

AT A MEETING of the REGULATORY COMMITTEE of the HAMPSHIRE COUNTY COUNCIL held in the Council Chamber at The Castle, Winchester on 27 July 2011

PRESENT:

Chairman:
p Councillor R.C. McIntosh

Vice-Chairman:
p Councillor I. Beagley

Councillors:

p Mrs C.A. Bailey
p J.V. Bryant
a C. Carter
p M.G. Cooper
p B.T. Gurden
a G.M. Hockley
p A. Joy

p Mrs A. McEvoy
p E.J. Neal
p R. Price
p D. Simpson
p J.K. West
p Mrs S. Wheale

216 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Carter and Hockley. It was noted that due to the new reduced Regulatory Committee membership being agreed at Full Council on the 14 July 2011, Councillor's Broadhurst, Pearce, Porter and Wall were no longer full members on the Committee.

217 DECLARATIONS OF INTEREST

Members were mindful that, where they believed they had a personal or prejudicial interest in any matter to be considered at the meeting, they should normally at the time of the debate declare their interest and, having regard to the circumstances described in paragraphs 9, 10, 11 and 12 of the County Council's Code of Conduct, consider whether to leave the meeting whilst the matter was discussed, save for exercising any right to speak in accordance with paragraph 12 of the Code. The declaration should be made at the time of the relevant debate.

218 MINUTES

The Minutes of the meeting held on 29 June 2011 were agreed and signed by the Chairman.

219 CHAIRMAN'S ANNOUNCEMENTS

The Chairman confirmed that a Site Visit would take place on the 12 September regarding an application for a new school. Councillor Wheale gave her apologies for this visit.

It was also confirmed that a new deputy system would start from September, which would cover planned absences of Committee members. Councillors Broadhurst, Pearce, Porter and Wall, along with a vacancy to be filled, would be the deputies and receive papers along with the rest of the Committee in case their presence was requested at a meeting.

Finally, the Chairman confirmed that Standing Order 21, listed under Deputations, was now Standing Order 12 due to the revised Hampshire County Council Constitution. The Chairman confirmed that the Committee wished to continue with the process of permanently suspending Standing Order 12 to ask questions of deputations and this is something that would be researched by Legal and reported back to the September meeting.

220 DEPUTATIONS

Members were reminded that they had approved a scheme which involved the amendment of Standing Order 12 to allow Members to ask questions of deputees for clarification of facts on an agenda item. Questions from Committee Members would be asked through the Chairman, who might seek the advice of the Committee's legal and other advisers as appropriate. The Chairman's decision on a question would be final. Any local Members who requested to speak at the Committee might also be asked questions. The Committee were advised that four deputations had been received for this meeting.

221 CHANGE OF USE TO RETAIN AND EXTEND RECYCLING FACILITY AT RFSF RECYCLING, BUNNY LANE, TIMSBURY, ROMSEY

Several personal but non prejudicial interests were declared for this item;

- Cllr McEvoy had received a letter of support from an employee of the site
- Cllr Price had received a letter of support from an employee of the site
- Cllr Cooper was a Member of both Braishfield and Michelmersh and Timsbury Parish Councils
- Cllr Gurden had previously visited the site whilst Mayor of Basingstoke

The Committee considered the report of the Director of Economy, Transport and Environment (Item 6 in the Minute Book) regarding an application for an extension and permanent consent at RFSF Recycling in Romsey. The Head of County Planning corrected errors in the report as follows:

1. para 1.3 should state 5 metre bunds not 4
2. para 4.9 should state 208 heavy vehicle movements, not 204
3. Condition 20 – vehicle movements should be 208 per day not 204 as stated.

The Committee were told the history of the site and how a part of the site had permission for recycling which would expire in 2015. Most of the site was affected by a landfill permission that was unlikely to be implemented and would lapse in October 2011. Michelmersh and Timsbury footpath No. 4 currently runs along the eastern edge of the site and through part of it. This would be diverted, to accommodate the proposed extension, under the Planning Act rather than the Highway Act. The

southern extension would include wood shredding and a tarmac foam mix plant. It was confirmed that the nearest main area of housing was Casbrook Fields, which was approximately 300 metres from the site.

