

**HAMPSHIRE COUNTY COUNCIL
Decision Report**

Decision Maker:	Regulatory Committee
Date:	15 May 2019
Title:	Variation of conditions 8, 11 & 16 of Planning permission S/16/78332 for the provision of external recycle storage bays, asbestos storage, a second weighbridge and a relaxation to the restricted hours for waste delivery at Southampton Transfer Station and Recycling Facility, Tower Lane, Eastleigh SO50 6NZ (No. CS/19/85013) (Site Ref: EA111)
Report From:	Head of Strategic Planning

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Recommendation

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

Executive Summary

2. The planning application is for variation of conditions 8, 11 and 16 of Planning Permission S/16/78332 of the existing Southampton Transfer Station and Recycling Facility, Tower Lane, Eastleigh, SO50 6NZ. This is to allow the following development to occur:
 - The outside storage of waste including the installation of 6 new external waste storage bays;
 - An external storage container for asbestos;
 - Storage of waste in other buildings than just Link House and its canopy;
 - The installation of a second weighbridge; and
 - A change to the daily time period in which HGVs can move to and from the site without limit, increasing it from ending at 1800 to 2000 each evening.
3. This application is being considered by the Regulatory Committee as the local County Councillor has requested for the case to be determined by the Regulatory Committee.
4. Key issues raised are:
 - Consideration of the potential for amenity and health impacts due to reduction in timing limits of the HGV deliveries to and from the site;

- Suitability of storage of waste outside at the site and amenity impacts; and
 - Development supporting the growth of waste recycling in Hampshire.
5. A committee site visit by Members took place on Monday 8 April 2019 in advance of the proposal being considered by the Regulatory Committee.
 6. The proposed development is not an Environmental Impact Assessment development under the [Town & Country Planning \(Environmental Impact Assessment\) Regulations 2017](#).
 7. The proposal is for the provision of external recycle storage bays, asbestos storage, a second weighbridge and a relaxation to the restricted hours for HGV movements to and from the site. There is no proposal to increase the tonnage of waste processed at the site beyond that previously permitted. The additional on-site facilities to provide external storage areas and install a second weighbridge help improve recycling capacity and can be accommodated without creating harm from visual appearance, noise or pollution and are considered to comply with policies Policy 25 (Sustainable Waste Management), 10 (Protecting public health, safety and amenity) and 13 (High-quality design of minerals and waste development) of the HMWP (2013). The change to the permitted hours for HGV movements will provide the operator with greater flexibility and will not create unacceptable amenity issues or safety or capacity issues on the highway and is consistent with policies 10 (Protecting public health, safety and amenity) and Policy 12 (Managing traffic).

The Site

8. The 1.19 hectare site is located within the established Tower Industrial Estate, adjacent to the railway mainlines and sidings adjacent to Eastleigh Train Station. The site currently consists of 3 steel portal framed buildings and a concrete external yard. The site is bordered to the west and south by the former railways works, railway sidings and the railways mainlines.
9. Links House, the building to the north of the site and associated facilities for HGV parking, weighbridge and storage of wrapped waste under Links House's canopy were granted planning permission (PP S/16/78332) for the use as a waste transfer and sorting station in 2016 by HCC. This Biffa operation relocated to this site from their previous site at North Road, Marchwood, Southampton upon permission being granted. This is a large, clear spanning steel portal framed building with part brick and part profile steel cladding walls and a duo-pitch asbestos cement roof. The waste use for the site consists of waste sorting, recycling, processing and transfer facilities, for the processing of imported waste for two product groups. Firstly, a Material Recycling Facility [MRF] to produce separate products including wood, metal, glass, plastic, card and paper for export to manufacturers. Secondly, Refuse Derived Fuel [RDF] production including waste shredding and baling for export as a fuel for electricity generation.

