

**22111/031 West End Farm, Spollycombe Lane, Upper Froyle,**  
**CHANGE OF USE FROM IMPORTATION, SHORT TERM**  
**STORAGE, SHREDDING AND DISTRIBUTION OF GREEN WASTE**  
**FOR USE AS A SOIL IMPROVER FOR AGRICULTURAL TO A**  
**WASTE WOOD SHREDDING OPERATION.**

**FROYLE PARISH COUNCIL OBJECTS** to this application on the grounds that it conflicts with policies in the **Local Plan** and in the **Hampshire Minerals and Waste Core Strategy (HMWCS)** and that no evidence that would justify an exemption has been provided. The applicant has not engaged with the community to explain the rationale for their proposed development.

### **INTRODUCTION**

The previous application which permitted green waste recycling was for an agricultural process in which garden waste was shredded and ploughed into the fields as a soil improver, a process often referred to as 'shred and spread'. It was place-specific and could only take place at West End Farm (WEF). Permission was granted although contrary to policy because it was for an agricultural process.

The current application is for an essentially industrial process which could and in the view of Froyle Parish Council (FPC) should take place elsewhere.

FPC therefore suggest that this application should not be treated as a simple change of use but should be considered as a new application in which the applicant seeks to justify breaches of those policies designed to protect the countryside and prevent inappropriate industrial development outside the settlement boundary on the grounds that the benefits arising from the development outweigh the disadvantages.

### **NATIONAL PLANNING POLICY FRAMEWORK (NPPF)**

The **NPPF** directs that applications must be determined in accordance with the **Local Plan** unless material considerations indicate otherwise.

The applicant provides no such considerations which might justify a breach of policy making the application wholly unacceptable.

### **EAST HAMPSHIRE DISTRICT COUNCIL LOCAL PLAN**

The application is in direct conflict with **Policy GS3** of the **Local Plan** which seeks to protect the intrinsic character and natural beauty of the countryside.

#### **GS3**

*The countryside, defined as the area outside settlement policy boundaries, will be protected for its intrinsic character and beauty. Planning permission will not be granted for development within it unless all the following criteria are met:*

- a. it is necessary for farming, forestry, countryside recreation, small-scale tourism or any other genuine and proven need for which a countryside location is essential;*
- b. it would not harm the overall character, quality, tranquillity and appearance of the countryside;*

- c. *it would not harm the intrinsic local character of the landscape, sense of place or local distinctiveness; and*
- d. *the type and volume of traffic generated would not result in danger or inconvenience on the public highway, or harm the rural character of local roads.*

*Provided that:*

- i. *the development would not harm the overall character, quality, and appearance of the countryside, which shall be protected for its own sake; and*
- ii. *the type and volume of traffic generated would not harm the countryside.*

The application fails to satisfy any of the criteria which might permit an exception to this policy.

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The application is in direct conflict with **Policy IB3** of the **Local Plan** which seeks to resist industrial development (B2) in the open countryside.

**IB3**

*Planning permission for industrial or business development in the countryside will not be permitted unless it is for the reasonable expansion or intensification of an established industrial or business use within an existing site, provided it would not:*

- a. *result in an over-intensification of use on the site;*
- b. *harm the character or appearance of the site or of the countryside;*
- c. *generate traffic of a type or amount inappropriate to rural roads or, requires improvements which would harm the character of rural roads in the area, particularly sunken lanes;*
- d. *harm the amenity enjoyed by occupiers of nearby properties; or*
- e. *lead to excessive use of the car.*

FPC believes that the proposal would cause harm to the countryside, harm the character or rural roads and harm the amenity enjoyed by residents now and in the future. The value and amenity of this particular stretch of countryside will be of considerable value as and when the population of Upper Froyle doubles as a result of the Treloar development (see below).

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### **HAMPSHIRE MINERALS AND WASTE CORE STRATEGY (HMWCS)**

The application is in direct conflict with the **Hampshire Minerals and Waste Core Strategy (HMWCS) Policy DC13** which seeks to direct waste management activities away from the countryside to previously developed sites.

**Annexe 2 of the NPPF** makes it clear that the site at West End Farm does not meet the criteria for ‘previously developed land’ in that it has never been occupied by permanent structure. FPC believes that the site was used specifically for an agricultural rather than an industrial process and it was exclusively for that use that permission was previously given.

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The application conflicts with **HMWCS Policy DC3** which refers to the impact of a waste development has upon the landscape.

