

Application No: 17/00878/FULL Full Application

Site: Pound Bottom Landfill Site, Forest Road, Redlynch

Proposal: Completion of landfill; restoration of phase 4; re-engineering works to landfill cap of cells 1 - 4; temporary retention of gas utilisation plant, leachate storage tanks; stockpiling area; retention and enhancement of site conservation area

Applicant: Dr Carnell, Cleansing Service Group (Ltd)

Case Officer: Paul Hocking

Parish: REDLYNCH

1. REASON FOR COMMITTEE CONSIDERATION

Major Development

2. DEVELOPMENT PLAN DESIGNATION

No specific designation

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP1 General Development Principles

CP2 The Natural Environment

1 Sustainable minerals and waste development

4 Protection of the designated landscape

9 Restoration of Minerals and Waste Developments

10 Protecting public health, safety and amenity

12 Managing traffic

13 High-Quality design of minerals and waste development

4. SUPPLEMENTARY PLANNING GUIDANCE

Not applicable

5. NATIONAL PLANNING POLICY FRAMEWORK

Sec 11 - Conserving and enhancing the natural environment

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Redlynch Parish Council: Recommend permission but happy to accept a

delegated decision: The details and final landform of the scheme are appropriate in terms of scale, appearance, form, siting and therefore acceptable when considered against policy DP1. The proposals in relation to the retention and enhancement of site conservation area complied with Development Plan Policy 4 (Protection of the designated landscape) and Section 11 of the National Planning Policy Framework (Conserving and enhancing the natural environment).

8. CONSULTEEES

- 8.1 Ecologist: No objection subject to conditions: Welcome the retention and enhancement of the nature conservation area which it is understood has been the subject of consultation with Wiltshire Wildlife Trust. This represents an improvement on the previous scheme and allows for the area to continue to deliver biodiversity benefits.
- 8.2 Environment Agency: No objection
- 8.3 Natural England: No objection subject to appropriate mitigation being secured.
- 8.4 Highway Authority (WC): No objections received
- 8.5 Highway Authority (HCC): This Highways Authority is satisfied there will be no detrimental impact to the local or surrounding road network.
- 8.6 Landscape Officer: No objection subject to conditions: The Landscape restoration plans offer a full and comprehensive response to the extensive mineral workings and then landfill operations that have been operational at the site over many years.
- 8.7 Planning Policy Officer: No objection subject to conditions: The applicant proposes to utilise soils and clays for the purpose of engineering and that as far as reasonably practicable these have had all recyclable aggregates removed for recycling. As such, the proposal accords with Policy 30 of the Hampshire Minerals and Waste Plan (adopted October 2013) which states that such proposals will be supported. It will however need to be ensured that a recycling facility is not established at the site as a consequence.

9. REPRESENTATIONS

- 9.1 One representation received from the Friends of the New Forest: It has been quite pleasing to see the site being restored in the last year or two and the Company seem to have adopted a responsible and caring approach with adequate community involvement.

10. RELEVANT HISTORY

- 10.1 Breach of Condition Notice (98363) served on 07 February 2014 and complied with on 12 June 2014
- 10.2 Importation of soils to improve the restoration of phases 1 and 2 (98363) granted on 19 June 2013
- 10.3 Temporary use of land for stockpiling; skip storage; site office; parking (98193) refused on 11 April 2013 and appeal allowed in part (temporary use of land for stockpiling) on 23 April 2014
- 10.4 Temporary use of land for the storage and processing of inert material (97365) refused on 20 July 2012
- 10.5 Enforcement Notice - importation of materials and engineering operations served on 02 December 2011 and appeal dismissed on 14 May 2012 and complied with on 14 May 2013
- 10.6 Importation of soils to improve restoration of phases 1 and 2 (96535) refused on 11 October 2011 and dismissed at appeal on 14 May 2012
- 10.7 Installation and operation of a landfill gas utilisation plant (92070) approved on 23 November 2007
- 10.8 Composting facility for shredded recycled and green waste (90326) approved on 6 September 2006
- 10.9 Extraction of building sand and backfilling with waste materials (90/00485) granted on 18 April 1991

