



Town and Country Planning Act 1990

To: Integrated Skills Limited
Suite 3A, Chapel Allerton House
114 Harrogate Road
Leeds
LS7 4NY

Application No: **APP/24/00523**

HCC Ref: HV017

For: L&S Waste Management Limited

Date of Application: 20 June 2024

Hampshire County Council, as Waste Planning Authority, **grants permission** for the following development in respect of the plans and particulars and subject to the attached schedule of 23 conditions:

Development: **Application to vary condition 6 & 10 of planning permission APP/15/00757 (to increase the operational throughput)**

Site address: **Farlington Redoubt, Portsdown Hill Road, Havant Hampshire PO6 1BW**

Reason for Approval

It is considered that the proposal would be in accordance with the relevant policies of the Hampshire Minerals and Waste Plan (2013). The increase in the permitted throughput of waste to 190,000 tonnes per annum through the existing waste transfer station and the increased HGV movements to 292 would not materially harm the character of the area or the amenity of local residents and would be acceptable in terms of highway safety and convenience in accordance with Policies 10 (Protecting public health, safety and amenity), 12 (Managing Traffic), 17 (Aggregate Supply - capacity and source), 18 (Recycled and secondary aggregates development) and 30 (Construction, demolition and excavation waste development). It is therefore considered to be a sustainable minerals and waste development in accordance with Policy 1 (Sustainable minerals and waste development).

All enquiries should be referred to Universal Services, The Castle, Winchester, SO23 8UD

Tel: (01962) 846746 Fax: (01962) 847055

**Director of Universal
Services**
24 October 2024

Town and Country Planning Act 1990

Application No: **APP/24/00523**

Continued

IMPORTANT - Biodiversity Gain Condition

Based on the information submitted in the planning application documents, the Planning Authority considers that this permission is exempt from biodiversity net gain by virtue the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

Further information about this statutory condition is set out below within the notes.

Conditions

Commencement

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

Restoration

2. Within 3 months of the use hereby permitted ceasing, a Restoration Scheme shall be submitted, and approved in writing by the Minerals and Waste Planning Authority. The site shall be restored to its former use of skip and vehicle storage. The Restoration Scheme shall detail the removal of the temporary buildings, machinery, facilities, fencing and bin bays.

The Minerals and Waste Planning Authority Waste Planning Authority shall consider the use to have ceased if waste is no longer imported and processed for a period of 6 months.

Reason: To ensure satisfactory restoration in accordance with Policies 5 (Protection of the countryside) and 9 (Restoration of minerals and waste developments) of the Hampshire Minerals & Waste Plan (2013).

Town and Country Planning Act 1990

Application No: **APP/24/00523**

Continued

Highways

3. The highway verge, at the site entrance with Portsdown Hill Road, shall be trimmed regularly to ensure that within the visibility splay no vegetation exceeds one metre in height.

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

4. The warning signs on approach to the site and lighting shall be located in accordance with the details approved under 01/54301/007, per drawing Site Layout, No: LSH/HAV/LAY/02, dated January 2002 and letters ARC/jfm/hcc-12 dated 7 January 2002 and ARC/jfm/hcc-12 dated 18 January 2002, for the duration of the use of the site. The warning signs shall have yellow background with black writing with the wording 'Caution lorries turning' and be 750mm x 1050mm as approved in writing by the Waste Planning Authority for the duration of the use of the site.

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

5. The wheel cleaning facilities shall be implemented for the duration of the development so that lorry wheels and chassis can be cleaned with other necessary measures to ensure mud and other debris is not deposited on the highway.

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

6. Heavy Goods Vehicle (HGV) movements to and from the site shall be restricted to 292 per day. A daily record of HGVs entering and leaving the site shall be kept at the site and made available to the Minerals and Waste Planning Authority on request.

Reason: To limit the volumes of traffic in the interests of the amenity of residents on and near the approaches to the site in accordance with Policies 10 (Protecting public Health, Safety and Amenity) and 12 (Managing traffic) of the Hampshire Minerals & Waste Plan (2013).

Town and Country Planning Act 1990

Application No: **APP/24/00523**

Continued

7. All Heavy Goods Vehicles associated with the site shall turn left when entering the site and turn right when leaving the site via Portsdown Hill road (B2177), unless making local delivery and collections.

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

8. Existing signage requiring right turn only when exiting the site and the speed limit at the site entrance shall be in accordance with submitted photograph dated 10 October 2024 and remain on site for the duration of the development hereby approved.

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

Protection of Water Environment

9. The waste processing area, as shown on Site Layout plan, drawing No: LSH/A056997/PLA/04 Rev A (dated 14 April 2010) under planning permission APP/10/00141, shall be underlain by impervious hardstanding with dedicated drainage to foul sewer or sealed tank. Drainage shall be in accordance with the scheme as approved under APP/10/00141, drawing LSH/HAV/DRN/01 Proposed Drainage Scheme dated August 2001, and LSH/HAV/DRN/03 Proposed Drainage Scheme, dated January 2002, and soakaway details provided in letter ARC/jh/hcc-15 dated 24 January 2002, for the duration of use of the site.

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).

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

Town and Country Planning Act 1990

Application No: **APP/24/00523**

Continued

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).

Vehicle Maintenance

11. No repairs or maintenance of vehicles shall be carried out on the site unless otherwise agreed in writing by the Minerals and Waste planning Authority.