10. The remainder of the site has permitted use as a transport depot, vehicle repair workshop and warehouse, under Eastleigh Borough Council [EBC] permissions granted between 1977 and 1980. The southern building is permitted for use as a transport depot under EBC planning permission Z/17104/5 dated 29 December 1980 and the central building is permitted for use as a workshop under EBC planning permission Z/17104/1 dated 20 January 1977.
11. The existing waste permission includes the following conditions:
 - Importation of a maximum of 90,000 tonnes per annum [tpa] of waste delivered to the site. The site currently does approximately 60,000 tpa;
 - The site employs 12 full time jobs and 16 part time jobs, working in shifts. It operates 24 hours a day, 7 days a week, including recognised bank holidays;
 - No HGVs associated with the waste operation hereby permitted shall enter or leave the site between the hours of 2300 and 0400;
 - A maximum of 20 HGV movements (to and from) associated with the waste operation hereby permitted shall enter or leave the site between the combined hours of 0400-0600 and 1800-2300 each day;
 - The only storage of waste or recycled materials on the site shall be inside the Link House building. The only exception being plastic wrapped RDF bales ready for export which can be stored under the open canopy to the south façade of Links House;
 - The doors to the Link House building are to be closed other than when access and operation requires;
 - All vehicles, plant and machinery associated with the waste operation within the site shall be maintained in accordance with the manufacturers' specification at all times, and shall be fitted with and use effective silencers and white noise reversing alarms; and
 - Should the development hereby permitted require any additional external lighting to the existing, then a lighting scheme is to be submitted to and approved by the Waste Planning Authority before installation of that lighting.
12. The site is accessed through the Tower Industrial Estate from Bishopstoke Road (B3037) down Chicken Hall Lane and then Tower Lane. The HGV routes to and from the site onto the Strategic Road Network are the A335, Southampton Road, south to Junction 5 of the M27, the A335, Romsey Road, west, to Junction 13 of the M3, or the A335, Twyford Road, north, to Junction 12 of the M3. All these routes travel through Eastleigh Town Centre past residential dwellings and are identified as 'Noise Important Areas' within the Southampton and Eastleigh Agglomeration, as well as the Eastleigh Air Quality Management Zone [AQMZ].
13. There are no footpaths crossing the site, and no statutory ecological, landscape or archaeological designations on the site or within its immediate surroundings.

14. The site has the following constraints in proximity to the site:
- Environmental Constraints:
 - Itchen River Special Areas of Conservation (SAC), 450m east;
 - Itchen River Site of Special Scientific Interest (SSSI), 450m east;
 - Marshy Grassland, Bishopstoke Site for Importance of Nature Conservation (SINC), 600m east;
 - Heritage assets:
 - Eastleigh Train Station, grade II listed, 390m north west;
 - Eastleigh Locomotive works, unlisted, 80m south-west;
 - Various unlisted assets associated with the railway depot on side streets to Bishopstoke Road; 300m north;
 - Residential Constraints:
 - The nearest residential properties are 0.3km to the west (the edge of Eastleigh town centre) and 0.4km south (Campbell Road).
 - Other constraints:
 - The Eastleigh Air Quality Management Zone [AQMZ];
 - 'Noise Important Areas' on the A335 Leigh Road, ref:2233, A335 Twyford Road Ref:2232, and A335 Southampton Road Ref:12654;
 - Chickenhall Waste Water Treatment Works, 600m south east;
 - Eastleigh Train Station, 390m north west; and
 - Southampton airport, 650m south west.

Planning History

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

Application	Proposal	Decision	Date Issued
CS/18/84331	Variation of conditions 2, 8, 11 and 16 of planning permission S/16/78332 to increase the approved tonnage limit for imported wastes to 120,000 tonnes per annum, to reduce the evening hours restriction on vehicle movements and to replace approved plans with revised plans. Application for the provision of external recycle storage bays, asbestos storage, a second weighbridge and an increase in height of 2m to one site building	Withdrawn	19.12.18
CS/18/83108	Variation of Conditions 2, 11 and 16 of planning permission S/16/78332 to increase site throughput to 120,000 tonnes per annum and to allow the storage of materials in locations other than inside Link House or under the Link House canopy; the construction and use of material storage bays and a second weighbridge at the site	Withdrawn	24.05.18
S/16/78332	Change of use to a transport depot, vehicle repair workshop, warehousing (type B8	Granted	20.07.16

	and sui generis use) and a waste sorting, recycling, processing, storage and transfer facility (type B2)		
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The Proposal

16. The planning application is for variation of conditions 8, 11 and 16 of Planning Permission S/16/78332 of the existing Southampton Transfer Station and Recycling Facility, Tower Lane, Eastleigh, SO50 6NZ. This is to allow the following development to occur:

- The outside storage of waste including the installation of 6 new external waste storage bays;
- An external storage container for asbestos;
- Storage of waste in other buildings than just Link House and its canopy;
- The installation of a second weighbridge; and
- A change to the daily time period in which HGVs can move to and from the site without limit, increasing it from ending at 1800 to 2000 each evening.

17. Extract from the application Planning Statement:

'The site has been very successful and the recycling rates at the site are increasing. The site is currently accepting approximately 60,000 tonnes per annum. The planning permission for the site allows up to 90,000 tonnes of waste to be accepted at the site. This application does not include any proposals to increase the tonnage above that already permitted.'

As more waste is accepted at the site up to the approved 90,000 tonnes per annum, Biffa wish to separate out additional materials for recycling. Whilst planning permission S/16/78332 already allows the sorting, recycling, processing and transfer of wastes to take place on the site, the permission limits where on site processing and waste storage may take place. In order increase recycling rates, the site will need external storage for materials awaiting export. An additional weighbridge is also proposed to ease traffic congestion on and in the vicinity of the site as a result of queuing waste vehicles. Finally, permission is sought to reduce the hours during which vehicle movements to and from the site are restricted to offer service flexibility.'

