

Application Number: 18/11145 Minerals (County Matter)

Site: SITE OF FAWLEY POWER STATION, FAWLEY ROAD,
FAWLEY SO45 1TW

Development: Use of land to provide open storage gravel (Use Class B8) and
associated works including provision on containment bunds,
drainage channels and excavation, temporary permission sought
for 5 years

Applicant: Fawley Waterside

Target Date: 15/10/2018

RECOMMENDATION: Raise No Objection

Case Officer: Ian Rayner

1 REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council View

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Brownfield site within the Countryside

3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Core Strategy

Objectives

- 1. Special qualities, local distinctiveness and a high quality living environment
- 4. Economy
- 7. The countryside
- 8. Biodiversity and landscape

Policies

- CS1: Sustainable development principles
- CS2: Design quality
- CS3: Protecting and enhancing our special environment (Heritage and Nature Conservation)
- CS4: Energy and resource use
- CS6: Flood risk
- CS17: Employment and economic development
- CS24: Transport considerations

Local Plan Part 2 Sites and Development Management Development Plan Document

- DM2: Nature conservation, biodiversity and geodiversity
- DM22: Employment development in the countryside

Hampshire Minerals & Waste Plan 2013

Policy 1: Sustainable Minerals & Waste Development

Policy 3: Protection of Habitats & Species

Policy 4: Protection of Designated Landscape

Policy 5: Protection of the Countryside

Policy 11: Flood Risk & Prevention

Policy 13: High Quality Design of Minerals & Waste Development

4 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Section 38 Development Plan

Planning and Compulsory Purchase Act 2004

National Planning Policy Framework

5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS

None

6 RELEVANT PLANNING HISTORY

- 6.1 The area where development is proposed forms part of a much wider area that was subject to a request for an EIA Scoping Opinion (17/11559). The Scoping Opinion that was given in January 2018 relates to the redevelopment of Fawley Power Station and the development of surrounding land to create a new 1,530 home community with 90,000 sq m of new commercial and employment space (Use Classes A1, A2, A3, A4, B1, B2, B8, C1, D1 and D2); retention of the Power Station Chimney; enlargement of the dock and creation of a canal within part of the turbine hall basement; refurbishment of the remainder of the turbine hall basement to create a 2,100 space car park; a boat stack; a two form entry primary school; public open space and habitat enhancement of existing land; Suitable Alternative Natural Green Space; a saline lagoon; reconfiguration of the existing access and creation of a new access from B3053; and associated engineering and landscaping works.
- 6.2 Other adjacent areas of the Power Station have been the subject of the following planning applications:-
- 6.2.1 2 steel portal framed industrial buildings (Use Class B2); mobile portable cabin; use of land for storage of wind turbine blades (B8); temporary permission sought for 10 years (17/10805) - temporary permission granted 8/9/17
- 6.2.2 Variation of Condition 2 of planning permission 17/10805 to allow amended plan numbers entailing the addition of buttresses and associated alterations to the approved blade painting facility building (17/11724) - temporary permission granted 19/1/18
- 6.2.3 Leading Edge Protection Building; single-storey portable cabins for welfare facilities and offices (18/10583) - under consideration
- 6.2.4 Temporary siting of two generators; fuelling facility to include diesel tank, hardstanding & interceptor tank (18/11169) - under consideration
- 6.3 A request for an EIA Screening Opinion for the demolition of Fawley Power Station was given in February 2017 (17/11706).

6.4 A Demolition Prior Notification Application for the Dismantling and removal of external structures including tanks, ductwork and bunds (18/11048) (Phase 1B of the power station demolition) was determined in August 2018.

7 PARISH / TOWN COUNCIL COMMENTS

Fawley Parish Council:- Recommend refusal due to the serious concerns raised by local residents relating to the volume of noise from this application, which would be likely to have an adverse impact on neighbouring properties. Also have air quality concerns, and are concerned that there is no information on the hours of operation and road movements. Are concerned that some of the additional sand/gravel that will be used by existing quarry clients will increase movements on the highway, which will have a significant highway impact. Are concerned at how this matter would be monitored.

8 COUNCILLOR COMMENTS

None

9 CONSULTEE COMMENTS

None

10 REPRESENTATIONS RECEIVED

None submitted to New Forest District Council

11 CRIME & DISORDER IMPLICATIONS

No relevant considerations

12 LOCAL FINANCE CONSIDERATIONS

Local financial considerations are not material to the decision on this application

13 WORKING WITH THE APPLICANT/AGENT

As the application is a County Matter, it is not the duty of New Forest District Council to work with the applicant / agent.

