

HAMPSHIRE COUNTY COUNCIL
Decision Report

Decision Maker:	Regulatory Committee
Date:	22 June 2022
Title:	Variation of condition 5 of 51471/007 to extend the life of trial period until 31 March 2023 at Unit 5 Waterbrook Estate, Waterbrook Road, Alton GU34 2UD (No. 51471/008) EH156
Report From:	Assistant Director of Waste, Planning and Environment

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Recommendation

1. That planning permission be GRANTED subject to the recommended conditions set out in **Appendix A** and subject to a completion of a Section 106 agreement providing obligations on out of hours Heavy Good Vehicle movements to and from the site.

Executive Summary

2. The proposal is for a variation to Condition 5 (Operating times) of Planning Permission [51471/007](#) to extend a previously approved trial period for the importation of road planings and the exportation of a single waste container at the existing Waste Recycling Centre at Unit 7 Waterbrook Estate, Waterbrook Road, Alton, GU34 2UD between the hours of 18:00 – 07:00 Monday to Saturday. The proposal would generate a maximum of 12 heavy good vehicle (HGV) movements during these evening/night time hours.
3. Variations to planning conditions have previously been made. A variation to conditions 5, 11 and 18 was previously sought (application [51471/006](#)) and refused on 31 July 2018. This was subsequently the subject of an appeal by the applicant which was dismissed on 29 August 2019 ([APP/Q1770/W/18/3217698](#)). The Inspector's reason for dismissal was that without an HGV routing agreement in place the proposal would be harmful to the living conditions of neighbouring residents as a result of vehicle noise during the night time working. This decision and the Inspector's conclusions are important and remain significant material considerations in the determination of this application.
4. In July 2020, a further planning application ([51471/007](#)) was submitted seeking approval for the variation of the three same conditions: 5 (Operating times), 11 (Dust and noise management) and 18 (Materials permitted) as in 2018. Importantly, the Applicant offered to enter into a Section 106 obligation that contained a detailed HGV routing arrangement. Planning permission was approved by the Regulatory Committee on 21 February 2021 (hereafter

referred to as 'the 2021 Permission') and was subject to 24 conditions and a Section 106 (s106) obligation. Condition 5 sets the hours of use for the site and permitted, for a temporary one year period, additional operations at the site between 18:00 and 07:00 Monday evening through to the following Saturday morning. The purpose of the temporary one year period, which expired on 31 March 2022, was to allow for the impacts of the night time operations to be assessed before making such operations permanent.

5. Following the issuing of the 2021 Permission, there has been a change of operator of the site from Waltet to Grey Fox Recycling.
6. Condition 1 of the 2021 Permission required the submission to, and prior approval of, Hampshire County Council of a screen planting scheme for the southern end of the western boundary. Due to the change in the site operator, the submission the planting scheme was only submitted in December 2021 and formally approved on 27 April 2022. Therefore, the new operator has not been able to fully instigate night time operations during the initial trial period that expired on 31 March 2022 and is therefore requesting a further trial period up to 31 March 2023.
7. The application is being considered by the Regulatory Committee, as the Minerals and Waste Planning Authority considers the case to have sufficient public interest to merit determination at Regulatory Committee.
8. A Regulatory Committee site visit took place for this planning application on 6 June 2022 in advance of its consideration.
9. The key issue raised is the impact of the proposed development on nearby properties by way of noise and general amenity impacts arising from the proposal to allow 12 HGV movements between 18:00 and 07:00 hours. The site has a liaison panel, established following the grant of the 2021 permission.
10. The proposed development is not an Environmental Impact Assessment development under the [Town & Country Planning \(Environmental Impact Assessment\) Regulations 2017](#) and an Environmental Statement has not been submitted.
11. It is considered that the proposal is in accordance with the relevant policies of the adopted [Hampshire Minerals and Waste Plan](#) (HMWP (2013)), in that it provides a suitable location to support highways works in Hampshire through the transfer of road planings to an existing Waste transfer facility located close to the Strategic Road Network in a central Hampshire location. It is considered that the proposal's benefits in providing this facility for the temporary storage of road planings outweighs the potential impacts to neighbourhood amenity and the environment within the site's context on an existing industrial estate adjacent to a residential area of Alton.
12. It is considered that the proposed development for 12 HGV movements per night, when considered with the proposed mitigation and subject to

conditions and the routing arrangement contained in the extant s106 obligation, will not generate significant adverse impacts on public amenity, noise or light pollution, or to highway safety. Therefore, planning permission should be GRANTED subject to the recommended conditions set out in **Appendix A** and subject to a completion of a section 106 agreement providing obligations on out of hours Heavy Good Vehicle movements to and from the site.

The Site

13. The application relates to a 2.2-hectare site within the Waterbrook Industrial Estate, within the settlement boundary on the eastern edge of Alton. The site was previously part of the adjacent Alton Sewage Treatment Works and is currently used as a Waste Transfer Station [WTS].
14. The site is surrounded by industrial and commercial land uses with the remaining operational waste water treatment works to the north-east of the site (**see Appendix B**). Mill Lane Industrial Estate is 100 metres [m] to the north-west, Alton Household Waste Recycling Centre [HWRC] is 40m to the west, and Alton Business Centre and Omni Business Centre are 150m and 90m respectively to the south-west of the site.
15. Sharing the same highway access as the applicant's waste management facility are a number of different uses. Kendall Bros' Waterbrook concrete batching site is located off the north-eastern boundary of the site to the south of the weighbridge with the PL Waste Ltd's waste transfer site immediately to the south of the concrete plant. The site is secured by way of metal palisade fencing along the boundary and gates. The layout of the site is set out in **Appendices B and C**.
16. The nearest residential properties to the application site boundary are elevated, over-looking properties 230m west of the site, on Wilsom Road. Lynch Hill Cottage is 260m to the north on Waterbrook Road. This property is set back from the Waterbrook Industrial Estate and is closest to the immediate access route for HGVs travelling to and from the site. There is also a large cluster of housing 500m to the south-west located south of Ashdell Road and west of Wilsom Road.
17. The site lies approximately 1.8 kilometres (km) to the north and west of the South Downs National Park.
18. Caker Stream borders the site from the north-west to the south and is separated from the site by a vegetated bank (in the form of a steep sloped bund of around 4m in height), metal palisade fencing and trees. Caker Stream is a chalk stream and is identified as a Biodiversity Action Plan Priority Habitat. Along the southern boundary of the site is a designated woodland improvement area and beyond this is a priority Habitat of Flood Plain Grazing Marsh. The western edge of the site falls within Flood Zone 2.