The Committee received four deputations on this item. Cllr Mike Prince from Braishfield Parish Council and Cllr Bob Davis from Michelmersh and Timsbury Parish Council both spoke against the application as it was felt to be in the wrong place and feared that Romsey would suffer with the potential increase in traffic movements. Cllr Bob Davis also spoke of the noise pollution and felt that the assessments done were not accurate.

Ms Sarah Clover spoke of behalf of the applicant stating that there had been no complaints whilst the site had been in operation and how it was an important asset to the County for recycling and providing jobs to local people. There had been no objections from local residents and Ms Clover argued that the noise tests carried out had been thorough and done several times with all the potential machinery that would be used on site.

Finally, County Councillor Andrew Gibson spoke in favour of the application and felt that the landscaping proposals were as good as they could be in an attempt to minimise the impact of the site on the landscape.

During questions of the deputations, Cllr Mike Prince confirmed that no formal complaints had been made against the site as these would have to be declared when selling a property, and also because residents understood it would not be a long term inconvenience as currently permitted. Ms Clover also confirmed that there would not be more waste on site as a result of the extension, it would just give the site better and more advanced ways of dealing with the waste that was there. A liaison group had been set up and it was confirmed by the applicant that this consisted of Nicky Salvidge on behalf of the applicant, Michelmersh and Timsbury and Braishfield Parish Councils and also local residents.

On questioning the officer, the Committee asked about the extent of the 'green field' status of the site and departure from policy. It was confirmed that it was something that would need to be looked at on balance. In this instance it was thought to be justified as much of the land was of poor quality and unlikely to be suitable for any other use. The officer confirmed that a footpath diversion was essential if the extension was to go ahead as it was unsuitable for it to continue to run through an industrial site

RESOLVED:

- a) In relation to the recommendation that permission for change of use to retain and extend recycling facility with ancillary development and activities at RFSF Recycling, Bunny Lane, Timsbury, Romsey SO51 0PG (Application No: 10/02712/CMAS) be granted, members voted as follows -

Favour: 5
Against: 8

Consequently permission was refused and no vote was needed on the second recommendation that an order under s257 Town and Country Planning Act 1990 for the re-alignment of Michelmersh and Timsbury Footpath 4.

A vote was taken on the reasons for refusal, and it was unanimously agreed that the application was unacceptable in respect to land use and impact on landscape and amenity and that the Head of County Planning should finalise the grounds as could be justified on planning grounds.

222 COMMON LAW DEDICATION OF A PUBLIC FOOTPATH AT CAMS HILL, FAREHAM

The Committee considered a report of the Director of Culture, Communities and Business Services (Item 7 in the Minute Book), which detailed an easy access trail that ran two sides of a development. The new routes would connect and the maintenance would remain with Fareham Borough Council.

RESOLVED:

- a) That the dedication of this path, shown C-E on the attached plan, be accepted at common law, and that the landowner should remain responsible for the installation and future maintenance of this path.

Voting:

Favour: 13 (unanimous)

223 APPLICATION FOR A PUBLIC PATH EXTINGUISHMENT ORDER FOR PART OF FOOTPATH NO. 15 IN THE PARISH OF CROOKHAM VILLAGE

The Committee considered the report of the Director of Culture, Communities and Business Services (Item 8 in the Minute Book) which detailed an application to extinguish part of a public footpath in the Parishes of Crookham Village. The path goes through an old property and a convenient alternative has been arranged following a temporary closure due to the footbridge being dangerous to cross. This has received no objections.

RESOLVED:

- a) That an Order is made extinguishing Crookham Village Footpath No.15 between points A, B and C, as shown on the accompanying plan

Voting:

Favour: 13

Against: 0

Abstentions: 1