18. This application therefore seeks the following variations to conditions:

To vary Condition 8 of planning permission S/16/78332 to reduce the hours in the evening when deliveries are restricted. The existing wording of Condition 8 is:

A maximum of 20 HGV movements (to and from) associated with the waste operation hereby permitted shall enter or leave the site between the combined hours of 0400-0600 and 1800-2300 each day.

Reason: In the interests of local amenity in accordance with Policy 10 (Protecting public health, safety and amenity).

The proposed wording of condition 8 is proposed to be:

A maximum of 20 HGV movements (to and from) associated with the waste operation hereby permitted shall enter or leave the site between the combined hours of 0400-0600 and 2000-2300.

To vary Condition 11 of planning permission S/16/78332 to allow the storage of wastes and recyclate on site other than only in Link House or under the Link House canopy to include storage in external storage bays. The existing wording of Condition 11 is:

The only storage of waste or recycled materials on the site shall be inside the building currently known as Link House. The only exception being plastic wrapped RDF bales ready for export which can be stored under the open canopy as shown on the Warehouse Plan Drawing DL/293/100 revision F. The doors to the building currently known as Link House are to be closed other than when access and operation requires.

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

The proposed wording of condition 11 is proposed to be:

The only storage of unsorted waste and recyclate on the site shall be inside the northern building as shown on drawing number EL2/3. RDF, bales ready for export, recyclate and asbestos may only be stored inside the buildings and outside only in the designated areas shown on drawing number EL2/3. The doors to the buildings containing unsorted waste and recyclate are to be closed other than when access and operation requires.

To vary Condition 16 of planning permission S/16/78332 by removing a number of approved plans and replacing them with new plans. The existing wording of Condition 16 is:

The development hereby permitted shall be carried out in accordance with the following approved plans: **DL/293/050, DL/293/102 Rev D, DL/293/001 Rev B, DL/293/003 Rev A, DL/293/101 Rev B, DL/293/100 Rev F, DL/293/105 Rev B, Mini DBS Shelter Customer Drawing**

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

The revised wording of condition 16 is proposed to be:

The development hereby permitted shall only be carried out in accordance with the following approved plans: EL2/1 Site Location Plan, EL2/2 Existing

Layout, EL2/3 Proposed Layout and EL2/4 Proposed Storage Bays Elevations, DL/293/100 Rev F Proposed Warehouse Plan, DL/293/105 Rev B Proposed Process Flow and Mini DBS Shelter Customer Drawing.

19. All waste processing activities will continue to be carried out inside the northernmost building on the site. The only activities taking place outside will be the storage of baled RDF, the storage of sorted recyclate in dedicated 3 sided 4m high concrete bays prior to transfer off site and the storage of asbestos in a sealed container prior to transfer off site. The stored wastes will comprise glass, baled Refuse Derived Fuel [RDF], hardcore, wood, baled plastic, soil and bonded asbestos (in a sealed container). The remaining buildings will be used for the storage of plastics and fibre prior to export as shown on the submitted Proposed Layout Plan (drawing EL 2/3 rev 2).
20. The site holds an Environmental Permit from the Environment Agency [EA] that incorporates the external storage of waste at the site, and storage of asbestos is also covered by ES permit.
21. This proposal does not include an increase in traffic movements to or from the site, nor does it look to increase the existing, conditioned 90,000 tpa of waste importation to the site. The application's supporting statement states in paragraph 7.3 that the development does not include any new external lighting.
22. The proposed development has been assessed under the [Town & Country Planning \(Environmental Impact Assessment\) Regulations 2017](#); 10(a) - Urban development projects and 11(b) Installations for the disposal of waste and does not require an Environmental Impact Assessment.

Development Plan and Guidance

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

National Planning Policy Framework (2019) (NPPF)

The following paragraphs are relevant to this proposal:

- Paragraph 11: Presumption in favour of sustainable development;
- Paragraph 80: Support of sustainable economic growth;
- Paragraph 102-103: Sustainable transport;
- Paragraph 107: adequate overnight lorry parking;
- Paragraph 110: transport context;
- Paragraph 111: travel plans;
- Paragraph 127-131: ensuring quality developments; and
- Paragraph 170: Contributions and enhancement of natural and local environment.

[National Planning Policy for Waste \(2014\) \(NPPW\)](#)

The following paragraphs are relevant to the proposal:

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

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

The following paragraphs are relevant to the proposal:

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

[Department For Transport \[DFT\] Circular](#)

- **Public Safety Zones** - This site, or part of this site, lies within the Public Safety Zone. Therefore DFT Circular 1/2010 '[Control of Development in Airport Public Safety Zones](#)' is a material consideration.

