



---

## Appeal Decision

Inquiry Held between 10 and 12 May 2022

Site visit made on 12 May 2022

**by Nick Palmer BA (Hons) BPI MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 20<sup>th</sup> June 2022**

---

**Appeal Ref: APP/Q1770/W/21/3279319**

**Land off A272, Three Maids Hill, Winchester SO21 2QU**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by TMR South Coast Group Ltd against the decision of Hampshire County Council.
  - The application Ref 20/01765/HCS, dated 27 July 2020, was refused by notice dated 21 January 2021.
  - The development proposed is an inert waste recycling facility.
- 

### Decision

1. The appeal is allowed, and planning permission is granted for an inert waste recycling facility at land off A272, Three Maids Hill, Winchester SO21 2QU in accordance with the terms of the application, Ref 20/01765/HCS, dated 27 July 2020, subject to the conditions set out in the attached schedule.

### Preliminary Matters

2. A Case Management Conference was held on 21 March 2022. Littleton Stud previously had Rule 6 status but had withdrawn from this status on 4 March 2022. Littleton Stud submitted detailed evidence on planning matters, dust impacts and equine matters at the statement of case stage on 17 March 2022.
3. The first part of the Council's reason for refusal concerned impact on local amenity, particularly in terms of noise and dust impacts. In the Statement of Common Ground, however, the Council has agreed that there would be no unacceptable dust impacts from the proposal. The Council has also agreed that appropriate evidence on noise impact was provided by the appellant and has not questioned the appellant's conclusions on that evidence.
4. Although the Council is no longer defending its decision on grounds of impact on amenity, in view of the representations made by interested parties including the detailed evidence provided by Littleton Stud, I shall consider this as a main issue.

### Main Issues

5. From all that I have read, heard and seen; I consider the main issues in the appeal to be:

- i) the effect of the development on the living conditions of nearby residents and the health and well-being of horses at the nearby stud, in terms of noise and dust impacts; and
- ii) whether or not a special need for the location of the development and the suitability of the site can be justified.

## **Reasons**

- 6. The site is an agricultural field which lies between the A272, from which it has access, and a slip road giving access to the A34. A roundabout junction which connects these roads and others is adjacent to the site. The areas between the site and the roundabout and slip road are wooded and the site slopes gently down towards the slip road.
- 7. Littleton Stud occupies land to the south-west of the site, the nearest part being separated by the roundabout junction. I visited the stud on my site visit. This facility breeds and trains racehorses and provides rest and recuperation for horses recovering from injury. I saw that horses are kept on the parts of the stud nearest the roundabout which are about 90 to 110 metres from the site. There is also a residential bungalow<sup>1</sup> in this location which is occupied by employees of the stud.

## *Dust*

- 8. An Environmental Permit for the proposed facility has been granted by the Environment Agency. An Environmental Risk Assessment was prepared in accordance with the Environment Agency's guidance which assessed potential risks from dust on residents and businesses including Littleton Stud. Dust is controlled under the Permit by means of a Dust Management Plan.
- 9. The appellant has demonstrated that the development has been designed to prevent any escape of dust. The internal circular haul road would limit vehicle speeds and the need for manoeuvring of vehicles. Dust suppression measures would be used on the haul road and on the plant to be operated. Water for this would be obtained from a bore hole within the site.
- 10. In addition to these measures, there is already woodland around the site and planted bunds of 3 metres in height would be provided. These measures would provide containment and screening in the event of any dust generation from unforeseen circumstances such as weather events. For these reasons it is unlikely that any dust pollution would arise.
- 11. Notwithstanding this, the Permit provides control over such pollution in the unlikely event of it arising. It provides for appropriate measures to be taken, including those in an approved emissions management plan to prevent or where that is not practicable, to minimise emissions. As stated in the National Planning Policy Framework (the Framework) it must be assumed that the pollution control regime imposed by the Permit will operate effectively.
- 12. Concern has been expressed about the production of particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>) and respirable crystalline silica. The appellant has explained that crushing activity would use an impact crusher which would minimise production of dust and that any dust produced would be coarse particles. Particulates

