

AT A MEETING of the REGULATORY COMMITTEE of HAMPSHIRE COUNTY
COUNCIL held in the Council Chamber at The Castle, Winchester on
Wednesday 19 March 2014

PRESENT:

Chairman:

p Councillor R.C. McIntosh

Vice-Chairman:

p Councillor G Hockley

Councillors:

p C Carter	p P Latham
p C Choudhary	P F Pearce
p M Cooper (1-5,10,8 and 7)	p R Price
p J Frankum	p T Rolt
p C Greenwood	p D Simpson
a K House	p S Wheale
a R Humby	
p R Huxstep	
p B Gurden (deputy)	

***The order of the agenda at this meeting was as follows:
Items 1-5, 9, 10, 8, 7, 6***

79. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Humby and Councillor House.

80. DISCLOSURES OF INTEREST

Members were mindful that where they believed they had a Disclosable Pecuniary Interest in any matter considered at the meeting they must declare that interest at the time of the relevant debate and, having regard to the circumstances described in Part 3 Paragraph 1.5 of the County Council's Members' Code of Conduct, leave the meeting while the matter was discussed, save for exercising any right to speak in accordance with Paragraph 1.6 of the Code. Furthermore Members were mindful that where they believed they had a Non-Pecuniary Interest in a matter being considered at the meeting they considered whether such interest should be declared, and having regard to Part 5, Paragraph 2 of the Code, considered whether it was appropriate to leave the meeting whilst the matter was discussed, save for exercising any right to speak in accordance with the Code.

81. MINUTES

The minutes of the meeting held on 12 February 2014 were agreed as a correct record and signed by the Chairman.

82. CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced that Councillor Choudhary had joined the Committee as a Full Member.

83. DEPUTATIONS

The Committee were advised that nine deputations had been received for this meeting and the deputation process was explained.

84. CONSTRUCTION OF MATERIALS RECYCLING FACILITY BUILDING (MRF), DEMOLITION OF EXISTING WORKSHOP AND STORAGE BUILDINGS, CONSTRUCTION OF INTERNAL SCREEN BUND, INSTALLATION OF A SEWAGE TREATMENT FACILITY FOR THE OFFICE AND REORGANISATION OF THE SITE LAYOUT INCLUDING, REPLACEMENT OF WEIGHBRIDGE/OFFICE AND ANCILLARY BUILDINGS, RELOCATION OF CONCRETE PLANT, PARKING AREAS AND AGGREGATE STORAGE BAYS, FUELTANKS AND SKIP STORAGE, AND DRAINAGE IMPROVEMENTS AND RETENTION OF AGGREGATES DEPOT AND CONCRETE MIXING PLANT AT LEE LANE, NURSING, SOUTHAMPTON SO16 0AD (APPLICATION NO: 14/00024/CMAS) (SITE REF: TV055)

Councillor Mark Cooper left to attend another meeting before this item was considered, taking the voting total to 14 for this item only

The Committee considered a report from the Director of Economy, Transport and Environment (Item 6 in the minute book) regarding the construction of a materials recycling facility building and reorganisation of the site layout which shall involve the demolition of existing on site buildings, construction of an internal screen bund, installation of a sewage treatment facility for the office, replacement weighbridge/office and ancillary buildings, parking areas and fuel tanks, skip storage, drainage improvements and retention and relocation within the site of the aggregates depot.

The officer introduced the item and showed the Committee photos of the local area and the current surroundings at the site. Layout plans and elevations of the proposed buildings were also shown. There were no proposed changes to the quantity of waste handled, nor to the permitted volume of traffic. No representations had been received from residents opposing the proposal and there was an active Liaison panel for the site.

The Committee received one deputation on this item. Steve Bowley and Lauren Finch both spoke in favour of the application on behalf of the applicant, enforcing that there were no changes to traffic and the overall scale of activity and additional

screening of the site would be provided.

Members asked whether there was a physical barrier between cars and HGV's entering and leaving the site, and it was confirmed that there was for safety.

It was noted that the liaison panel set up during a previous application had been very successful.

RESOLVED:

Planning permission for construction of Materials Recycling Facility building (MRF), demolition of existing workshop and storage buildings, construction of internal screen bund, installation of a sewage treatment facility for the office and reorganisation of the site layout including, replacement of weighbridge/office and ancillary buildings, relocation of concrete plant, parking areas and aggregate storage bays, fuel tanks and skip storage, and drainage improvements and retention of aggregates depot and concrete mixing plant at Lee Lane, Nursling (Application No. 14/00024/CMAS), was granted subject to the planning conditions in integral Appendix B.