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

The following policies are relevant to this proposal:

- Policy 1 (Sustainable minerals and waste development);
- Policy 2 (Climate change – mitigation and adaptation);
- Policy 3 (Protection of habitats and species);
- Policy 7 (Conserving the historic environment and heritage assets);
- Policy 10 (Protecting public health, safety and amenity);
- Policy 11 (Flood risk and prevention);
- Policy 12 (Managing traffic);
- Policy 13 (High-quality design of minerals and waste development);
- Policy 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 33 (Hazardous and low-level radioactive waste).

[Eastleigh Borough Local Plan \(2006\) \[EBLP \(2006\)\]](#)

The following policies are relevant to this proposal:

- Policy 34.ES (Energy and Climate Change);
- Policy 36.ES (Lighting);
- Policy 37.ES (Energy and water consumption);
- Policy 59.BE (Development in the built environment);

- Policy 61.BE (Homezones);
- Policy 69.BE (Southampton international airport public safety zone);
- Policy 100.T (Transport and new development);
- Policy 101.T (RTRA targets for the Borough of Eastleigh);
- Policy 118.E (Existing employment sites).

Consultations

24. **County Councillor Clarke:** Has objection due to public concern for the impact of the extended hours for HGV movements with respect to noise and air quality.
25. **Eastleigh Borough Council:** Has no objection.
26. **Eastleigh Borough Council Environmental Health Officer (EHO):** No objection but highlights concerns about the levels of noise from HGVs at evening and night from residents on A335, Romsey Road.
27. **Environment Agency:** Has no objection.
28. **Local Highway Authority:** Has no objection subject to the retention of Condition 2 (Tonnage) from the existing permission.
29. **Lead Local Flood Authority (LLFA):** Was notified.
30. **Planning Policy (HCC):** Has no objection.
31. **Public Health (HCC):** Was notified.
32. **Southampton Airport Safeguarding:** Has no objection subject to a condition to submit a Bird Hazard Management Plan and accordance with guidance and policy for development in proximity to a civil airport.
33. **National Air Traffic Services (NATS):** Has no objection.

Representations

34. Hampshire County Council's [Statement of Community Involvement \(2017\)](#) (SCI) sets out the adopted consultation and publicity procedures associated with determining planning applications.
35. In complying with the requirements of the SCI, Hampshire County Council:
 - Published a notice of the application in the [Hampshire Independent](#);
 - Placed notices of the application at the application site and local area;
 - Consulted all statutory and non-statutory consultees in accordance with [The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#); and
 - Notified by letter 75 properties within the vicinity of the site.

36. As of 16 April 2019, 1 representation to the proposal has been received that raises concerns related to the following areas:

- Poor site access via Chickenhall Lane;
- Additional traffic generation caused by this development causing additional congestion on Chickenhall Lane;
- Increase in risks to highway safety on Chickenhall Lane for cars, cyclists and pedestrians; and
- The inadequate mini-roundabout at the Chickenhall Lane and Bishopstoke Road junction.

37. The above issues will be addressed within the following commentary.

Habitats Regulation Assessment [HRA]

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

39. 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 it might 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.

40. 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.

41. The HRA screening hereby carried out by the WPA considers the proposed development to have **no likely significant effect** on the identified European designated sites due to:

- The proposed development is not considered to have any functional impact pathways connecting the proposed works with any European designated sites; and
- The proposal does not have any significant increase on any adverse impacts the wider waste site may have.

Commentary

Principle of the development

42. 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).
43. Policy 25 (Sustainable Waste Management) states that all waste development should encourage waste to be managed at the highest achievable level within the waste hierarchy and reduce the amount of residual waste being sent to landfill.
44. Policy 25 seeks provision to manage non-hazardous to waste arisings with an expectation of achieving at least 60% recycling and 95% diversion from landfill by 2020.
45. The supporting planning statement states that the site enables, “maximum amount of recycling to be achieved and diversion of non-recyclable wastes as RDF for energy recovery”. This supports the objectives of Policy 25 but also those of Policy 1 (Sustainable minerals and waste development).
46. Hampshire needs to continue its waste processing in order keep up with the demand generated by an increasing population and to drive waste up the waste hierarchy. Policy 27 (Capacity for waste management development) states that proposals will be supported where they maintain and provide additional capacity for non-hazardous waste recycling and recovery through the use of existing and extensions to suitable waste management sites.
47. Policy 29 (Locations and sites for waste management) supports development to provide recycling, recovery and/or treatment of waste on suitable sites in the urban areas of south Hampshire. Sites in this location are considered suitable where they are part of an existing industrial estate, such as is the case for this proposal.
48. The consultation response from the Hampshire Waste Authority team raises no objection to the development and it is considered to be in accordance with Policies 25, 27 and 29 of the HMWP (2013).

