and Supporting Statement (May 2007) including the Table 1 Sequence of Working Summary.

Reason: To ensure restoration of the site within the approved timescale and in the interest of local amenity in accordance with Policies 9 (Restoration of quarries and waste developments) and 10 (Protecting public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

19/10064 - Waste Transfer Station [WTS]

5.11 This proposal seeks variation of condition 2 of planning permission 11/97613 to extend the time for the use of the ancillary Waste Transfer Station on the Blue Haze landfill site until 2030. This is to allow it to continue supporting the Blue Haze landfill operation in the proposal to extend the time to complete the importation of waste to the site until 2029 and the completion of landfill restoration by 2031 put forward by the parallel application 19/10066.

Condition 2 (Timescale) of approval 07/90183 currently states:

2. *The use of the waste transfer station shall cease by 22 March 2020 or the cessation of tipping at the Blue Haze Landfill Site whichever is the sooner. Within six months of cessation of use, all waste, plant and equipment, the building, foundations, hardstandings, weighbridge and structures, shall be removed and the site restored in accordance with planning permission no. 06/88024.*

Reason: In the interest of local amenities

5.12 The proposal is to amend the wording of Condition 2 (Timescale), to the following:

2. The use of the waste transfer station hereby permitted shall cease by 31 March 2030, or within 1 year of the cessation of tipping at the Blue Haze Landfill Site, whichever is the sooner. Within 6 months of cessation of use, all waste, plant and equipment, the building, foundations, hardstandings, weighbridge and structures, shall be removed and the

site restored in accordance with planning permission 19/10066, or any subsequent primary planning permission that supersedes 19/10066 on the site.

Reason: To ensure restoration of a temporary development site within the approved timescale and in the interest of local amenity in accordance with Policies 9 (Restoration of quarries and waste developments) and 10 (Protecting public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

19/10063 - Landfill Gas Utilisation Plant [LGUP]

5.13 This proposal seeks variation of Condition 2 of planning permission 08/92516 to extend the time for the use of the landfill gas utilisation plant and its compound until March 2040, consistent with the leachate treatment facility, permitted on the same site until March 2040 under Planning Permission 12/94819. Due to the proposal, put forward by the parallel application 19/10066, to extend the time to complete the importation of waste to the Blue Haze landfill site until 2029 and the completion of its restoration by 2031, there is a need to continue to provide the ability to capture and manage landfill gas and leachate in a sustainable and environmentally appropriate manner until such time as the Environment Agency is satisfied their collection is no longer necessary.

5.14 Condition 2 (Timescale) of approval 08/92516 currently states:

2. *The use of the site for the development subject of this certificate including gas engines and leachate tanks shall cease by 22 March 2020 or such longer period as the Waste Planning Authority may agree beforehand in writing. Within six months of cessation of the use all plant, engines, equipment, leachate tanks, foundations, hardstandings, and structures shall be removed and the land restored in accordance with planning permission no. 06/88024.*

Reason: In the interest of local amenities

5.15 Planning application 19/10063 proposes to amend the wording of Condition 2 (Timescale) to the following:

2. The use of the site for the development hereby approved, including gas engines and leachate tanks, shall cease by 22 March 2040. Within 6 months of cessation of the use all plant, engines, equipment, leachate tanks, foundations, hardstandings, and structures shall be removed and the land restored in accordance with planning permission 19/10066, or any subsequent primary planning permission that supersedes 19/10066 on the site.

Reason: In the interest of high-quality restoration and environmental protection in accordance with Policies 9 (Restoration of minerals and waste developments) and 10 (Protecting public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

EIA screening and scoping

5.16 The development proposed for each of the applications have been assessed under the [Town & Country Planning \(Environmental Impact Assessment\) Regulations 2017](#).

5.17 The proposed development for application 19/10096, to extend the timescale of the overarching planning permission for the Blue Haze Landfill Site, has been classified as a Schedule 2 development as it falls within Category 11, (b) Installations for the disposal of waste (unless included in Schedule 1), and exceeds the size threshold. A scoping request and EIA scoping report was submitted to the Waste Planning Authority [WPA] by the applicant. The WPA issued a scoping report, reference [SCO/2018/0763](#). An Environmental Statement [ES] has been supplied by the applicant and has been considered alongside the application documents.

5.18 The proposed development for applications 19/10064 and 19/10063, to extend the timescale for the ancillary developments on the Blue Haze Landfill Site, are been classified as Schedule 2 development alterations that fall within Category 11, (b) Installations for the disposal of waste (unless included in Schedule 1). However, whilst being identified under the Regulations, in each case the developments are considered to be under the size threshold and to not have the potential to cause sufficient impact to require an Environmental Statement. In any case, each of these proposed, ancillary developments have been included, in general terms, in the ES for the overarching site application 19/10096.

6. Development Plan and Guidance

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

National Planning Policy Framework (2019) (NPPF)

6.2 The following paragraphs are relevant to this proposal:

- Paragraphs 7-8: Sustainable development;
- Paragraph 11: Presumption in favour of sustainable development; proposals should be determined in accordance with the development plan unless material considerations indicate otherwise;
- Paragraphs 47-50: Determining applications;
- Paragraphs 54-57: Planning conditions;
- Paragraph 80: Support of sustainable economic growth;

- Paragraph 102-103: Sustainable transport;
- Paragraph 108-111: Transport – Considering development proposals;
- Paragraphs 127-131: Achieving well-designed places;
- Paragraphs 148-153: Meeting the challenge of climate change;
- Paragraph 170: Contributions and enhancement of natural and local environment;
- Paragraph 172: Great Weight to conserving and enhancing National Parks;
- Paragraphs 175-177: Habitats and biodiversity; and
- Paragraphs 178-183: Ground conditions and pollution.

National Planning Practice Guidance (NPPG)

6.3 The following paragraphs are relevant to the proposal:

- Paragraph 014, Section 21a: When can conditions be used to grant planning permission for a use for a temporary period only?
Taken from the NPPG on the [Use of Planning Conditions](#), Reference ID: 21a-014-20140306, revision date: 06 March 2014.

National Planning Policy for Waste (2014) (NPPW)

6.4 The following paragraphs are relevant to the proposal:

- Paragraph 5: Criteria by which Waste Planning Authorities should assess the suitability of sites for new or enhanced waste management facilities; and
- Paragraph 7: Determining planning applications.

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

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

6.5 The following paragraphs are relevant to the proposal:

- Paragraph 001: Who is the planning authority for waste developments?;
- Paragraph 002: What matters come within the scope of ‘waste development’?;
- Paragraph 006: What is the obligation on waste planning authorities towards implementing the proximity principle?;
- Paragraph 007: Do the self-sufficiency and proximity principles require each waste planning authority to manage all of its own waste?;
- Paragraph 009: How is the Waste Hierarchy delivered through Local Plans and in planning decisions?;

- Paragraph 047: Should existing waste facilities be expanded/extended?;
- Paragraph 048: Are time extensions for landfill sites allowed?; and
- Paragraph 050: What is the relationship between planning and other regulatory regimes?.

Hampshire Minerals & Waste Plan (2013) (HMWP)

6.6 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 9: Restoration of minerals and waste developments;
- Policy 10: Protecting public health, safety and amenity;
- Policy 12: Managing traffic;
- Policy 13: High-quality design of minerals and waste development;
- Policy 25: Sustainable waste management;
- Policy 26: Safeguarding - waste infrastructure;
- Policy 27: Capacity for waste management development;
- Policy 29: Locations and sites for waste management; and
- Policy 32: Non-hazardous waste landfill.

6.7 The Blue Haze site is safeguarded for the following uses through Policy 26 (Safeguarding waste infrastructure) of the HMWP 2013:

- Blue Haze Waste Transfer Station [WTS], until 22.03.2020, for municipal waste; and
- Blue Haze Landfill for non-hazardous landfill until 22.03.2020 with subsidiary operations: HWRC, WTS and IBA recycling.

6.8 Adjacent to the Blue Haze site is the Somerley Household Waste Recycling Centre (HWRC), safeguarded until 31.12.2019 in the HMWP 2013.

