

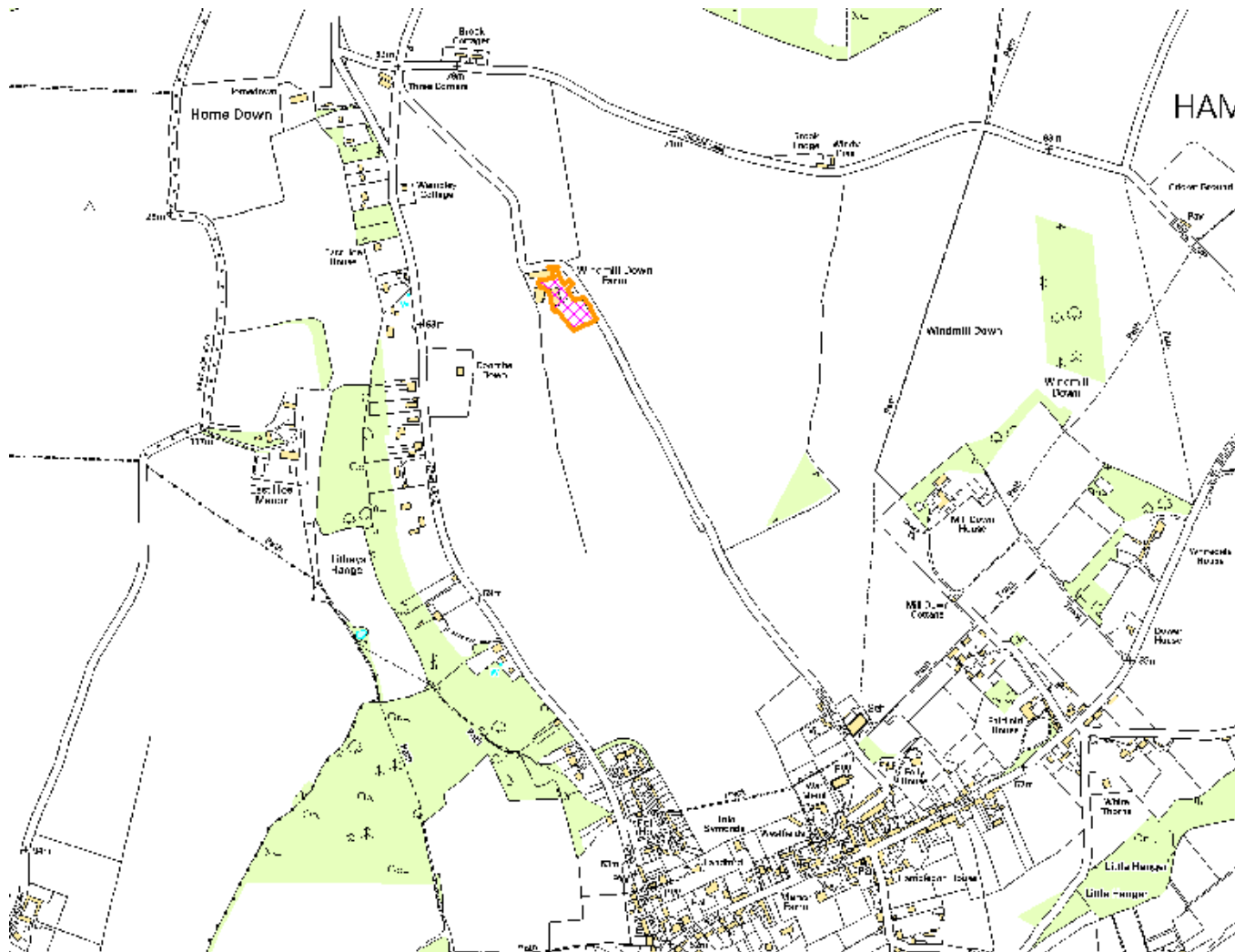
Agenda Item 11
Report PC24/25-06

Report to **Planning Committee**
Date **12 September 2024**
By **Director of Planning (Interim)**
Local Authority **Winchester City Council**
Application Number **SDNP/23/04750/CND**
Applicant **Mr M Hill**
Application **Variation of Conditions 4, 9 and 14 and removal of Condition 10 relating to planning approval SDNP/23/02143/FUL, to allow for changes to the vehicle movements and highway restrictions**
Address **Windmill Down Farm, Church Lane, Hambledon, Hampshire, PO7 4RT**

Recommendation:

- 1) That planning permission be refused for the reason set out in paragraph 9.1 of this report.**
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Site Location Map



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Executive Summary

Key Matters

- The site is in a countryside location to the North of Hambledon and is accessed via Church Lane which joins Green Lane (B2150) immediately south of the junction with Brook Lane. Church Lane is a lightly trafficked, single rural lane leading to the eastern end of the village, which is to the south of the site.
- Full permission was granted in 2023 for the continued operation of a soil recycling facility subject to a number of restrictive conditions. The current application seeks Variation of 3 of the conditions on the previous permission in order to increase the tonnage of inert soils, sand bark, manure and compost being transported to the site from 10,000 tonnes to no more than 40,500 tonnes (Condition 4), to increase the overall maximum total of vehicle movements per week from 80 vehicle movements to 90 HGV movements (Condition 9), and for the size of vehicles delivering or exporting from the site to be increased from an 8 wheel 4 axle truck (with maximum carry weight of 20 tonnes) to a 44 tonne Gross Vehicle Weight (GVW) (Condition 14). In addition, the applicant seeks removal of another condition (condition 10 – which restricts the number of HGV movements per week and sets a maximum movements per day) arguing that the amendments to Condition 9 are sufficient with no need for Condition 10.
- The applicant has applied for the variations stating that the existing tonnage restriction is unreasonable and unrealistic commercially. In addition, they confirm that they need to amend the condition in relation to vehicular movements for operational reasons for the business.
- Whilst the applicant's aspirations for the site are noted, it is considered that the proposed amendments to the conditions would neither conserve nor enhance the National Park in this location and would have a deleterious impact on the tranquillity and landscape character of this sensitive location and refusal is therefore recommended.
- The application is placed before members given previous consideration of the Recycling facilities for the site.

1. Site Description

- 1.1 The site is in an isolated rural area, is relatively flat and surrounded by agricultural fields. Church Lane takes a 90 degree turn when approaching the site from the north before accessing the site on the right. Church Lane continues by then turning sharply in a southerly direction past the farm on the right before dropping down into the village of Hambledon.
- 1.2 The nearest residential properties are to the west across the fields on Green Lane, however, the residential property at the northern end of Church Lane is arguably mostly affected by the vehicular activity associated with the farm and the soil recycling activity, given that they have to access and egress from the site along Church Lane.
- 1.3 Windmill Down Farm is a 641 acre arable farm. The site entrance is utilised by vehicles in connection with the soil recycling operation and the farm.
- 1.4 The soil operating facility includes soil screening and storage areas, associated offices, covered storage for processed topsoil, fuel storage tank and a vehicle equipment storage area.
- 1.5 The soil in connection with the facility is stockpiled in the southern part of the yard and is restricted by condition on an earlier approval to remain no higher than 3m.

2. Relevant Planning History

- 2.1 SDNP/23/02143/FUL - Retention of existing soil recycling facility to import, store, screen blend and transfer inert soils and to import and store bark, sand, manure and compost for the purpose of recovering and recycling soils. Approved 29 August 2023
- 2.2 SDNP/22/03825/FUL - Full and permanent planning application for the importation, storage, screening, blending and transfer of inert soils and the storage of bark, manure

and compost. Withdrawn 22 May 2023.

- 2.3 SDNP/22/00967/PRE - Existing Soil Recycling Facility At Windmill Down Farm, Hambledon, Hampshire. Advice issued 21 April 2022.
- 2.5 SDNP/17/04623/FUL - Small-scale soil recycling facility. Temporary permission 19 February 2018.
- 2.6 12/00713/SHCS HCC - Inert soil waste transfer station use since August 2007. Temporary permission for 5 years. Approved 25 September 2012 (HCC).

3. Proposal

- 3.1 This application follows the approval in 2023 for permanent use of the site to continue to operate as a soil recycling facility following a temporary permission granted in 2018. The business involves the importation of inert soils and hardcore which is screened for processing and exportation by the operator. The changes in the 2023 approval included the allowance for the blending of top soil, importation and storage of bark, sand, manure and compost for the recovery and recycling of soils. The on-site storage tonnages were increased from 3,000 tonnes to 5,000 tonnes to facilitate flexibility for variations of soil availability throughout the year and to accommodate the additional material types.
- 3.2 The approval of the most recent permission in August 2023 was followed by the submission of the current application in November 2023.
- 3.3 The current application seeks variation of the following conditions which were attached to the most recent permission:

3.4 Condition 4

Existing wording:

No more than a total of 10,000 tonnes of inert soils, sand, bark, manure and compost a year shall be transported to the site.

