

Application Number: CS/22/92463
Case Officer: Rebecca Altman
Received Date: 14 February 2022
Site Address: Land off Chickenhall Lane, Eastleigh
Applicant: Hampshire County Council Waste Management
Proposal: Development of a material recycling facility and associated infrastructure.

Recommendation

It is recommended that:

- 1. The Council responds to Hampshire County Council's consultation with an objection.**
- 2. The content of this report is agreed as supporting evidence for the Council's objection.**
- 3. The Council reserves the right to give further formal and material views on the matter in response to any further information from Hampshire County Council.**
- 4. In the event of Hampshire County Council's Regulatory Committee granting permission, recommend the mitigations detailed in this report to be included as conditions to any permission.**

Summary and purpose of the report

- 1. The Council received notification on 14 February 2022 of an application by Hampshire County Council (HCC) for the development of a material recycling facility and associated infrastructure at Land off Chickenhall Lane.**
- 2. The Council objects to this application for the reasons set out in this report.**
- 3. Eastleigh Borough Council is not the planning authority for the application. Hampshire County Council, as the Minerals and Waste Authority, will be responsible for determining the application and all relevant publication and notifications have been dealt with by HCC. All public representations will be submitted directly to HCC.**
- 4. The purpose of this report is to set out Eastleigh Borough Council's response to the consultation, to include supporting information to justify the Council's objection.**

Site Characteristics and Character of the Locality

1. The site lies within a predominantly industrial area at the southern end of Chickenhall Lane, with the railway line to the south and industrial uses to the north and west including a sewage treatment works. There are two residential properties within the industrial area directly to the north of the site, which are understood to be occupied by operatives of nearby facilities. The next nearest residential properties are located on Campbell Road, approximately 300m to the south west. The site lies on the edge of the urban area with countryside to the east and beyond the railway line to the south.
2. There is some surface water flood risk on the site, and to the east is the River Itchen and the Stamford Meadow Site of Importance for Nature Conservation (SINC). The site also lies within the safeguarding zone for Southampton Airport.
3. Access to the site is from Chickenhall Lane, which links to Bishopstoke Road to the north.

Description of Application (as submitted to Hampshire County Council)

4. The application is for the construction of a Materials Recycling Facility (MRF), with associated infrastructure including access roads, security fencing, weighbridges, lighting and landscaping. The facility would help meet the demand for a wider range of recycling as part of Project Integra, which is a partnership between Hampshire Authorities and Veolia.
5. There would be two vehicle access points at the north west side of the site, one for cars / staff and one for HGVs. There would be 24 car parking spaces including 2 accessible spaces. The facility is estimated to generate a maximum of 128 HGV movements daily (64 in and 64 out). There would also be up to 120 staff car trips per day (60 in and 60 out). Operating hours are indicated as 07:00 to 19:00.
6. The main building would measure 131m in length, 80m in width and up to 15.5m in height and would be clad in goosewing grey steel cladding. The facility would have the capacity to process approximately 135,000 tonnes per annum of dry recyclable waste, including paper and cardboard, glass, plastic, metals and cartons.
7. The submitted plans show new landscaping around the boundaries of the site, including new hedgerow and woodland/scrub planting.

Relevant Site History

8. S/13/73507 – Eastleigh Borough Council raised objection to a consultation from Hampshire County Council for construction of an Energy Recovery Centre on 13 December 2013. Concerns related to a

lack of information to address noise and vibration from traffic movements, air quality and odour impacts and impacts on the River Itchen. Permission was granted by Hampshire County Council on 3rd November 2014. The permission was subsequently implemented and is therefore extant.

9. F/17/81397 – Permission was granted by Eastleigh Borough Council for open storage use with ancillary office, storage buildings and vehicle wash facility on 15 March 2018. This application related to the adjacent land to the east of the current application site.

Policy Context and Designations Applicable to the Site

National Planning Policy Framework (2021)

10. Section 2 of the National Planning Policy Framework (NPPF) states that the purpose of the planning system is to contribute to the achievement of sustainable development, which can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
11. Achieving sustainable development means that the planning system has three overarching objectives: economic; social; and environmental. These objectives are interdependent and need to be pursued in mutually supportive ways, and should be delivered through the preparation and implementation of plans and the application of the policies in the Framework. One of the key environmental objectives noted in paragraph 8(c) of the NPPF is to minimise waste and pollution, and the requirement for local authorities to make provision for waste management infrastructure within strategy policies is set out in paragraph 20.