*DC3 - Impact on Landscape and Townscape*

*Minerals and waste development will only be permitted if due regard is given to the likely visual impact of the proposed development and its impact on, and the need to maintain and enhance, the distinctive character of the landscape or townscape. If necessary, additional design, landscaping, planting and screening, including planting in advance of the commencement of the development, should be proposed.*

FPC does not agree with the applicant's assessment of the importance of the landscape. Although technically not designated it is of equal value to the landscape which it overlooks on the other side of the Wey Valley which lies within the South Downs National Park.

While the visual impact of the recycling site is not great the noise and dust from the site will undoubtedly impact on the character of the place.

It will destroy the peace and tranquillity of the SINC during working hours and will almost certainly affect wildlife and deter visitors.

The enjoyment of walkers on the long distance St Swithun's Way which links Farnham and Winchester will be impacted by the noise of the recycling and that of the heavy lorries moving for much of the way in low gear.

FPC believes that in assessing the impact of the noise insufficient attention has been paid to the direction of the prevailing wind which blows straight towards the village and the very different nature of the material to be shredded. It seems unlikely that solid wood can be shredded as quietly as garden waste.

No landscape appraisal has been provided.

No amount of tree planting can mitigate the impact of the development on this very open landscape.

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The application conflicts with **HMWCS Policy DC4** which refers to the impact of a waste development has upon Historic Heritage.

*DC4 - Historic Heritage*

*Minerals and waste development will be granted if due regard is given to the likely effects on the need to protect and safeguard sites of archaeological, historical, and architectural importance, and the settings of these sites.*

The proposed lorry route passes through the Upper Froyle Conservation Area and in front of the grade II\* listed Manor House, and the grade II listed Manor Stables and Froyle House. Froyle Parish Council believes that it would be a matter of regret if at a time when a long overdue renovation of these listed buildings is under consideration, an ongoing increase in heavy goods traffic past them is authorised.

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The application conflicts with **HMWCS Policy DC6** which refers to the impact a waste development has upon highways and in particular the need to reduce 'extraneous heavy vehicles travelling on unsuitable local roads'.

*DC6 - Highways*

*Major mineral extractions, landfills and 'strategic' recycling, aggregate processing and recovery and treatment facilities, will be permitted provided they have a suitable access to and/or route to the minerals and waste lorry route as illustrated on the Key Diagram. In all cases, minerals and waste development will only be permitted if it pays due regard to the likely volume and nature of traffic that would be generated by the proposal and the suitability of the proposed access to the site and of the road network that would be affected. Consideration should be given to highway capacity, road and pedestrian safety, congestion and environmental impact, and whether any highway improvements are required and whether these could be carried out satisfactorily without causing unacceptable environmental impact.*

The policy recommends that waste management sites are located close to the source of the waste. There is no evidence that Froyle is a source of waste wood.

A more appropriate and sustainable site could for example be located next to the Froyle WRC. This has direct access from the A31, the main lorry route, and also has access to the rail network. Noise here would be less of an issue as would pedestrian safety. Lorry mileage would be reduced as would associated pollution and damage to local rural roads.

The application makes no attempt to justify siting an industrial recycling operation in open countryside at WEF. No attempt is made to argue that more appropriate sites are unavailable. The fact that there are other wood recycling sites operating locally is ignored. The application relies entirely on the need for waste wood recycling and the fact of the previous permission for recycling which as pointed out above was given as part of an agricultural process.

FPC understands that under the previous permission the number of lorry movements never approached the maximum permitted and that the activity was seasonal with less green waste being processed in the winter. If permitted there is every reason to believe that the waste wood recycling would operate at or close to the maximum permitted levels throughout the year. As a result the impact on the village of the current proposal would be much greater than that of the previous one.

FPC understands that the recycling of green waste at WEF ceased in 2010 when DEFRA redefined composting to exclude 'spread and shred'.

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FPC believes that **HMWCS Policy DC6** was insufficiently considered in relation to the original application and in the current pre-application advice. The following remain matters of concern to FPC:

- i Confusing signage at the A31 junction.
- ii The slip road at the Hen and Chicken junction is very sharp compared with that accessing the recycling centre on the opposite side of the A31. Vehicles waiting to turn right onto the A31 are very exposed.
- iii On-road parking outside the garage and pub blocks the road and could result in a tailback onto the A31.
- iv Pedestrians using bus stop, pub and garage shop.
- v Sharp right angle bend onto Hen and Chicken Hill (Ryebridge Lane).
- vi Lack of pedestrian foot path or refuge on H&C Hill. There are ditches on both verges.
- vii The road has a pronounced camber and is insufficiently wide for two lorries to pass. The kerb-to-kerb measurement of the road is under 15 feet. The combined width of two 20 ton lorries excluding wing mirrors is over 16 feet.
- viii Lack of tarmaced passing places as previously promised.
- ix Junction with the main access into Treloar site which eventually will see the construction of 60-80 new houses.
- x Impact on the long distance footpath St Swithun's Way.
- xi Impact on residents of West End Farm immediately adjacent to haul route.
- xii Previously it was found impossible to prevent lorries crossing the A31 when approaching and leaving Froyle rather than use the roundabouts.