11. ASSESSMENT

- 11.1 Pound Bottom landfill site is a longstanding minerals and waste site in the Wiltshire area of the National Park. The site lies within the West Wellow Heaths and Commons landscape character area with a landscape component type of 'heath associated estates'. It is adjacent to several important designated nature conservation sites (SSSI, SPA, SAC, Ramsar, Wiltshire Wildlife Sites) and is accessed by B-roads across the grazed open forest. There is a small cluster of residential properties to the north-west of the site.
- 11.2 This planning application proposes a comprehensive scheme pursuant to the final restoration and closure of the Pound Bottom landfill site. It also consequently involves the consolidation of earlier planning permissions.
- 11.3 The key planning considerations are to ensure the scheme is appropriate in respect of policy requirements; that the final landform is appropriate in respect of the landscape character of

the area; and that there are no other unresolved planning issues arising in the context of the final restoration and closure of the site.

- 11.4 There is an extremely long and complex planning history commencing in the 1980's when sand was first extracted. This resulted in four phases of mineral working with the resultant voids being permitted for landfilling. Phases one to three have been restored and the only substantive permission for the remaining phase four dates from 1991. This was naturally before the designation of the New Forest as a National Park. The Operator has therefore been working to this permission but recognises there are practical limitations to what was originally proposed. Furthermore, owing in part to sub-standard capping in earlier cells and greater than estimated waste settlement, a further planning application was required in any event. In turn, it is recognised by Officers that the original scheme could be improved upon in terms of final landform and the delivery of other consequent benefits. Moreover, this would allow for updated and enforceable planning conditions to be applied to any comprehensive planning permission.
- 11.5 Members may also recall there were significant enforcement breaches at the site which resulted in various actions being taken between 2011 and 2014. It can be reported that all such breaches have now been concluded owing to the extended efforts of both Officers and the Operator. This has then enabled pre-application discussions to take place in order to consider how to best deliver the final restoration and closure of the site.
- 11.6 It will be noted that, subject to the receipt of amended plans, no objections have been raised by consultees, subject to conditions, which includes the Environment Agency and Natural England. The final landform is intended to mimic the horizon to the east and in the context of that previously approved, and in recognition of the need to provide particular contouring to deliver a suitable cap to modern Environment Agency standards, the proposal is considered appropriate and the wider landscape character of the area will consequently not be impacted. The final planting and grassland mix would closely follow that which existed in 1989 before works in phase four commenced and thus would lead to the re-establishment of that landscape and habitat for 'forest grazing'.

The quantum of material required for the restoration over the next 18 months is equivalent to the volume the site has historically been permitted for each year by the Environment Agency and therefore there is not considered to be an adverse impact regarding vehicle movements over this comparatively short period.

- 11.7 The scheme is considered to be compliant with both adopted National Park and mineral and waste policy requirements and objectives. It is recognised that the closure of the site will be welcome noting the consequent reduction in vehicle movements across the forest. Landfilling operations are proposed to conclude by the end of May with the period until the end of 2019 required to complete the restoration of phase four to include seeding and planting as well as the removal of site infrastructure.
- 11.8 A schedule of enforceable conditions is therefore recommended which will secure an end-date to operations at the site (which there currently is not) and the delivery of other controls and benefits such as litter management and ecological mitigation. Much of this would not have previously been possible. These conditions have already been agreed by the Operator as acceptable and should avoid other planning issues arising. The Operator has also agreed to enter into a legal agreement, for the avoidance of doubt in respect of the 1991 permission and given this application consolidates earlier permissions, such as for the gas utilisation plant. This again secures the enforceability of this comprehensive application.
- 11.9 This application follows our pre-application advice and shows the Operators commitment to suitably conclude operations at the site and restore it within the next 2 years. The recommendation to grant planning permission subject to a legal agreement and schedule of conditions is accordingly made.