---

<sup>1</sup> Three Maids Bungalow

would be emitted by the exhausts of lorries visiting the site but the number of additional lorry movements on the A34 and A272 would be very limited in relation to existing traffic flows on those roads. The 2020 DEFRA Background Map shows that the level of PM<sub>2.5</sub> in the area is well below the UK Air Quality objective and that the level of PM<sub>10</sub> is less than the level at which industry guidance<sup>2</sup> recommends that monitoring is undertaken.

13. The crushing activity to be undertaken would also have very little risk of producing respirable crystalline silica as dust would be minimised and would be of relatively large sizes.
14. For these reasons there would be no appreciable risk to the living conditions of residents in the area or the health and well-being of horses from dust pollution.

#### *Noise*

15. Concern has been expressed about the potential for impulsive sounds from operations at the site and the effect of such sounds on horses. The appellant has assessed noise from operations on the site and from the plant proposed to be used, including impulsive noise levels that would result from the operation of lorry tailgates and the off-loading of material. This noise would be at lower levels than the existing ambient noise levels in the area from traffic on the nearby roads. The appellant's equine consultant considers that any faintly audible impulsive noises arising from the development are unlikely to cause horses to be alarmed.
16. As well as traffic noise, horses are already exposed to noise from the Army firing range to the south of the site and may be exposed to noise from the Motor Cross circuit on the other side of the A34 when it is in operation. No evidence was provided to the effect that horses are unacceptably disturbed from those nearby uses. Any noise from the proposed development would be likely to be less intrusive than noise from those uses. I take into account that horses are more sensitive to noise than humans and may take flight if they perceive sudden noise to be dangerous. However, for the reasons given it is unlikely that any noise generated from the proposed development would adversely affect the health and well-being of horses.
17. It has also been demonstrated in the appellant's noise impact assessment that there would be no unacceptable noise impact on local residents.

#### *Conclusion on living conditions and the health and well-being of horses*

18. Policy 10 of the Hampshire Minerals and Waste Plan (2013) (MWP) requires development to not cause unacceptable noise or dust. For the above reasons the development would accord with those requirements. While I note the concern that has been expressed regarding cumulative effects in combination with other waste development in the area, the noise and dust assessments are adequate in terms of considering existing conditions in the area and no evidence has been presented to demonstrate that there would be any harmful cumulative effect.
19. I also acknowledge that the pollution control exercised under the Permit is with respect to human receptors. I have taken into account the assessments provided by the equine consultants. There is nothing in the evidence before

---

<sup>2</sup> Institute of Air Quality Management Guidance on the Assessment of Mineral Dust Impacts for Planning

me to suggest that the Permit, which controls noise as well as dust, would not be effective in controlling pollution in terms of its effects on horses.

20. For the reasons given I conclude on this main issue that the development would not unacceptably harm the living conditions of residents or the health and well-being of horses at the nearby stud.