Hampshire Minerals and Waste Plan (2013)

12. Policy 29 of the Hampshire Minerals and Waste Plan supports proposals for waste management sites in appropriate locations, including within existing industrial estates. The policy requires development to be of a scale appropriate to its setting.

Eastleigh Borough Local Plan Review (2001-2011) Saved Policies

13. Within the Eastleigh Borough Local Plan Review, the site is designated as an Employment site (Policy 112.E). Policy 117.E supports development for various employment uses including light industrial, general industrial and storage / distribution. Policy 118.E allows for alternative uses only if they would not impact on the wider employment base or would provide environmental or amenity benefits.

Submitted Eastleigh Borough Local Plan 2016-2036

14. The Eastleigh Borough Local Plan 2016-2036 was submitted by the Council to the Planning Inspectorate on 31 October 2018 with hearings in public having commenced in November 2019 and concluded in early 2020. The Council subsequently received the Inspector's feedback and recommended action points on the plan in April and May 2020. On 25 June 2020, the Council's Cabinet resolved to progress the examination on the basis of the main modifications outlined in the Inspector's letter and action points and/or any other main modifications which may be necessary.
15. The Council's Planning Policy Team subsequently prepared further evidence and drafted the main modifications in response to each of the Inspector's letters and points and the Inspector has also held an additional hearing in January 2021 in relation to Mercury Marina. Following on from this, the Inspector has now finalised the main modifications for public consultation and the Council has also prepared modifications to the policies map and proposed additional modifications. A report of the Planning Policy Senior Specialist was considered at Cabinet and Full Council on 27 May 2021 which recommended approval of the modifications proposed for public consultation. Consultation on the Main Modifications took place between 9 June and 21 July 2021, and adoption of the Plan is anticipated in mid 2022.
16. Proposed Policy E6 (Eastleigh Riverside) includes development criteria for the land south of the sewage works, stating that it would be suitable for waste management uses, subject to meeting relevant design and environmental requirements.
17. Other relevant policies include the following:
 - S1 (Sustainable Development)
 - S2 (Approach to New Development)
 - S4 (Employment Provision)
 - S12 and DM13 (Highways)
 - DM1 (General Development)
 - DM2 (Environmentally Sustainable Development)
 - DM11 (Nature Conservation)

Representations

18. Public representations for the application are being submitted directly to Hampshire County Council as the planning authority. At the time of writing this report, 1 representation was available to view on HCC's webpage.

Eastleigh Borough Council Consultation Responses

Policy Officer

19. As per the criteria in Policy 29 of the Minerals and Waste Plan it is considered that the proposed material recycling facility would be appropriately located, and compatible with adjacent developments in the area.
20. The site is a safeguarded employment site under Saved Policy 112.E. Whilst the proposed use would not fall within the specified employment uses of the policy, it is a location that is considered suitable for a recycling facility. The principle of developing the site for waste management activities has previously been established.
21. The proposal would also accord with Proposed Policy E6 of the emerging Local Plan, provided all other material planning considerations are met, including highway and access issues, design and layout.
22. The scheme should meet BREEAM excellent standard and further information on this should be provided.

Environmental Health

23. Holding objection due to inadequate information to assess potential noise, odour, air pollution and vibration impacts. Full comments can be viewed in appendix 1 and a summary is provided below.
24. The application would generate pollution from the following:
 - Housed reception and mechanical sorting of non-putrescible waste for recycling purposes and recovery;
 - Use of site vehicle reception and site circulation areas, and access to and from existing roads for import and export of materials.
25. Noise - The submitted information indicates that internally generated noise would be attenuated by the sound insulation of the fabric, which is a reasonable assumption and full details could be conditioned. Other mitigations such as closure of roller shutter doors other than for vehicle offload/collection, could also be conditioned.
26. However, there are concerns about how existing background noise levels have been measured as they appear to have been overestimated. This means that the design of the embedded mitigation measures such as sound insulation, has been carried out to an 'underestimated' target, and may therefore not be sufficient to prevent adverse noise impact during quieter periods of the day and night. The application therefore cannot be supported at this time. Request that further information is provided to determine the background noise levels and appropriate mitigation.