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).

Tonnage

12. The site shall handle a maximum of 190,000 tonnes of waste per year. A monthly record of the tonnage of waste handled at the site shall be kept at the site and shall be made available to the Minerals and Waste Planning Authority on request.

Reason: In order to control the scale of the development in accordance with Policy 10 (Protecting public health, safety and amenity) of the Hampshire Minerals & Waste Plan (2013).

Stockpiles

13. Stockpiles within the waste processing area, clay stockpile area, concrete ballast storage and proposed storage area as shown on Site Layout plan, drawing No: LSH/A056997/PLA/04 Rev A (dated 14 April 2010) under planning permission APP/10/00141, shall not exceed 6 metres in height. Stockpiles in the aggregate recycling and concrete crushing area as shown on Site Layout plan, drawing No: LSH/A056997/PLA/04 Rev A (dated 14 April 2010) under planning permission APP/10/00141, shall not exceed 10 metres in height. There shall be no stockpiles outside these areas.

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).

Town and Country Planning Act 1990

Application No: **APP/24/00523**

Continued

Hours of Working

14. Unless otherwise agreed in writing by the Minerals and Waste Planning Authority no lorries shall enter or leave the site and no plant or machinery shall be operated except between the following hours: 0700-1800 Monday to Friday and 0700-1400 Saturday. There shall be no working on Sundays or recognised Public Holidays.

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).

Waste Type

15. The site shall only be used for the transfer and recycling of waste delivered to the site in lorries operated by registered carriers, however no waste shall be delivered to the site in refuse collection vehicles.

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).

Noise, Dust and Odour

16. Noise attributable to operations at the site shall not exceed the existing background noise level by more than 5 dB(A) as measured at the monitoring locations shown on Noise Monitoring Locations plan, drawing No: LSH/HAV/NSE/01 (dated June 2001) under planning permission 01/54301/007.

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).

17. The Dust & Particulate Emission Management Plan, Rev 3, dated May 2024, submitted to and approved by the Waste Planning Authority for controlling and monitoring dust shall be implemented for the duration of use of the site.

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).

Town and Country Planning Act 1990

Application No: **APP/24/00523**

Continued

18. The plant and equipment shall be operated in accordance with the noise specifications for the duration of the use of the site as approved under 01/54301/007 (facimile dated 10 Jan 2002 and letter ARC/jfm/hcc-12 dated 7 January 2002) unless alternative plant and equipment are otherwise approved in writing by the Waste Planning Authority after considering the noise and dimension specifications.

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

Litter

19. The scheme for controlling litter shall be implemented as approved for the duration of the operation of the site as per letter received by Waste Planning Authority on 12 February 2010 under planning permission 09/54301/015.

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

Layout

20. Bin and skip storage shall only be within the area approved by the Waste Planning Authority as shown on Site Layout plan, drawing No: LSH/A056997/PLA/04 Rev A (dated 14 April 2010) under planning permission APP/10/00141.

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

21. The layout of the waste transfer and recycling facility shall be as shown on Site Layout plan, drawing No: LSH/A056997/PLA/04 Rev A (dated 14 April 2010) under planning permission APP/10/00141, unless otherwise agreed in writing by the Minerals and Waste Planning Authority.

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

Town and Country Planning Act 1990

Application No: **APP/24/00523**

Continued

Operational Traffic Management Plan

22. Within three months of the date of this Decision, an Operational Traffic Management Plan for Heavy Goods Vehicles (HGVs), leaving and entering the site, shall be submitted to, and approved in writing by, the Minerals and Waste Planning Authority. The Traffic Management Plan shall detail the routes by which HGVs visiting the site will access the A3, the M27 and the strategic road network; restrictions on use of the local road network through surrounding housing except in cases of local delivery.

The approved Operational Traffic Management Plan shall be implemented for the duration of the development hereby approved.

Reason: To limit the volumes of traffic in the interests of the amenity of residents on and near the approaches to the site in accordance with Policy 12 (Managing traffic) of the Hampshire Minerals & Waste Plan (2013).

Plans

23. The development hereby permitted shall be carried out in accordance with the following approved plans: **Application Boundary Plan (L&S/J00091/APP/01)**, **Site Layout Plan (LSH/A056997/PLA/04RevA)**

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

Notes to Applicant

1. 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.
2. In determining this planning application, the Minerals and Waste/County Planning Authority has worked with the applicant in a positive and proactive manner in accordance with the requirement in the National Planning Policy Framework (2023), as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Town and Country Planning Act 1990

Application No: **APP/24/00523**

Continued

Town and Country Planning Act 1990

Application No: **APP/24/00523**

Continued

Biodiversity Net Gain – not required

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

- i) a Biodiversity Gain Plan has been submitted to the planning authority, and
- ii) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Hampshire County Council as the Minerals and Waste Planning Authority.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply under Regulation 7 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

Based on the information available, this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because the following statutory exemptions or transitional arrangements in the list below is/are considered to apply.

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.

3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
 - (i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or
 - (ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.

* "original planning permission means the permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

Town and Country Planning Act 1990

Application No: **APP/24/00523**

Continued

4. The permission which has been granted is for development which is exempt being:

4.2 Development below the de minimis threshold, meaning development which:

- i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

Town and Country Planning Act 1990

Application No: **APP/24/00523**

Continued

- i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.