*Whether or not there is a special need for the location*

21. A number of development plan policies support the production of recycled and secondary aggregates. Policy 17 of the MWP states that infrastructure capacity will be safeguarded and developed to provide 1 million tonnes per annum (mtpa) of recycled and secondary aggregates to augment the supply of land-won aggregates. Policy 18 supports the production of recycled and secondary aggregates by encouraging investment and further infrastructure. Policy 30 supports development to maximise the recovery of construction, demolition and excavation waste to produce at least 1 mtpa of high quality recycled and secondary aggregates. The proposed development would be in accordance with those policies.
22. These policies are consistent with the Framework, which states that, so far as practicable, planning policies should take account of the contribution that substitute, or secondary and recycled materials would make to supply before considering extraction of primary materials.
23. The relevant policy with respect to the location of the proposal is Policy 29 of the MWP. Parts 1 and 2 of that policy provide locational criteria which include urban areas, allocated land and previously-developed land. The proposal falls to be considered under part 3 of the policy which covers 'other locations'. It is a matter of agreement that the development accords with the first limb of that part, which requires that the site has good transport connections to sources of and/or markets for the type of waste being managed. The site is directly accessible from the strategic road network and meets this requirement. The matter that is in dispute is whether the proposal accords with the second limb of part 3 of Policy 29 which requires there to be a special need for the location and that the suitability of the site is justified.
24. In considering whether there is a special for a location it is relevant to take into account the characteristics of the proposed operation and whether it would be suitably located in an urban area. Paragraph 6.205 of the MWP states that construction, demolition and recycling activities predominantly take place in the open and because this can create noise and other emissions they are not easily assimilated in built-up areas. The paragraph goes on to say that sites within countryside locations are often more suitable for this type of activity.
25. Paragraph 6.195 recognises that opportunities for waste development may exist on greenfield land which are in well-screened locations away from residential areas and which require a countryside or a more isolated location. It is therefore acknowledged in the development plan that inert waste processing facilities are appropriately located in rural areas away from housing.
26. The proposal would be located to serve the Winchester urban area. The existing inert waste facilities in this area are at Down Farm, Spitfire Link and Four Dell Farm. The former two sites manage road planings and highways waste. Four Dell Farm is run by a hazardous waste management company

- which has a construction and demolition arm. This facility manages the company's own construction and demolition waste, and the scope of its operation is less than that of the proposed facility. There is thus no directly comparable inert waste facility in the Winchester area. This clearly supports a special locational need for the proposal.
27. It is also relevant that the facility would be centrally located within the county, enabling treatment of waste from other urban areas in the north and south of the county and the supply of aggregates to developments providing for planned growth in those areas. The site is located to supply aggregates to planned infrastructure projects such as improvement to the M3 motorway and expansion of Southampton Airport. These considerations also support the choice of the proposed location.
28. The Council considers that there are two alternative sites<sup>3</sup> that would potentially be available for the proposed development, and I visited those sites. The Eastleigh Works site forms part of an industrial area adjacent to railway sidings but is close to housing. The appellant considers that this site would not be financially viable. There would also be the potential for disturbance to residents from processing of waste.
29. The site at Micheldever Sidings is allocated for development in the MWP in which it is identified as being primarily suitable for use as an aggregate rail depot. The development considerations include consideration of safe and satisfactory egress onto the local highway through the provision of a new vehicular access. The appellant has discussed this with the highway authority, which has confirmed the need for a new access road to this site from Overton Road. Because there is a level difference of about 20 metres between that road and the site and given that the site is some distance from that road, significant engineering works would be required. Taking the costs of such works into account, this site is not financially viable to the appellant.
30. I see no reason to doubt the appellant's assessment that the sites at Eastleigh Works and Micheldever Sidings would not be viable. It would also seem that there may be uncertainty with regard to the suitability of the Eastleigh Works site. It has not been demonstrated beyond doubt that there are realistically available alternative sites.
31. Taking all of the above considerations into account, in my view there is a special need for the proposed location.
32. I have found that there would be no adverse noise or dust impact on nearby receptors. The Council's reason for refusal did not refer to any other adverse impact and there was no objection from statutory consultees to the application.
33. In particular, the existing trees and the proposed bunding and landscaping would screen the development and avoid unacceptable landscape impact, the highway authorities do not object to the development and there would be no unacceptable effect on surface water drainage or flooding. The existing agricultural land within the site is grade 3, which is of good to moderate quality and its loss to agriculture would not be economically harmful. These considerations indicate that the site is suitable for the proposed development.