This application proposes no changes to the site levels and no changes to how the site drains. The site currently benefits from an approved drainage system, with site drainage largely being a matter for the Environment Agency to regulate through the Environmental Permit.

19. The site is bordered to the south-east by the A31, categorised in the HMWP (2013) as part of the Strategic Road Network. This road has mature trees along each side with the carriageway being around 20m from the site's boundary. Access to the site is gained from Waterbrook Road, which in turn joins the B3004, Mill Lane. The B3004 runs north-east to join the A31 approximately 800m to the north-east of the site. The B3004 also runs southwest into the residential area around Mill Lane, Ashdell Road and Wilsom Road. There is an existing legal agreement on lorry routing which was established through the grant of planning permission [51471/007](#). A deed of variation to that agreement will be required to ensure that the lorry routing restriction will continue to apply to the future site operations.
20. The western stretch of the Public Right of Way (PROW) footpath known as Alton, Route Number 40, is 140m to the south of the site. The eastern element which crosses the Caker stream is known as Worldham, Route number 26.
21. The overarching approved working hours for the site are set out in Condition 5 of Planning Permission [51471/003](#). These are Monday to Saturday between 0700 and 1800 with no working on Sundays or recognised Public Holidays.
22. Condition 1 of planning permission [51471/007](#) required the submission to, and prior approval of, Hampshire County Council of a screen planting scheme for the southern end of the western boundary. Due to the change in operator the submission the planting scheme was only submitted in December 2021 and formally approved on 27 April 2022.
23. Since Grey Fox have taken ownership of the site, the operator has worked to address a number of issues on site. This has included addressing the site levels, height of stockpiles and improvements / maintenance of the on-site sustainable drainage system. The operator has also worked with other companies utilising the site's access to ensure that compliance with planning conditions, in particular working hours, is achieved.
24. The Council has received numerous complaints about noise emanating from the site since the grant of the 2021 permission. However, there is no noise limit condition on the extant planning permissions. This means that this is a matter for the Environment Agency (EA) to regulate under the Environmental Permit. The EA has not been able to substantiate the vast majority of these complaints as being of sufficient order to require further action, although they have identified a shredder operated by PL Waste Ltd (outside of the red line boundary) as the possible source. They have consequently required an updated Noise Management Plan to cover all the plant and machinery on the

site. Another potential source has been off site and an investigation is to be undertaken by a Noise Consultant as part of a wider Noise Assessment being undertaken by the operator. Background noise levels are of such a high level (mainly due to the local highway network) that setting enforceable noise limits has previously been considered to be impractical.

25. Following the consideration of planning application [51471/007](#), members requested that a liaison panel be established at the site. This was established in 2022.

Planning History

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

Application No	Location	Proposal	Decision Date
51471/007	Unit 5-6 Waterbrook Estate, (formerly referred to as Unit 7), Waterbrook Road, Alton GU34 2UD	Variation of conditions 5, 11 & 18 of planning permission 51471/003 to allow for restricted night-time activities including importation of road planings	Approved 25/02/21
APP/Q1770/W/3217698	Unit 7 Waterbrook Estate, Waterbrook Road, Alton, GU34 2UD	Appeal of decision 51471/006 for Variation of conditions 5, 11 and 18 of planning permission 51471/003 to allow for importation of road planings and the night-time importation.	Dismissed 29/08/19
51471/006	Unit 7 Waterbrook Estate, Waterbrook Road, Alton GU34 2UD	Variation of conditions 5, 11 and 18 of planning permission 51471/003 to allow for importation of road planings and the night-time importation and exportation of waste.	Refused 31/07/18
51471/005	Unit 7 Waterbrook Estate, Waterbrook Road, Alton GU34 2UD	Variation of condition 5 of planning permission 51471/003 (to extend the operational hours to 24 hours, 7 days per week for HGV movements and associated loading shovel for the importation of road planings)	Withdrawn 19/01/2018
51471/003	Hutchings &	Variation of conditions 3 (Site	Granted

	Carter Yard, Waterbrook Road, Alton GU34 2UF	Layout) and 18 (to allow storage of wood) of planning permission 51471/002.	29/09/16
33089/032	Hutchings & Carter Yard, Former Sewage Works, Waterbrook Road, Alton Hampshire GU34 2UD	Change of use (with associated building modifications) from existing builders storage depot to a waste recycling facility to accept and process commercial and industrial waste (including the use of a waste picking station and trommel) on industrial land at the former sewage works off Waterbrook Road, Alton.	Granted 23/01/2013
SCR/2011/0226	Alton Recycling Centre, Waterbrook Road, Alton Waterbrook Road, Alton	Screening Opinion: Proposed change of use (with associated building modifications) to skip waste recycling facility to accept and process commercial and industrial skip waste.	EIA not required 15/11/2011
51471/002	Former Sewage Works, Waterbrook Road, Alton, Hampshire	Retention of Waste Recycling Centre for construction & demolition waste to include a lightweight structure, landscaped bund, parking and associated plant and machinery.	Granted 11/04/2011

27. Based on the permissions in place, the site currently has planning permission for the following waste uses:
- [33089/032](#) - Commercial and industrial waste (non-hazardous waste arising from the activities of wholesalers, catering establishments, shops and offices such as metals, plastic, wood, paper, card, black bag waste) processing and transfer, granted by Hampshire County Council as Minerals and Waste Planning Authority [MWPA]; and
 - [51471/003](#) - Construction and demolition waste (non-inert rubble, concrete, soils and stone, and wood waste) processing, crushing, screening and transfer, granted by Hampshire County Council as MWPA.
28. There is an existing legal agreement in place for lorry routing through planning permission [51471/007](#). This is set out in **Appendix D**.
29. In addition to the above, the application site has a number of existing planning permissions for business uses (B1, B2 and B8) granted by East Hampshire District Council [EHDC]. These are:

- [33089/28](#) – Office facilities used by the WTS; and
 - [33089/24](#) – retained permission for the site security fencing.
30. In accordance with Policy 26 (Safeguarding – waste infrastructure) of the [HMWP \(2013\)](#), the site is safeguarded as a Waste Transfer Station. The area is also allocated as existing employment land (CP4 -Existing employment land) in the [East Hampshire Local Plan Part 1 \(Joint Core Strategy\) \(2014\)](#).