Reason: In the interests of the amenity of the area.

Proposed wording:

No more than a total of **40,500** tonnes of inert soil, sand, bark, manure and compost a year shall be transported to the site.

Applicant’s Reasoning:

The applicant considers that the existing restriction to 10,000 tonnes is unreasonable and unrealistic and that no similar business could operate within this limit commercially.

3.5 Condition 9

Existing wording:

There shall be an overall maximum total of 80 vehicle movements (each way) per week and no more than 15 vehicle movements (each way per day).

Reason: The application has been assessed on the basis of the submitted transport information and to limit the volumes of traffic in the interests of amenity of residents on and near the approaches to the site.

Proposed wording as submitted with application:

There shall be an overall maximum total of **90 HGV** movements (each way) per week and no more than **15HGV** movements (each way per day) **this is based on six days (worst case)**.

Proposed wording as amended during course of application:

There shall be an overall maximum total of **90 HGV** movements (each way) per week and no more than **15 HGV** movements (each way per day) **(within which an allowance of no more than 5 artics (each way) per week only)**.

Applicant's Reasoning:

The applicants argue that this only works out at 1.36 HGV movements per hour. They also confirm that 15 vehicle movements each way per day over 6 days equates to 90 vehicle movements (not 80) as per the existing condition 9, being irrational and not stacking up with other parts of the extant permission. They argue that they are not increasing vehicle movements but simply making the condition more realistic operationally.

3.6 Condition 14

Existing wording:

The size of vehicle delivering to or exporting material from the site must not exceed an 8 wheel, 4-axle truck with a maximum carry weight of 20 tonnes.

Reason: In the interests of the amenity of the area.

Proposed wording:

The size of vehicle entering or egressing the site must not exceed **44t Gross Vehicle Weight (GVW), unless there is a low-loader moving machinery for upkeep/replacement and or maintenance off site.**

Applicant's Reasoning:

The applicants argue that there is no vehicle weight restriction on the road leading to the site or any access/turning issue either, and the farm are allowed 44t GVW vehicles in and out of the site.

3.7 In addition to the proposed variations to conditions outlined above, the applicant proposes the removal of Condition 10 of the recent approval, which states:-

Condition 10

The overall total vehicle movements hereby permitted by condition 9, shall include a maximum of 45 HGV movements (each way) (over 16.5 tonne) per week and a maximum of 9 HGV movements (each way) (over 16.5 tonne) vehicle movements per day.

Reason: To limit the volumes of traffic in the interests of the amenity of residents on and near the approaches to the site.

Applicant's Reasoning:

The applicant argues that, should members be minded to approve the variations to conditions 4, 9 and 14, which would control volumes and types of traffic, there would be no need for Condition 10.

4. Consultations

4.1 **Highways Authority:** No objection, subject to retention of all other previous highway conditions associated with the site.

- Proposed Condition 4: As HGV movements are controlled by conditions 9 & 10, no objection to the proposed changes to this condition.
- Proposed Condition 9 and removal of condition 10: It is the Highway Authority's understanding that Condition 9 was set at 80 vehicles as it was indicated that the site would operate for 5.5 days per week with a maximum of 15 HGV movements per day. If the site is to operate for 6 full days and therefore requires a weekly limit of 90 HGVs each way, the Highways Authority is satisfied that this will not have a significant impact on the highway as long as the daily limit of 15 each way per day is retained and adhered to.
- Condition 10 restricts the number of HGVs to 45 (each way) of the 80 (each way) permitted per week and 9 (each way) of the 15 (each way) per day in the interests of the amenity of residents on and near approaches to the site. In the Highway Authority's response to application SDNP/17/04623/FUL, the daily vehicle limit of 15 each way was assumed to refer to HGVs and the Highway Authority therefore has no objection to the

removal of the condition although it is recognised that the Planning Authority may want to retain it for amenity reasons.

- Condition 14: The Highways Authority has no objection to a change in the weight limit of vehicles accessing the site on the understanding that they will still be able to manoeuvre in and out of the site without impediment or damage to the highway or the public right of way (route number 104/37/1) situated opposite the site entrance.

4.2 **Hambleton Parish Council:** Objection.

