

REGULATORY COMMITTEE

11th SEPTEMBER 2002

**LANDFORD: DEVELOPMENT OF A PERMANENT INERT
WASTE MATERIAL RECYCLING FACILITY (MRF) AND
WASTE TRANSFER STATION FOR THE PRODUCTION OF
RECYCLED AGGREGATES, SOILS AND SOIL-MAKING MATERIAL
AT GILES LANE INDUSTRIAL ESTATE
(Application No. S.02.0594)**

Purpose of Report

1. To consider the application and to recommend that planning permission be **REFUSED**.

The Site

2. The application site lies within the existing Industrial Estate off Giles Lane which itself is located to the north of the A36 trunk road, approximately 1 kilometre south-east of Landford. The site lies adjacent to the Wiltshire/Hampshire County boundary.
3. A site plan is attached at **Appendix 1**.

Background

4. The Giles Lane Industrial Estate is largely based on a disused sand quarry dating back to the 1950s. It contains a number of differing uses ranging from light industrial, aggregate sales, vehicle dismantling/maintenance through to licensed landfill.
5. The majority of the uses within the estate benefit from either planning permission or established use certificates granted by the Salisbury District Council since 1978. Up until 1999 the site was promoted as a “*one off*” industrial employment use within the New Forest Heritage Area (NFHA). The former sand quarry was to be filled to allow a modest expansion of the site (the subject of planning permissions issued by the County Council in 2000 and 2001) but, since the Public Local Inquiry into the replacement Salisbury District Council Local Plan, the policy stance has altered.

The Application

6. The application submitted by G Farwell Limited, seeks permanent planning permission to develop an inert MRF and waste transfer business on 0.08 hectares of land within the Giles Lane Industrial Estate, adjacent to the applicant's permitted and licensed inert landfill facility.

7. The proposed facility would seek to process (subject to licensing) up to 30,000 tonnes of inert waste materials arising from construction, demolition and skip hire contracts within the local area. The applicant claims that the overall throughput of waste materials will be derived, in the main, from arisings within Wiltshire (approximately 70%) with the balance coming from Hampshire and Dorset (30%). This material would be converted to aggregates and soil forming products capable of re-use within the civil engineering and landscaping industry.
8. Access to the site will be gained from the A36(T) via Giles Lane to the Industrial Estate. The anticipated level of vehicle (HGVs, skip lorries and vans) movements will be in the region of 62 two-way trips (31 vehicles in and 31 vehicles out) with a maximum of 55% of those movements associated with HGV traffic.
9. All waste delivered to the site will be tipped, sorted, screened and processed within a purpose built, three sided building measuring 20 metres by 20 metres by 10 metres (height to ridge line).
10. All machinery associated with the processing of waste materials (screens and crushers) will be fully mobile and, where necessary, correctly silenced and maintained in accordance with authorisation granted under the Part B of the Environmental Protection Act 1990.
11. The operations will include the transfer of non-reusable wastes to an appropriate licensed landfill.
12. The proposals will create employment for two people.

Consultations

13. **Salisbury District Council** – "The Southern Area Committee acknowledges that there may be a lack of recycling facilities of this nature in the south of the County. However, this site, in terms of its relatively remote location in relation to the rest of the County, the limited width of the road leading access to the site and its location within the New Forest Heritage Area, and having regard to the additional pressures that a development of this scale and magnitude would impose and the substantial increase in traffic movements to and from the site along Giles Lane and across its junction with the A36, is not considered suitable for the proposed development and the District Council cannot support the application."
14. **New Forest Committee** – considers that the application raises the following concerns: -
 - **Adverse impact on amenity**
Increased levels of traffic, noise, dust and pollution;
 - **Adverse highway impacts**
The application contains discrepancies within it in relation to overall traffic assessments;

- **Strategic linkage with the applicant's waste transfer facility at Sway, Hampshire**

The existing facility at Sway has recently been granted a 6 month extension to its life. Once that particular operation ceases it is considered likely that the applicant will seek to relocate its entire business to the Giles Lane site.