The Proposal

31. This proposal is a Section 73 planning application for the variation of condition 5 of [51471/007](#) to extend the life of the previously approved trial period until 31st March 2023. In effect the proposal is to extend the use of the site between the hours of 18:00 – 07:00 from Monday through to Saturday mornings for five HGVs to access the site to drop off road planings and then leave empty (total of 10 movements) and for one HGV to enter the site for the delivery and collection of a pre-prepared CDE waste trailer (two movements). There would be a maximum of 12 HGV movements and no waste processing or loading operations taking place. The planings will largely originate from the resurfacing of the strategic highway network in Hampshire where access to permitted sites during these hours is very limited. The operations would be limited to a maximum of 5 HGVs entering the site, depositing planings and leaving, with no loading or processing operations and one further HGV entering to collect a skip and then leaving.
32. The following is proposed to mitigate and restrict operations for the benefit of neighbourhood amenity. These are all carried over from the previous planning permission and no changes are proposed in this regard:
- No fixed plant will be operated out of operating hours (07:00-18:00 Monday to Saturday);
 - There will be no loading shovel operations at night after 18:00; and
 - All HGVs entering and egressing the site out of hours will be set to silent reversing alarms and use white noise systems (be in 'night mode').
33. All the other conditions currently contained within the 2021 Permission will be retained including Condition 21 (vehicle movements) which limits overall Heavy Goods Vehicles (HGV) movements to 612 (in and out) per week. Therefore the proposed night time movements would be included in this limit. HGVs (defined as vehicles over 3.5 tonne un-laden) will access and leave the site only via the existing access off Waterbrook Road.
34. The operations will continue to be limited by the previously signed s106 obligation (under planning permission [51471/007](#)) that places a routing arrangement on the operator for all HGVs accessing the site during the hours between 18:00 and 07:00 (see **Appendix D**). This routing arrangement obligates the HGVs to travel from the site north up Waterbrook Road, north up the B3004 Mill Lane, and then to turn right directly onto the A31 during the out of hours period. This is to ensure that no out of hours

HGV movements travel through the residential area to the south of the Waterbrook Road/Mill Lane junction.

35. The following documents have been submitted with the application and can be found on the planning application [webpage](#).
- A supporting statement, dated December 2021;
 - Covering Letter dated February 2022;
 - Transport Statement dated February 2022.
 - Site Location Plan; and
 - Copy of extant s106 planning obligation.
36. The proposed development has been assessed under [Town & Country Planning \(Environmental Impact Assessment\) Regulations 2017](#). The development is classified as a Schedule 2 development as it falls within Category 13 (Changes and extensions), section (b) as it is a change to a installation falling within Category 11(b) (ii) and (iii) (Installations for the disposal of waste (unless included in Schedule 1)). However, whilst being identified under the Regulations, it is not deemed an EIA development requiring an Environmental Statement.

Development Plan and Guidance

37. Paragraph 47 of the [National Planning Policy Framework \(2021\)](#) (NPPF) requires 'applications for planning permission (to) be determined in accordance with the development plan, unless material considerations indicate otherwise'. Therefore, consideration of the relevant plans, guidance and policies and whether the proposal is in accordance with these is of relevance to decision making.
38. The following plans and associated policies are considered to be relevant to the proposal:

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

39. The following paragraphs are relevant to this proposal:
- Paragraphs 10-12: Presumption in favour of sustainable development;
 - Paragraphs 38, 47: Decision making;
 - Paragraphs 55 – 56: Planning conditions;
 - Paragraphs 57: Planning obligations;
 - Paragraphs 81: Support of sustainable economic growth;
 - Paragraph 92: Healthy, inclusive and safe places;
 - Paragraphs 104, 110-113: Sustainable transport; and
 - Paragraphs 153-158; Planning and climate change.

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

40. 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 16/10/2015)

41. The following paragraphs are relevant to the proposal:
- Paragraph 007 (Self-sufficient and proximity principle);
 - Paragraph 0046 (Need);
 - Paragraph 047 (Expanding existing waste facilities); and
 - Paragraph 0050: (Planning and regulation).

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

42. The following policies are relevant to the proposal:
- Policy 1 (Sustainable minerals and waste development);
 - Policy 2 (Climate change – mitigation and adaptation);
 - Policy 10 (Protecting public health, safety and amenity);
 - Policy 12 (Managing traffic);
 - Policy 13 (High-quality design of minerals and waste development);
 - Policy 18 (Recycled and secondary aggregates development);
 - Policy 25 (Sustainable waste management);
 - Policy 26 (Safeguarding - waste infrastructure);
 - Policy 29 (Locations and sites for waste management); and
 - Policy 30 (Construction, demolition and excavation waste development).

[East Hampshire and South Downs Joint Core Strategy \(2014\) \(EHCS \(2014\)\)](#)

43. The following policies are relevant to the proposal:
- Policy CP4 - Existing employment land; and
 - Policy CP20 – Landscape.

Consultations

44. **East Hampshire District Council - Planning:** Raises concerns regarding the proposed variation of condition due to potential impacts on the occupiers of the nearest residential properties from increased noise disturbance.
45. **East Hampshire District Council - Environmental Health:** The Environmental Health Officer makes the following comments:
 “I have reviewed our records to see whether we have received any noise complaints about overnight working at the above site in the last 12 months. Whilst we have been contacted multiple times alleging the site is causing unreasonable disturbance outside the permitted work hours, and on

occasions during the working day as well, we have only been contacted about noise associated with night time activities on one occasion in April 2022. At this time we have insufficient evidence of significant harm being caused to local residents from night time noise to raise an objection to the above application. We would have concerns if the applicant was seeking permanent approval at this stage, however the proposed extension will enable us to consider the matter in more detail. I understand that the site has changed ownership. I recommend that clarification is sought from the applicant to confirm that the proposed night time operations and measures taken to mitigate the effects of noise remain the same as those permitted in 51471/007.”