New Forest District Council

6.9 The relevant policies are as follows:

Local Plan Part 1: Core strategy [NFDCLP1] (2009)

- Policy CS1: Sustainable development principles;
- Policy CS4: Energy and resource use;
- Policy CS24: Transport considerations; and
- Policy CS25: Developers' contributions.

6.10 Local Plan Part 2: Sites and Development Management [NFDCLP2] (2014)

- Policy DM22: Employment development in the countryside; and
- Policy DM26: Development generating significant freight movements.

7. Consultations

7.1 Consultation responses have generally been received as a combined view of all the applications being considered by this report.

7.2 **County Councillor Thierry:** Was notified.

7.3 **Dorset County Council:** Has no objection subject to providing additional measures to compensate for the delay to restoration either by offsite habitat enhancements provided now or improvements to the proposed restoration scheme. The application should also take into account the recent changes in the NPPF requiring biodiversity net gain.

7.4 **New Forest District Council:** Has no objection subject to conditions controlling operating times, noise, odour and dust.

7.5 **New Forest District Council Environmental Health Officer (EHO):** Has no objection subject to conditions to update dust, odour and noise management and the site's operational times.

7.6 **Ellingham Harbridge & Ibsley Parish Council:** Has no objection, but raise a request to consider the option to close the site in 2026 rather than 2031 and concern about robust monitoring of conditions and culminative highways impact on the rural road network bearing in mind the proposed housing development in Alderholt.

7.7 **Natural England [NE]:** Raises the need for ecological compensation for the delay to restoration.

7.8 **Environment Agency:** Has no objection.

New Forest National Park Authority: Was notified.

7.9 **Local Highways Authority:** Has no objection subject to the retention of all highways conditions.

7.10 **County Ecology:** Support NE's response and recommend any permission is subject to all existing conditions and an additional condition for dust control for the soil screening works should this not already be covered by existing conditions.

7.11 **County Landscape Architect:** Has no objection.

7.12 **County Waste and Resource Management:** Has no objection.

7.13 **Lead Local Flood Authority (LLFA):** Has no objection.

7.14 **Planning Policy (HCC):** Provided information on relevant policy.

8. Representations

- 8.1 Hampshire County Council's [Statement of Community Involvement \(2017\)](#) (SCI) sets out the adopted consultation and publicity procedures associated with determining planning applications.
- 8.2 In complying with the requirements of the SCI, HCC:
- Published a notice of the application in the [Hampshire Independent](#);
 - Placed notices of the application at the application site 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.
- 8.3 As of 2 April 2019, a total of 7 representations to the proposals have been received. There are 4 objections and 3 representations raising concern for the proposed developments put forward by the 3 applications. These representations include those from Verwood Town Council and the East Dorset Environment Partnership. The main areas of concern raised in the objections related to the following areas:
- Operator non-compliance with conditions;
 - Concern about the length of the proposal extension and the information that demonstrates that that timescale is accurate;
 - Odour issues that have never been resolved;
 - Food waste to landfill;
 - Gaseous air pollution;
 - Noise, including out of hours;
 - Extension of duration for noise and odour impacts;
 - On site fires causing pollution, health risk and potential of environmental damage;
 - Litter on the B3081 from the site;
 - A wish for the alternative Option 3, as set out in the EIA. This is for a 5 year, not 10 year, extension to Blue Haze, achieved by diverting landfill material from Springfield farm Landfill in Buckinghamshire;
 - Concern of a future application to extend the timescale further;
 - A wish for an effective acoustic bund to the north of the site;
 - A request for a community fund for the Verwood community who would be affected by the extension;
 - Disappointment in the lack of engagement with neighbouring residents;
 - Increase in vermin including seagulls and rats;
 - Increase in flies and insects in the summer months;
 - Blown litter travelling from the site;
 - The need to update the site lighting design;
 - The lack of the projected figure for full site HGV movements;

- A wish for the proposal to provide a solution to sustainable transport along the B3081, making it less dangerous for cyclists and pedestrians; and
- Assurance that operating hours will not extend in the future.

8.4 The above issues will be discussed and addressed within the following commentary.

9. Habitats Regulation Assessment [HRA]

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

9.2 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.

9.3 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.

9.4 The applicant has submitted a shadow HRA with the application, [Report to Inform Habitats Regulations Assessment – Stage 1 Screening](#), dated December 2018. The HRA screening report concludes that the proposals will have no likely significant effect on any European designated site. In view of the resolution of ecological issues raised in Natural England’s consultation response (see commentary below), the HRA (with any necessary additional reference to the compensatory measures/enhancements) is adopted by the Waste Planning Authority as the competent authority. The findings of the HRA are documented below:

- *Based on the assessments and considerations set out in Step 3, it can be concluded that the Project will have no LSE [Likely Significant Effect] on any Natura 2000 sites designated under the requirements of the Habitats Directive. Therefore, a plan level Appropriate Assessment (Stage 2 of the Habitats Regulations Assessment) is not considered necessary;*
- *It is also considered that the update to The Conservation of Habitats and Species Regulations 2017 (HMSO, 2017), and consideration of recent case law regarding the assessment of the application of*

mitigation at Stage 2 of an HRA only (Freeths, 2018), do not materially affect the conclusions of this report to inform HRA; and

- *Based on the information provided within this report, Hampshire County Council as the Competent Authority in consultation with Natural England will now decide whether it is satisfied with the conclusion that there will be no significant adverse effects on the integrity of European sites as a result of the proposed planning application to extend the operational life of Blue Haze.*

Extract from chapter 5.0 Conclusions of the WYG Report to Inform Habitats Regulations Assessment – Stage 1 Screening: Blue Haze Landfill Site, Verwood, Hampshire. Submitted as part of the EIA submission.

- 9.5 The County Ecologist's consultation response states that once NE's concerns regarding compensation for delayed restoration and enhancement have been addressed, the HRA (with any necessary additional reference to the compensatory measures/enhancements) can be adopted by the WPA as competent authority. Therefore, the HRA screening hereby carried out by the WPA considers the proposed development does not have a **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 potential impact pathways connecting the proposed works with any European designated sites; and
 - The environmental issues raised by Natural England through the consultation process have been addressed by conditions should permission be granted.
- 9.6 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.

10. Commentary

- 10.1 An Environmental Statement [ES] has been submitted as part of the overarching application 19/10066 to extend the lifespan of the landfill site. This addresses the key environmental issues of the proposal and includes a non-technical summary as well as Chapter 4 which considers alternatives to the proposed development.
- 10.2 This commentary focuses on the issues of the development to extend the lifespan of the Blue Haze landfill site as proposed by application 19/10066. The proposals to extend the lifespan of the Waste Transfer Station [WTS] and the Landfill Gas Utilisation Plant [LGUP] are to support the extension of the wider site, with no significant additional effect, and so these ancillary proposals are acceptable in principle subject to the approval of the

extension to the lifespan of the landfill site. Therefore, the proposals are considered as a whole within this report.

Principle of the development

- 10.3 The NPPF (2019) includes an overarching 'presumption in favour of sustainable development' which means 'approving development proposals that accord with the development plan without delay'. It is therefore important that the development proposed is demonstrated to be considered sustainable at its core. The presumption in the NPPF (2019) allows for only refusing permission where adverse impacts clearly outweigh the benefits, or NPPF (2019) policies indicate developments should be restricted. This is translated into the adopted Hampshire Minerals and Waste Plan [HMWP] (2013) through Policy 1 (Sustainable minerals and waste development), which 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).
- 10.4 Policy 26 (Safeguarding – waste infrastructure) of the HMWP (2013) states that waste management infrastructure, including landfill void, that provides strategic capacity, is safeguarded against redevelopment and inappropriate encroachment. In the case of temporary sites, this is for the duration of its planning permission. The Policy lists exceptions to this safeguarding, including if the waste management capacity is no longer needed.
- 10.5 The Blue Haze site is safeguarded against redevelopment and inappropriate encroachment by Policy 26 (Safeguarding – waste infrastructure), with entries on the list of safeguarded minerals and waste sites in Appendix B of the HMWP 2013 for the Landfill and the Waste Transfer Station [WTS] and thereafter in subsequent monitoring of the plan. This safeguarding is until 22 March 2020 in line with the timescale for the completion of the site as set out in Condition 3 (Completion date) of the planning permission PP 07/90183.
- 10.6 Paragraph 6.156 of the HMWP (2013) states that new waste developments will be automatically safeguarded if they provide individual capacity of at least 50,000 tonnes per annum [tpa] or are of a regional waste management significance. Therefore, should permission be granted for an extension of time of the site, then it would automatically be safeguarded for its future lifespan under HMWP 2013.
- 10.7 Hampshire needs to continue its waste processing in order keep up with the demand generated by Hampshire's increasing population. The latest Annual Monitoring Report (2016) showed the amount of non-hazardous waste landfilled in Hampshire in 2016 was 288,000 tonnes – a reduction from 388,000 tonnes in 2015. The reduction in the amount of waste going to landfill corresponds to a reduction in the waste landfill capacity in Hampshire, indicative of a general trend that less waste is going to landfill and therefore less capacity is needed.