FPC notes the report by the traffic engineer for EHDC. While not objecting to the application he draws attention to issues of pedestrian safety on H&C Hill and general safety at the A31 junction and the need for improved signage. He refers to the damage to the road caused by heavy lorries. He observes the need for safety along the rights of way.

What he does not appear to do is assess the application against the requirements of Policy DC6. It remains unclear to FPC exactly who makes this assessment.

Similarly the report by Highways Development Officer claims there will be no net impact on the highway network.

This appears to ignore the fact that the lorries returning from the site will be fully laden; that the previous process was seasonal and never operated at the maximum allowed. There is no requirement for a road condition survey despite the fact that previously the road was damaged by lorries accessing the site and had to be repaired at public expense.

The report makes no reference to pedestrian safety.

The report refers to the absence of accident data but omits to mention that the site has not been in operation for more than two years.

The report does not mention the need to prevent lorries crossing the A31 which was a significant problem during the construction of the haul route and remains a significant safety issue.

The report does not mention the imminent development of the Treloar site which will be accessed from Hen and Chicken Hill.

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The application conflicts with **HMWCS Policy DC7** which refers to the impact of a waste development has upon biodiversity.

*DC7 - Biodiversity*

*Minerals and waste developments will only be permitted if due regard is given to the likely effects of the proposed development on biodiversity and, where possible, proposals should conserve and enhance biodiversity. Development likely to adversely impact upon ‘regionally or locally designated sites or protected species’ – designated in adopted Local Plans or Local Development Frameworks – (including Sites of Importance for Nature Conservation (SINCs), Species of Principal Importance for Biodiversity, Regionally Important Geological Sites and Local Nature Reserves) shall only be permitted if the merits of development outweigh the likely impact.*

The proposed site for recycling is located alongside an award winning conservation area which has been designated a Site of Scientific Importance (SINC). FPC is concerned that the importation of diseased wood, for example wood containing ash die-back spores, could have a devastating impact on the ash trees growing in Round Wood, Walter’s Wood and Spollycombe Wood.

The public enjoyment of this conservation area will be greatly reduced by the noise and dust from the recycling operation.

The Wood Recyclers Association recognises the high risk of fire at waste wood recycling centres: ‘Given the quantities of flammable material ... fire is a significant safety, environmental and economic risk.’

FPC are concerned that a fire on site would be difficult to contain and would easily spread to the neighbouring woods. There is no mains water on site.

FPC believe that the existing earth banks on the proposed site are already providing environments for a wide variety of species as they revert back to nature. Their value as a wild life habitat alongside the conservation area greatly outweighs any advantage that the industrial recycling process could bring which is unlikely to have anything other than a negative impact on biodiversity.

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The application conflicts with **HMWCS Policy DC8** which refers to the impact of a waste development has upon pollution, health, quality of life and amenity.

*DC8 - Pollution, health, quality of life and amenity*

*Minerals and waste development will only be permitted if due regard is given to the pollution and amenity impacts on the residents and users of the locality and there is unlikely to be an unacceptable impact on health and/or the quality of life of occupants*

*of nearby dwellings and other sensitive properties. Where necessary minerals and waste developments should include mitigation measures, such as buffer zones between the site and such properties.*

While the EHDC Environmental Health Officer is sanguine about the proposal she does not distinguish between an agricultural process designed to improve the quality of the soil and a purely industrial one which could take place anywhere. FPC believe the difference to be crucial.

Those living in the countryside accept the inconvenience of agricultural activity. The annoyance of a combine harvester working into the night or tractors blocking the lanes with loads of potatoes is much easier to accept than the impact of the proposed industrial activity which while necessary has no need to be in open countryside.

### **EHDC SUPPLEMENTARY PLANNING DEVELOPMENT GUIDELINES (2012) FOR THE TRELOAR SCHOOL SITE**

This site lies either side of Hen and Chicken Hill. The document was produced following detailed discussion and involvement with the community during 2011. FPC believes the **Guidelines** support a number of assertions made above.