Proximity to Southampton Airport

49. The site is located within the Southampton Airport safeguarding zone and the Public Safety zone surrounding the airport. The consultation response from Southampton Airport raises no objection subject to a condition to submit a Bird Hazard Management Plan in accordance with guidance and policy for development in proximity to a civil airport. This is necessary to ensure the recycling facility is managed in a way that minimises its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Southampton Airport.
50. The response states that the submitted Bird Hazard Management Plan shall include details of:
 - An auditable record of all BHMP information to be maintained detailing: dates, times and description of monitoring carried out, species and number of birds recorded, control effort provided and the results of any control; and
 - Provision for the aerodrome to inspect the records and undertake visits (without notice) to the site (where necessary).
51. The application site, or part of this site, lies within the Public Safety Zone for the airport. The airport's consultation response refers to [DFT Circular 1/2010 'Control of Development in Airport Public Safety Zones'](#).
52. Policy 69.BE (Southampton international airport public safety zone) of the EBCLP (2011) states that development proposals which increase working population within the public safety zone will not be permitted. In this case there is no material change to the working population on this site.
53. The response recognises that the nature of the proposed development means it is possible that tall construction equipment may be required during its construction. The applicant's attention is drawn to the requirement within the British Standard 'Code of practice for safe use of cranes' for crane operators to consult the aerodrome before erecting a crane or tall equipment in close proximity to an aerodrome. This is explained further in [Advice Note 4, 'Cranes and Other Construction Issues'](#).

Asbestos Transfer and Storage

54. Policy 33 (Hazardous and low level radioactive waste development) of the HMWP (2013) states that developments to provide sufficient capacity to deal with hazardous waste will be supported subject to there being no acceptable alternative form of waste management further up the waste hierarchy that can be made available, or is being planned closer to the source of the residues and that it will contribute to the management of hazardous waste that arises in Hampshire (accepting cross-boundary flows).
55. The proposal includes the importation, storage and transfer of bonded asbestos, such as asbestos concrete panels and floor tiles. It is not

proposed to process this waste on the site. Bonded asbestos is hazardous waste, non-friable, in that it cannot be crumbled into dust in the hand and so it is less prone to becoming airborne. The waste legislation and relevant rules fall under the Environment Agency. It is therefore taken that the site operator will obtain the relevant permits and follow acceptable practice in the handling and storage of this hazardous waste prior to receiving any at the site.

56. The asbestos waste is to be stored in a sealed container designed for the purpose. It will then be stored until exported off site for processing. Further drainage information was provided by the applicant to demonstrate that the storage of asbestos at the site does not pose an additional risk in a flood event.
57. It is considered that there is not an acceptable alternative form of waste management for asbestos further up the waste hierarchy than what is proposed, and that this site is considered satisfactorily close to source as to be in accordance with Policy 33 (Hazardous and low level radioactive waste development) of the HMWP (2013). It is considered that asbestos transfer and storage, carried out in accordance with the relevant Environmental Permitting and practice, will not generate any additional adverse impact to public health or safety in accordance with Policy 10 (Protecting public health, safety and amenity) of the HMWP (2013).

Highways and amenity; the impact of HGV timings

58. Policy 10 (Protecting public health, safety and amenity) of the HMWP 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.
59. 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.
60. This proposal does not seek an increase in the conditioned annual waste importation to the site, that is currently limited to 90,000 tonnes per annum (tpa). The supporting statement does state that the site is currently running at 60,000 tpa and the proposed development will aid the operation's full potential of 90,000 tpa.
61. The existing planning permission S/16/78332 does not condition the overall number of HGV movements to and from the site. It does include Condition 8 (HGV movement restrictions) that limited HGV movements in early mornings and evenings (0400-0600 and 1800-2300) and Condition 7 (No night-time

HGV movements) that states no HGVs shall enter or leave the site overnight (2300-0400). It should be noted that the site does operate 24 hours per day in a two-shift pattern.

62. The proposal seeks the following development that effects the highway and associated public amenity, the applicant's reasoning for the developments is also included:
- The addition of a second weigh bridge on the site.

The operator states that, due to rules applying to the exportation of waste, much of which leaves the country due to the current waste infrastructure in the UK, many of the HGVs departing the site need to sit on the existing weighbridge for up to 10 minutes each. This can cause queuing for delivery vehicles waiting to use the weigh bridge on the way into the site. Therefore, a second weigh bridge would alleviate queuing and allow improved HGV circulation on the site. This would also reduce the number of HGVs queuing for the site remotely on local roads, such as Chickenhall Lane. This would reduce the impact this operation has on this issue.