- 10.8 However, the Hampshire Minerals and Waste Plan Review (2018) showed that the lifespan of landfill capacity void has dropped below 4 years, and it is identified as not meeting the forecasted need of 'net self-sufficiency' as set out in Paragraph 6.145 of the HMWP (2013). The early closure of Squabb Wood Landfill (and other sites in south-east England) and a lack of replacement sites for non-hazardous landfill is recognised as a regional issue by the South East Waste Planning Advisory Group [SEWPAG]. Paragraph 6.244 of the HMWP (2013) sets out the expectation of cross boundary movement of waste and this is played out in the supporting information of the applications.
- 10.9 This proposal partly represents a successful diversion of waste from landfill. Nonetheless, there will always be a small amount of waste material that cannot be easily recovered or recycled and therefore non-hazardous landfill is still required for the foreseeable future. As such, Policies 32 (Non-hazardous landfill) and 25 (Sustainable waste management) support the proposal to extend the period for landfilling at this existing site, considering the above and the fact that Blue Haze is the only remaining active non-hazardous landfill site in Hampshire. Currently, it seems unlikely that that the proposed time extension to Blue Haze would overlap with other landfill void provision in Hampshire, as set out in Policy 32. Purple Haze is the single remaining allocated site for non-hazardous landfill (following minerals extraction) in the HMWP (2013). No applications have yet come forward at Purple Haze. Therefore, the extension of time would ensure the remaining landfill void is fully utilised as the overall number of operational sites continues to fall, whilst also ensuring diversion from landfill continues.
- 10.10 Furthermore, while the HMWP (2013) aims for Hampshire to be 'net self-sufficient', the proposal to divert Veolia managed waste to the recently reopened Springfield Farm Landfill site in Buckinghamshire rather than to Blue Haze, may make most sense in overall environmental terms. For example, Policy 25 supports waste management activities where waste will be managed as close to its source as possible and reduce long-distance transport (the distance between Basingstoke and Springfield Farm landfill is approximately the same as between Winchester and Blue Haze landfill). The diversion of waste to Springfield Farm will remove associated HGV movements through the New Forest National Park on the A31 and thus reduce emissions. Lastly, it is also recognised by SEWPAG that there is likely to be a move towards regionally strategic landfill sites in the future therefore the idea of net self-sufficiency is becoming less relevant for landfill.
- 10.11 Paragraph 48 of the National [Planning Practice Guidance for Waste \(Live\)](#) [NPPGW] states that:

'Waste planning authorities should be aware that the continued provision and availability of waste disposal sites, such as landfill, remain an important part of the network of facilities needed to manage England's waste.'

The continued movement of waste up the Waste Hierarchy may mean that landfill sites take longer to reach their full capacity, meaning an extension of time limits to exercise the planning permission may be needed in some circumstances, provided this is in accordance with the Local Plan and having taken into account all material considerations.'

- 10.12 Therefore, the principle of these proposals hereby considered are supported by the HMWP (2013).

Duration of the proposal extension of lifespan

- 10.13 Ellingham Harbridge & Ibsley Parish Council's consultation response raised a request to consider the option to close the site in 2026 rather than 2031, one of the alternative options to the proposed development considered in Chapter 4 of the [Environmental Statement](#). This alternative was also supported by the representations from a member of the public and the East Dorset Environmental Partnership.

- 10.14 Based upon the discussion in the above section in this commentary on the principle of the development, the proposed development to extend the timespan of landfilling at Blue Haze until 2031 is the preferred option in order to address the policies and objectives of the HMWP (2013). This is because it provides a Hampshire landfill void capacity for a longer time period, in accordance with Policy 32 (Non-hazardous waste landfill), and provides a preferable market environment for sustainable landfill provision supporting waste management activities where waste will be managed as close to its source as possible, in accordance with Policy 25 (Sustainable waste management).

Ecology and Restoration

- 10.15 Policy 3 (Protection of habitats and species) sets out a requirement for minerals and waste development to not have a significant adverse effect on, and where possible, should enhance, restore or create designated or important habitats and species. The policy sets out a list of sites, habitats and species which will be protected in accordance with the level of their relative importance. The policy states that development which is likely to have a significant adverse impact upon the identified sites, habitats and species will only be permitted where it is judged that the merits of the development outweigh any likely environmental damage. The policy also sets out a requirement for appropriate mitigation and compensation measures where development would cause harm to biodiversity interests.
- 10.16 The consultation response from Natural England raises no objection, subject to providing additional measures to compensate for the delay to restoration, either by offsite habitat enhancements provided now or improvements to the proposed restoration scheme. The application should also take into account the recent changes in the NPPF requiring biodiversity net gain. This is supported in the consultation responses from

County Ecology and Dorset County Council and in the representation from the East Dorset Environmental Partnership.

- 10.17 The proposal to amend the phasing scheme for the site and extend the final restoration date to 2031, is supported by Policy 9 (Restoration of minerals and waste developments), as it will be in line with the extension of landfilling operations and ensure the site is appropriately restored to a standard matching that permitted by the existing permission.
- 10.18 To date, the applicant has not submitted additional information to address this issue. Therefore, it is proposed to add a condition to any permission granted to require the applicant to submit to and have approved by the WPA a scheme for environmental compensation to address NE's comments and the NPPF (2019) requirements for net biodiversity gain. This would be supported by the deed of variation for the transfer from the existing planning permission of the S106 legal agreement for the Management Agreement for Nature Conservation being amended to suit the scheme submitted. With the provision of environmental compensation for the delay to the restoration of the site, the proposals are considered in accordance with Policies 3 (Protection of habitats and species) and 4 (Protection of the designated landscape) of the HMWP (2013).

Visual impact and landscape

- 10.19 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 and Policy 10 (Protecting public health, safety and amenity) protects residents from significant adverse visual impact.
- 10.20 The County Landscape consultation response is for no objection, based upon the position that the visual impact of the development is not changing, and the final restoration and mitigation remains the same. Therefore, the proposals are considered in accordance with Policies 13 (High-quality design of minerals and waste development) and 10 (Protecting public health, safety and amenity) with respect to visual impact and landscape.

Light pollution

- 10.21 The representation from the East Dorset Environment Partnership raises a recommendation that artificial lighting for both the WTS and the LGUP should be updated to comply in all respects with the most recent guidance from the Institution of Lighting Professionals and The Bat Conservation Trust via the submission to and approval by the WPA of a lighting strategy document.
- 10.22 It is identified that the overarching existing Planning Permission 07/90183 for the landfill site does not include any restrictions on artificial lighting.

Existing Planning Permission 11/97613 for the WTS includes Condition 13 (Lighting) that states that the development will be developed in accordance to an approved lighting scheme. Existing Planning Permission 08/92516 for the LGUP includes Condition 10 (Lighting) that states that no lighting shall be erected on the site relating to that development. It would seem reasonable, based upon the site's location and proximity to environmentally designated sites, that lighting should be controlled to mitigate against adverse impacts to amenity and ecology, as well as to minimise light pollution. Therefore, a condition is proposed to require the applicant to submit and have approved by the WPA a lighting strategy document to allow the proposals to be considered in accordance with Policies 3 (Protection of habitats and species), 5 (Protection of the countryside) and 10 (Protecting public health, safety and amenity) of the HMWP (2013).