12. RECOMMENDATION

Subject to the prior completion of a section 106 agreement, the Executive Director of Strategy & Planning be authorised to grant planning permission subject to the following conditions:

- 1 The development hereby permitted shall only be carried out in complete accordance with the details shown on the submitted plans and the recommendations contained within the reports, referred to below:
- L.01 Rev A - Restoration Concept (dated February 2018)
L.02 - Landscape Details (dated July 2016)
SUR/53-4 Issue W1 - Proposed Presettlement Levels (dated 01/2/15)
PHS-01 Issue F - Cells 1 to 7 Restoration Phasing Plan (dated 11/07/16)
PLA-01 Issue F - Application Boundary (dated 15/01/16) (Contours)
LA.01 - Site Overview (February 2016)
PLA-02 Issue W1 - Phase 4 Cells 1-7 (dated 18/01/16)
Cells 8-14 Restoration Phasing Plan (dated 18/06/16)

Figure 2 - Pound Bottom Compound Layout (dated 12/10/10)

Planning Statement (dated September 2017) which includes the following;

Phase 1 Habitat Survey (dated March 2016)

Restoration Design Statement (dated April 2016)

Litter Management Plan

Landscape and Restoration Management Plan (dated 26 February 2018)

Reason: For the avoidance of doubt and to ensure the satisfactory restoration of the site.

- 2 Except in the event of emergencies, or unless otherwise agreed in writing by the Waste Planning Authority, the waste management operations and restoration hereby approved shall only be undertaken between the following hours: 07:00 – 17:00 Mondays to Fridays and 07:00 – 13:00 on Saturdays. There shall be no working on Sundays or recognised public holidays. In the event of emergency access occurring outside of the permitted hours the Waste Planning Authority shall be notified in writing of the time and reason for the access within 7 days.

Reason: In the interests of local amenity.

- 3 The acceptance and deposit of non-hazardous waste and asbestos waste (i.e. the landfill operation) shall cease on or before 31st May 2018. The operator will confirm in writing, within 28 days of the cessation of the landfill operation that it has ceased.

Reason: To secure satisfactory restoration of the site.

- 4 The restoration of cells 1 – 7 in Phase 4 shall be completed in accordance with the phasing details shown on drawing no. PHS/01 - Issue F and shall be completed on or before 31st December 2019.

Reason: To secure satisfactory restoration of the site.

- 5 The restoration of cells 8 – 14 in Phase 4 shall be completed in accordance with the phasing details shown on Cells 8-14 Restoration Phasing Plan (dated 18-06-16) on or before 31st December 2019.

Reason: To secure satisfactory restoration of the site.

- 6 The landfilling and restoration shall be completed in accordance with the pre-settlement levels shown in drawing no. SUR/53-4 - Issue W1 on or before 31st December 2019..

Reason: To secure satisfactory restoration of the site.

- 7 The restoration of the site shall be completed in accordance with drawing L.01 Rev A Restoration Concept and the details of the Landscape and Restoration Management Plan on or before 31st December 2019.

Reason: To secure satisfactory restoration of the site.

- 8 Only inert material for use in restoration works shall be stockpiled within the area shown on drawing no. CSG/A077797/PLA/02 Rev A. Stockpiles shall not exceed the levels shown on drawing CSG/A077797/PLA/03 as referenced from the approved datum point located as show on drawing CON-01.

Reason: In the interest of public amenity and to protect the landscape of the National Park.

- 9 The use of the land shown on drawing no. CSG/A077797/PLA/02 Rev A for stockpiling shall cease and the land restored in accordance with the pre-settlement levels shown in drawing no. SUR/53-4 Issue W1 on or before 31st December 2019.

Reason: To ensure the full and satisfactory restoration of the site.

- 10 The ditch forming the boundary of the stockpiling area to the north and east adjacent to the Site of Special Scientific Interest and Special Area of Conservation shall be retained and kept clear of all tipped material.

Reason: To protect the features and designation of the SSSI and SAC.