- A variation to condition 8 (HGV movement restrictions) of the existing PP S/16/78332 to reduce the daily time periods during which HGVs can enter or leave the site are restricted to a maximum of 20 movements to and from the site. It is proposed to reduce the time periods from 0400-0600 and 1800-2300 to 0400-0600 and 2000-2300 each day, thus providing an additional 2 hours of unrestricted movement.

The operator states that this will provide more flexibility for HGV access to and from the site. They confirm that the application does not seek to increase the permitted tonnage at the site and so there would be no overall increase in HGV movements over what could be achieved under the existing permission. The greater flexibility would increase HGVs likelihood of catching ferries from the local international ferry terminals and reduce the need for HGVs to park up overnight on local roads.

63. The Proposed Layout (drawing EL2/3) demonstrates that the addition of external storage bays and a second weighbridge retains sufficient space for safe access, turning, loading and unloading of HGVs.
64. The Highway Authority consultation response raises no objection subject to the retention of Condition 2 (Tonnage) from the existing planning permission. Eastleigh Borough Council raises no objection but does draw attention to the comments of its Environmental Health Officer [EHO].
65. The Eastleigh Borough Council EHO consultation response is for no objection but makes the following comments:
- No detailed vehicle routing information is included in the application;
 - Residential occupiers on the A335, Romsey Road (part of the Leigh Road western route to M3 Junction 13), raise concerns about the levels of noise from HGVs especially in the evenings and at night; and

- The EHO makes reference to the presence of 'Noise Important Areas'. There are three along the possible routes from the site, the A335 Leigh Road (ref. 2233) (western route to M3 Junction 13), the A335 Twyford Road (ref. 2232) (northern route to M3 Junction 12) and the A335 Southampton Road (ref. 12654) (southern route to M27 Junction 5).
66. Noise Important Areas are identified as the 1% highest noise exposed dwellings across the Southampton and Eastleigh Agglomeration.
 67. The site shares a single access route through the industrial estate from Tower Lane, onto Chickenhall Lane and then Bishopstoke Road with a number of other industrial uses. These roads are all recognised as congested with little or no capacity for additional movement. All routes from the industrial estates travel on A roads and pass dwellings in order to access the Strategic Road Network.
 68. These routes also all travel through the Eastleigh Air Quality Management Zone [AQMZ], a material consideration as to the air quality impacts of vehicles travelling to and from the site.
 69. In consideration of the potential for amenity and health impacts due to the proposed reduction in the restricted evening time period for HGV access to and from the site; the principle of a waste transfer station with a condition limit of waste importation of 90,000 tpa has already been established by the existing planning permission. Therefore, it is considered that the number of HGVs required to transport this mass of waste has already been accepted. The increase in the daytime period where there are no restrictions to HGV numbers is therefore likely to result in the same number of HGVs being more evenly distributed through the day. Therefore, the Highways Authority consider the proposal acceptable with no significant adverse impact to highway capacity or safety.
 70. The increase in the rate of HGVs in the evening, being proposed to be unrestricted until 2000, and the limit of 20 HGV movements, currently spread over 7 hours of restricted periods per day (3 movements per hour), to be spread over a proposed 5 hours of restricted periods per day (4 movements per hour) has some potential to cause additional amenity impacts. However, the change is not significant in terms of vehicle numbers and must be considered in the context of other users of the estate, many of which have unrestricted vehicle movements. The Eastleigh Borough Council EHO has no objection to the proposal and considers that it has no significant adverse impact on the public health and amenity of residents along the routes to and from the site, therefore, the proposal is considered to be in accordance with Policies 10 (Protecting public health, safety and amenity) and 12 (Managing traffic) of the HMWP (2013).

Impact on amenity, health and pollution from on-site activity

71. Policy 10 (Protecting public health, safety and amenity) of the HMWP 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.
72. 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](#))
73. This proposal raises the issue of the suitability of storing waste outside at the site. The proposal is for the storage of waste in 6 no. 4m high storage bays, enclosed on three sides and open to the front and above. This is for the segregated storage of recyclables, comprising of glass, baled RDF, hardcore, wood, baled plastic and soil. There is also the external location of the sealed container for asbestos waste.
74. Health and pollution issues are regulated by the Environmental Agency through permitting. It is not considered that the storage and transfer of asbestos at the site has any significant pollution or health impacts. Any green or food waste would be residual and so it is not considered that the external storage of these waste types would cause any significant pollution, health or amenity issues. With respect to noise, it is considered that the proposed development would have no significant effect on the onsite activities and therefore not have a significant impact on the levels of noise generated by the site. With respect to wind-blown litter and dust, all waste processing is to continue to take place inside the Links House building. The full site has an existing hard concrete surface and the majority of waste types are considered to not cause significant dust issues. The exception being the hardcore and soil.
75. Bird Hazard management has been discussed already in the above section on the site proximity to Southampton Airport.
76. It is considered, to ensure dust and wind-blown litter does not become a significant issue from the external storage of waste, conditions should be added to provide a dust and litter management scheme for the site. This allows the proposal to be considered in accordance with Policy 10 (Protecting public health, safety and amenity) of the HMWP (2013) and Paragraphs 127-131 (Ensuring quality developments) of the NPPF (2019), in that the development will function well and add to the overall quality of the area (para 127.a) and to take the opportunities available for improving the character and quality of an area and the way it functions (para 130).