Highways impact

- 10.23 Policy 12 (Managing traffic) requires minerals and waste development to have a safe and suitable access to the highway network and where possible minimise the impact of its generated traffic through the use of alternative methods of transportation. It also requires highway improvements to mitigate any significant adverse effects on highway safety, pedestrian safety, highway capacity and environment and amenity.
- 10.24 The Highways Authority consultation response is for no objection subject to the retention of all highways conditions from the existing planning permissions. Ellingham Harbridge & Ibsley Parish Council has no objection, but raise concern for the culminative highways impact on the rural road network bearing in mind the proposed housing development in Alderholt. Public representations also raise objections on the grounds of highway safety, including that of cyclists and pedestrians on the B3081.
- 10.25 On the basis of the Highways Authority being satisfied that the proposals will not have a significant impact on the highways, the proposals are considered in accordance with Policy 12 (Managing traffic) of the HMWP (2013) and Policy DM26 (Development generating significant freight movements) of the NFDCLP2 (2014).

Impact on amenity and health

- 10.26 Policy 10 (Protecting public health, safety and amenity) of the HMWP (2013) requires that any development should not cause adverse public health and safety impacts, and unacceptable adverse amenity impacts. Also, any proposal should not cause an unacceptable cumulative impact arising from the interactions between waste developments and other forms of development.
- 10.27 New Forest District Council and the Environmental Health Officer [EHO] both responded to consultation with no objection subject to conditions controlling operating times, noise, dust and odour. The EHO response also

asks to update the management schemes for the control of dust, odour and noise for the site.

10.28 All public objections received for the proposals cite amenity and public health impacts as material issues. They raise concern about the amenity impact on local residents of another 10 years, having had the expectation that the site would be open for 20 years and would be ceasing importation of waste this year. The key amenity issues (and their potential impacts) are raised by representation have been listed and commented upon below:

- **Noise.**
Existing conditions control the operating times of the site and ensure the perimeter bunds are retained. Condition 29 (Noise levels) of PP 07/90183 limits noise levels to a value of 55 dB(A) LAeq, 1 hour (freefield) at the nearest sensitive receptor (dwelling) with noise monitoring in accordance with Condition 22 (Noise monitoring) stating development in accordance with the approved noise management scheme. This scheme also sets out the acoustic protection for the Blue Haze Kennels, a neighbour of the site.

NFDC EHO also advises in their consultation response the addition of a condition to control the operating times of screening equipment on the site. This has been added;

- **Dust.**
The existing permission PP 07/90183 includes Condition 17 (dust management) that states operations are to be in accordance with the dust management scheme approved in 2000 under the previous PP 00060405M;
- **Odour.**
The existing permission PP 07/90183 includes Conditions 49 (No Composting) and 50 (Odour suppression). Condition 49 states that no composting facility may be development on the site unless approved by the WPA. Condition 50 requires operations shall be carried out under the odour suppression scheme approved in 2006 under the previous PP 06/88024. It is also identified that the practice of landfilling green or food waste is no longer carried out at the site. Green and food waste is now diverted for recovery or recycling at other site and this results in reducing odour impact potential from the site;
- **Litter.**
Representations identify that blown litter, both on the B3081 and on neighbouring land to the site is an issue from both visual amenity, human and ecological health. This is unacceptable pollution from the landfill operation. The applicant has stated that they are not permitted to clean litter on the B3081, as the Local Authority cannot condone the activity due to highway safety.

10.29 It is considered that any permission for these proposals should seek an improvement to this issue. Therefore, it is proposed to require the applicant to produce a Litter Management Scheme and the addition of a site wide

requirement for goods vehicle to be sheeted when entering and leaving the site to help mitigate littering;

- **Vermin and insects.**

The existing permission PP 07/90183 includes Condition 32 (Vermin and insects) requiring the operator to regularly make recorded inspections for vermin and insect problems and to take action to resolve them if found;

- **Bird nuisance.**

The existing permission PP 07/90183 Condition 26 (Bird control) requiring operations to be carried out in accordance with the approved bird management scheme approved in 2000 under the previous PP 00060405M. Its key objective is to minimise bird hazards for aircraft; and

- **Gas emissions and site fires.**

These issues are covered by the Environment agency, HSE and Environmental Health rather than coming under the regulatory scope of planning.

10.30 The EHO was asked to comment on the above issues, and their reply email is included in the public information for this case, [Environmental Health New Forest Further](#). The EHO states that they have received no complaints regarding any of these issues and that, in each case, where required, it is considered that an up-to-date management plan would be suitable to address that issue. Therefore, with the inclusion of conditions requiring the submission to and approval by the WPA of revised Site Management Schemes, including schemes for lighting and litter, it is considered, on balance, that the proposals are considered in accordance with Policy 10 (Protecting public health, safety and amenity) of the HMWP (2013).

Potential pollution associated with the development

10.31 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](#)).

10.32 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.

Flooding

10.33 Policy 11 (Flood risk and prevention) relates to minerals and waste development in flood risk areas and sets criteria which developments should be consistent with relating to flood risk offsite, flood protection, flood

resilience and resistance measures, design of drainage, net surface water run-off and Sustainable Drainage Systems.

- 10.34 The Lead Local Flood Authority's consultation response raises no objection, and so the proposals are considered to have no adverse impact on flooding or surface water and so are in accordance with Policy 11 (Flood risk and prevention) of the HMWP (2013).

Community benefits

- 10.35 Verwood Town Council suggests there should be a community fund accessed solely for the Verwood community who would be affected by the extension.

- 10.36 Policy 14 (Community benefits) of the HMWP (2013) encourages negotiated arrangements of this nature between the relevant waste developers/operators and a community as a source of funding for local benefits. However, paragraph 5.55 goes on to state that the Waste Planning Authority cannot be party to such agreements because planning decisions must be impartial and on planning grounds alone. Therefore, the WPA encourages communication between the developer/operator and suitable community organisations, but a community fund is outside the scope of determination for these planning proposals.

Climate change and energy and resource use

- 10.37 The applications include no information to demonstrate that the developments hereby considered address Policy 2 (Climate change – mitigation and adaptation) of the HMWP (2013) or Policy CS4 (Energy and resource use) of the NFDCLP1 (2009).

Conclusion

- 10.38 It is considered that the proposals would be in accordance with the policies of the Hampshire Minerals and Waste Plan (2013) and of the NPPF (2019) subject to the following additional requirements:
- a. An additional condition stating all goods vehicles travelling to and from the site shall be sheeted, to mitigate against wind blown waste on the highway;
 - b. Revised conditions requiring the submission to and the approval by the WPA of revised Site Management Schemes for noise, dust (including soil screening works) and odour;
 - c. An additional condition requiring the submission to and the approval by the WPA of a Site Management Scheme and design for artificial lighting;
 - d. An additional condition requiring the submission to and the approval by the WPA of a Litter Management Scheme;

- e. An additional condition limiting the timing of the use of screening equipment on the site to 0900-1800 Monday to Friday and 0900-1300 on Saturdays; and
- f. An additional condition requiring the submission to and the approval by the WPA of a scheme for environmental compensation to address NE's comments and the NPPF (2019) requirements for net biodiversity gain to compensate for the proposed 10 year delay in the delivery of ecological restoration elements of the site.

Recommendations

- 1) **Application 19/10066** – That the Head of Law and Governance be authorised to draw up a S106/Deed of Variation to transfer the Section 106 [S106] legal obligations relating to planning permission 07/90183, to secure:
 - (i) Lorry routing agreement restricting the use of Harbridge Drove and the B3081 northwards, except for local deliveries;
 - (ii) Management Agreement for Nature Conservation and the provision of footpaths/access for public recreation (including amendments to enhance the scheme of environmental compensation);
 - (iii) Off-site heathland works within Plumley Wood.

Provided that by no later than 30 September 2019 all parties enter into the S106/Deed of Variation with the County Council, then the Director of Economy, Transport and Environment be authorised to GRANT permission subject to the conditions listed in Integral Appendix B.

In event that the S106/Deed of Variation is not completed by 30 September 2019, the Director of Economy, Transport and Environment be authorised to refuse planning permission for that reason.