- Condition 4: SDNPA established a very clear limit of 10,000 tons. It was clearly deemed that this was a limit that would preserve the amenity of the area. Raising this limit fourfold would be counter to SDNPA Policy SD7.
- Condition 9: There are two parts to this condition. One is the weekly limit of 80 vehicles, and one is the daily limit of 15 vehicles. The weekly limit is designed to preserve the amenity of residents on and near the approaches to the site over the course of a working week. The daily limit ensures that the operator does not breach the daily limit on any day even though the weekly limit would be maintained, again to preserve the amenity of residents on and near the approaches to the site. The daily limit is separate to the overall weekly limit.
- Condition 14: The applicant has missed the fundamental point that SDNPA has sought to limit the size of vehicles entering the site having driven in close proximity to residents precisely because it is in the interests of the amenity of the area, not because it is unaware that 44ton GVW vehicles are permitted on the public highway. The applicant's proposals would permit very large vehicles from entering/leaving the site and militate against that amenity.
- Condition 10: Condition 10 reinforces condition 4, 9 and 14. It provides clarity to both the applicant and to residents of what is permitted. The Parish Council rejects the applicant's opinion on the six tests as applied to the condition.
- Disappointing that the applicant seeks fundamental changes to conditions so soon after SDNPA's considered conditions were imposed. Shows scant consideration for local residents or other users of the National Park

4.3 **Landscape:** Objection.

- Have seen piecemeal intensification of the use at the site. Most recent changes go beyond this landscape's capacity to receive them without causing negative impacts upon this landscape.
- **Condition 4:** This implicates the storage area available, which is restricted elsewhere in the permission. This increase could presumably only happen with a greater number of vehicle movements and/or larger vehicles. Therefore, would suggest this change cannot be agreed without the below condition(s) also. So, whilst an increase *per-se* may not necessarily cause landscape or visual harm, (as long as the restriction on stockpile size remains), the traffic and / or increase in HGV size could.
- It is perhaps worth noting that the retrospective application SDNP/17/04623/FUL described the scheme as a 'small-scale soil recycling facility'. It is the scheme's small-scale nature which makes it acceptable in such a constrained and highly rural landscape. The changes that have been made incrementally over time, should be reviewed to ensure, if permitted, the scheme continues to be a small-scale operation and works within the constraints of this landscape. The retrospective scheme was given permission for 5000 tonnes/yr. It is now 10,000 and the applicant wishes it to be 40,500. This represents a significant increase in scale, with potential negative effects upon landscape, views and visual amenity. The capacity of this landscape to continue to absorb increases of this nature without negative effects is highly limited.
- **Condition 9:** This change can only negatively affect Policy SD21 (2) by reducing the amenity value of a narrow rural route. The Site is located in the [Downland Mosaic](#)

Landscape Character Area (LCA). The lane here is an important historic landscape feature, but also contributes a key link between other routes for pedestrians and cyclists. Rural lanes such as this contribute positive amenity and experiences, especially as in this case they form part of a historic network of access routes. The impacts of the additional traffic proposed on this highly rural landscape should be a key consideration.

- The site experiences some of the higher levels of tranquillity identified within the National Park. More frequent vehicle movements also will undoubtedly fail to conserve current levels of tranquillity and is considered contrary to SD7 1 (a-c). The proximity of the footpath and likely use of the lane by pedestrians as part of the network of rights of way should also be a consideration in terms of people being impacted by this.
- **Condition 14:** Church Lane at its narrower points, both north and south of the site, is c.2m wide. The application has not set out the implications of this change upon the character and condition of the historic route of Church Lane. Lorry widths (for 44 tonne articulated trucks are understood to be around 2.5m.
- Addressing the condition and sensitivity of this historic route, highlighted by Policy and LCA evidence is important and currently not demonstrated in the information provided. This proposed change in combination with the increase in vehicle movements could fail to conserve and would not enhance this existing landscape feature which contributes to the distinctive character of this landscape, contrary to SD4 and 21.
- The application does not present any other information which might lead to a different conclusion. Equally, matters such as whether there is sufficient clearance beneath trees along the lanes are not mentioned, this potential harm remains a possibility.
- The LCA evidence reflects the sensitivity of the rural lanes in this landscape.
- 'The Downland Mosaic landscape type is easily accessible by car and on foot with a network of minor roads and public rights of way'. This is found at this site and should be maintained.
- 'Avoid road 'improvements' that would alter the rural character of the unmarked lanes.' This suggests the rural character of these unmarked lanes is sensitive to change.
- 'The settlement pattern is dispersed across the downland with nucleated villages on the dip slope of the downland e.g. Hambledon, linked by a network of narrow rural roads.' Narrow rural lanes, is a noted characteristic of this landscape and therefore an important feature to conserve and enhance.