Visual impact and landscape

77. 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.
78. Policy 7 (Conserving the historic environment and heritage assets) requires minerals and waste development to protect and, wherever possible, enhance Hampshire's historic environment and heritage assets (designated and non-designated), including their settings unless it is demonstrated that the need for and benefits of the development decisively outweigh these interests.
79. The proposal is for 4m high external, open, storage containers. Having regard to the site location and context, it is considered that this height of container does not cause any adverse impact to the landscape setting of the site and the visual amenity of its neighbours or the setting of any nearby heritage assets.
80. It is considered that the proposals are consistent with the industrial appearance of the wider industrial estate and so are in accordance with Policies 7, 10 and 13 of the HMWP (2013), with the inclusion of a condition to provide a litter management scheme to ensure that the opportunity is taken to improve the character and quality of the area in accordance with paragraph 130 of the NPPF (2019).

Flooding and drainage

81. 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.
82. The site is completely hard surfaced with a history of industrial use. There is no additional flood risk, subject to an appropriate condition relating to site drainage.

Conclusions

83. The proposal is for the provision of external recyclate storage bays, asbestos storage, a second weighbridge and a relaxation to the restricted hours for HGV movements to and from the site. There is no proposal to increase the tonnage of waste processed at the site beyond that previously permitted. The additional on-site facilities to provide external storage areas and install a second weighbridge help improve recycling capacity and can be accommodated without creating harm from visual appearance, noise or

pollution and are considered to comply with policies Policy 25 (Sustainable Waste Management), 10 (Protecting public health, safety and amenity) and 13 (High-quality design of minerals and waste development) of the HMWP (2013). The change to the permitted hours for HGV movements will provide the operator with greater flexibility and will not create unacceptable amenity issues or safety or capacity issues on the highway and is consistent with policies 10 (Protecting public health, safety and amenity) and Policy 12 (Managing traffic).

Recommendation

84. That planning permission be GRANTED subject to the conditions listed in Appendix A.

Appendices:

Appendix A – Conditions

Appendix B - Location Plan

Appendix C – Proposed Layout Plan

REQUIRED CORPORATE AND LEGAL INFORMATION:

Links to the Strategic Plan

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

CS/19/85013
EA111

Hampshire County Council

Southampton Transfer Station and Recycling Facility, Tower Lane, Eastleigh SO50 6NZ
(Variation of conditions 8, 11 & 16 of Planning permission S/16/78332 for the provision of external recyclate storage bays, asbestos storage, a second weighbridge and a relaxation to the restricted hours for waste delivery

IMPACT ASSESSMENTS:

1. Equality Duty

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

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

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

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

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

CONDITIONS

Conditions

Commencement

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

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

Tonnage

2. There shall be no more than 90,000 tonnes per year of waste delivered to the site.

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

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

Hours of Working

3. No work relating to the construction of the development hereby approved, including works of preparation prior to operations, the delivery of construction materials, skips or machinery, nor the removal of waste materials associated with the construction, shall take place before 0800 or after 1800 Monday to Friday inclusive, before 0800 or after 1400 on Saturday. No work relating to the construction shall take place on Sundays or recognised Public Holidays.

Reason: To protect the amenities of occupiers of nearby properties.

Construction

4. The construction of the development hereby permitted shall be in compliance with the British Standard 'Code of practice for safe use of cranes' for crane operators with respect to tall construction equipment. The developer shall consult Southampton International Airport prior to erecting any crane or tall equipment at the site in accordance with the Airport Operators Association Safeguarding of Aerodromes, Advice Note 4, 'Cranes and Other Construction Issues'.

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

Highways

5. The provision for the parking, turning, loading and unloading of vehicles and the cycle parking within the curtilage as shown on Site Layout Plan (drawing EL 2/3 rev 0) shall be maintained for the duration of the development hereby approved.

Reason: In the interests of highway safety in accordance with Policy 12 (Managing traffic) of the Hampshire Minerals and Waste Plan (2013) and Policies 59.BE (Development in the built environment) and 100.T (Transport and new development) of the Eastleigh Borough Local Plan (2006).