In conclusion, should permission be granted to establish a permanent waste recycling/transfer facility at Giles Lane it would result in the undesirable long-term expansion of the Industrial Estate. At the very least, if permission is granted the facility should be time limited and tied to the remaining life of the landfill facility (i.e. 2003).

15. **Hampshire County Council** – no objection provided that:-

- “Adequate provisions are made, through conditions attached to any planning permission or by means of an associated legal agreement, to ensure that traffic to and from the site is routed via Giles Lane directly to and from the A36 and does not use roads to the north and east within Hampshire; and
- Adequate measures are required to be taken, through conditions attached to any planning permission granted, to ensure that the operation of the waste recycling facility and the transfer station do not have any unduly adverse affect on any residential properties or other environmentally sensitive interests within Hampshire by reason of noise, dust or any other cause.”

16. **Test Valley District Council** – no comment.

17. **Landford Parish Council** – object for the following reasons:-

- Giles Lane is too narrow to sustain any further increase in traffic flow;
- The proposal would detrimentally affect local residents by virtue of increased levels of traffic, smell, noise and dust.

18. **Melchet and Plaitford Parish Council** – object on the following grounds:-

- Noise, dust and dirt produced from the facility would be unacceptable environmentally and on health grounds to nearby residential properties;
- The projected extra 62 vehicle movements per day is totally unacceptable;
- Noise from the sorting and crushing machinery will be amplified by the open fronted, steel frame building which, coupled with additional and existing traffic noise along Giles Lane is unacceptable;
- Increased risk of polluting the nearby River Blackwater is unacceptable;
- The “preferred site” for this type of operation is noted as being Amesbury, which would be a more appropriate and sustainable location for the waste needs of southern Wiltshire. It is also noted that a proposed larger facility at Whiteparish Landfill was recently rejected by the County Council; and

- The existing Industrial Estate is situated close to existing farms, businesses, residential properties and within the proposed National Park.
19. **Highways Agency** – “Have some concerns about this application because of the additional traffic generation on Giles Lane. The application states that there will be an additional 62 lorry and van movements as a direct result of materials being moved in and out and it can be expected that there will be an additional number of ancillary movements in association with the development.
- Although the Giles Lane Junction benefits from an existing right turn lane on the trunk road, visibility from the side road is restricted and substantially below the required standard of 160 metres. This visibility is critical to the safe operation of the junction and we therefore strongly recommend that this application be refused consent on the grounds that it will be detrimental to highway safety.”
20. **English Nature** – would wish to offer the following comments:-
- The site is not located within a statutory protected site although it is located within a kilometre of the New Forest SSSI and candidate Special Area of Conservation (cSAC). There may also be a number of County Wildlife Sites or Regionally Important Geological Sites (RIGS) in the area.
 - The site is known to contain badger colonies which will need to be taken into account should planning permission be granted.
21. **Environment Agency** – no objection subject to conditions and planning informatives being attached to any planning permission to prevent pollution to the water environment
22. **Wiltshire Wildlife Trust** – the proposals raise a number of concerns as follows:-
- The proposed, substantial increase in traffic will cause noise and disturbance as well as place additional pressure on the NFHA;
 - The possibility of silt and dust entering the River Blackwater (a watercourse of high ecological value) is unacceptable;
 - The site is used by bats and is adjacent to valuable water meadows that may have newts present; and
 - The application site is a good distance from any major population centres in southern Wiltshire. Materials will either be simply imported from Hampshire or they will have to be transported a significant distance to be processed and transferred.
23. **Highways** – "recommend refusal on the grounds that Giles Lane, by reason of its restricted width and visibility together with its substandard junction with the A36 trunk road where visibility is restricted, is considered inadequate and unsuitable to serve the development proposed."

Publicity

24. The application was advertised in the local press, on site and by neighbour notifications. Several letters of representation and objection were received, summaries of which are set out in **Appendix 2**.