---

<sup>3</sup> Eastleigh Works and Micheldever Sidings

34. For the reasons given above it has been demonstrated that there is a special need for the proposed location and that the suitability of the site is justified. On this basis the proposal accords with Policy 29 of the MWP. The National Planning Policy for Waste states that applicants should only be expected to demonstrate the quantitative or market need for new waste management facilities where proposals are not consistent with an up-to-date Local Plan. The proposal is consistent with the MWP, which is up-to-date.
35. Notwithstanding this, evidence was presented regarding the need for the facility in terms of the available capacity in the area. Since the MWP was adopted, the supply of secondary and recycled aggregates exceeded its target of 1 mtpa in 2014, it almost met that target in 2015 and has since then fallen to 0.67 mtpa in 2020.<sup>4</sup> In the year that the target was exceeded there was less capacity than there is now. However, existing capacity is estimated at 2.9 mtpa and it is evident that only a fraction of that estimated capacity is used. The production levels show that these are not directly related to capacity. The proposal would increase production by up to 75,000 tpa and would contribute towards meeting the target in Policy 30 of the MWP. The apparent availability of capacity does not mean that the proposed development is not needed.
36. Other development plan policies restrict development in the countryside but allow for development that has an operational need to locate there. Policy 5 of the MWP allows for minerals and waste development that requires a countryside or isolated location. Policy MTRA 4 of the Winchester District Local Plan Part 1 – Joint Core Strategy (2013) and Policy DM10 of the Winchester District Local Plan Part 2 – Development Management and Site Allocations (2017) have similar requirements. As I have found there to be a special locational need and that the site is suitable for the proposal, it is in accordance with those policies and with the development plan considered as a whole.
37. The Council has provided examples of appeal decisions in other administrative areas which concern waste developments on greenfield sites in the countryside. While there are some similarities to the appeal proposal in this respect, the details of those proposals, their locations, the relevant planning policies and the issues considered all differ from the proposal before me and for this reason they do not alter my conclusion on this main issue.

#### *Other Matters*

38. It has been demonstrated that there would be no unacceptable effect on highway safety or capacity. Users of the footpath which is parallel to the A272 would not be affected. A section 106 agreement has been provided which would limit lorry routing to the main roads and thereby avoid unnecessary disturbance to residential areas.
39. Representations were made to the effect that the rights of residents in the area under the Human Rights Act 1998, Article 8 of the First Protocol, would be violated if the appeal were allowed. I do not consider this argument to be well-founded, because I have found that the proposed development would not cause unacceptable harm to the living conditions of residents in the area. Any interference that may be caused would be insufficient to give rise to a violation of rights under Articles 1 and 8 of the First Protocol.

---

<sup>4</sup> Hampshire Minerals & Waste Plan: Local Aggregate Assessment 2021

### *Other considerations*

40. The proposal would be of benefit in terms of the production of high quality aggregates and in providing a net gain in biodiversity. The aggregates produced would be in accordance with the Environmental Permit and certification under the Waste and Resources Action Programme. The development would move waste treatment up the waste hierarchy and support the circular economy.
41. A net gain in biodiversity of 10% would be provided by the new planting and creation of habitat including an area of bare chalk substrate for natural colonisation.

### *Planning Obligation*

42. The Section 106 agreement requires all heavy goods vehicles (HGV) visiting the site to be routed via the A34, or alternatively when travelling to or from Winchester, the B3420 Andover Road North. These restrictions are necessary to avoid disturbance to residents and businesses from HGVs using unsuitable roads and in the interest of highway safety. I am satisfied that the agreement meets the tests as set out in the CIL Regulations,<sup>5</sup> that is the obligations are necessary, directly related to the development and fairly and reasonably related in scale and kind to it.