46. **Hampshire County Council – Highway Authority:** No objection subject to conditions similar to those previously imposed on the site.
47. **Alton Town Council:** Objects to the proposal and believes that previously approved conditions have not complied with.
48. **Binsted Parish Council:** Was notified of the application – no comments received.
49. **Kingsley Parish Council:** Was notified of the application – no comments received.
50. **Environment Agency:** Was notified of the application – no comments received.
51. **Councillor Kemp-Gee:** Was notified of the application – no comments received.
52. **Councillor Joy:** Was notified of the application – no comments received.

Representations

53. Hampshire County Council’s [Statement of Community Involvement \(2017\)](#) (SCI) sets out the adopted consultation and publicity procedures associated with determining planning applications. In complying with the requirements of the SCI, the Council:
 - Published a notice of the application in the [Hampshire Independent](#);
 - Placed notices of the application at the application site and local area;
 - Consulted all statutory and non-statutory consultees in accordance with [The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#); and
 - Notified by letter all residential properties within 100 metres of the boundary of the site.
54. As of 9 June 2022, a total of 13 representations signed by 18 individuals objecting to the proposal have been received. The main areas of concern raised in the objections related to the following areas:
 - Noise from HGVs accessing the site will be unacceptable;

- General disturbance from the site and surrounds already unacceptable and the proposal will exacerbate this issue; and
 - The operator has allegedly breached the planning conditions on the extant planning permission on several occasions and concern is raised regarding the likelihood of compliance with any future mitigating conditions.
55. East Hampshire Councillor Burns (Alton Ashdell Ward) submitted an objection to the proposal on the grounds of noise disturbance affecting local residents and previous alleged breaches of planning conditions on the site.
56. The above issues will be addressed within the following commentary, (except where identified as not being relevant to the decision).

Habitats Regulation Assessment

57. The [Conservation of Species and Habitats Regulations 2017](#) (otherwise known as the 'Habitats Regulations') transpose European Directives into UK law.
58. 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.
59. 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.
60. It is acknowledged that the existing site includes environmental mitigation essential for the delivery of the proposed development regardless of any effect they may have on impacts on European designated sites.
61. The HRA screening hereby carried out by the MWPA considers the proposed development to have **no likely significant effect** on the identified European designated sites due to it is not located at a distance to be considered to have proximity to directly impact on the European designated sites; the site is not considered to have any functional impact pathways connecting the proposed works with any European designated sites; and the proposal does not have any significant increase on any adverse impacts the wider site may have.

Climate Change

62. Hampshire County Council declared a [climate change emergency](#) on 17th June 2019. The Strategy and Action Plan do not form part of the Development Plan so are not material to decision making. However, it is true to say that many of the principles of the [Strategy](#) and [Action Plan](#) may be of relevance to the proposal due to the nature of the development in providing waste management opportunities that can reduce the amount of miles travelled by HGVs transporting waste. The application does not contain a climate change assessment and makes no specific proposals to demonstrate how its impact on the causes of climate change are minimised or how it supports the transition to a low carbon future or considers minimising energy consumption. However, considering the existing activities on site and the minimal nature of the proposed changes the proposed scheme is considered to not have a significant contributing impact on climate change and is considered to have acceptable resilience to climate change.

Commentary

63. The planning application needs to be first considered against the policies of the Development Plan and then other material planning considerations. The policies within the [Hampshire Minerals & Waste Plan \(2013\)](#) (HMWP) and the [East Hampshire and South Downs Joint Core Strategy \(2014\)](#) (EHCS (2014)).
64. The site is located on the Waterbrook industrial estate on the edge of Alton. The estate is formed from a mixture of commercial, industrial and waste uses. It has previously been identified in conjunction with East Hampshire District Council [EHDC] that the developments on the estate do not have specific planning permissions that allow for night-time operations, i.e. those outside of typical operating hours. Therefore, the proposed development to allow limited night time operations and HGV movements would be a significant change to the current situation in the area.
65. Notwithstanding the forgoing, it is also established that while there are no sites in the industrial estate with specific permission to carry out night time operations, there are also no restrictions to other land uses on the industrial estate to prevent night time operations either.
66. The proposal is for the variation of condition 5 of planning permission [51471/007](#) to extend a trial period of operations between 18:00 – 07:00 Monday evening through to Saturday mornings. While the original trial period expired on 31st March 2022, a change in operator in 2021 and a delay in the submission and subsequent approval of a pre-commencement

condition has meant that the original trial period was not been fully implemented. The proposal would allow for the tipping only of road planings during the night and the collection of a single construction, demolition and excavation waste skip, with no processing or loading proposed for a temporary period until 31 March 2023. The Regulatory Committee previously considered, and agreed, the initial variation in 2021 (the 2021 permission).

67. The variation of condition 5 is the only variation proposed and therefore the assessment is based solely on the impacts of allowing a further temporary period for night time operations only. Whether this variation meets the requirements of Policy 1 (Sustainable minerals and waste development) of the [HMWP \(2013\)](#) will be covered by the remaining parts of this commentary section. It is important to note that no other parts of the site area or wider site activities are in the scope of this planning application. Any future planning applications on this site or in the area for night time operations would need to be determined on their own merits in accordance with the policy and material considerations relevant to those applications, for which cumulative impact and existing night time operations could be relevant.

Demonstration of Need

68. Policies 17 (Aggregate supply – capacity and source) and 18 (Recycled and secondary aggregates development) of the [HMWP \(2013\)](#) support development of infrastructure to provide supply of recycled and secondary aggregates. The processing of road planning helps to contribute to a supply of recycled and secondary aggregates.
69. Policy 25 (Sustainable waste management) of the [HMWP \(2013\)](#) supports the co-location of activities with existing operations where considered appropriate and commensurate with the operational life of the site. It states provision will be made for the management of non-hazardous waste arising that achieve at least 60% recycling and 95% diversion from landfill by 2020. The processing of road planings will help to increase the amount of recycled and secondary aggregates that can be produced.
70. Policy 27 (Capacity for waste management development) of the [HMWP \(2013\)](#) states the need for additional waste infrastructure capacity was for non-hazardous recycling and recovery capacity in Hampshire. The policy supports proposals where they provide additional capacity for non-hazardous recycling and recovery through the use of existing waste management sites. The proposal will provide for additional capacity, for a

temporary period, for the processing of road planings, as part of a wider waste management site.

