

## HAMPSHIRE COUNTY COUNCIL

### Decision Report

<b>Decision Maker:</b>	Regulatory Committee
<b>Date:</b>	16 October 2019
<b>Title:</b>	<p>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 (<b>Application No. 19/10066</b>)</p> <p>2) Variation of condition 2 of planning permission 11/97613 to extend the time for the use of the Waste Transfer Station until 2030 (<b>Application No. 19/10064</b>)</p> <p>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 (<b>Application No. 19/10063</b>)</p> <p>at Blue Haze Landfill Site, Verwood Road, Somerley, BH24 3QE (Site Ref: NF105)</p>
<b>Report From:</b>	Head of Strategic Planning

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### Recommendation

1. That an extension of time until 31 January 2020 is agreed for the satisfactory completion of the Deed of Variation to the Section 106 agreement for permission 19/10066 to transfer the Section 106 [S106] legal obligations relating to planning permission 07/90183, to secure:
  - lorry routing agreement restricting the use of Harbridge Drove and the B3081 northwards, except for local deliveries;
  - Management Agreement for Nature Conservation and the provision of footpaths/access for public recreation (including amendments to enhance the scheme of environmental compensation); and
  - off-site heathland works within Plumley Wood.
2. This also requires extensions of time until the same date for the determination of applications 19/10064 and 19/10063, as these are both dependant on 19/10066 to be valid.
3. Upon completion of the Deed of Variation authority be delegated to the Director of Economy, Transport and Environment to grant permission in all

other respects in accordance with the resolution for planning applications 19/10066, 19/10064 and 19/10063 made at the meeting held on 17 April 2019.

## **Background**

4. This report relates to planning applications 19/10066, 19/10064 and 19/10063 at Blue Haze Landfill Site, Verwood Road, Somerley, BH24 3QE.
5. 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.
6. The applicant also submitted further planning applications, 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. As the determination of the two remaining ancillary applications are dependent on the determination of the overarching planning application 19/10066, all three were considered at the Regulatory Committee meeting held on 17 April 2019 for determination
7. At the meeting it was resolved that planning permission be granted for the three applications, subject to the completion of a Deed of Variation to link the obligations in the original Section 106 agreement applying to planning permission 07/90183 to 19/10066.
8. The Regulatory Committee gave officers delegated authority to grant planning permission, subject to conditions, on completion of the Section 106 agreement or, if necessary, to refuse planning permission if the agreement was not completed by 30 September 2019.
9. Since the 17 April 2019 meeting, and despite County Council officers and the applicant working together proactively, the Deed of Variation has not yet been completed.
10. There are seven parties, including the County Council, who all need to agree to and complete this agreement. At the beginning of September, the Council understood the document was agreed in principle. However, the applicant has explained that delays have occurred as a result of slow responses from the landowning parties and late requests for amendments to the document. The agreement is at an advanced stage, but the time permitted has not been long enough to complete it. It is anticipated that it will be completed shortly.

11. Therefore, it is requested that a further four-month period from 30 September, until 31 January 2020, is provided for the satisfactory completion of the Section 106 agreement.

### **Recommendation**

12. That an extension of time until 31 January 2020 is agreed for the satisfactory completion of the Deed of Variation to the Section 106 agreement from planning permission 07/90183 to transfer it to 19/10066 and that authority is delegated to the Director of Economy, Transport and Environment to grant permission in all other respects in accordance with the resolution for planning applications 19/10066, 19/10064 and 19/10063 made at the meeting held on 17 April 2019.

Link to application 19/10066, 19/10064 and 19/10063 Committee Report 17 April 2019

<http://democracy.hants.gov.uk/ieListDocuments.aspx?CIId=191&MIId=3537&Ver=4>

Link to the application

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