### **Conditions**

43. A list of agreed planning conditions was appended to the Statement of Common Ground and amendments to this were made in an appendix to the Council's Statement of Case. Given that an Environmental Permit has been granted there is no need for conditions 7 and 16 as listed in the appendix to the Council's statement as the annual tonnage of material to be processed and noise, dust and odour are controlled under the permit.
44. The suggested condition requiring details of any off-site highways works that are required is vague and does not meet the test of precision. The new access junction would be secured in accordance with the highway authority's specification under S278 of the Highways Act and there is no need for this condition.
45. A condition has also been suggested that would remove permitted development rights for fixed plant or machinery, buildings, structures, private ways, and telecommunications antenna. Because environmental effects are controlled under the permit and given that the development would be screened from view to a significant extent by the surrounding bunds and trees, the necessity for such a condition has not been justified.
46. Other than the conditions covering these matters, I have imposed the conditions as set out in the appendix to the Council's statement.
47. It is necessary to limit the hours of working and HGV movements to safeguard living conditions of nearby residents and the horses at Littleton Stud. However, works on highways are undertaken at night-time and the facility could receive waste from such works. The conditions allow for this to take

---

<sup>5</sup> Community Infrastructure Regulations 2010

place on a limited number of occasions as agreed between the parties. This is limited to vehicular movements only.

48. It is necessary to require construction of the perimeter bunds as approved to visually contain the development and mitigate noise and dust impacts. Conditions are also necessary to require plant and machinery to be operated in accordance with manufacturer's specifications, to restrict burning of waste and that vehicle loads are sheeted to ensure satisfactory mitigation and prevention of pollution.
49. A Construction Traffic Management Plan is necessary to control the routing of construction traffic and to limit any deposition of mud on the highway during construction, in the interest of highway safety. It is also necessary to control deposition of mud on the highway for the duration of the development.
50. Ecological reports were submitted with the planning application which set out recommended mitigation, compensation, and enhancement measures. A condition requiring the development to be carried out in accordance with those reports and with the Landscape Strategy Plan is necessary to ensure protection of, and net gain in biodiversity. Control of lighting in accordance with an approved scheme is also necessary to safeguard biodiversity.
51. A detailed scheme of landscaping is required to be approved and carried out to ensure the development blends into the landscape. Conditions limiting the height of stockpiles and protecting trees during construction are also necessary for this reason. It is necessary to require restoration of the site to agricultural use in the event that the permitted use ceases, to ensure compliance with Policy 5 of the MWP.
52. The site is within an area identified as being of archaeological interest and conditions are necessary to ensure that any remains are recorded and reported.
53. A condition requiring full details of surface water drainage is necessary to prevent localised flooding and ensure satisfactory drainage.
54. Finally, it is necessary to include a condition requiring that the development is carried out in accordance with the approved plans to provide certainty.

### **Planning Balance**

55. I have concluded that the development would accord with the development plan as a whole and that there would be no unacceptable harm. The development would provide benefits in terms of sustainable waste management, the circular economy and biodiversity net gain. All of these considerations clearly indicate that the appeal should be allowed.

### **Conclusion**

56. For the reasons given I conclude that the appeal should be allowed.

*Nick Palmer*

INSPECTOR

## **APPEARANCES**

### **FOR THE COUNCIL:**

Gwion Lewis, of Queens Counsel, instructed by Hampshire County Council Legal Services

He called

|                           |                                  |
|---------------------------|----------------------------------|
| Robert Sellen MRTPI MCIWM | Planning Consultant, Paris Smith |
|---------------------------|----------------------------------|

### Conditions and S106 session:

|                                 |                                                        |
|---------------------------------|--------------------------------------------------------|
| Lisa Kirby-Hawkes BSc MSc MRTPI | Development Planning Manager, Hampshire County Council |
|---------------------------------|--------------------------------------------------------|

|           |                                                          |
|-----------|----------------------------------------------------------|
| Amy Dales | Development Management Officer, Hampshire County Council |
|-----------|----------------------------------------------------------|

|               |                                                |
|---------------|------------------------------------------------|
| James Hammond | Senior Legal Advisor, Hampshire County Council |
|---------------|------------------------------------------------|

### **FOR THE APPELLANT:**

Andrew Byass, of Counsel instructed by Stuart Austin, IRUK Waste Planning & Consultancy Ltd