71. The [National Planning Policy for Waste \(2014\)](#) (NPPW) sets out the Government's ambition to work towards a more sustainable and efficient approach to resource use and management. Policy 7 of the NPPW states that when determining waste planning applications, Waste Planning Authorities should only expect applicants to demonstrate the quantitative or market need for new or enhanced waste management facilities where proposals are not consistent with an up-to-date Local Plan. In this case, the proposed development is considered consistent with the [HMWP \(2013\)](#) and so the applicant is not required to demonstrate market need. The proposed development is located at an existing and safeguarded waste site which is located close to a junction of the A31, part of the Strategic Road Network as identified in the [HMWP \(2013\)](#), and is therefore considered to be in proximity to the waste sources and markets of Hampshire.
72. The applicant states that highways work typically occurs at night and on a campaign basis (a campaign refers to intense, but usually short lived, projects). A proportion of the road planings generated will need to be deposited at a suitably licensed waste facility. Allowing for the night time storage of road planings at the Waterbrook Road site would enable safe, secure and licenced storage providing operational flexibility to benefit highways projects in Hampshire, reducing the miles and time required to take planings during these night time hours to alternative licensed facilities.
73. On the basis of the nature of the proposal, the proposed development is in accordance with Policies 17, 18, 25 and 27 of the [HMWP \(2013\)](#).

Highway Impacts

74. Policy 12 (Managing traffic) of the [HMWP \(2013\)](#) requires minerals and waste development to have a safe and suitable access to the highway network and where possible minimise the impact of its generated traffic through the use of alternative methods of transportation. It also requires highway improvements to mitigate any significant adverse effects on highway safety, pedestrian safety, highway capacity and environment and amenity.
75. This proposal is for 12 HGV daily movements to and from the site outside of the operating hours of the site as set in Condition 5 (Operating times) of Planning Permission [51471/007](#) (0700-1800 Monday to Saturday). These would travel to the A31 via Waterbrook Road and the B3004, Mill Lane. It is proposed that these HGV movements would be included in the existing HGV movement limit of 612 weekly, therefore it is proposed to retain this limit in the scheme of conditions proposed in **Appendix A**.

76. Prior to the submission of the 2020 application, planning application [51471/006](#) for similar development was refused by the Regulatory Committee on the grounds that the application was considered to be contrary to Policy 10 (Protecting public health, safety and amenity) of the [HMWP \(2013\)](#) and the relevant paragraphs of the National Planning Policy Framework. The applicant appealed this decision and the appeal was dismissed by the Planning Inspectorate on 31 August 2019 (appeal decision [APP/Q1770/W/18/3217698](#)). The Inspector found the main issue to be the impact of the proposal on the living conditions of neighbouring residents, in terms of noise and disturbance. The Inspector dismissed the appeal on the grounds that that they considered *‘that there would be an adverse effect from night-time HGV movements without a routing agreement in place’* and that this would be harmful to the living conditions of neighbouring occupiers, contrary to Policy 10 (Protecting public health, safety and amenity) of the [HMWP \(2013\)](#). It is important to note that the Inspector found the principle of the development acceptable, subject to conditions and the establishment of a legal agreement to restrict the routing of Heavy Goods Vehicles travelling to and from the site, in order to avoid the most noise sensitive locations. As already noted, this routing agreement was agreed through the grant of planning permission [51471/007](#) and this legal agreement would continue should permission be granted for this application. The agreed lorry route is set out in **Appendix D**.
77. The Highway Authority raises no objection to the proposal subject to a legal agreement on HGV routing and associated planning conditions which are included in **Appendix A**. On this basis it is considered that the proposal is in accordance with Policy 12 (Managing traffic) of the [HMWP \(2013\)](#).

Visual impact, light pollution and landscape

78. 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) of the [HMWP \(2013\)](#) protects residents from significant adverse visual impact.
79. Paragraph 7 of the [National Planning Policy for Waste \(2014\)](#) states that Waste Planning Authority should ensure that waste management facilities in themselves are well-designed, so that they contribute positively to the character and quality of the area in which they are located.
80. The consultation response from the Environmental Health Officer [EHO] at East Hampshire Borough Council [EHBC] raises no objection to the proposal to extend the temporary trial period.
81. The planting scheme along the western boundary approved under planning permission [51471/007](#) will further mitigate against the impacts of light emissions from the site as it matures.

82. A number of public representations object on the grounds of the disturbance from the use of the site during night time hours. The site is located in an elevated position that overlooks an area to the south east of Alton. It has been previously established in existing planning permissions that the waste transfer station is acceptable in planning terms and has sufficient mitigation to its visual impact on its setting. The proposed development proposes the storage of road planings to the rear of the site. This is proposed to be developed in accordance with all existing conditions of planning permission [51471/007](#), and so the proposal is considered to not have a significant adverse day time visual impact or landscape setting.
83. The proposal includes the use of vehicles at night on the site, with only vehicle lighting to be used for the operations proposed and no fixed artificial lighting being required. In the light of this it is considered that the proposal is in accordance with Policy 13 (High quality design of minerals and waste development). It is also considered the proposal is in accordance with Policy 10 (Protecting public health, safety and amenity) of the [HMWP \(2013\)](#) with respect to light impact.

Impact on public amenity and health – noise, dust and odour

84. Policy 10 (Protecting public health, safety and amenity) of [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.
85. The [National Planning Policy for Waste \(2014\)](#) sets out the Government's ambition to work towards a more sustainable and efficient approach to resource use and management. Policy 5 sets out criteria by which Waste Planning Authorities should assess the suitability of sites for new or enhanced waste management facilities. This includes the criteria that the cumulative impact of existing and proposed waste disposal facilities on the well-being of the local community, including any significant adverse impacts on environmental quality, social cohesion and inclusion or economic potential.
86. Prior to the submission of the [51471/007](#), of which this application relates to, planning application 51471/006 for similar development was refused by the Regulatory Committee for the reason that the Minerals and Waste Planning Authority considered that, on the basis of the information submitted, the proposed night time operations will result in unacceptable noise impacts to occupiers of residential property in the surrounding area, contrary to Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals and Waste Plan 2013 and the relevant paragraphs of the National Planning Policy Framework. The applicant appealed this decision and the appeal was dismissed by the Planning Inspectorate on 31 August 2019 in appeal decision [APP/Q1770/W/18/3217698](#). The Inspector found the main issue to be the impact of the proposal on the living