Planning Considerations

25. The application must be judged in the light of the information contained within it, relevant Development Plan Policies and all other material considerations. All policies referred to within this section are listed in full at **Appendix 3**.
26. Although this application **generally** accords with National policy (the waste hierarchy) on the management of waste it still raises the following important concerns: -
- **Location** – NFHA/proposed National Park, proximity to major urban areas and Hampshire and definition of suitable uses within the Giles Lane site;
 - **Need** – proximity to major urban areas within Wiltshire and the policy context of the Revised Deposit Draft Wiltshire and Swindon Waste Local Plan – 2011;
 - **Environmental impact** - increased pressure on NFHA/proposed National Park and local amenity; and
 - **Highway safety** – cumulative effect of increased levels of HGV/LGV movements on the junction of Giles Lane/A36(T), application of Highways Agency junction arrangement standards and the physical deficiencies of Giles Lane in terms of visibility.

Location

27. The Giles Lane Industrial Estate is remotely located on the Wiltshire/Hampshire border and lies within the NFHA/proposed National Park, Special Landscape Area (SLA) and development restraint area. In addition, the site lies within 1 kilometre of both National Sites of Special Scientific Interest (SSSIs) and European candidate Special Areas of Conservation (cSAC) and Special Protection Area (SPA). These factors have been expressed more fully by the relevant nature conservation bodies.
28. In policy terms, Planning Policy Guidance Note 10 – “Planning and Waste Management” (October 1999) considers that:-

“Locations *[for waste management facilities]* should be considered within the context of national and regional policies, as set out in national and regional guidance, and the provisions of the Development Plan for the area. In general, the most appropriate locations will be those with the least adverse impacts on the local population and the environment. Particular care should be taken to avoid locations where new waste facilities may be incompatible with existing land uses.

All locations need to be considered in terms of the Best Practicable Environmental Option [BPEO].

Sites which are protected by national and regional policies on the restraint of development will not generally prove acceptable for waste management facilities.

Other attractive and open rural areas should normally be avoided for most types of facility.”

29. Advice contained within Minerals Planning Guidance Note 1 - “General Considerations and the Development Plan System” (June 1996) reiterates the need to ensure that when assessing proposals for processing, production and sale of recycled aggregates that careful consideration is given to site location and particularly the potential effect on amenity and other land uses. This advice is embodied within Policy 40 of the Adopted Wiltshire and Swindon Minerals Local Plan.
30. The development accords generally with Policy W1 of the Adopted Wiltshire Structure Plan insofar as it seeks to reduce the volume of waste requiring disposal to land. However, this alone does not make the proposal suitable for the Giles Lane site.
31. Policies C7 and C8 of the Adopted Wiltshire Structure Plan and HA1/HA2 of the Replacement and Adopted Salisbury District Local Plan seek to limit future development in the New Forest and therefore embody the national policy stance of conserving, enhancing and promoting the essential elements of the Forest’s landscape, wildlife and cultural heritage. Balanced against this, and as stated above, the District Council has since 1978 consistently considered the Industrial Estate as a “one off” development within the area (see Policies HA4 and HA5 of the Adopted Salisbury District Local Plan and Policy HA5 of the Replacement Salisbury District Local Plan) capable of supporting low cost, starter units for a variety of uses. However, of importance to the consideration of this particular proposal is the definition of suitable land use or uses within the context of Policies HA4/HA5.
32. The proposed permanent recycling and transfer facility is considered to be a ‘*sui-generis*’ use and therefore does not accord with the range of uses (B2 - General Industrial, and B8 - Warehousing and Distribution) supported within the Policy.
33. As stated above, the policy stance has now been proposed for amendment as a result of the recent Public Local Inquiry into the Replacement Deposit Draft Salisbury District Local Plan. The District Council accepted the Inspector's recommendation to delete Policy HA5 and amend the supporting text to reflect the site's location within the proposed New Forest National Park. It is now considered that in view of the site's location, Policy HA7 is more appropriate than HA5 when considering the future of the Giles Lane Industrial Estate. As a result, the proposed MRF/Transfer Station cannot be considered as being "necessary for the efficient operation of the existing business."