14 ASSESSMENT

Procedural Comment

14.1 This application is a County Matter application to be determined by Hampshire County Council. New Forest District Council are a consultee, and have been invited to submit their views to the County Council before a final decision on the application is made.

The Proposal

14.2 The application relates to 1.40 hectares of land at Fawley Power Station. The application seeks to use an open area on the southern edge of the power station site for the open storage of gravel for a temporary 5 year period. The application also proposes a number of associated works

including drainage channels, dredge pipelines, the provision of a 2.5 metre high containment bund around the entire perimeter of the proposed storage area, and excavation across the whole storage area to a depth of 1.5 metres. 4700 cubic metres of material would be needed to construct the containment bunds. The storage area created within the bunded area would allow for the storage of 42,500 cubic metres of gravel, of which 15,000 cubic metres would be stored below existing ground levels.

- 14.3 The gravel that is to be stored on the application site would be extracted by Boskalis Westminster UK (Boskalis) from a licensed 'winning' area to the south-east of the Isle of Wight that is about 3 hours sailing time from the power station. Once dredged, the gravel would be transported to Fawley on dredging vessels, there typically being 14 vessel movements to and from the site per week, equating to one movement every high water. From the dock, the gravel would then be pumped to the storage area via dredge pipelines.
- 14.4 The gravel stored within the proposed storage area would only be stored there on a temporary basis. It would eventually be collected from the proposed storage area by wagon and transported to the working Fawley Quarry site that is situated within National Park land immediately to the west of the power station. Currently, there are approximately 5 years of gravel extraction remaining within the quarry and 15 years of sand extraction. The gravel is being extracted at a quicker rate than the sand and because the sand is at a deeper level than the gravel, the gravel areas cannot then be efficiently restored. Once the gravel has been fully extracted, the quarry will be out of 'balance' in relation to sand / gravel ratios. Accordingly, the gravel that would be extracted from the Solent and stored on the power station site is required primarily to restore the sand / gravel balance within the quarry. Part of the gravel would also be used to service existing construction clients of the quarry.
- 14.5 The supporting statement for the application suggests that by restoring the balance to Fawley Quarry, the proposal will, in the future, better enable products from the Quarry to be used in engineering operations associated with the planned redevelopment of Fawley Power Station, which, in turn, would have benefits in terms of reducing construction traffic movements if and when the power station is redeveloped.

The principle of development

- 14.6 The application site is situated within a countryside area (albeit a brownfield site) where Policy 5 of the County Minerals and Waste Plan is relevant. This policy indicates that Minerals and Waste development outside of designated landscape areas will not be permitted unless the development is a time limited mineral extraction or related development; or unless the development provides a suitable reuse of previously redeveloped land. As the proposal would be time limited for 5 years and on a brownfield site, it is considered that there would be no in-principle policy objection to the development that is proposed.

Landscape & Visual Impacts

- 14.7 The application site has a sensitive landscape context. The site where gravel would be stored and the associated bunds would be just a few metres away from the power station's boundary with the New Forest

National Park. A public footpath runs adjacent to the power station's southern boundary, and from this footpath the proposed development would have a very obvious visual and landscape impact. There would be no real scope to soften this impact with soft landscaping. Whilst the storage area, at 2.5 metres in height, would not be particularly high, it would still result in an artificially raised parcel of land across a large area that is currently entirely open. At present, this area is flat and graveled, but with extensive low vegetation breaking through. There are no existing activities taking place within this area. Therefore, notwithstanding the significant presence of the power station buildings behind, it is felt that to provide an extensive raised area of stored gravel with bunds and associated activity and paraphernalia (such as mobile lighting) in this location would inevitably have some negative visual impact on the adjacent National Park landscape. However, given the temporary nature of the project and having regard to other activities taking place within the power station's boundaries (such as the painting and storage of wind turbines), it is felt, on balance, that the development would not cause a degree of visual harm that would be unacceptable.

Ecological Impacts

- 14.8 The application site is in close proximity to protected international, national and local nature conservation sites. The Solent and Southampton Water Special Protection Area (SPA), The Solent Maritime Special Area of Conservation (SAC), The Solent and Southampton Water Ramsar site, and the Hythe and Calshot Marshes Site of Special Scientific Interest (SSSI) all lie in close proximity to the east of the site, whilst land to the south of the power station forms part of a designated Site of Interest for Nature Conservation (SINC). The application is accompanied by an Environmental Report which concludes that the proposed development and the associated levels of noise and activity associated with the development will not adversely affect protected species or the adjacent designated sites. The Report also suggests that the area within the power station affected by the proposed development is not a sensitive or priority habitat. On the basis of the conclusions set out within the Environmental Report, it is not felt that there would be any reason for New Forest District Council to object on ecological grounds. However, it is imperative that Hampshire County Council have full regard to the views of both Natural England and their own ecological advisors.