conditions of neighbouring residents, in terms of noise and disturbance. The Inspector dismissed the appeal on the grounds that that they considered *'that there would be an adverse effect from night-time HGV movements without a routing agreement in place'* and that this would be harmful to the living conditions of neighbouring occupiers, contrary to Policy 10 (Protecting public health, safety and amenity) of the [HMWP \(2013\)](#). The Inspector considered that *'the noise assessments are conservative in their assessment of the impacts of the proposal.'* and *'On the basis of the modelling and noise assessment carried out, which I consider to be satisfactory, ...there would not be an adverse effect in terms of noise from the proposed night time use of the site.'* The inspector took the view that the proposal would comply with Paragraph 180 (appropriate development taking into account pollution on health, living conditions and the natural environment) of the [NPPF](#). Therefore, the Inspector found the principle of the development acceptable, subject to conditions and the establishment of a legal agreement to restrict the routing of Heavy Goods Vehicles travelling to and from the site, in order to avoid the most noise sensitive locations. As already noted, this routing agreement was previously agreed through the grant of planning permission [51471/007](#). A continuation of the agreed legal agreement would be required if permission were to be granted.

87. Alton Town Council and a number of public representations object to the proposal on grounds of unacceptable noise likely to be generated from the importation of plantings and the 12 HGV movements. These are acknowledged.
88. The previous application ([51471/007](#)) included two Noise Assessments; one for the proposed night time activities on the site, and one for the sound generated by night-time HGV movements to and from the site. Both noise assessments were based upon British Standard [BS4142:2014](#), which is recognised by the Waste Planning Authority and the Environmental Health Officer as an acceptable standard to consider the impacts of noise for minerals or waste developments. They considered potential noise impacts against site measured background noise at identified survey locations and sensitive receptors.
89. Both assessments demonstrated that the noise impact from the proposed activities would not cause an unacceptable adverse noise impact on local sensitive receptors – a conclusion that the Environmental Health Officer accepted, raising no objection. The proposed night time operations and measures taken to mitigate the effects of noise remain the same as those permitted in [51471/007](#). The Environmental Health Officer has again been consulted on this application and considers that the proposed extension of the trial period to be acceptable. It is the view of the Waste Planning Authority that the proposed extension to the trial period will not generate unacceptable noise impacts and will allow for a full assessment of the impacts that the night time operations.
90. With regard to dust management, there is an approved Dust Management Plan for the site, which will be regularly reviewed under the Environmental Permitting process. There are water sprays around the site to help reduce

dust emissions during dryer periods of weather. The current proposal for very limited and temporary night time operations are considered unlikely to generate additional dust problems outside the site's boundary.

91. With respect to odour, the proposed addition of road planings to the waste types imported to the site does not have any odour impacts associated with it.
92. No significant amenity issues have been raised. On the basis of the proposed mitigation and the conditions proposed in **Appendix A**, it is considered that the proposed development is in accordance with Policy 10 (Protecting public health, safety and amenity) of the [HMWP \(2013\)](#).

Groundwater and potential pollution associated with the development

93. The site currently benefits from an approved drainage system, with site drainage largely being a matter for the Environment Agency to regulate through the Environmental Permit. There have been no substantiated drainage complaints arising from site operations and no changes to onsite drainage systems are proposed at the site as part of this application for limited and temporary night time operations.
94. 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](#)).
95. While the Environment Agency has not commented on this application, when consulted on the previous application at the site, the Environment Agency confirmed that the site's environmental permit includes bituminous mixtures such as road planings as acceptable waste, with the exception of certain road planings, such as those containing coal tar, as these are hazardous waste. Therefore, the operator holds a permit for the importation and processing of non-hazardous road planings. The area set out for the storage of road planings, as shown on Site Layout Plan 02 includes concrete hardstanding, physical wall containment and drainage as per the requirements for the entire site in accordance with Conditions 7 (Solids to watercourses) and 8 (Hardstanding) of the existing site planning permission [51471/007](#).
96. The site's Environmental Permit will continue to control the suitability of the waste material imported to the site as well as site drainage. Therefore, the proposal is considered to be in accordance with Policies 8 (Protection of soils) and 10 (Protecting public health, safety and amenity) of the [HMWP \(2013\)](#) with respect to ground and water pollution.

Complaints about site operations

97. Concerns about alleged breach of planning conditions on the extant planning permissions were raised in representations and these are noted.
98. Monitoring Officers have investigated all complaints received by the Waste Planning Authority in order to ascertain the source of any issues, even if the source is not a waste management facility.
99. The Waste Planning Authority acknowledges that three substantiated complaints have been received about the application site since the grant of the 2021 planning permission. One dates from November 2021 when maintenance was taking place on a Sunday and two complaints from April 2022 when planings were imported during the night after the original temporary period for such works had expired. Following investigation by the Monitoring Officers and discussions with the new site operator, the operator has instigated changes to ensure compliance with the extant planning permission. No further substantiated complaints have been received since April 2022.
100. The Waste Planning Authority cannot comment on any complaints received directly by the Environment Agency or Environmental Health other than to say that officers have been in regular discussions with the agencies as they do with all Permitted waste management sites.
101. As already noted, the site was taken over by Grey Fox in 2021. Therefore, any history of complaints on the site, prior to Grey Fox taking ownership should be afforded very little weight.

Site Liaison Panel

102. A frequent concern of communities that host or might host minerals and waste development is that there are no immediate benefits to 'compensate' for the inconvenience that occurs. In Hampshire there is already a precedent for minerals or waste operators to contribute to local communities' funds. However, this process lies outside of the planning system. In addition to the above, paragraph 5.59 of the [HMWP \(2013\)](#) states that there is an expectation that all 'major' minerals and waste development will be accompanied by a site Liaison Panel. Following the grant of planning permission [51471/007](#), a liaison panel has been established at the site covering all site operations. Councillor Joy is chair of this panel. There have been some delays in the establishment of this panel due to the changes in site ownership. An initial operational panel meeting took place on 24 May 2022 between Councillor Joy, Council officers and representatives from Grey Fox recycling, PL Waste Management Limited and I-sight (Road planings). A further panel meeting is being arranged for Councillor Joy, Council Officers and the Environment Agency to meet with local residents. It is anticipated that this will take place

in July 2022. The Minerals and Waste Planning Authority supports the continuation and development of this panel, to facilitate effective engagement with stakeholders in the interests of promoting communication between the site operator and local community.