He called

|                                        |                            |
|----------------------------------------|----------------------------|
| Reuben Peckham BEng MPhil CEng<br>MIOA | Director, 24 Acoustics Ltd |
|----------------------------------------|----------------------------|

|                                      |                                       |
|--------------------------------------|---------------------------------------|
| Luke Bridges Environmental Scientist | IRUK Waste Planning & Consultancy Ltd |
|--------------------------------------|---------------------------------------|

|                                       |                               |
|---------------------------------------|-------------------------------|
| Geoffrey Fairfoull BSc (Hons) Dip EqS | Independent equine consultant |
|---------------------------------------|-------------------------------|

|                                |                                              |
|--------------------------------|----------------------------------------------|
| Kim Hammonds Transport Planner | Principal Consultant, Paul Basham Associates |
|--------------------------------|----------------------------------------------|

|                     |                                       |
|---------------------|---------------------------------------|
| Stuart Austin MRTPI | IRUK Waste Planning & Consultancy Ltd |
|---------------------|---------------------------------------|

### **INTERESTED PARTY:**

|                   |                        |
|-------------------|------------------------|
| Henrietta Boucher | Crawley Parish Council |
|-------------------|------------------------|

## **DOCUMENTS SUBMITTED**

Opening submissions of the appellant

Opening submissions of Hampshire County Council

Plan – Proposed Site Layout, Four Dell Farm

Closing submissions of Hampshire County Council

Closing submissions of the appellant

Section 106 Agreement

## **SCHEDULE OF CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of three years from the date on which this planning permission was granted.
2. Except for the provisions in condition 3 below, no heavy goods vehicles (vehicles over 3.5 tonnes gross weight) shall enter or leave the site except between the following hours: 07:00 – 18:00 Mondays to Fridays and 07:00 – 13:00 Saturdays. No plant or machinery shall be operated except between the following hours: 07:00 – 18:00 Mondays to Fridays and 08:00 – 13:00 Saturdays. No heavy goods vehicles shall enter or leave the site and no plant or machinery shall be operated on Sundays or recognised Public Holidays.
3. No heavy goods vehicles shall enter or leave the site and there shall be no operation of plant or machinery outside the hours specified in condition 2 above except for on 10 occasions per year between Monday and Friday only, following the prior written agreement of the Minerals and Waste Planning Authority. Works at these times shall be limited to the delivery of waste material and collection of recycled products only. There shall be no sorting, screening, crushing or other processing of material at these times.
4. No development hereby permitted shall commence until a Construction Traffic Management Plan, to include details of provision to be made on site for contractor's parking, construction traffic access, the turning of delivery vehicles and lorry routeing as well as provision for removing mud from vehicles and a programme of works has been submitted to and approved in writing by the Minerals and Waste Planning Authority. The approved details shall be implemented before the development hereby permitted is commenced and retained throughout the duration of construction.
5. For the duration of the development, measures shall be taken to clean vehicles leaving the site to prevent mud and spoil from being deposited on the public highway. No vehicle shall leave the site unless it has been cleaned sufficiently to prevent mud and spoil being carried on to the public highway. In the event that mud and spoil from vehicles leaving the site are deposited on the public highway, measures shall be taken to clean the highway.
6. Development shall proceed in accordance with the ecological mitigation, compensation and enhancement measures detailed within the Ecological Appraisal (CES, October 2019), Reptile Survey report (CES, May 2020), Bird Scoping report (CES, June 2020), Bat Activity report (CES, July 2020) and the Landscape Strategy Plan J00546-020 Rev. C. All ecological mitigation, compensation and enhancement measures shall be implemented in accordance with ecologist's instructions and managed and maintained in accordance with their intended function.
7. Prior to commencement of development, a detailed scheme of landscaping for the site shall be submitted to and approved by the Minerals and Waste Planning Authority in writing. The scheme shall specify the types, size and species of all trees and shrubs to be planted; details of all trees to be retained; and details of fencing/enclosure of the site, phasing and timescales

for carrying out the works, and provision for future maintenance. Any trees or shrubs which, within a period of five years from the date of planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The scheme shall be implemented as approved.