Air Quality Impacts

- 14.9 The applicant's Environmental Report and supporting statement suggests that during construction there would be a minimal, temporary increase in NO₂ and PM₁₀ emissions. After construction, there would also be a limited release of NO_x and NO₂ from the operational movement of vehicles. However, it is concluded that these additional emissions, being limited, temporary and localised, would not result in any adverse effects on nearby sensitive receptors. The Council's Environmental Health Officer supports this conclusion, and have noted that the proposal is not likely to have any impact on nearby Air Quality Management Areas (AQMA's) or the Southampton Clean Air Zone (CAZ).

Noise Impacts

- 14.10 The applicant's Environmental Report recognises that there is the potential for disturbance to residential properties during excavation of the development area and during the construction of the bund. The residential properties that could be affected are principally those off Ower Lane which are in closest proximity to the application site. However, the Report concludes that such noise affects would not be unacceptable due to the scale and duration of the construction. The applicant's Environmental Report also concludes that noise associated with pumping of material and vehicular movements would not be of a significance that would give rise to adverse effects on residential amenities due to the distance of the nearest residential properties from the application site and due to intervening screening. The nearest residential dwelling would be approximately 300 metres away from the application site. The Council's Environmental Health Officer accepts that the information on noise that has been submitted with the application is very sparse. However, having regard to the site's context, the existing activities that are taking place on both the power station site and the adjacent Fawley Quarry, and the distance to nearby noise sensitive premises, they have concluded that the development should not result in levels of noise that would be harmful to residential amenities. There is considered no reason to disagree with the conclusions of the Council's Environmental Health Officer. However, given the concerns that have been raised, it is considered important that there are appropriate controls on hours of operation and that noise levels are monitored at key locations.

Ground Conditions and Contamination

- 14.11 The applicant's Environmental Report includes details of the investigations that have been carried out in respect of ground conditions and contamination. Testing has concluded that there is a low risk to human health in a commercial end use scenario and that the risk to controlled waters is likely to be low. It is imperative that Hampshire County Council have full regard to the views of the Environment Agency on these matters.

Flood Risk and Drainage

- 14.12 The development area is within an Area that is at Risk of Flooding (primarily a Flood Zone 3b area). The proposed use is a 'water-compatible development'. However, it is important that the proposal does not increase flood risk elsewhere. It is important that Hampshire County Council have full regard to the views of the Environment Agency on flood risk matters.

Transport

- 14.13 Construction traffic would be limited to the excavation of the storage area and the construction of the bund. The Environmental Report submitted by the applicants indicates that such traffic would utilise the existing local road network and would have a minimal impact on existing transport infrastructure. It is suggested that vehicular movements associated with the operation would be restricted to private roads and would therefore have no impact on the wider highway network. It is felt that the applicant's assessment of transportation issues is light on detail. There is no estimate of likely vehicle movements associated with the

construction of the development or for any additional movements associated with the servicing of existing quarry clients. It is felt that these matters should be clarified to Hampshire County Council before a final decision is made. However, it is very unlikely that the proposal would generate a level of additional movements on the local highway network that would be harmful to highway safety, and as such, it is not felt that there would be reasonable grounds to object to this development on account of its impact on the local and wider highway network.

Heritage

- 14.14 The nearest designated Heritage Asset to the application site is a Grade II Listed Building at Ower Farmhouse which is about 0.46km away from the application site. Given this distance and the intervening screening, it is not considered the proposal would be harmful to the setting of this building. Because the application site is on previously reclaimed land, impact on archaeological assets is not likely to be significant.

Summary & Conclusion

- 14.15 The proposed development would constitute a significant new development on the southern edge of the Power Station site in close proximity to the New Forest National Park and sensitive nature conservation sites. There would be no in-principle policy objection to the development. However, the development will have a range of environmental impacts including visual impacts, noise impacts, air quality impacts, transportation impacts, and impacts on ecological interests. Based on the available evidence, it is not felt these impacts would be of a significance that would be unacceptably harmful. Therefore, it is recommended that New Forest District Council raises No Objection to the application, but with a number of significant caveats / conditions as set out in the recommendation below.

15. RECOMMENDATION

Raise No Objection

- a) that the development be permitted for a maximum 5 year temporary period only, with the land being restored to an appropriate condition within a suitable timescale thereafter.
- b) that construction hours and on-land vehicular movements be restricted to normal day time / weekday working hours.
- c) that there be regular noise monitoring at appropriate locations (the nearest noise-sensitive receptors).
- d) that additional information be sought before a decision is made in respect of the anticipated number of transportation movements during both the construction phase and the post construction phase.
- e) that development only be permitted if no objection is raised by Natural England, The Environment Agency, the Highway Authority and the Council's own ecological advisors, and that any concerns raised by these bodies be adequately addressed.