Need

34. At the National level the Government considers that Waste Planning Authorities should seek to develop a policy framework designed to deliver an appropriate, sustainable and integrated network of waste management facilities for their areas.

35. The application indicates that there is an identified lack of suitable waste management sites (and sites capable of accepting such facilities) in the south of the County. At present, this is indeed the case. The Wiltshire and Swindon Waste Local Plan – 2011 Revised Deposit Draft (“the Waste Local Plan”) states that:-

“5.5.5 Whilst a number of Preferred Areas are proposed in Kennet and Salisbury Districts, there is still concern about the limited options identified for waste management in these areas.”

36. However, this statement needs to be balanced against the designated status of the area and the fact that the Waste Local Plan also states that:-

“5.5.6 ...it is considered that the environmental and other constraints identified in the appraisal of all sites considered in Kennet and Salisbury Districts outweigh the need to provide additional strategic capacity...”

The Waste Local Plan goes on to state that the issue of redressing the balance of waste management facilities across the County will be appropriately addressed in the next review of the Plan.

37. The Waste Local Plan identifies a number of Preferred Areas for both strategic and local waste management facilities in the Salisbury area. These include sites at Ratfyn, Amesbury, and Moor Farm Quarry. Throughout the process of identifying these preferred sites, the Giles Lane Industrial Estate was not suggested or considered suitable to locate either strategic or local waste management facilities due in part to its relative remoteness and subsequent proximity to major urban areas in the south of the County. Therefore, it could be argued that, at this stage of the Local Plan process, the proposed MRF/transfer station at Giles Lane does not strictly accord with the general policy framework of the Waste Local Plan (reference policies – 1,2,3 and 4). However, the Waste Local Plan does allow for a certain degree of flexibility when considering proposals for MRFs and Inert Waste Recycling Facilities (Policies 11 and 12) provided all other relevant policy criteria are met (reference Policies 3, 4 and 6). When considering this particular proposal against the relevant criteria the location of the site raises a number of issues. In particular, will it truly serve the needs of Wiltshire or more likely Hampshire given the potential distances waste would have to be transported from the major development areas around Salisbury?

Environmental Impact

38. Local residents, the Salisbury District Council and other statutory consultees consider that this proposal albeit relatively small in scale, contained within a purpose built building and situated within an existing industrial estate, would have a direct impact on the local area and the New Forest. It is fair to say that should planning permission be granted for a **permanent** recycling facility there would be a net cumulative increase in the degree of human activity in the area, which may lead to adverse pressure being brought to bear on the interests of the New Forest.

39. Of particular concern to local residents is the nature of the proposal in terms of its industrial character and attendant noise, traffic, dust and potential odour problems. These concerns are noted and are indeed consistent with the type of operation proposed. However, it is considered that (with the exception of traffic) all can be adequately controlled through appropriate conditions and waste licensing. No objection was raised by the Environment Agency.