Planning Conditions and legal agreement

103. Amendments have taken place to some of the conditions included in planning permission [51471/007](#): These can be summarised as follows:
- Condition 1: Amendments to the wording to reflect the landscape planting scheme approved under condition 1 of planning permission ref. [51471/007](#) and the condition indicates that this shall be implemented in full in the first available planting season following the grant of this permission and shall be maintained in accordance with the approved scheme for the life of this development; and
 - Condition 5: Amended to reflect the temporary period ending on 31 March 2023.
104. Any other required updates to the existing conditions on planning permission [51471/007](#) have been reflected in **Appendix A**.
105. A legal agreement agreed providing obligations on out of hours Heavy Good Vehicle movements to and from the site was agreed under planning permission [51471/007](#). In the event that permission is granted, a similar agreement will need to be agreed.

Conclusions

106. It is considered that, in the light of the previous planning permissions granted for waste management use of the site, the previous granting of a one-year trial period for limited night time operations responses from statutory consultees that the proposal is in accordance with the relevant policies of the Development Plan in that it provides a suitable location to support highways works in Hampshire through the transfer of road planings to an existing Waste Transfer Facility located on the Strategic Road Network in a central Hampshire location.
107. It is considered that the proposal's benefits in providing this facility for road planings for a temporary trial period outweighs the impacts to neighbourhood amenity and the environment within the site's context as part of an existing industrial estate adjacent to a residential area of Alton along the Strategic Road Network.
108. It is considered that the proposed development for up to 12 HGV movements per night, when considered alongside the proposed mitigation, planning conditions and the continuation of the s106 obligation on out of hours HGV movements ensures that the proposed development will not

generate a significant adverse impact on public amenity, noise or light pollution, or to highway safety or amenity. It is therefore considered that the proposal is in accordance with Policies 10 (Protecting public health, safety and amenity) of the [HMWP \(2013\)](#) with respect to noise, lighting, dust and odour and 12 (Managing traffic).

109. The site is close to the Strategic Road network and is considered suitable for additional development, such as this, in order to sustainably support Hampshire's provision of waste facilities in accordance with Policies 17 (Aggregate supply – capacity and source), 18 (Recycled and secondary aggregates development), 25 (Sustainable waste management) and 27 (Capacity for waste management development) of the [HMWP \(2013\)](#). It is therefore considered that the applicant has provided sufficient demonstration to be considered sustainable in accordance with Policy 1 (Sustainable minerals and waste development) of the [HMWP \(2013\)](#).
110. In the light of the above it is considered that the proposed development is acceptable subject to the conditions proposed in **Appendix A** and the completion of a section 106 agreement providing obligations on out of hours Heavy Good Vehicle movements to and from the site.

Recommendation

111. That planning permission be GRANTED subject to the recommended conditions set out in **Appendix A** and subject to a completion of a section 106 agreement providing obligations on out of hours Heavy Good Vehicle movements to and from the site.

Appendices:

Appendix A – Conditions

Appendix B – Committee Plan

Appendix C – Layout Plan

Appendix D – S106 planning obligation from planning permission [51471/007](#) for out of hours HGV movements

Other documents relating to this application:

<https://planning.hants.gov.uk/Planning/Display/HCC/2021/0759>

REQUIRED CORPORATE AND LEGAL INFORMATION:

Links to the Strategic Plan

Hampshire maintains strong and sustainable economic growth and prosperity:	No
People in Hampshire live safe, healthy and independent lives:	No
People in Hampshire enjoy a rich and diverse environment:	No
People in Hampshire enjoy being part of strong, inclusive communities:	No

OR

This proposal does not link to the Strategic Plan but, nevertheless, requires a decision because:

the proposal is an application for planning permission and requires determination by the County Council in its statutory role as the minerals and waste or local planning authority.

Other Significant Links

Links to previous Member decisions:

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

Direct links to specific legislation or Government Directives

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

Section 100 D - Local Government Act 1972 - background documents

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

Document

Location

HCC/2021/0759
EH156

Hampshire County Council

Unit 5 Waterbrook Estate, Waterbrook Road,
Alton GU34 2UD

(Variation of condition 5 of 51471/007 to
extend the life of trial period till 31 March
2023

EQUALITIES IMPACT ASSESSMENTS:

1. Equality Duty

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

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

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

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

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

2. Equalities Impact Assessment:

See guidance at <https://hants.sharepoint.com/sites/ID/SitePages/Equality-Impact-Assessments.aspx?web=1>

*Inset in full your **Equality Statement** which will either state*

- (a) why you consider that the project/proposal will have a low or no impact on groups with protected characteristics or*
- (b) will give details of the identified impacts and potential mitigating actions*

CONDITIONS

Additional Screening

1. The landscape planting scheme approved under condition 1 of planning permission ref. 51471/007 shall be implemented in full in the first available planting season following the grant of this permission and shall be maintained in accordance with the approved scheme for the life of this development.

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

Perimeter Bunds

2. The perimeter bunds' construction, grading, and top soil shall be maintained in accordance with the approved plan and cross section details as detailed on Drawings 4998 SK/04 Rev G and 286-02 Rev E (and 286-01 Rev C approved under permission 51471/003) for the duration of the development.

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

Layout

3. The site shall be set out in accordance with the Layout Plan 4998 SK/04 Rev G and the Proposed Site Layout Plan 002 dated December 2021. The 1 metre buffer, as shown on drawing 4998 SK/04 Rev G, shall be maintained for the duration of the development.

Reason: To ensure the site is set out in the manner applied for in order to minimise any adverse impacts on 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 & Waste Plan (2013).

Site Levels

4. The site ground levels shall not exceed those shown on plan HCC EH156-Ground Levels survey 2016, with the exception of the approved stockpile areas.