Further Information:

Ian Rayner

Telephone: 023 8028 5588



New Forest DISTRICT COUNCIL

Tel: 023 8028 5000
www.newforest.gov.uk

David Groom
Service Manager
Planning and Building Control
New Forest District Council
Appletree Court
Lyndhurst
SO43 7PA

Planning Development Control Committee

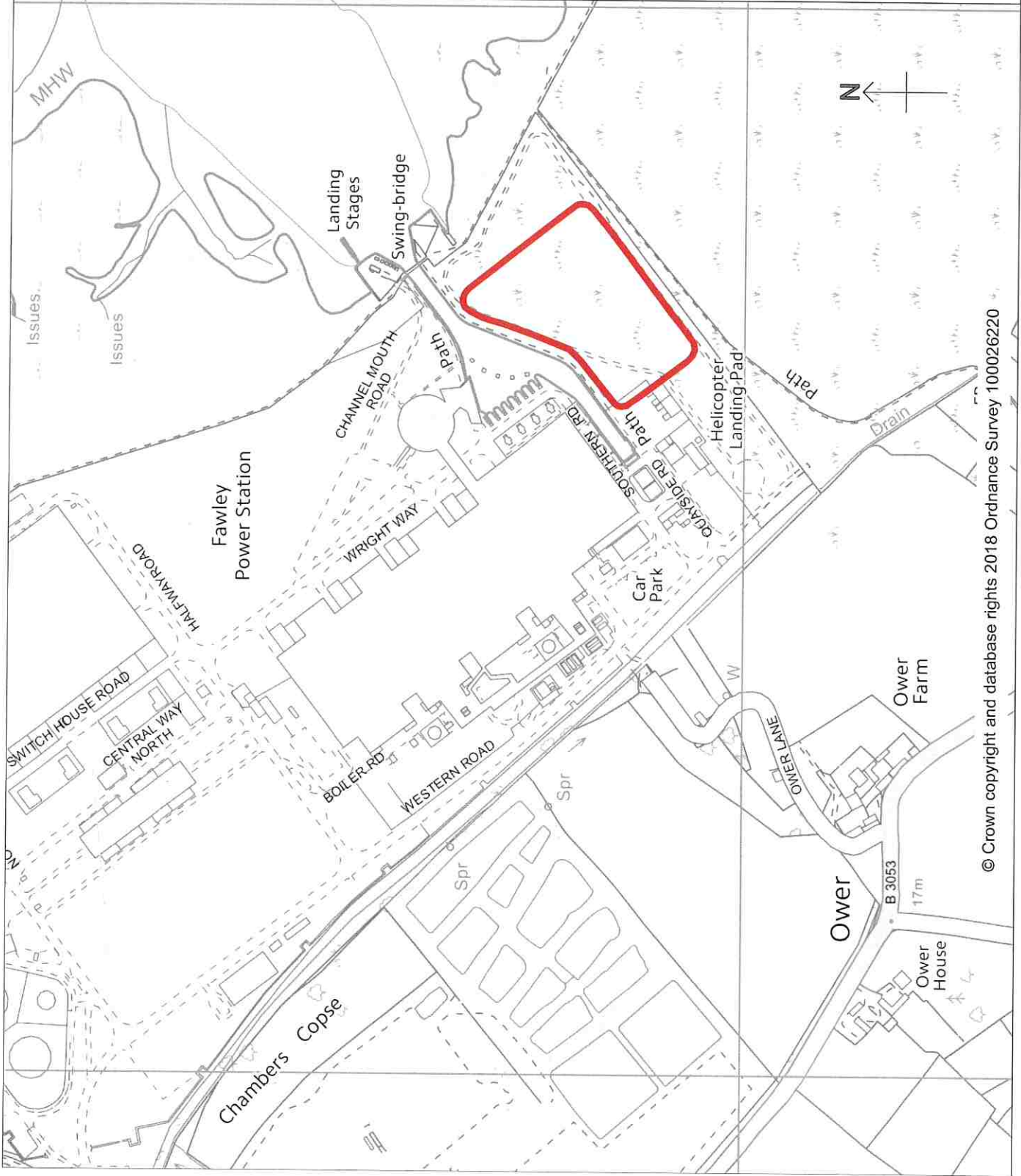
October 2018

Item No: 3c

Site of Fawley Power Station
Fawley Road
Fawley
18/11145

Scale 1:5000

N.B. If printing this plan from
the internet, it will not be to
scale.



© Crown copyright and database rights 2018 Ordnance Survey 100026220