5. Representations

5.1 8 objections have been received, which raise the following:

Objections

- Conditions were designed to provide some enforceable mechanism to limit adverse impact on the local community and wider public enjoying the tranquillity of the park, such as on the Wayfarers Walk.
- This is simply trying to override the permission that was granted.
- Proposed changes are significant and not mere tweaks.
- After permanent permission secured, only a few months later it is claimed the permission isn't working.
- Lifting of restriction to allow 40,000 tonnes and a fundamental change to vehicle movements.
- Residents monitoring suggests applicants exceed tonnage limits and vehicle movements regularly.
- Applicants are using permitted vehicle movements as a means to increase annual tonnage.

- Current conditions control site which in turn protects road conditions, hedgerows, noise of lorries and the soil processing machinery.
- SDNPA allowed the blending of soils with compost, sand, bark, manure and compost but still applicants state that the SDNP are suffocating their business. If this is so then clearly the site is not suitable.
- Unsure how they propose to accommodate extra tonnage on site. It was always stated that the constraints of the site would restrict them to 10,000 tonne limit (hence their request in previous permissions not to have a tonnage restriction).
- Whilst calculated at 1.36 movements per hour it will not be evenly spread over the day or week.
- Applicant states it would not be reasonable for SDNP to request a passing point. Locally would not wish to see hedgerow removed and tarmac laid, yet applicant previously sought a separate access.
- Traffic assessment seeks to regularise the exit route behind a residential property. It is not a direct route towards Droxford and causes untold damage at the junction.
- Currently enough noise at the site without a substantial increase. South Downs needs to be protected from heavy industry and noise.
- Farm may be allowed 44t vehicles but such farm movements occur very infrequently.
- New proposals will cause a further deterioration to the amenity of the area.
- Church Lane is now a no go area for pedestrians due to volume and speed of lorries.
- Have suffered damage to wheels/tyres on cars when pulling as close as possible to nearside of the road to avoid collision with the oncoming vehicles operated by the applicant.
- The previous permission granted what the applicant had sought (“*the development staying the same operating within the restrictions of the previous permission*”). The applicant’s response is to seek to undermine the permission granted, thus ditching its statement which it had described as its considered view.
- The agent’s supporting letter misrepresents the changes sought as highway conditions, when it is clear that the most important item is the annual tonnage limit.
- Applicant is using the increased storage capacity as a basis for attacking the daily HGV limit, when the relationship between the two was expressly raised by SDNP in its request for information.
- Letter of November 2023 suggests an annual tonnage limit of 40,500 tonnes based on maximum HGV daily limits. HGV limits are daily maxima, allowing for variations between individual days and therefore provide no evidential basis for an absolute import tonnage limit.
- There should be a flat 18 tonne vehicle limit.
- 40,500 figure makes a nonsense of applicant’s previous “estimated annual tonnage of 15,000,
- Applicant appears to have conceded the case for an annual tonnage import limit. The only evidence supports the annual limit of 10,000.
- No objection to smaller loads if that were possible.

5.2 Objection from County Councillor Humby raising the following:-

- Existing use is already excessive and inappropriate for a rural area such as this with narrow lanes
- Lorries on narrow lanes damage the verges and provide a danger to other road users.

Quality of the roads is also a testament to the damage caused.

- Any change leading to an increase in use should be resisted, especially given purported breaches.
- A quadrupling of tonnage will inevitably lead to more lorry movements and cannot be accommodated on site. In addition, so called flexibility in movements means in practice a free for all with potential damage to the amenity of local residents, visitors to the area and to the National Park.
- There will also clearly be a visual impact with larger piles and a noise impact, affecting the tranquillity of the Park.
- This use should be located elsewhere close to suitable roads.