27. Recommend an operating environmental management plan to be requested by condition.
28. With regard to vehicle movements, there would be up to 124 heavy vehicle movements per day (64 in and 64 out) and 120 cars. Once joining the main public highway in Eastleigh, heavy and light traffic induced by the development would increase noise levels, but the change would be less significant than experienced by dwellings on Chickenhall Lane. However, there is concern that the actual noise impact on dwellings has not been fully considered as it does not take account of increases in noise during more sensitive times of the day, e.g. morning and weekends. Recommend further details are provided to assess potential adverse noise impacts on dwellings.
29. It is likely that more noise mitigation measures will be required to ensure no adverse impact on residential occupiers.
30. Vibration - The application does not inform on the condition of the road near Chickenhall Cottages and therefore the effect of heavy vehicles. If the road surface is suitable for heavy vehicles and strengthened appropriately, then vibration impact may not be adverse. Recommend further information is provided on this matter. Ongoing maintenance of the road should be included in the operating management plan.
31. Odour - Assuming incoming loads would be sheeted or sealed, then the proposed controls on odour within the facility and the closing of roller shutter doors after a lorry has passed through would be sufficient to prevent odour experienced at Chickenhall Cottages. However, there is concern about possible odour if roller shutter doors were left open. Request further information on how materials are transported and procedures for opening and closing of roller shutter doors.
32. Question whether the referenced meteorological conditions used by the EIA are sufficiently representative of the local wind conditions. Request further information to make accurate assessment.
33. Air Pollution - Air quality deteriorates in the presence of vehicular emissions of nitrogen dioxides, other oxides of nitrogen and fine or respirable particulate matter. When exceeding a proportion of the Air Quality Objectives, vehicular emissions harm. The A335 and M3 (both likely to be used by vehicles accessing the facility) are Air Quality Management Areas monitored by Eastleigh Borough Council. Request a contribution towards the recurring annual cost of monitoring the AQMAs.
34. The submitted Environmental Impact Assessment scopes in human health risk assessment from vehicular emissions and predicts impacts for scenarios that include other committed developments. The Highway Authority should be asked to comment on the appropriateness of the traffic model used.

35. Dust - The submitted information is not clear on whether dust would be generated by the development or not. Request more information to assess potential dust impacts.
36. Construction pollution - A Construction Environmental Management Plan should be secured by condition.

Ecologist

37. The level and standard of the ecology survey work is acceptable. The site itself comprises mainly semi-improved grassland which is not botanically diverse. Other habitats include semi-natural broad-leaved woodland, a pond, a defunct hedgerow, tree lines, scattered shrub, tall ruderal and short perennial vegetation and a dry ditch. The site supports at least seven species of bat, badgers, slow worms, common amphibians (e.g. toad), breeding birds and widespread invertebrates.
38. There are two statutory nature conservation designations, the River Itchen Special Area of Conservation (SAC) and Stanford Meadow Site of Importance for Nature Conservation (SINC), within 2km of the site. The broadleaved woodland on the site is also recognised as an ecological network opportunity for retention and enhancement.
39. Satisfied that there is unlikely to be impacts on the SAC in terms of light, noise airborne pollutants and dust. However, as highlighted by the Flood Authority, there could be issues with the interaction between groundwater levels and winter rainfall which has the potential to impact the SAC. Further information is therefore required to conclude no significant effect on the SAC.
40. The majority of habitats on site would be lost, with some marginal habitats retained and enhanced around the edge. There would be a 28.3% net loss of biodiversity on the site, which is contrary to national and local policy. All opportunities for enhancement and ecological provisions on site should be explored before defaulting to an off site solution. Recommend that the inclusion of a green / brown roof is explored to contribute towards mitigating the loss of biodiversity.
41. The applicants propose to mitigate the loss of biodiversity through an off site project at Abbey Fruit Farm, Netley. No details are provided about the scheme beyond it providing woodland, a pond and grassland habitats. Further certainty would be needed to ensure a biodiversity net gain.
42. Recommend on site enhancements, species specific mitigation, a Landscape and Ecological Management Plan, and a Construction Environmental Management Plan are secured by condition.

Landscape Officer

43. Holding objection due to insufficient information within the Landscape and Visual Impact Assessment (LVIA).
44. There is potential for erosion of views from the Itchen Way long distance recreational route. The LVIA viewpoint photography is all taken in the summer. A winter assessment is required to fully assess the visual impact.
45. There may be a need for additional mitigation proposals such as changes to orientation, material finish, tree planting or green walls / roofs.
46. Recommend that the LVIA is updated to include winter viewpoints and winter assessment, and a wireframe of the proposals superimposed on winter and summer viewpoint photographs.

Tree Officer

47. The proposal would involve the loss of 8 individual trees and parts of 2 groups of trees. The submitted documents do not justify the removals. If the removals can be justified, replacement tree planting would be required.
48. The information also does not demonstrate how retained trees would be protected during construction. An Arboricultural Method Statement and Tree Protection Plan would be required.