6. The car park and cycle shelter area hereby approved on the Site Layout Plan (drawing EL 2/3 rev 0) shall not be used for any purpose other than the parking of cars and cycles and shall be maintained for the duration of the development hereby approved.

Reason: To ensure adequate on-site car and cycle parking provision for the approved development and to discourage parking on the adjoining highway in the interests of local amenity in accordance with Policy 12 (Managing traffic) of the Hampshire Minerals and Waste Plan (2013) and Policies 59.BE (Development in the built environment) and 100.T (Transport and new development) of the Eastleigh Borough Local Plan (2006).

7. No HGVs associated with the waste operation hereby permitted shall enter or leave the site between the hours of 2300 and 0400.

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

8. A maximum of 20 HGV movements (10 to and 10 from the site) associated with the waste operation hereby permitted shall enter or leave the site between the combined hours of 0400-0600 and 2000-2300 each day.

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

Operation

9. There shall be no waste handled and no vehicle movements associated with the waste operation hereby permitted on 25th and 26th December.

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

10. No materials shall be burnt on site.

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

Storage

11. The storage of waste or recycled materials on the site shall only be in accordance with the approved Site Layout Plan (drawing EL 2/3 rev 0).

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

12. All external stockpiles shall be of a maximum height of 4m, from existing external ground level to peak of stockpile.

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

13. The doors to the building currently known as Link House are to be closed other than when access and operation requires.

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

Protection of Water Environment

14. Within 3 months of the date of the permission hereby granted, the applicant shall submit to and have approved by the Waste Planning Authority a Site Drainage Scheme to demonstrate that the development hereby granted does not cause a risk of pollution to the water environment or a flood risk.

This scheme shall also include details of oil interceptors suitably designed and constructed to have a capacity compatible with the area being drained. The approved drainage scheme shall thereafter be retained and maintained for the lifetime of the development.

Reason: To reduce the risk of pollution to the water environment or a flood risk 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).

15. 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 & Waste Plan (2013).

Noise

16. All vehicles, plant and machinery associated with the waste operation within the site shall be maintained in accordance with the manufacturers' specification at all times and shall be fitted with and use effective silencers and white noise reversing alarms.

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

Lighting

17. Should the development hereby permitted require any additional external lighting to the existing, then a lighting scheme is to be submitted to and approved by the Waste Planning Authority before installation of that lighting.

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

Dust

18. Within 3 months of the date of the permission hereby granted, the applicant shall submit to and have approved by the Waste Planning Authority a Dust Management Scheme to demonstrate that the site is in accordance, with respect to dust, Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

Reason: To ensure no significant adverse impacts from light pollution in accordance with facilitate the monitoring of the development and ensure the land is restored in accordance with Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals and Waste Plan (2013).

Litter

19. Within 3 months of the date of the permission hereby granted, the applicant shall submit to and have approved by the Waste Planning Authority a Litter Dust Management Scheme to demonstrate that the site is in accordance, with respect to litter, 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).

Reason: To ensure no significant adverse impacts from light pollution in accordance with facilitate the monitoring of the development and ensure the land is restored 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).

Bird Strike

20. Within 3 months of the date of the permission hereby granted, the applicant shall submit to and have approved by the Waste Planning Authority a Bird Hazard Management Plan (BHMP). This shall address the address the concerns of Southampton International Airport and include details of:
- An auditable record of all BHMP information to be maintained detailing: dates, times and description of monitoring carried out, species and number of birds recorded, control effort provided and the results of any control; and
 - Provision for the aerodrome to inspect the records and undertake visits (without notice) to the site (where necessary).

Reason: To ensure the proposed development causes a significant Bird Hazard 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).

Plans

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

EL 2/1, EL 2/2, EL 2/3, EL 2/4, DL/293/003 rev A, DL/293/050 rev 0, DL/293/100 rev F, DL/293/101 rev B, DL/293/105 rev B, Mini BDS Shelter Customer Drawing.

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

Notes to Applicant

1. In determining this planning application, the waste Planning Authority has worked with the applicant in a positive and proactive manner in accordance with the requirement in the National Planning Policy Framework (2019), as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.
2. For the purposes of matters relating to this decision Heavy Goods Vehicles (HGVs) are defined as vehicles over 3.5 tonnes un-laden.
3. The applicant should produce and operate by a Construction Traffic Management Plan, including lorry routes, daily and total number and size of HGVs accessing the site, parking and turning provision to be made on site, measures to prevent mud from being deposited on the highway and a programme for construction. The details should be fully implemented before the development is commenced and retained throughout the duration of construction. The Plan should be available for the review by the Highways Authority on request.
4. This decision does not purport or convey any approval or consent which may be required under the Building Regulations or any other Acts, including Byelaws, orders or Regulations made under such acts.