- 2) **Application 19/10064** - That planning permission be GRANTED subject to the conditions listed in integral Appendix C.
- 3) **Application 19/10063** – That planning permission be GRANTED subject to the conditions listed integral Appendix D.

Appendices:

Integral Appendix A – Corporate or Legal Information

Integral Appendix B – Conditions for 19/10066

Integral Appendix C – Conditions for 19/10064

Integral Appendix D – Conditions for 19/10063

Appendix E - Application Boundary Plan (LFAPP/01)

Appendix F - Site Overview Plan (PLA-01)

Appendix G - Reception Area Layout as of October 2018 (Lay-01)

Appendix H - Phasing Plan 2018-2021 (1215/2062/26)

Appendix I - Phasing Plan 2021-2030 (1215/2062/27)

Other documents relating to this application:

The Planning Applications for the site can be found at the below link:

<https://planning.hants.gov.uk/SearchResults.aspx?Criteria=nf105>

Links to the Strategic Plan

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

Section 100 D - Local Government Act 1972 - background documents

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

Document

Location

HCC/2019/0022
NF105

Hampshire County Council

Blue Haze Landfill Site, Verwood Road
Somerley BH24 3QE
(Variation of conditions 1, 3 and 4 of
planning permission 07/90183 to extend
the time to complete the importation of
waste to the landfill until 2029, revise the
landfill phasing and phasing of restoration,
and the completion of landfill restoration by
2031

Integral Appendix B – Conditions for 19/10066

CONDITIONS

Timescale

1. The working and phasing of the site shall be implemented in accordance with the Landfill and Restoration Phasing Plan 2018-2021 (drawing 1215/2062/26 rev 0) and the Landfill and Restoration Phasing Plan 2021-2030 (drawing 1215/2062/27 rev 0) subject to the requirements of Condition 2 (Notification of commencement).

Reason: To ensure restoration of the site within the approved timescale and in the interest of local amenity in accordance with Policies 9 (Restoration of quarries and waste developments) and 10 (Protecting public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

2. The developer shall notify the Waste Planning Authority in writing within one month of the dates of commencement/completion of the following:
 - (i) entering new phase of tipping;
 - (ii) completion of each tipping phase;
 - (iii) completion of restoration of each tipping phase;
 - (iv) completion of the landscaping/planting scheme; and
 - (v) completion of final restoration.

Reason: To enable the Waste Planning Authority to control the development and to monitor the site to ensure compliance with the planning permission in accordance with the Hampshire Minerals and Waste Plan (2013).

3. The permission hereby granted shall be time limited. The extraction and tipping operations shall cease by 31 March 2029. The site shall be restored by 31 March 2031 in accordance with the approved scheme under Condition 44 (Restoration scheme) and shall be subject to aftercare as set out in Condition 50 (Aftercare).

Reason: To ensure restoration of the site within the approved timescale and in the interest of local amenity in accordance with Policies 9 (Restoration of quarries and waste developments) and 10 (Protecting public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

Working Programme

4. Operations at the site shall be carried out in accordance with the Working Scheme as shown on approved plans Reception Area Layout (drawing

Lay/01), the Landfill and Restoration Phasing Plan 2018-2021 (drawing 1215/2062/26 rev 0), the Landfill and Restoration Phasing Plan 2021-2030 (drawing 1215/2062/27 rev 0) and the Surface Water Management Plan (drawing No. 2), and as defined in the approved Planning Statement (November 2018) and Supporting Statement (May 2007) including the Table 1 Sequence of Working Summary.

Reason: To ensure restoration of the site within the approved timescale and in the interest of local amenity in accordance with Policies 9 (Restoration of quarries and waste developments) and 10 (Protecting public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

5. From the commencement of the development to the cessation of the development hereby permitted, a copy of the terms of this planning permission including all documents hereby permitted and any documents subsequently approved in accordance with this permission (or amendments approved pursuant to this permission) shall be displayed at the office on the site and shall be made known to any person(s) given responsibility for the management or control of operations on site.

Reason: To enable an easy reference and to encourage compliance with the requirements of this permission (so as to ensure the orderly operation and restoration of the site) in accordance with the Hampshire Minerals and Waste Plan (2013).

Restriction of Permitted Development Rights

6. Notwithstanding the provisions of Parts 4, 21, 24 and 25 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (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 Waste Planning Authority in writing;
 - (ii) no additional lights or fences shall be installed or erected at the quarry/landfill unless details of them have first been submitted to and approved in writing by the Waste Planning Authority.

Reason: To secure control over additional plant and machinery in the interests of the amenity of the area, in view of its location close to Blue Haze Kennels and residential properties and the final level difference between existing and proposed levels, and bearing in mind the degree of discretion otherwise allowed by the General Permitted Development Order.

Hours of Working

5. No heavy goods vehicle shall enter or leave the site and no plant and machinery shall be operated except between the hours listed below:
- 0700 - 1800 Monday to Friday (except on recognised Public Holidays);
 - 0700 – 1630 Saturdays; and
 - For the receipt of domestic and household waste recycling centre waste only, 0800 – 1630 Sundays and Public Holidays including 25 and 26 December.

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

6. Notwithstanding Condition 7 (Operating times), The use of screening equipment of the site shall only occur between the following hours:
- 0800 - 1800 Monday to Friday;
 - 0900 – 1300 Saturdays; and
 - With no screening activities permitted on Sundays or Public Holidays.

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

Tipping Limits and Finished Levels

9. The perimeter boundary of the tipping area and the boundary of the inert tipping phases with Category C waste phases shall be clearly defined on site and no waste shall be deposited outside those areas approved for that purpose. A survey of levels shall be carried out (and submitted to the Waste Planning Authority for its approval) at intervals of not less than every 12 months, starting with the date on which tipping operations commence.

Reason: To ensure the proper restoration of the site in accordance with the submitted plans and with Policy 9 (Restoration of quarries and waste developments) of the Hampshire Minerals and Waste Plan (2013).

7. As the operation approaches final fill levels and in any case before the final grading of cover and before the spreading of subsoil, the surface levels shall be checked by competent land surveyors. Thereupon markers shall be erected to indicate the approved final fill levels, approved restored surface level and any appropriate approved intermediate levels.

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

Landfill Gas and Leachate Control

- 8 The location and details of the landfill gas and leachate control facilities shall be in accordance with the details approved 16 November 2005 and Drawings 331/GAS/0500, BGM-4999 and BGH-5055.

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

Type of Waste

- 9 No waste shall be deposited at or imported into the site except those materials defined in the application, i.e. inert construction spoil, builders, demolition, commercial, industrial and household waste.

Reason: Waste materials outside these categories raise environmental and amenity issues which would require fresh consideration in accordance with Policies 3 (Protection of habitats and species), 10 (Protecting public health, safety and amenity) and 25 (Sustainable waste management) of the Hampshire Minerals and Waste Plan (2013).

- 10 No composting facility may be developed on the site until details on its siting, design, operation, including pollution control, management plan and ancillary development have been submitted to the Waste Planning Authority and subsequently approved.

Reason: No details have been submitted for composting and in the interests of local amenity and pollution control in accordance with Policies 3 (Protection of habitats and species), 10 (Protecting public health, safety and amenity) and 25 (Sustainable waste management) of the Hampshire Minerals and Waste Plan (2013).

Highways

14. The access road, all internal haul roads, parking, manoeuvring provision for vehicles, the site entrance and its access visibility splays, as shown on drawings Proposed Improvements to Site Access (54/5204, dated October 1996), Application Boundary Plan (LF-APP-01, dated November 2018) and Reception Area Layout (LAY-01, dated November 2018) shall be maintained in a condition free from potholes and obstructions throughout the implementation of the development hereby approved. Prior to completion of the restoration of the site as stated in Condition 3 (Completion date), or when no longer required during the operation of the site as hereby permitted, whichever is the sooner, they shall be removed and restored in accordance with the approved working scheme and restoration plan stated in Condition

44 (Restoration scheme), except where identified in the restoration scheme for retention as required for the restoration land use, access and maintenance.

Sections of haul road formed to a level higher than 1 metre below the final restoration level shall be removed before final soils are re-spread. All sections of haul road shall be ripped before being covered with soils during restoration.