- 11 All structures forming the site office and welfare facilities, and the site weighbridge, shall be removed from the site and the land restored in accordance with the details shown on drawing L.01 Rev A and the details of the Landscape and Restoration Management Plan on or before 31st December 2019.

Reason: To ensure the full and satisfactory restoration of the site.

- 12 The former wheel wash area shall be restored in accordance with the details shown on drawing L.01 Rev A and the details of the Landscape and Restoration Management Plan on or before 31st December 2019. See point 7 of the covering email.

Reason: To ensure the full and satisfactory restoration of the site.

- 13 Within three months of the date of this permission a Leachate Management Plan shall be submitted to the Waste Planning Authority for approval in writing. The management plan shall make provision for a biennial review to evidence the ongoing requirement for this infrastructure. In the absence of this, or it is

concluded by the Waste Planning Authority the installation can be removed from the site, this shall be the case and the land restored within 12 weeks of that date in accordance with the details shown on drawing L.01.

Reason: To ensure the full and satisfactory restoration of the site and enable the Authority to review the ongoing requirements for leachate and landfill gas management following completion of landfilling.

- 14 Within three months of the date of this permission a Landfill Gas Infrastructure Plan shall be submitted to the Waste Planning Authority for approval in writing. The management plan shall make provision for a biennial review to evidence the ongoing requirement for this infrastructure. In the absence of this, or it is concluded by the Waste Planning Authority the installation can be removed from the site, this shall be the case and the land restored within 12 weeks of that date in accordance with the details shown on drawing L.01.

Reason: To ensure the full and satisfactory restoration of the site and enable the Authority to review the ongoing requirements for leachate and landfill gas management following completion of landfilling.

- 15 Unless otherwise agreed in writing by the Waste Planning Authority all restoration planting and aftercare shall be undertaken in accordance with details contained in the Landscape and Restoration Management Plan (26 February 2018) as shown on drawing L.01 Rev A. For the avoidance of doubt the aftercare period shall run for 10 years after completion of the restoration.

Reason: To secure satisfactory restoration of the site.

- 16 Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size or species, unless the National Park Authority gives written consent to any variation.

Reason: To secure satisfactory restoration of the site.

- 17 Unless otherwise agreed in writing by the Waste Planning Authority the management of litter shall be undertaken in accordance with the Litter Management Plan (as detailed in Appendix H to the Planning Statement (dated September 2017)). For the avoidance of doubt within 3 months of the cessation of landfill operations all litter deposited around the site shall be removed.

Reason: In the interests of public amenity.

- 18 Best practicable means must be used to ensure there is no noise or dust nuisance from the site. All mechanical equipment used on site shall be fitted with appropriate and effective silencers.

Reason: In the interests of public amenity.

- 19 No external lighting shall be installed at the site without the prior written approval of the Waste Planning Authority. Details shall include measures to prevent light pollution and to protect the landscape character of the surrounding National Park landscape. Development shall be carried out in accordance with the approved details and shall be retained thereafter in accordance with those details.

Reason: In the interests of public amenity and to protect the National Park landscape.

- 20 For the duration of the permitted waste management operations the site haul road shall be maintained so as not to result in the trafficking of mud from the site on to the public highway.