SUMMARY OF MAIN AREAS OF CONCERN

Policy principle

49. Eastleigh Borough Council acknowledges that the general policy principle of the proposed development is acceptable, provided that all relevant environmental and amenity issues can be satisfactorily addressed. EBC also acknowledges the wider environmental benefits of improving material recycling within the Hampshire area.

Pollution – noise, odour, dust and air quality

50. EBC cannot support the proposal as submitted as the information does not satisfactorily assess noise, odour and vibration impacts on the local area and nearby residential occupiers.
51. In relation to noise, the Council's Environmental Health Officer has reviewed the submitted Environmental Impact Assessment and considers that the existing background noise level has been

overestimated. This means that the embedded noise mitigation measures within the design have likely been underestimated, and may not provide adequate mitigation. There are also concerns that the noise impacts of additional traffic on surrounding residential occupiers has not been satisfactorily assessed as it needs to take account of impacts during more sensitive times of the day.

52. Further concerns noted by the Environmental Health Officer relate to potential impacts from odour, vibration and dust. There is currently insufficient information within the application documents to determine that these potential impacts have been fully considered.
53. With regard to air quality, the conclusions of the Air Quality Assessment are dependent on the suitability of the traffic assessments, which is a matter that would be considered by the Hampshire Highway Authority. Should the development be permitted, Eastleigh Borough Council would request a financial contribution towards the on-going monitoring of Air Quality Management Areas.

Highway implications

54. Eastleigh Borough Council is concerned about the increased level of HGV movements in the local area, most notably in relation to the impacts on congestion and air quality along Bishopstoke Road and the roundabout junction with Station Hill / Romsey Road / Twyford Road. Whilst the applicants have commented that the level of HGV movements would be no greater than that proposed for the previously permitted Energy Recovery Centre, it must be recognised that this development was never completed and the traffic levels / conditions within the area will have changed since 2014.
55. An associated impact of increased traffic is that of noise to local residents. As noted by the Environmental Health Officer, the impacts of increased noise from additional HGVs has not been properly assessed and therefore it cannot be concluded that residential amenity will be protected. There is particular concern about noise impacts at night and EBC would wish to see clear conditions on the timings of HGV movements to avoid the most noise sensitive times of day.

Amenity impact and public health

56. Due to the inadequacies in the information relating to impacts of noise, odour, dust and vibration, and concerns about the impacts of additional HGV's on air quality, Eastleigh Borough Council is concerned that the development could have an adverse impact on the amenity and health of nearby residential occupiers. EBC will be making strong recommendations to HBC as to the further information required to properly assess the impacts on local residents, as identified by the Environmental Health Officer.

Landscape impact and trees

57. The Council's Landscape Officer has identified a fundamental flaw in the submitted Landscape and Visual Impact Assessment, as it does not include an assessment of winter views. As views through vegetation and trees would be greater during winter months, a winter assessment is vital to fully understanding the visual impacts of the development. There is particular concern about the impacts on views from the Itchen Way long distance recreational route. Subject to further assessment, there may be a need for further consideration of the design and orientation of the building to ensure no adverse visual impacts.
58. The Council's Tree Officer has noted that there is insufficient information to justify the proposed loss of trees or to demonstrate that retained trees would be protected. Should tree loss be accepted, EBC would emphasise the need for suitable replacement tree planting.

Ecological impact

59. The development would result in a 28.3% net loss in biodiversity, which is contrary to local and national policy. Whilst the applicants have put forward proposals to mitigate the biodiversity loss with an off-site project, the details of this are limited and insufficient. It is noted that the proposed project would be in Netley and EBC would question the appropriateness of off-site mitigation so far from the application site. Eastleigh Borough Council is not satisfied that the applicants have fully explored opportunities for enhancing biodiversity on site, such as with green / brown roofs, and would require a lot more details regarding the off-site scheme if this is to be considered appropriate to achieve a biodiversity net gain.
60. The Council's Ecologist has also noted the comments made by the Lead Flood Authority about the potential interactions of winter groundwater levels and infiltration. Further information is required to determine no adverse impacts on the River Itchen SAC.

Climate change

61. In July 2019, the Council declared a Climate Change and Environmental Emergency. In doing so it agreed, among other things, to: (a) put in place measures to ensure the Council's own operations and functions achieve carbon neutrality by 2025; (b) work with partners to aim for all projects and services delivered in the Borough to achieve carbon neutrality by 2030; (c) ensure that the Council's procurement policy recognises carbon neutrality as one of its primary considerations; and (d) recognise the urgency of action to mitigate and adapt to climate change in every decision taken by the Council. This is underpinned by the Climate and Environment Emergency Strategy 2020–2030 and the supporting Climate and Environmental Emergency Action Plan – Update June 2020.

