

AT A MEETING of the REGULATORY COMMITTEE of the HAMPSHIRE COUNTY COUNCIL held in the Council Chamber at The Castle, Winchester on 18 July 2012

**PRESENT:**

Chairman:  
p Councillor R.C. McIntosh

Vice-Chairman:  
p Councillor I. Beagley

Councillors:

p C. Bailey	p E. Neal
a J. Bryant	p F. Pearce
p C. Carter	p R. Price
p M. Cooper	p D. Simpson
a B. Gurden	p J. West
p G. Hockley (for Items 1-6)	p S. Wheale
p A. McEvoy (for Items 1-8)	

p A. Rice - attended as a deputy

***The order of the agenda at this meeting was as follows:  
Items 1-9 in sequence***

**315 APOLOGIES FOR ABSENCE**

Apologies for absence were submitted on behalf of Councillor Bryant and Councillor Gurden. The Chairman confirmed that Councillor Alan Rice was attending as a deputy on Councillor John Bryant's behalf.

**316 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 8, 9, 10 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.

**317 MINUTES**

It was noted that Councillor Chris Carter was in attendance at the previous meeting and that Councillor Alan Rice attended as a deputy on behalf of Councillor Sharyn Wheale. Pursuant to Minute 308, it was also noted that the site was known as "Queen Elizabeth Barracks" rather than "Elizabeth Barracks".

The minutes from the meeting of the 20 June 2012 were then signed by the Chairman.

### **318 CHAIRMAN'S ANNOUNCEMENTS**

The Development Control Manager informed the Committee of the update of an appeal regarding a Waste Recycling Facility along Bunny Lane in Romsey. Whilst the appeal by the applicant had been successful, it was noted that the Committee had provided sound reasoning for going against officer recommendations and refusing the application. The costs that had been sought against the County Council had been refused and it had been concluded that all processes were correct and had been handled appropriately by the County Council. Full details were available if any Members of the Committee wished to see them.

### **319 DEPUTATIONS**

Members voted on and 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 seven deputations had been received for this meeting.

### **320 WASTE TRANSFER STATION AT UNIT 2 AND 3, HIGHFIELD INDUSTRIAL ESTATE, LASHAM, ALTON, HAMPSHIRE GU34 5SQ (APPLICATION NO: 54247) (SITE CODE EH168)**

The Committee considered a report from the Director of Economy, Transport and Environment (Item 6 in the Minute Book) regarding an application for a waste transfer station at Highfield Industrial Estate in Lasham.

The application had been deferred from the June 2012 meeting pending a site visit, which had taken place on the 2 July 2012. The officer introduced the item and showed the Committee aerial photographs of the area and photos of the site. It was confirmed that the operations would be subject to a strict Environment Agency permit. Whilst highways problems had been highlighted as an issue, it was noted by the Committee that there were "No Right Turn" signs placed at the exit of the site to remind lorries not to drive through the village. There would be a low use of HGV's on the site and the larger 40-tonne vehicle would only be used bi-monthly. It was felt that the site would not impact on the quality of life of residents.

The Committee received three deputations on this item. Mrs Gina Toth and Mr Maurice Goor spoke on behalf of the Village Committee and reiterated their concerns over large vehicles using the village lanes and also that sat-nav's took vehicles to the centre of the village when they used them to try and find the site. The fire that had happened in 2011 had been very dangerous and residents felt that the water quality was not the same as it had been before, despite being deemed 'adequate'. There

were also several horse owners in the village and no pavements, making riding very dangerous when the vehicles from the site were travelling.

Mr John Fairclough spoke on behalf of the applicant and confirmed that the fire that had happened on the site was totally unrelated to the applicant and their business. He also confirmed that the rubble on the site was not the applicant's and that they were working with the landlord to get it removed. Mr Fairclough stated that every effort was being made to get a new post code for the site and also to change maps to discourage any vehicles from the industrial estate travelling through the village. Compared to other companies, the vehicles used by the applicant were very small and could be a lot larger and more frequent if another company was to use the site.

Finally, County Councillor Mark Kemp-Gee thanked the officers and applicant for their assistance and communication. It was confirmed that the applicant ran a similar business to the one on the site previously when the fire took place, and so local residents were naturally very nervous about it. Councillor Kemp-Gee also emphasises the concerns regarding the local roads and larger vehicles using them, as he felt that the roads were not suitable and were very dangerous.

During questions of the deputies, the following points were clarified:

- The post code TU34 5SQ was already designated for the site and there were no residential properties under this post code.
- The applicant had briefed their drivers regarding the routes to and from the site, and also suppliers, who had been given maps and instructions.
- The Village Committee had contacted the sat-nav companies regarding the lorries routing through the village, but did not get a satisfactory answer and were told that any changes would take up to 5 years to complete.
- The applicant proposed two 40 tonne lorry movements (one in and one out) on a bi-monthly basis; two 7.5 tonne lorry movements (one in and one out) and twenty (10 in and 10 out) 3.5 tonne transit vehicle movements a day, which overall on the site was a reduction as Interlink were no longer there.
- Lithium batteries [those which had exploded in the fire] were not handled by the applicant and so there were not the risks of fire as there were before with the previous company.

During questions of the officer, the officer confirmed that it was not reasonable to add conditions relating to issues that would be monitored by the Environment Agency through the permit; for example, the handling of waste.

The Committee agreed that the landlord of the estate had a responsibility to ensure all site operators were operating within their individual terms.