Reason: In the interest of highway safety and to ensure that the site is satisfactorily restored in accordance with Policies 9 (Restoration of quarries and waste developments) and 12 (Managing traffic) of the Hampshire Minerals and Waste Plan (2013).

14. All access to and egress from the site shall be via the approved access off the B3081, Verwood Road, only. No other access shall be used. The approved road signs and markings shall be maintained for the duration of the development hereby permitted.

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

15. The approved sign at the site exit advising drivers of the agreed vehicle routes shall be maintained for the duration of the development hereby permitted.

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

16. Best practical means/steps shall be taken to ensure that all Heavy Goods Vehicles (HGVs) and plant vehicles associated with the development leaving the site are in such a condition as not to emit dust or deposit mud, slurry or other debris on the highway. In particular efficient means shall be installed and maintained for cleaning the wheels of all HGVs leaving the site for the duration of the development hereby permitted.

Reason: In the interest of highway safety and to prevent mud and dust on the public highway in accordance with Policy 12 (Managing traffic) of the Hampshire Minerals and Waste Plan (2013).

17. All goods vehicles entering and leaving the site shall be sheeted.

Reason: In the interest of preventing littering and so reducing pollution and local amenity impact in accordance with Policies 10 (Protecting public health,

safety and amenity) and 12 (Managing traffic) of the Hampshire Minerals and Waste Plan (2013).

18. There shall be no obstruction created to Bridleway No. 39 at any time and it should be ensured that the surface is not adversely affected by run-off from the landfill site or adjacent bunds.

Reason: In the interest of local amenity in accordance with Policy 12 (Managing traffic) of the Hampshire Minerals and Waste Plan (2013).

Nature Conservation

19. No tree felling shall take place during the bird nesting season 1 March to 1 September annually.

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

20. No site clearance or soil stripping will be undertaken until it has been confirmed that all protected species as required by Natural England have been translocated with, if necessary, elements of their support habitat.

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

21. The management for the reptile and amphibian receptor site for translocated species shall be implemented in accordance with the scheme approved in writing by the Waste Planning Authority on 29 December 2006 (06/88024). The monitoring of this scheme shall be undertaken by the developers to the satisfaction of the Waste Planning Authority.

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

22. The scheme for the protection of Sand Martins, approved 15 June 2000, shall be implemented for the duration of the permission hereby granted.

Reason: To ensure facilities for nesting of Sand Martins are suitably retained within the quarry area throughout the implementation of the development in accordance with Policy 3 (Protection of habitats and species) of the Hampshire Minerals and Waste Plan (2013).

Environmental enhancements

23. Within 3 months of the date of issue of this permission, an Environmental Compensation Scheme shall be submitted to and approved in writing by the Waste Planning Authority. This shall address Natural England's comments within their consultation response (reference 270944, dated March 2019) and the NPPF (2019) requirements for net biodiversity gain to compensate for the proposed 10 year delay in the delivery of ecological restoration. The proposals of the scheme shall be implemented within the set timescale.

Reason: In the interest of the protection and enhancement of the environment in accordance with Policies 3 (Protection of habitats and species) and 9 (Restoration of quarries and waste developments) of the Hampshire Minerals & Waste Plan (2013) and the NPPF (2019).

Dust, waste and odour

24. Within 3 months of the date of issue of this permission, a revised Site Management Scheme for Dust shall be submitted to and approved in writing by the Waste Planning Authority. The scheme shall be implemented for the duration of the permission hereby granted.

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

25. Within 3 months of the date of issue of this permission, a revised Site Management Scheme for Odour shall be submitted to and approved in writing by the Waste Planning Authority. The scheme shall be implemented for the duration of the permission hereby granted.

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

26. Within 3 months of the date of issue of this permission, a Site Management Scheme for Litter shall be submitted to and approved in writing by the Waste Planning Authority. This scheme shall consider the issues of litter derived from the site's activities, including wind-blown litter, on the public highway (particularly the B3081), on the landfill site and on other sites neighbouring the landfill. The scheme shall be implemented for the duration of the permission hereby granted.

Reason: To protect the environment and public health and residential amenity in accordance with Policies 3 (Protection of habitats and species)

and 10 (Protecting public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

Animal Control

27. The bird management scheme, approved 15 June 2000 under Planning Permission No. 00060405M, shall be implemented for the duration of the development hereby permitted and updated as required.

Reason: To protect public health and residential amenity and to help prevent bird hazard within the aircraft approach to Bournemouth Airport in accordance with Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

28. Inspection on a regular basis or as otherwise required by the Waste Planning Authority shall be undertaken by the site operator to determine if the site is being used for the harbouring or breeding of vermin or insects. Action shall be taken to eradicate vermin or insects if they are found on the site. A written record of inspections shall be kept.

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

Lighting

29. Within 3 months of the date of issue of this permission, a Site Management Scheme for Lighting shall be submitted to and approved in writing by the Waste Planning Authority. The scheme shall cover all external lighting and its use on the landfill site and be implemented for the duration of the permission hereby granted.

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

Noise

30. Within 3 months of the date of issue of this permission, a revised Site Management Scheme for Noise shall be submitted to and approved in writing by the Waste Planning Authority. The scheme shall include revised noise monitoring procedures and a revised scheme for the acoustic protection of Blue Haze Kennels. The scheme shall be implemented for the duration of the permission hereby granted.

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

31. All screen bunds shall be such that the outward facing slopes shall not exceed a gradient of 1 in 3 and the tops of the mound shall be undulating. Mounds shall be seeded to grass or a grass/shrub mixture and thereafter maintained throughout the operational life of this permission.

Reason: To reduce the impact of the development on the locality and avoid an engineered appearance of the bunds that would be out of keeping with the rural locality 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).

32. Noise from operations on the site, including both fixed plant and mobile machinery, shall not exceed 55dB(A) LAeq, 1 hour (freefield) as measured at the façade of the nearest houses. The operator shall take such measures, including insulation of plant and machinery, and the provision of suitable acoustic screening, as may be necessary to ensure that this noise level is not exceeded.

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

Protection of the Water Environment

33. Drainage and surface water run-off of the site, including that of adjacent areas dependent on the area for their own drainage, shall be carried out in accordance with the scheme approved in writing by the Waste Planning Authority on 29 December 2006 (under planning permission 06/88024) and shall be implemented as approved for the duration of the permission hereby granted.

Reason: To ensure adequate drainage of the site, the protection of the hydrology of the watercourse and prevent landscape damage arising from consequential engineering works in accordance with Policies 10 (Protecting public health, safety and amenity) and 11 (Flood risk and prevention) of the Hampshire Minerals and Waste Plan (2013).

Landscape

34. All storage bunds above ground level intended to remain in situ for more than 6 months shall be grassed over/vegetated, and subsequently maintained, including weed control for their duration.

Reason: To reduce the impact of the development on the locality in accordance with Policies 10 (Protecting public health, safety and amenity) and 13 (High-quality design of minerals and waste development) of the Hampshire Minerals and Waste Plan (2013).

35. Landscaping of the site shall be implemented in accordance with the scheme approved in writing by the Waste Planning Authority on 29 December 2006 (under planning permission 06/88024).

Reason: The provision and maintenance of a satisfactory degree of landscaping is considered essential in the interest 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 and Waste Plan (2013).

36. The approved scheme of landscaping and restoration of areas, other than commercial pine plantation afforested on non-inert waste, shall be carried out in the planting season coinciding with or immediately following preparation of each phase for planting, in accordance with the programme of implementation approved in Condition 4 (Working Programme), and shall be so maintained thereafter. Within 5 years of planting, any trees, shrubs or other plants that die, become diseased, are removed or damaged, shall be replaced in the first available planting season with others of a similar size and species in accordance with the details of the approved scheme. Commercial pine trees on the areas tipped with non-inert waste shall be planted in or by the second planting season following restoration to allow for settlement of land and gas plant/pipe installation. Early screen planting of commercial pine on inert waste shall be covered by Condition 37 (Screen planting scheme).

Reason: The provision and maintenance of a satisfactory degree of landscaping is considered essential in the interest 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 and Waste Plan (2013).