Reason: To ensure that appropriate site levels are maintained in the interests of local amenities in accordance with Policy 10 (Protecting public

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

Hours of Working and temporary period

5. No heavy goods vehicles shall enter or leave the site and no plant or machinery shall be operated except between the following hours: 0700-1800 Monday to Saturday. There shall be no working on Sundays or recognised Public Holidays. This is with the exception of the following activities which are permitted for a temporary period expiring on **31 March 2023**:
- No more than 10 HGV movements per day shall enter or leave the site between 1800 and 0700 Monday to Saturday for the delivery of road planings only, as shown on the Proposed Site Layout drawing, 002 dated December 2021; and
 - No more than 2 HGV movements per day shall enter or leave the site between 1800 and 0700 Monday to Saturday for the delivery and collection of a CDE waste trailer prepared within the site operating hours defined above as shown on the Proposed Site Layout drawing, 002 dated December 2021.

Reason: In the interests of local amenity and to allow for a trial period for assessment of the potential impacts of night time activities in accordance with Policy 10 (Protecting public health, safety and amenity) and paragraph 6.181 of the Hampshire Minerals & Waste Plan (2013).

Landscape

6. The landscaping for the perimeter of the site (including construction of the perimeter bunds) shall be maintained as detailed on the previously approved Planting Plan (drawing 286-02 Rev E). Any trees or shrubs which, within a period of five years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

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

Protection of Water Environment

7. No solid matter shall be deposited so that it passes or is likely to pass into any watercourse.

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).

8. Areas where waste is stored, handled or transferred shall be underlain by impervious hardstanding with dedicated drainage to foul sewer or sealed tank.

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).

9. 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, Dust and Odour

10. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturers' specification at all times, and shall be fitted with and use effective silencers.

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

11. The site shall be run in accordance with the submitted and approved Dust and Noise Management Plan, dated February 2020, reference 16.073398.00001. The management plan shall be implemented as approved for the duration of the site's operation.

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

12. All vehicles, operated within the site shall be fitted with white noise type low tonal reversing alarms. Those vehicles operating outside of the operating hours, as set out in Condition 5 (working hours) shall operate in 'night mode' as set out in the Dust and Noise Management Plan, dated February 2020, reference 416.073398.00001. This shall be implemented as approved for the duration of the site's operation.

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

13. All lorries entering and leaving the site carrying waste or recycled material shall be fully sheeted.

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

Buildings and Plant

14. The covered waste structure shall be maintained in accordance with Plan. No. 4998 SK/05 Rev C (as approved under permission 51471/003).

Reason: In the interests 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 & Waste Plan (2013).

Restriction of Permitted Development Rights

15. Notwithstanding the provisions of Parts 4, 7 and 16 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order):
 - (i) fixed plant or machinery, buildings, structures and erections or private ways shall not be erected, extended, installed or replaced at the site without the prior agreement of the Waste Planning Authority in writing;
 - (ii) no telecommunications antenna shall be installed or erected without the prior agreement of the Waste Planning Authority in writing.

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

Storage

16. Stockpiles of waste and recycled material shall not exceed a maximum level of 5 metres in height above the level of the ground on which the stockpile is located for soil/hardcore processing and screened material and 4 metres in height above the level of the ground on which the stockpile is located for product storage and material storage including wood (as indicated on Drawing No 4998 SK/04 and Drawing no 002 dated December 2021). Stockpile heights shall be measured from the existing ground levels adjacent to the stockpiles as shown on plan HCC EH156- Ground Levels survey 2016.

Reason: To control any adverse visual impact and to control windborne dust in accordance with Policies 10 (Protecting public health, safety and amenity) and 13 (High-quality design of minerals and waste development) of the Hampshire Minerals & Waste Plan (2013).

17. Measuring poles marked at 4 metre and 5 metre heights, shall be retained on site near the stockpiles to be used as a reference. Within one month of the date of this permission, the location of these measuring poles shall be submitted to the Waste Planning Authority for approval and the poles shall be retained and maintained for the duration of the development as approved.

Reason: In the light of recent changes to ground levels on the site and to control any adverse visual impact and to control windborne dust in accordance with Policies 10 (Protecting public health, safety and amenity) and 13 (High-quality design of minerals and waste development) of the Hampshire Minerals & Waste Plan (2013).

Types of Materials

18. Material imported to the site shall comprise of inert construction and demolition waste (CDE waste). This shall comprise only of clean, uncontaminated soils, rubble, concrete, wood and road planings.

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

19. There shall be no burning or processing of wood on site.

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

Lighting

20. No additional lighting is to be installed as part of the development hereby permitted, including no lighting for the road planings bay. No lighting is to be used for out of operating hours, as set in Condition 5 (Working hours), activities on the site other than those attached to HGVs and considered necessary for the safe unloading, trailer drop off and pick up and driving of those HGVs.

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

Highways

21. No more than 612 HGV movements shall take place in any one week (Monday- Sunday). A record of all Heavy Goods Vehicles entering and exiting the site shall be kept on site and shall be made available for inspection by the Minerals and Waste Planning Authority upon request.

Reason: To ensure that the level of HGV traffic generated by the site does not have a detrimental impact on the local highway network in accordance with Policy 12 (Managing Traffic) of the Hampshire Minerals & Waste Plan (2013).

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

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

23. The HGV movements hereby permitted outside of the operating hours of 0700-1800, set out by Condition 5 (Working hours), shall enter and leave the site using the agreed routing plan in the Section 106 agreement.

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

Plans

24. The development hereby permitted shall be carried out in accordance with the following approved plans: 01, 002Rev3, 4998 SK/04 Rev G, 286-02 Rev E, EH156 Ground Levels survey 2016, WBE/01, 286-01 Rev C, 4998SK/05 Rev C.

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 based on seeking solutions to problems arising in relation to dealing with the planning application by liaising with consultees, respondents and the agent and discussing changes to the proposal where considered appropriate or necessary. This approach has been taken positively and proactively in accordance with the requirement in the National Planning Policy

Framework (2021), as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

2. For the purposes of matters relating to this decision Heavy Goods Vehicles (HGVs) are defined as vehicles over 3.5 tonne un-laden.
3. The Minerals and Waste Planning Authority, in line with the Hampshire Minerals and Waste Plan (2013), supports the continuation of the existing site liaison panel to aid in addressing public complaints about the existing activities on the site, to assist resolution of any possible future issues, and support community relationships.
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.
5. There is a legal agreement attached to this permission to secure the routing of out of hours Heavy Good Vehicle movements to and from the site.