8. Stockpiles of waste, materials or goods stored externally shall not exceed four metres in height from base to peak.
9. The perimeter bunds shall be constructed and maintained in accordance with the approved plan and cross section details as shown on drawings J00546-020 Rev C and J00546-021 Rev B for the duration of the development.
10. Prior to the commencement of development, a Tree Protection Plan identifying all trees on the application site and those which are to be retained and protected during development shall be submitted to the Minerals and Waste Planning Authority for approval in writing. The development shall be implemented in accordance with the approved scheme and maintained for the duration of the development.
11. No development shall take place until the implementation of a programme of archaeological evaluation has been secured. This shall include trial trenching to explore the archaeological potential of the site and the character and date of the two adjacent known archaeological sites to inform subsequent mitigation by recording. The work shall be carried out in accordance with a written specification that has been submitted to and approved by the Minerals and Waste Planning Authority in writing.
12. No development shall take place until the implementation of a programme of archaeological mitigation has been secured in accordance with a written specification that has been submitted to and approved by the Minerals and Waste Planning Authority in writing. The programme shall include arrangements for production of a report including where appropriate post-excavation assessment, specialist analysis and reports, publication and public engagement. The report shall be submitted to the Minerals and Waste Planning Authority in accordance with the approved programme.
13. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specification at all times and shall be fitted with and use effective silencers.
14. All heavy goods vehicles entering and leaving the site carrying waste or recycled material shall be fully sheeted.
15. Prior to use of the development, a lighting scheme shall be submitted to the Minerals and Waste Planning Authority for approval in writing. The scheme shall include details of all external lighting, including floodlighting, safety lighting and illumination from within the plant, hours of use of the lighting and measures to prevent light pollution. The scheme shall be implemented as approved for the duration of the permission.
16. There shall be no burning of waste or materials on site.
17. No development shall take place until a detailed surface water drainage scheme for the site, based on the principles within the Flood Risk Assessment & Drainage Strategy ref: CM/037, has been submitted to and

approved in writing by the Minerals and Waste Planning Authority. The submitted details shall include:

- a. A technical summary highlighting any changes to the design from that within the approved Flood Risk Assessment.
- b. Infiltration test results undertaken in accordance with BRE365 and providing a representative assessment of those locations where infiltration features are proposed.
- c. Detailed drainage layout drawings at an identified scale indicating catchment areas, referenced drainage features, manhole cover and invert levels and pipe diameters, lengths and gradients.
- d. Detailed hydraulic calculations for all rainfall events, including those listed below. The hydraulic calculations should take into account the connectivity of the entire drainage features including the discharge location. The results should include design and simulation criteria, network design and result tables, manhole schedule tables and a summary of critical results by maximum level during the 1 in 1, 1 in 30 and 1 in 100 (plus an allowance for climate change) rainfall events. The drainage features should have the same references as those on the submitted drainage layout.
- e. Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.

The scheme shall be implemented as approved for the duration of the development.

18. Should the site no longer be required for the permitted waste uses it shall be restored to agriculture in accordance with a scheme to be submitted to and agreed in writing by the Minerals and Waste Planning Authority. The scheme shall be submitted within six months of cessation of the permitted uses. The scheme shall include details of:

- (i) the thickness and quality of subsoil and topsoil to be used and the method of soil handling and spreading, including the machinery to be used;
- (ii) the ripping of any compacted layers of final cover to ensure adequate drainage and aeration, such ripping to take place before placing of topsoil;
- (iii) measures to be taken to drain the restored land; and
- (iv) details of proposed seeding.

19. The development hereby permitted shall be carried out in accordance with the following approved plans: Figure 1 Rev.A, Figure 2 Rev.A, Figure 3 Rev.A, Figure 4 Rev.A, Figure 5 Rev.A, J00546-20 Rev.C, J00546-021 Rev.B, J00546-022 Rev.A, T.066/2 Rev.B, T.066/3, T.066/4.