37. Screen planting scheme shall be implemented and maintained for the duration set out in the approved screen planning scheme.

Reason: In the interest of local 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 and Waste Plan (2013).

38. Fencing erected to protect existing trees and features of interest on the site, such as the edges of parts of the wildlife corridor, shall be carried out and maintained for the duration of the permission hereby granted in accordance with the details approved 15 June 2000 (under planning permission 00060405M).

Reason: In the interest of local amenity in accordance with Policy 13 (High-quality design of minerals and waste development) of the Hampshire Minerals and Waste Plan (2013).

39. The existing trees, bushes and hedges to be retained within the site shall be protected for the duration of the development hereby permitted and shall not be damaged, destroyed, uprooted, felled, lopped or topped. Any such trees removed without permission or dying or being seriously damaged or diseased during that period shall be replaced in the following planting season with trees of such size and species as may be approved with the Waste Planning Authority.

Reason: In order to safeguard the visual amenity of the area in accordance with Policy 13 (High-quality design of minerals and waste development) of the Hampshire Minerals and Waste Plan (2013).

40. Any skips stored on the land shall be incidental to the landfilling of the site and shall be confined to an area and stored to a height which shall have previously been approved in writing by the Waste Planning Authority.

Reason: In the interest 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 and Waste Plan (2013).

Soil Stripping and Storage

41. All topsoil, subsoil and overburdens stripped prior to tipping shall be stored separately and retained on site for use in site restoration. No indigenous topsoil or subsoil shall be used for daily cover during tipping operations.

Reason: All soils are required on site to ensure a satisfactory restoration of the site in accordance with Policy 8 (Protection of soils) of the Hampshire Minerals and Waste Plan (2013).

42. All work of soil stripping, stockpiling and reinstatement should only be carried out when the material is in a dry and friable condition, and then only along clearly defined routes, both when being moved to storage locations and to final surface position. Topsoil and subsoil shall be transported, and not bladed from a stockpile to position of placement or vice versa.

Reason: To minimise structural damage and compaction of the soil and to aid the final restoration of the site in accordance with Policy 8 (Protection of soils) of the Hampshire Minerals and Waste Plan (2013).

43. Bunds for the storage of soils and soil-like material (ie sands) to be used for restoration to forestry shall confirm to the following criteria:
- (i) Topsoils, subsoils and subsoil substitutes shall be stored separately in the areas shown on the working plan approved under Condition 4 (Working Programme);
 - (ii) Where continuous bunds are used, dissimilar soils shall be separated by a third material, previously approved in writing by the Waste Planning Authority;
 - (iii) Topsoil bunds shall not exceed three metres in height and subsoil (or subsoil substitutes) shall not exceed five metres in height and overburden shall not exceed five metres in height (except where stored below the quarry base, the height of which is to be agreed in writing by the Waste Planning Authority before storage takes place); and
 - (iv) Materials shall be stored like upon like, so that topsoil shall be stripped from beneath subsoil bunds and subsoil from beneath overburden bunds.

Reason: To ensure the retention of the existing soils on the site for restoration purposes and minimise the impact of the development on the locality in accordance with Policy 8 (Protection of soils) of the Hampshire Minerals and Waste Plan (2013).

Restoration

44. The restoration of the site to commercial forestry, heathland edges and a wildlife corridor shall be implemented in accordance with the final landform and scheme of pre and post settlement levels shown on the Landscape Scheme (Pre Settlement Landform) (Drawing No. 1, dated June 2006). The scheme includes a 100 metre minimum stand-off tipping zone from Blue Haze kennels and adjacent cottages.

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

45. The site shall be progressively restored to forestry, nature conservation and amenity (public access) uses in accordance with the approved scheme dated 29 December 2006 (06/88024) and the revised working and restoration phasing plans and timetable stated in Conditions 1 (timescale) and (Working Programme). This includes the outer slopes of the cells formally identified as Phases A-C being temporarily soiled and seeded to reduce the visual impact of the unvegetated slopes prior to final restoration of tree planting taking place.

Reason: To ensure that the site is restored in an orderly manner to a condition capable of beneficial after use and in the interests of amenity of local residents in accordance with Policy 9 (Restoration of quarries and waste developments) of the Hampshire Minerals and Waste Plan (2013).

46. The progressive restoration scheme shall be implemented upon cessation of waste disposal operations in each phase of the development and each area (cell) shall be restored to the after-use specified. Likewise, all areas of hardstanding, not marked on the scheme of working to be retained post-completion of restoration, including site compounds, access and haul roads shall also be removed and restored to the specified after use.

Reason: To ensure that the site is restored in an orderly manner to a condition capable of beneficial after use and in the interests of the amenity of local residents in accordance with Policy 9 (Restoration of quarries and waste developments) of the Hampshire Minerals and Waste Plan (2013).

47. Unless otherwise agreed in writing by the Waste Planning Authority by way of Condition 44 (Phased restoration), on those parts of the site where inert waste only has been tipped, the uppermost two metres of tipped waste materials shall be free from any large solid objects and shall both be graded in accordance with the final tipping levels hereby approved, and shall be ripped using appropriate machinery to a minimum depth of 600 millimetres; and on those parts of the site where non-inert waste has been tipped, the tipped waste shall be capped in accordance with the Waste Management Licence prior to the area being restored to approved plans and details.

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

48. In the event the Waste Planning Authority advises the operator that non-inert tipping is unacceptable in any cell, an alternative scheme for restoring it (remedial measures) shall be submitted within 3 months to the Waste Planning Authority and implemented within 12 months as approved.

Reason: To enable the Waste Planning Authority to adequately control the development and ensure that the land is restored to a condition capable of beneficial use in accordance with Policy 9 (Restoration of quarries and waste developments) of the Hampshire Minerals and Waste Plan (2013).

49. In the event of a cessation of delivery of waste to the site, prior to the completion of the approved restoration scheme, which the Waste Planning Authority considers permanent cessation, a restoration scheme, to include details of aftercare, shall be submitted in writing for approval to the Waste Planning Authority within 6 months of the cessation of importations. The approved scheme shall be implemented within 3 months of the written approval.

Reason: To enable the Waste Planning Authority to adequately control the development and ensure that the land is restored to a condition capable of beneficial use in accordance with Policy 9 (Restoration of quarries and waste developments) of the Hampshire Minerals and Waste Plan (2013).

Aftercare

50. Aftercare of each restored area (cell) of land shall take place for a period of 5 years commencing when the area (cell) is sign off as restored by the Waste Planning Authority. Aftercare shall be carried out in accordance with the approved Aftercare Scheme to bring each phase of the land restored under Condition 44 (Restoration) to the required standard for use for forestry, nature conservation and amenity.

The future felling regime and provision for annual site meetings during the aftercare period to discuss the detailed steps necessary on the restored land shall be carried out in accordance with the approved Aftercare Scheme.

Reason: To ensure the restored land is correctly husbanded in accordance with Policy 9 (Restoration of quarries and waste developments) of the Hampshire Minerals and Waste Plan (2013).

Plans

51. The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing No. 1, Drawing No. 2, Lay-01, 1215/2062/26 rev 0, 1215/2062/27 rev 0, 331/GAS/0500, BGM-4999, BGH-5055, 54/5204, LF-APP-01.

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

Notes to applicant

- 11 In determining this planning application, the Waste Planning Authority has worked with the applicant in a positive and proactive manner in accordance with the requirement in the National Planning Policy Framework (2019), as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- 12 For the purposes of matters relating to this decision Heavy Goods Vehicles (HGVs) are defined as vehicles over 3.5 tonne un-laden.
- 13 The following legal agreements are attached to this permission:
 - (i) Lorry routing agreement restricting the use of Harbridge drove and the B3081 northwards, except for local deliveries.
 - (ii) Management Agreement for Nature Conservation and the provision of footpaths/access for public recreation.
 - (iii) Section 106 Agreement relating to off-site heathland within Plumley Wood.
- 14 A Waste Management Licence and Pollution Prevention and Control Licence is required from the Environment Agency before any development is commenced on site. The issuing of any such Licence is dependent upon a satisfactory Risk Assessment which in this case will need to address the impacts of the development on issues such as groundwater and the adjacent SSSI.
- 15 The operator should be aware they are responsible for littering caused by waste from this site, resulting in any manner such as being wind-blown or falling from Goods vehicles travelling to and from the site. It is acknowledged that the opportunities to clean up of litter on public highways is limited, but the operator should take all reasonable and necessary measures to prevent litter and to collect and dispose of any that does occur, on or off their site.
- 16 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.