5.3 Letter from Applicant's agent in support of scheme responding to issues raised by the case officer.

- In response to Policy SD19: There are no other ways of travelling to the site than by road. Site benefits from a permanent permission for a well-established waste use.
- Minor alterations do not give rise to significant new journeys.
- No safety concerns received from the Highways Authority.
- Given isolated location points there are limited improvements, if any, which the applicant could make locally.
- Site does not fall within a town or village centre. Point 5 of policy is not triggered.
- Para 6.6 refers to 'new development' whereas this is not new development. Para 6.6 refers to private vehicles being kept to a minimum, but this proposal does not seek to increase private vehicles.
- In response to Policy SD20: Parts 2 & 3 have no relevance to proposals.
- Applicant could contribute to non-motorised routes but it is considered this is an excessive option.
- No public links through site is considered to be credible and surrounding area is private farmland.
- All existing rights of way in the locality of the site will remain unaffected.
- In response to Policy SD21: Development proposals and vehicles using the site will continue to do so safely. Highways Authority raise no concerns.
- Biodiversity, landscape and amenity value will not be affected and ecology and landscape officers raise no objection (*case officer comment: applicant made aware now of landscape officer objection*).
- Site layout is restricted by established boundaries and no significant changes being sought with respect to layout.
- Parts 4 & 5 have no relevance to proposals sought.
- In response to Historic Rural Roads Document: We assume Church Lane is a historic rural road albeit this is inconclusive.
- Church Lane and vegetation is maintained by the farmer. It is in the interests of the farmer to ensure the regular upkeep of the verges.
- No removal of hedgerows is proposed, no new access point is proposed and no new physical alterations to the road.
- The waste development did not trigger the need for a Design and Access Statement.
- Para 6.31 of Local Plan not relevant to this application.

- Para 6.32 – The nature of development proposals is considered to be sustainable. Without the business, customers would have to travel further afield to the detriment of the SDNP.
- General Comments: Landscape character and tranquillity of the area will not be affected adversely. No concerns from Landscape Officer or Environmental Health Officer.
- NPPF says that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or the residual impacts on the road network would be “Severe”.
- Difficult to understand how scheme is not in accordance with the Roads in the South Downs document.
- Implementation of the planting plan is a separate matter and has no relevance to this application.
- We are not able to change the red line boundary with this application as it is a S73 application.

6. Planning Policy

6.1 Most relevant polices of the Hampshire Minerals and Waste Plan (2013)

- Policy 1: Sustainable minerals and waste development
- Policy 2: Climate change and mitigation
- Policy 4: Protection of the designated landscape
- Policy 8: Protection of soils
- Policy 10: Protecting public health, safety and amenity
- Policy 12: Managing Traffic
- Policy 13: High quality design of minerals and waste developments
- Policy 25: Sustainable waste management
- Policy 27: Capacity for waste management development
- Policy 30: Construction, demolition and excavation waste development

Hampshire Minerals and Waste Plan – Partial Update, Regulation 22 Submission of Plan for independent examination, July 2024. The update to the plan can be given some weight at this time given the stage of the partial update.

6.2 Other Relevant Documents

- National Planning Policy for Waste (NPW) 2014
- National Planning Practice Guidance
- A Green Future: Our 25 year Plan to improve the Environment (2018)
- The Waste Management Plan for England (2021)

6.3 Most relevant polices of the adopted South Downs Local Plan (2019) (a longer list of other relevant policies and legislation can be found in Appendix 1)

- SD4: Landscape character
- SD7 Relative tranquillity
- SD19: Transport and accessibility
- SD20: Walking, Cycling & Equestrian Routes
- SD21: Public Realm, Highway Design and Public Art
- SD34: Sustaining the Local Economy

- 6.4 Relevant supplementary planning documents (SPD) and other guidance
- Biodiversity Net Gain TAN
 - Ecosystems Services TAN
 - Dark Night Skies TAN
 - Hambledon Parish Village Design Statement (2021) (HVDG9, 16 & HVDG17 of particular relevance)

- 6.5 Most relevant sections of the National Planning Policy Framework (NPPF) 2024
- Section 2: Achieving sustainable development.
 - Section 6: Building a strong, competitive economy
 - Section 15: Conserving and enhancing the natural environment.

- 6.6 Most relevant policies of the South Downs Management Plan (2020-2025)
- Policy 1 – Landscape
 - Policy 3 – Tranquillity and dark night skies
 - Policy 40 – Managing highway Network
 - Policy 55 – Opportunities for diversified economic activity
 - Policy 57 – Managing Waste

7. **Planning Assessment**

Principle of development

- 7.1 The general principle of development has been accepted by the recent (2023) granting of permanent approval for the use of the site as a soil recycling facility. In particular, it was noted that Policy 4 (Protection of designated landscape) of the HMWP 2013 does not preclude small-scale waste management facilities provided they can be accommodated without undermining the objectives of the designation of the National Park. The Authority have a responsibility to ensure that there is sufficient waste management capacity in their area to move waste up the waste hierarchy and away from landfill.
- 7.2 Whilst the general principle of development as recently permitted is considered to be acceptable, the main consideration with regard to the proposed variation of conditions attached to the permission is whether they can be accommodated without undermining the objectives of the designation of the area as a National Park. More succinctly, would the amendments conserve or enhance the landscape character of the Park? This is considered below.