The **Guidelines** make frequent reference to the high quality of the landscape setting of Upper Froyle. A landscape assessment is currently in preparation by the developer of the Treloar site.

The **Guidelines** make frequent reference to the sensitivity and uniqueness of the village setting which lies immediately to the east of the lorry route. An updated description of the Upper Froyle Conservation Area is in preparation.

The **Guidelines** make it absolutely clear that no development will be permitted outside the settlement boundary.

At the EHDC meeting at which the guidelines were adopted a councillor described Upper Froyle as a gem in the district crown.

FPC understands that a planning application for the Treloar site will shortly be made and that this will involve the renovation and repurposing of a number of buildings, the demolition of others and the construction of approximately 60 new dwellings. This will almost certainly double the size of Upper Froyle over the next few years. FPC believes this increase in population should be a material consideration with regard to the application for West End Farm.

It will result in new patterns of traffic movement, more pedestrians and cyclists, more children, increased demand for access to the countryside and in particular to the countryside to the west of Upper Froyle.

Froyle is surrounded by attractive countryside which regularly attracts walkers, cyclists, horse riders and other county pursuits from outside the village. New developments on the Treloar site which may include a country club will draw in others who wish to enjoy the countryside. This will benefit the local economy. Froyle is a significant tourist destination. The annual gardens open day brings in a thousand visitors many of who return to the area to enjoy the countryside.

FPC believe it makes little sense to reduce the attractiveness of the surrounding countryside by imposing on it an industrial process together with year round, frequent heavy goods vehicle movements at a time when the village is facing a major redevelopment on the Treloar site.

### **FROYLE PARISH PLAN**

A recent survey (June 2012) of residents of Froyle, conducted as part of the development of a Parish Plan with a response rate of over 90%, makes it very clear that residents value the surrounding countryside very highly (80%), attractive views (79%) and the peace and tranquillity (70%).

Anxiety was expressed about pedestrian safety and the damage done to rural lanes by heavy vehicles (88%).

### **CONCLUSION**

A major thrust of the **NPPF** is that permission should be granted for developments where the adverse impact is more than outweighed by the advantages. In the view of FPC the disadvantages of the application to the community heavily outweigh any possible benefit.

FPC believes that if an exception is made to policy, the permission granted should not subsequently be transferable to an altogether different activity albeit superficially similar, but should be treated as a new application and subject to a full and detailed appraisal against the relevant policies. To act otherwise would undermine confidence in the fairness of the planning process and provide opportunities for the process to be subverted.

FPC has no objection whatsoever to the concept of recycling. However the council believes that the application which involves bringing HGVs through a dangerous junction, up a narrow lane with no pedestrian footpath or refuge, past the entrance to a major redevelopment of 60+ houses, through a conservation area with a number of listed buildings, and then 600 m across open countryside alongside a well-used long distance footpath to finish by a SINC is entirely inappropriate within the meaning of the **HMWCS** and the **EHDC Local Plan** and conflicts with Hampshire County Council's priorities of securing strong safe communities, maximising well-being and enhancing the quality of place. The proposal also conflicts with the wishes of the majority of residents of the Parish of Froyle.

Were the committee minded to agree the change of use FPC believe the conditions attached to the permission should included the following:

- 1 A S106 agreement which provides for real and identifiable safety improvements at the A31 junction
- 2 The provision of a footpath to ensure pedestrian safety at all points along the lorry route
- 3 A road condition survey to ensure any damage to the roads do not have to be repaired at public expense

4 The monitoring of vehicle movements at the A31 junction and sanctions for any breaches of the agreed lorry route for example crossing over the A31.

5 The provision of tarmac passing places on Hen and Chicken Hill.

6 A review after 2 years with full community engagement and full details of how this review will be conducted and the process by which permission will be extended or terminated.

7 The site should operate in accordance with Publicly Available Specification (PAS 111:2012) to ensure effective management of the site and to reduce the risks of fire and contamination.

8 The size and weight of the lorries visiting the site shall be limited to 20 tons and the weights shall be monitored along with the movements. The speed of vehicles shall be limited to 10mph on the haul route and 5mph along the right of way and where the haul route crosses the right of way.

Please note that at the time of the previous application for West End Farm (22111/028) the comments sent in by Froyle PC objecting to the application, although acknowledged by HCC, were omitted from the committee report and the impression given that the village did not object. We would therefore be grateful if care is taken to incorporate our comments as fully as possible.

Previously FPC was not invited to the committee meeting to discuss the original application. We would like to make it clear that the council wishes to be represented at the committee meeting.

Please could you acknowledge receipt of our comments.