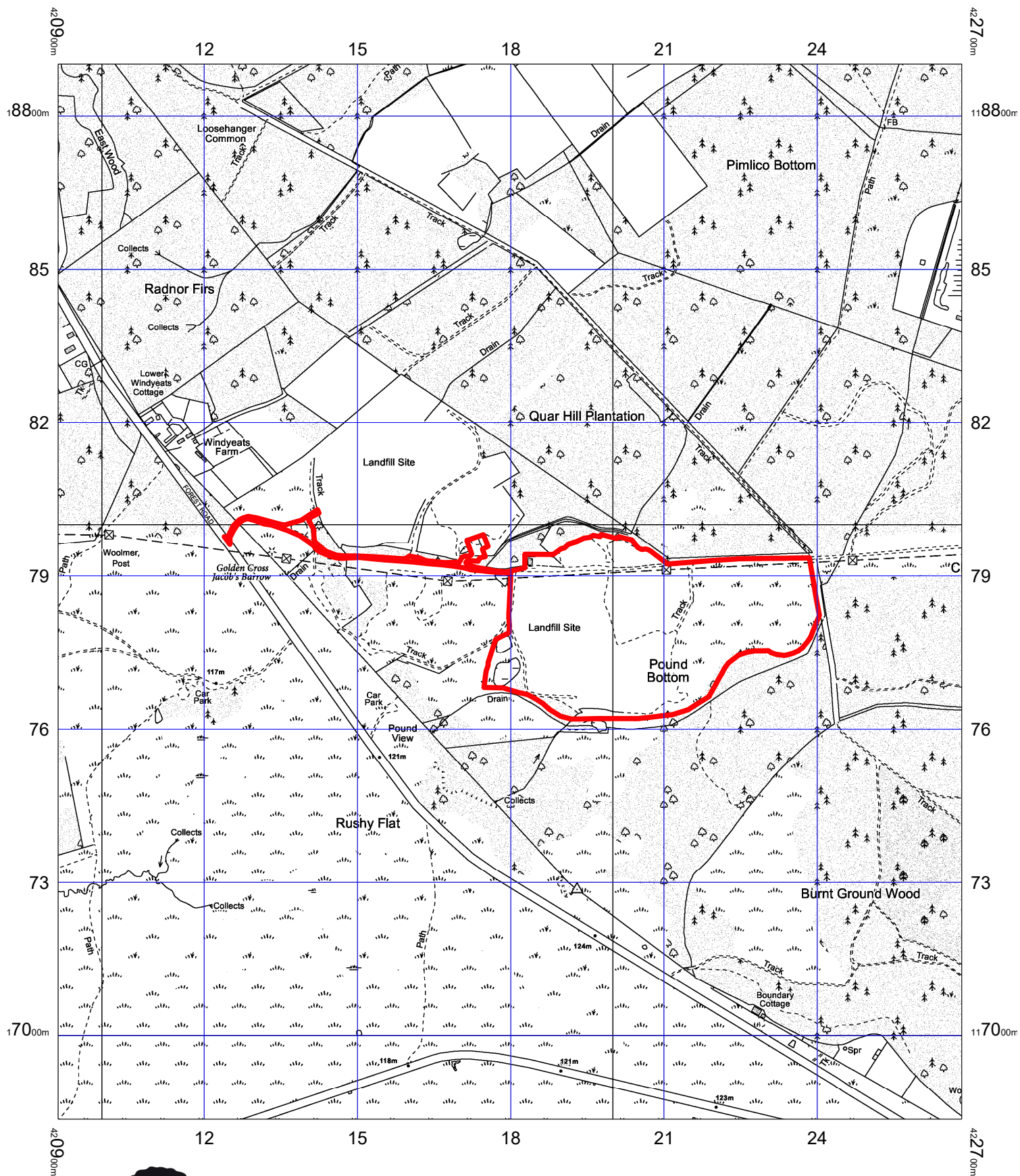
Reason: In the interests of public amenity.

- 21 All materials, machinery, waste materials and spoil shall be stored within the site as shown edged red on Dwg. PLA-01 Issue F. All contractors working on site shall be made aware of the designation afforded to the New Forest as a SSSI/SAC and shall be provided with a map that clearly shows the defined boundary of the SSSI/SAC in relation to the development site.

Reason: In the interests of protecting the New Forest Site of Special Scientific Interest in accordance with Policy CP2 the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 22 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no fixed plant or machinery, buildings, structures or erections, or private ways (other than private ways within the site of the approved restoration works) shall be erected, extended, installed or replaced at the site except those authorised by this consent, without the prior agreement in writing of the Waste Planning Authority.

Reason: To protect the amenity and landscape of the National Park.



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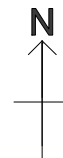
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