Highway Safety

40. Of all the concerns raised by consultees and local residents, the potential highway impact this proposal represents was of paramount importance. The Highways Agency and the County Highway Authority recommend that the proposal be **refused** on highway safety grounds. It is considered that the proposed increase in overall traffic levels (up to 31 vehicles in and out per day) using the substandard Giles Lane and its junction with the A36 trunk road would prejudice to an unacceptable degree highway safety in the area. This view is based not only on the particulars of the application but crucially on an assessment of the cumulative traffic impact of the various other businesses operating within and adjacent to the Giles Lane Industrial Estate.
41. Following a site meeting with the applicant, the agent and representatives from the County Council and the Highways Agency it was agreed that more time should be given to considering whether there could be any solution to the highway objection. The applicant instructed highway consultants (WSP Development) to investigate the matter and their subsequent report concluded that:-
- The existing A36 (T)/Giles Lane junction could be moderately improved to provide safe visibility for vehicles entering and leaving the site; and
 - A condition could be applied to any planning permission granted for the proposed MRF such that the existing, time limited, landfill operation (which has permission to take 70 two-way movements per day) would be finished **before** the commencement of operations in connection with the MRF proposal – i.e. there would be a net reduction of vehicle movements associated with waste management activity on the site.
42. The report prepared by WSP Development was considered in detail by the Highways Agency who concluded that the fundamental basis of the above recommendations were flawed by an inappropriate application of junction design standards. Whereas WSP consider that the existing junction could be improved within highway land to provide visibility splays with a 2.4 metre set back, the Highways Agency maintain that the appropriate design standards require at least 4.5 metre set backs and in this case a 9.0 metre set back to achieve safe visibility to a distance of 160 metres in either direction. As a consequence the Highways Agency have sustained their original objection and therefore recommend the proposal be refused.
43. All correspondence submitted with respect to the technical aspects of the arguments set out above are provided within **Appendix 4**.

Conclusions: Options Considered

44. The application has been considered on its merits, against relevant Development Plan policies and all other material planning considerations.
45. This application seeks permanent planning permission to develop a relatively small-scale inert MRF and waste transfer station within the confines of the existing Giles Lane Industrial Estate.
46. The application proposes that the overall waste throughput (up to 30,000 tonnes per year) will be derived predominantly from Wiltshire (approximately 70%) with the remainder being sourced from markets within Hampshire and the south coast (approximately 30%).
47. All tipping, sorting and processing of waste materials would take place within a purpose built, three sided building measuring 20 metres x 20 metres by 10 metres (height to ridge).
48. The proposal generally accords with the Government's stated aims of recycling and re-use of materials, reducing reliance on primary aggregates and landfilling as a waste management option. However, it does not strictly accord with the policy framework of the Development Plan for the area and the County as a whole.
49. The application was advertised widely and a number of material planning objections/concerns have been raised from statutory consultees and members of the public living in close proximity to the proposed development. These concerns include: locational considerations and the suitability of the Giles Lane site for the proposed development; issues of need and the relationship of the site to the Waste Planning Authorities Preferred Areas for recycling facilities – Ratfyn, Amesbury, and Moor Farm Quarry, and the major centres of population/waste arisings within the Salisbury District and the County as a whole; environmental impacts on local amenity and the interests of the NFHA/proposed National Park and crucially, highway safety matters.
50. Overall, having examined all the information contained in the application and the consultation responses, it is considered that on policy and highway safety grounds the proposed development cannot be justified. The adverse impact the development would have on the area and in particular the local highway network, outweigh any potential benefits planning permission for this particular development may provide.

Recommendation

51. That, in the light of the considerations set out above, planning permission be **refused** for the following reasons:-
 1. The proposed development would be contrary to the policy framework of the Adopted Wiltshire Structure Plan.
 2. The proposed development would be contrary to the policy framework of the Adopted and Replacement Salisbury District Local Plan.

3. The proposed development would be contrary to the policy framework of the Wiltshire and Swindon Waste Local Plan 2011 - Revised Deposit Draft.
4. The proposed development would be detrimental to overall highway safety. Giles Lane, by virtue of its restricted width and visibility together with its sub-standard junction with the A36 trunk road where visibility is restricted, is considered inadequate and unsuitable to serve not only the proposed development but also the existing level of traffic using it.

Reason for Recommendation

52. The development proposed does not strictly conform to the spirit of the Development Plan Policies and there remain fundamental concerns in respect of, in particular, highway safety matters, which cannot be addressed satisfactorily.

RICHARD J. LANDER

Director of Environmental Services

The following unpublished documents have been relied on in the preparation of this Report:

Consultation responses and correspondence

Environmental Impact of the Recommendations contained in this Report:

As set out in the main body of the Report