Integral Appendix C – Conditions for planning permission 19/10064

CONDITIONS

Ancillary Development

1. The development hereby approved shall only be used for purposes ancillary to Planning Permission 19/10066, or any subsequent primary planning permission that supersedes 19/10066 on the site, and shall be implemented, operated and restored in accordance with all the conditions applying to such permission for the duration of the development.

Reason: To ensure that the development is consistent with the use of the land as approved by the permission above.

Timescale

2. The use of the Waste Transfer Station hereby permitted shall cease by 31 March 2030, or within 1 year of the cessation of tipping at the Blue Haze Landfill Site, whichever is the sooner. Within 6 months of cessation of use, all waste, plant and equipment, the building, foundations, hardstandings, weighbridge and structures shall be removed and the site restored in accordance with Planning Permission 19/10066, or any subsequent primary planning permission that supersedes 19/10066 on the site.

Reason: To ensure restoration of a temporary development site within the approved timescale and in the interest of local amenity in accordance with Policies 9 (Restoration of quarries and waste developments) and 10 (Protecting public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

Restriction of Working

3. The use of the Waste Transfer Station on Sundays and Public holidays shall be restricted to domestic and household waste recycling centre waste only, and lorry movements on these days shall be restricted to 80 per day (ie 40 in and 40 out).

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

Nature Conservation

4. The reptile-proof fencing installed prior to commencement in accordance with the approved scheme shall be maintained for the duration of the development hereby approved.

Reason: In order to ensure no harm to protected species in accordance with Policy 3 (Protection of habitats and species) of the Hampshire Minerals and Waste Plan (2013).

Waste Tipping

5. All tipping of waste and loading of waste shall take place within the waste transfer station and netted area, and waste shall only be stored within the transfer bays, as shown on Drawing No.2.

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

Groundwater Protection

6. The drainage scheme and concrete pad approved by the Waste Planning Authority shall be maintained for the duration of the development hereby approved.

Reason: To mitigate impact on the underlying Branksome sand formation, a secondary aquifer, as defined by the Environment Agency's 'Groundwater Protection: Policy and Practice' (GP3) in accordance with Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

Materials

7. The building approved by way of the Plan and Elevations drawing (Drawing No. 3, dated April 2007) shall be implemented in accordance with this approved drawing and in accordance with the details approved by the Waste Planning Authority with regards to colour and texture of external construction materials and shall be maintained for the duration of the development hereby approved.

Reason: To minimise any visual impact created by the building in this rural area in accordance with Policy 13 (High-quality design of minerals and waste development) of the Hampshire Minerals and Waste Plan (2013).

Lighting

8. The approved lighting scheme shall be implemented and maintained for the duration of the development hereby permitted. No additional lighting shall be added without prior approval from the Waste Planning Authority.

Reason: In the interest of local amenities, light pollution and nature conservation with respect to the Ringwood Forest Site of Importance for Nature Conservation in accordance with Policies 3 (Protection of habitats and species) and 10 (Protecting public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

Plans

9. The development hereby permitted shall be carried out in accordance with the following approved plans:

WTS-APP-01 rev 0, Drawing No. 2, Drawing No. 3, Drawing No. 4.

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

Notes to Applicant

1. In determining this planning application, the Waste Planning Authority has worked with the applicant in a positive and proactive manner in accordance with the requirement in the National Planning Policy Framework (2019), as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- 17 For the purposes of matters relating to this decision Heavy Goods Vehicles (HGVs) are defined as vehicles over 3.5 tonne un-laden.
- 18 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.

Integral Appendix D – Conditions for Planning Permission 19/10063

CONDITIONS

Ancillary Development

1. The development hereby approved shall only be used for purposes ancillary to Planning Permission 19/10066, or any subsequent primary planning permission that supersedes 19/10066 on the site, and shall be implemented, operated and restored in accordance with all the conditions applying to such permission for the duration of the development.

Reason: To ensure that the development is consistent with the use of the land as approved by the permission above.

Timescale

2. The development hereby permitted including gas engines and leachate tanks shall cease by 31 March 2040. Within 6 months of cessation of the use, all components of the development; plant, engines, equipment, leachate tanks, foundations, hardstandings, and structures shall be removed and the site restored in accordance with Planning Permission 19/10066, or any subsequent primary planning permission that supersedes 19/10066 on the site.

Reason: To ensure restoration of a temporary development site within the approved timescale and in the interest of local amenity in accordance with Policies 9 (Restoration of quarries and waste developments) and 10 (Protecting public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

Noise

3. The development hereby permitted shall be operated and maintained in accordance with the approved scheme set out in the approved Blue Haze Gas Utilisation Plant Noise Assessment (SLR report 401.0156.00060.v2, dated June 2009). In accordance with the approved scheme, the rating level of the noise emitted from the development shall be at least 10dB lower than the existing background level at the boundary of the nearest noise sensitive properties.

Reason : To protect nearby residential properties from adverse noise impacts in accordance with Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

4. The noise levels specified in the approved scheme outlined in Condition 3 (Noise), shall be monitored after one month of the gas engines being commissioned and thereafter annually, and the results forwarded to the Waste Planning Authority for analysis.

Reason: To ensure compliance with Condition 3 (Noise emissions) in accordance with Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

5. The specification, colouring, and location of acoustic fencing and colour and non- reflective finish of the gas plant and vents shall be implemented, maintained and retained for the duration of the development hereby approved in accordance with the approved Additional Data (N Truman Veolia, dated January 2010) and the Site Layout Plan (drawing LAY-01).

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

Layout

6. The site shall be set out and maintained in accordance with the Proposed Compound Layout Plan (Drawing 3 rev 0, dated December 2006).

Reason: To ensure the efficient operation of the site and the existing waste transfer station and in the interest of local amenities in accordance with Policies 10 (Protecting public health, safety and amenity) and 13 (High-quality design of minerals and waste development) of the Hampshire Minerals and Waste Plan (2013).

7. The gas engines shall be constructed on site in accordance with the approved General Arrangement (drawing 1200-GA-1047 Rev A) and the Carbon Filter Section Drawings (drawing 3217-BLUE/GAS/010 rev 0).

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

Protection of Water Environment

8. The site subject of this permission shall be underlain by impervious hard-standing with dedicated drainage to foul sewer or sealed tank. This shall be maintained for the duration of the development hereby approved.

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

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

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

Lighting

10. No lighting shall be erected on the site relating to this permission.

Reason: In the interest of local amenities, light pollution and nature conservation with respect to the Ringwood Forest Site of Importance for Nature Conservation in accordance with Policies 3 (Protection of habitats and species) and 10 (Protecting public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

Landscape

11. No work shall be carried out within the crown spread of any existing trees on the western site boundaries which comprise part of Ringwood Forest Site of Importance for Nature Conservation (SINC), nor shall any damage occur to the herpetological fencing that exists along part of the western site boundary. No materials shall be stored nor shall any plant or equipment associated with this permission be located within the spread of trees within the SINC.

Reason: To protect the health and stability and the nature conservation value of the Ringwood Forest SINC and the herpetological protection area in accordance with Policy 3 (Protection of habitats and species) of the Hampshire Minerals and Waste Plan (2013).

Plans

12. The development hereby permitted shall be carried out in accordance with the following approved plans:

GUP-APP-01 rev 0, 3217-BLUE/GAS/010 rev 0, 1200-GA-1047 rev A, Drawing No.3 rev 0, LAY-01.

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

Notes to Applicant

1. In determining this planning application, the Waste Planning Authority has worked with the applicant in a positive and proactive manner in accordance with the requirement in the National Planning Policy Framework (2019), as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- 19 For the purposes of matters relating to this decision Heavy Goods Vehicles (HGVs) are defined as vehicles over 3.5 tonne un-laden.
- 20 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.