Landscape impact

- 7.3 The landscape is generally open rolling downland with the site sitting on lower lying land within Landscape Character Type D: Downland Mosaic and Landscape Character Area D2b Hambledon and Clanfield Mosaic open with D2a enclosed to the south as defined by the SDNPA Landscape Character Assessment 2020. Within the wider area, there are a number of woodland areas, Brook Copse to the north east, Upper/Lower Grenville Copse to the northwest and Lithey's Hanger on higher ground to the southwest. Public Right of Way 104/37/1 is located opposite the site entrance.
- 7.4 Policy SD4 (Landscape Character) of the Local Plan confirms that proposals will only be permitted where they conserve and enhance landscape character by demonstrating that they will safeguard the experiential and amenity qualities of the landscape.
- 7.5 The site area is not proposed to be altered from the existing permission. There would be no change to the existing surrounding fields or mature vegetation along Church Lane along the northern and eastern boundary of the site (although the increase in vehicular activity, size of vehicles and tonnage delivered to the site would arguably impact on the boundary hedgerows along this narrow lane, with no passing places to the north of the site). The

applicant confirms that the increased delivery of soil will not require an increase in the height of the stockpiles and these would be retained at no greater than 3m in height. As noted on the previous approval, the visual impact on the landscape character would be minor to negligible in most respects. The site itself is well contained within the landscape and is closely associated with the existing farm buildings.

- 7.6 Notwithstanding the above, it is considered that the proposed increases in vehicular trips to and from the site together with an increase in the size of vehicles and delivery of soil (to 40,500 tonnes) will have a material and harmful impact on the relative tranquillity of the surrounding area.
- 7.7 Policy SD7 of the South Downs Local Plan specifically states that development proposals will only be permitted where they conserve and enhance relative tranquillity. In particular, it confirms that proposals should consider the following: -
- a) Direct impacts that the proposals are likely to cause by changes in the visual and aural environment in the immediate vicinity of the proposals.
 - b) Indirect impacts that may be caused within the National Park that are remote from the location of the proposals themselves such as vehicular movements; and
 - c) Experience of users of the PRoW network and other publicly accessible locations.
- 7.8 In addition, the policy requires that proposals in highly tranquil and intermediate tranquillity areas should conserve and enhance, and not cause harm to, relative tranquillity.
- 7.9 The Hambledon Village Design Statement (2021), in talking about Tranquillity, mentions that the countryside around the village is largely tranquil and quiet. It specifically mentions that the soil recycling facility does lead to localised noise pollution (Page 23). The Statement does have two particular guidelines relevant to these proposals. HVDG 9 states that the existing rural character of all approaches to the village should be conserved and enhanced. HVDG 16 also states that proposals which would adversely impact the relative tranquillity of the village should not be permitted.
- 7.10 Policy SD21 of the Local Plan confirms that development will not be permitted where it would reduce the biodiversity, landscape and amenity value and character of historic rural roads. It goes on to confirm that particular attention will be given to new access points and other physical alterations to roads, and to the impacts of additional traffic. Paragraph 6.29 of the explanatory text confirms that both development proposals themselves, and their off-site traffic impacts, may impact on historic rural roads.
- 7.11 The consideration of the earlier application was considered to be balancing the needs of an existing business which contributes to the soil recycling facilities as supported in the Hampshire Minerals & Waste Plan, with the conservation and enhancement of the Park. The approval with the considered wording of the variety of conditions was considered on balance to be acceptable.
- 7.12 It is however considered that there has to be a limit as to how much the surrounding (rural) area can absorb in terms of activity along the surrounding rural roads (and Church Lane in particular) without starting to adversely impact the existing levels of tranquillity.
- 7.13 The proposed increase in delivery of soil from 10,000 to 40,500 tonnes, with the capacity to use significantly larger vehicles along a narrow rural lane could not be argued to conserve or enhance the character of the area.
- 7.14 The applicant's agent considers that the alterations proposed do not give rise to a significant number of new journeys from the established baseline, however officers consider that the proposals would result in additional disturbance on a frequent basis (as for example vehicle movements will occur most days) and there comes a point when changes to restrictions will cease to conserve or enhance the relative tranquillity of the surrounding rural area.
- 7.15 It must also be noted that the amendments to the conditions will increase both the vehicular activity to the site and the size of vehicles used. Church Lane is a narrow historic rural road, with no passing places. Whilst it is acknowledged that the Highways Authority have not objected to the application, it is clear that the increased intensity of activity will not

conserve the existing landscape character of the lane and potentially result in an adverse impact on the existing verges and hedgerows, to the detriment of the character of the area.