**RESOLVED:**

- a) Planning permission for a waste transfer station at Unit 2 and 3 Highfield Industrial Estate, Lasham, Alton, Hampshire (Application no: 54247) was granted, subject to conditions listed in Integral Appendix B.

**Voting:**

Favour: 13

Against: 1

***Councillor Hockley left the meeting***

**321 CHANGE OF USE OF PART OF EXISTING INDUSTRIAL BUILDING (B2 USE) TO USE FOR WASTE TRANSFER (SUI GENERIS) AND ALTERATIONS TO BUILDING TO INCREASE THE HEIGHT OF THE EAVES AND RIDGE, DEMOLITION OF EXISTING EXTENSIONS AND BUILDING AND SITING OF THREE PORTACABINS ASSOCIATED WITH THE PROPOSED WASTE TRANSFER USE AT OLD PARK WOOD INDUSTRIAL ESTATE, OLD PARK ROAD, BISHOPS SUTTON, HAMPSHIRE SO24 0JG (APPLICATION NUMBER: 12/01190/HCS) (SITE REF: WR231)**

The Committee considered a report from the Director of Economy, Transport and Environment (Item 7 in the Minute Book) regarding an application for the change of use and alterations to buildings in Bishops Sutton.

The officer introduced the item, and confirmed that the site had been visited by Members on the 2 July 2012. Plans were shown to the Committee, which depicted the buildings that would remain and also those that would be altered. Parking and storage areas were shown, and it was stated that the applicant had agreed to only use the proposed soil screener one a week if the Committee felt this was appropriate. Routing to and from the site would be north via the A31. The site was a significant distance from the nearest resident to the south and within an industrial estate in accordance with policy.

The Committee received three deputations on this item. Councillor Aileen Miller from Bishop's Sutton Parish Council also spoke as a local resident and was concerned that there had been no mention of the working farm to the north of the site. The road was dark and felt unsuitable for large vehicles and there had been accident along the road the week of the meeting. The road was liable for flooding and was also more narrow to the north than the south. Mr Michael De Courcy spoke on behalf of the applicant and confirmed that the site had B2 use with no restrictions on routing or hours of operation. It was anticipated that there would be one movement every twenty minutes to and from the site, meaning it unlikely that lorries would need to pass each other on such a short stretch of road. The applicant was happy for the Committee to put restrictions on routing, hours of operation and also the soil screener as part of the application.

Finally, Councillor Felicity Hindson spoke as the local Member and agreed that the road conditions could be very dangerous, with visibility not being very good and the road being very narrow in places. A 30mph limit had been requested in the past but this had been turned down due to there not being enough residential properties along the road.

During questions of the deputees, the following points were clarified:

- Skip lorries were driven by employees and instructed on the routing, and skips would most likely be identifiable by the operators.
- CCTV cameras had not been discussed with officers as part of the application.

The officer confirmed that the proposal did not increase the number of lorry movements along the road and that any investigation into making the road 30mph would need to be done outside of the application.

During debate, the Committee voted on the following conditions, which were added to the application:

- That the soil screener is only to be used once a week on a weekday (unanimous)
- That the ground-water be controlled and monitored to reduce flooding on the road (unanimous)

It was also agreed that the officer have flexibility to alter the following conditions as necessary:

- tonnage
- resurfacing on the site
- routing of vehicles
- CCTV to monitor vehicles

#### RESOLVED

a) Planning permission for Change of use of part of existing industrial building (B2 use) to use for waste transfer (Sui generis) and alterations to building to increase the height of the eaves and ridge, demolition of existing extensions and building and siting of three portacabins associated with the proposed waste transfer use at Old Park Wood Industrial Estate, Old Park Road, Bishops Sutton, Hampshire (Application No: 12/1190/HCS) was granted, subject to the conditions in Integral Appendix B and those listed above.

#### **Voting:**

Favour: 13 (unanimous)

#### ***Councillor McEvoy left the meeting***

### **322 LOCAL PROTOCOL ON PLANNING FOR COUNCILLORS AND OFFICERS**

This item was withdrawn from the meeting.

### **323 APPLICATION FOR A PUBLIC PATH DIVERSION ORDER FOR PART OF BRIDLEWAY NO.17 AND DEDICATION OF A LINKING BRIDLEWAY IN THE PARISH OF TWYFORD**

The Committee considered a report of the Director of Culture, Communities and Business Services (Item 9 in the Minute Book) regarding a public path diversion order and a linking bridleway in Twyford.

The officer explained the history of the route, which forms part of the Pilgrims Trail, and showed plans to the Committee that clarified the current and proposed positioning of the paths. It was confirmed that the unofficial route alongside Mare Lane was not wide enough to become a permanent public bridleway, but that the landowner had agreed to retain it as a permissive path for cyclists to use.

**RESOLVED:**

- a) The dedication of the used route A-X-B was accepted under S25 of the Highways Act 1980;
- b) It was agreed that an Order would be made extinguishing the recorded route A-B as no longer needed for public use under S118 of the Highways Act 1980, owing to the dedication in a) above;
- c) The dedication of the additional bridleway E-F-G-H was accepted under S25 of the Highways Act 1980, conditional upon the successful diversion in d) below; and
- d) It was agreed an Order would be made diverting Twyford Bridleway No.17 from A-X-B to B-C-D under S119 of the Highways Act 1980.

**Voting:**

Favour: 12 (unanimous)