62. The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. The NPPF, development plan and emerging plan policy do not set this as a specific target, but it is a material consideration to be considered alongside all other material considerations. In any case addressing climate change is a core part of the NPPF and emerging plan policy. The need to support the economy is part of the Strategic Environmental Assessment for the Emerging Local Plan, as is an assessment of climate impacts.
63. The NPPF, Saved Policies 34.ES and 37.ES of the local plan, Policies S1, DM2 and DM3 of the Emerging local plan and energy and water elements of the adopted Environmentally Sustainable Development SPD require development to be sustainable in terms of resource use, climate change and energy use. Policy 2 within the Hampshire Minerals and Waste Plan also emphasises the requirement for minerals and waste development to minimise their impact on the causes of climate change. It is therefore important that the matters identified by EBC for further consideration are fully assessed to ensure that the policy requirements relating to climate change are met.

Equalities Implications:

64. Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states:-
- A public authority must, in the exercise of its functions, have due regard to the need to:
 - a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
65. When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups. It is considered that this consultation request does not raise any equality implications.

Conclusion

66. Eastleigh Borough Council raises an objection to the proposed development of a material recycling facility due to the absence of sufficient information to assess the impacts on the local area in respect of pollution, visual impacts and ecological impacts. The grounds of objection are summarised as follows:

- Pollution and public health – Insufficient information to determine that the development would not harm residential amenity through increased noise, odour, dust, vibration and air quality impacts.
- Highway implications – Concern regarding increased traffic congestion and pollution on Bishopstoke Road and roundabout junction with Station Hill / Romsey Road / Twyford Road.
- Landscaping and trees – Insufficient information to assess landscape impact due to lack of winter assessment, and lack of information to justify tree removals.
- Ecology – Insufficient information to demonstrate that on-site biodiversity enhancement has been fully explored and lack of information about proposed off-site mitigation scheme; further information required to assess impact on River Itchen SAC.

67. It is requested that should new information be received by HBC in relation to any of the matters outlined within this response, EBC should be formally reconsulted to allow for further review and comment.

Further Recommendations

68. Should the application progress, EBC would recommend that the following additional information is requested from the applicants to allow for a more detailed assessment of the proposals:

- Reassessment of the background noise levels and resulting noise impacts of the development. Assessments should include hourly operation noise results compared with an hourly background level at that time and at night time in 15 minute intervals.
- Further assessment of the noise impacts of increased traffic in the local area, to include more sensitive times of day / week including early mornings, night time and weekends.
- Reconsideration of embedded noise mitigation measures in light of further assessments recommended above.
- Further information on the condition of the road near Chickenhall Cottages and any works required to upgrade the road surface.
- Assessment of local wind and atmospheric conditions to fully assess potential odour impacts.
- Clarification on whether odour would be emitted from lorries and any required mitigation.
- Further information to assess potential dust impacts, including clarification of the activities taking place and relevant mitigations.
- Further information on how roller shutter doors will be managed to prevent odour / dust escape.
- Further information regarding the interaction of winter groundwater levels and infiltration to determine no adverse impact on the River Itchen SAC.
- Confirmation that all opportunities for on-site biodiversity enhancement have been fully explored, e.g. green / brown roofs.
- Further detail regarding the proposed off-site biodiversity provision to ensure it would achieve a biodiversity net gain.

- Landscape and Visual Impact Assessment to be updated to include winter viewpoints and winter assessment, and a wireframe of the proposals superimposed on winter and summer viewpoint photographs.
- Further information to justify the proposed loss of trees, and details of tree replacements.
- Submission of an Arboricultural Method Statement and Tree Protection Plan.
- Further information to demonstrate how the development would meet BREEAM 'excellent' standard.

69. Notwithstanding the objections raised by EBC, in the event that HCC were to recommend permission for the proposed works, the following matters are requested to be addressed through suitably worded conditions or obligations:

- Provision and monitoring of all measures required to mitigate the adverse impacts of the development.
- Financial contribution towards on-going monitoring of Air Quality Management Areas.
- Restrictions on the timings of HGV movements to reduce impacts during more sensitive times (e.g. night time, early morning).
- Provision, implementation and monitoring of a Construction Environmental Management Plan.
- Provision, implementation and monitoring of an Operating Environmental Management Plan, to include on-going maintenance of the access road and odour control mechanisms.
- Implementation of protected species mitigation.
- Provision of a Landscape and Ecological Management Plan.
- Implementation and maintenance of on-site biodiversity enhancements.
- Provision and management of off-site biodiversity mitigation scheme (if agreed).