- 7.16 Tranquillity is one of the special qualities of the South Downs National Park and the proposals, by virtue of their cumulative impact, would harm the prevailing quiet, rural character of this part of the National Park.

Highways Access & Safety

- 7.17 Whilst the proposals would understandably result in an increase of vehicular activity, it is noted that the Highways Authority do not consider there to be an unacceptable impact on the Highways network in terms of highways safety. Notwithstanding, the absence of an objection on this particular issue, does not detract from the concerns raised above in relation to landscape and relative tranquillity.

- 7.18 It should also be noted that Policy 12 of the Hampshire Minerals and Waste Plan confirms that highway improvements will be required to mitigate any significant adverse effects on, amongst other issues, environment and amenity. It has not been demonstrated what mitigation could be secured to achieve this and, if any such mitigation could be secured, whether this could be done without impacting on the landscape character of the area.

Impact on amenities

- 7.19 The application site itself is relatively remote from the nearest residential properties (to the east and to the north) however, it is acknowledged that there is inherently an impact on the amenity of the properties specifically to the north by way of the vehicular activity which occurs as a result of the existence of the soil recycling facility. It was considered previously that the use was acceptable with the added restrictions by suitably worded conditions.
- 7.20 The current applications seeks to increase the activity, size of vehicles and delivery of soil over a year. The combination of the amendments would serve to impact adversely on the tranquillity and amenity currently experienced by the surrounding community.
- 7.21 This would be particularly noticeable to other users of the historic rural road of Church Lane, be it by bicycle or walking. A footpath is located directly opposite the entrance to the site on the northern boundary. The proposed amendments would have an unacceptable experiential impact on users of the road and footpath by virtue of the additional regularity of activity and large vehicles in this location contrary to Policy SD20(6) of the Local Plan.

8. Conclusion

- 8.1 The principle of a soil recycling facility in this location has previously been considered to be acceptable, subject to restrictions limiting vehicular activity and delivery of soil to the site. This has been a balancing exercise, given the needs of the business in a sensitive location within this part of the National Park. It is, however, considered that the current suggested amendments to conditions 4, 9 and 14 and the deletion of condition 10 fail to conserve or enhance the qualities of the park, most notably the tranquillity currently experienced in this location and the surrounding area.
- 8.2 The proposals are therefore considered to be contrary to the NPPF, Policy 4 of the Hampshire Minerals and Waste Plan (2013), Policies SD4, SD7, SD20 & SD21 of the South Downs Local Plan and Guidelines HVDG9 & HVDG17 of the Hambledon Village Design Statement (2010)

9. Reason for Recommendation

- 9.1 It is recommended that the application be **refused**, for the following reason:
- I. The development proposals, by virtue of the increased vehicular activity, increased delivery of soil and increased size of vehicles would have an adverse impact and neither conserve nor enhance the landscape character, tranquillity of the site and amenity value of local residents and users of the surrounding roads and footpath network near to the site and surrounding rural locality. The development proposals would therefore be contrary to the statutory first purpose of the National Park, Policy 4 of the Hampshire Mineral & Waste Plan (2013) Policies SD4, SD7, SD20, and SD21 of the Adopted South

Downs Local Plan (2019) Guidelines 9 & 16 of the Hambledon Village Design Statement (2021) and the National Planning Policy Framework (2023).

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Director of Planning (Interim)

South Downs National Park Authority

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Appendices: Appendix 1 - Information concerning consideration of applications before committee.
SDNPA Consultees: Legal Services.
Background Documents: All planning application plans, supporting documents, and consultation and third-party responses
[SDNP/23/04750/CND | Variation of Conditions 4, 9 and 14 and removal of condition 10 relating to planning approval SDNP/23/02143/FUL, to allow for changes to the vehicle movements and highway restrictions | Windmill Down Farm Church Lane Hambledon Hampshire PO7 4RT](#)
[South Downs Local Plan \(2014-33\)](#)
[South Downs National Park Partnership Management Plan](#)
[SDNPA Supplementary Planning Documents and Technical Advice Notes](#)
[Hambledon Village Design Statement \(2012\)](#)
[Hampshire Minerals and Waste Plan | Hampshire County Council \(hants.gov.uk\)](#)