Voting:

Favour: 14 (unanimous)

85. ERECTION OF AN ENERGY RECOVERY CENTRE (COMPRISING AN ADVANCED CONVERSION TECHNOLOGY (ACT) 8-12 MWE PYROLYSIS PLANT AND AN ANAEROBIC DIGESTION 2-3 MWE FACILITY WITH AN INTEGRATED EDUCATION CENTRE) AND A 1 MWE PHOTOVOLTAIC SOLAR ARRAY TOGETHER WITH ACCESS, LANDSCAPING AND ASSOCIATED WORKS AT CHICKENHALL LANE, EASTLEIGH SO50 6RQ (APPLICATION NO: S/13/73507) (SITE REF: EA110)

Councillor Chris Greenwood declared that he lived locally in Eastleigh and knew of the location, but had not predetermined the item and had come to the meeting with an open mind.

At the start of this item, Members were provided with revised conditions to take into account the consultation responses from Southampton Airport and Network Rail received after finalisation of the report.

The Committee considered a report from the Director of Economy, Transport and Environment (Item 7 in the minute book) regarding a proposal for the construction of an Energy Recovery Centre and a 1MWe Photovoltaic Solar Array together with access, landscaping and associated works at Chickenhall Lane, Eastleigh.

The officer introduced the item, showing the committee a location plan, aerial photos of the site and photos that showed the current area and views across the site. The officer went through detailed drawings of the proposed Advanced Conversion Technology building and Anaerobic Digestion building's and confirmed that no waste would be moved outside of the building and that waste would be held within an area of negative air pressure to minimise odour.

It was confirmed that Bishopstoke Parish Council had since commented on the application and had concerns regarding an increase in traffic, odour and also the solar panels creating glare for low flying aeroplanes. Network Rail had also commented, stating that they also had concerns regarding glare. The officer confirmed that these had been addressed as part of the new conditions.

The officer stated that the site did not fall in the countryside gap, so Policy 5 was not applicable. This meant that paragraphs 8.18 and 8.19 in the report were no longer relevant.

The Committee received two deputations on this item. Simon Payne, a local resident, told the Committee how his house was situated on Southampton Road one of the main access routes to the site. A leaflet drop had been done by the applicant, but it was felt that this was only done at properties in the immediate area and many local residents remained unaware of the proposal. Mr Payne also had concerns that such a development would have a negative impact on future housing plans in the area, especially regarding the increase in traffic and air pollution, which was already high in the area and above European standards. It was questioned whether the application was necessary and suitable for the proposed area.

James Waterhouse and Richard Fitter spoke on behalf of the applicant and enforced the advantages of the development, stating that the proposed location met all of the site specification criteria, when it was only required to meet one. It was also confirmed that the increase in traffic would be minimal and a route management plan could be considered if it was felt necessary. No objections had been raised by Highways.

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

- Staff at the site would be working on a shift rota, and therefore it was not required that parking spaces be provided for all of them.
- It was anticipated that travel during peak hours would be avoided where possible.
- Areas of widening would take place along the private road, particularly on the bends to allow HGV's to pass more easily.
- Consultation had taken place by the applicant before the application had been submitted to Hampshire County Council (HCC). HCC had then done consultation that included notifying nearly 300 residents and businesses, site notices and an advertisement in the local paper, which went above and beyond the requirements set out in planning regulation and also the Hampshire County Council Statement of Community Involvement.
- A potential heating connection point was proposed for installation at the site, which could be opened up for future developments if desired.
- The site was allocated for employment use (B1,B2,B8) in the Eastleigh Borough Council Plan.
- Potential for a direct rail link had been looked at but not felt feasible.

Some Members of the Committee felt that further research could be done to look at a rail link with the site and it was proposed that the item be deferred pending further

research. This was lost on a vote, with four in favour of deferring, ten against and one abstention.

RESOLVED:

Subject to a legal agreement to secure a highway contribution and contributions to projects to support the Itchen Valley southern damselfly populations, permission for Erection of an Energy Recovery Centre (comprising an Advanced Conversion Technology (ACT) 8-12 MWe Pyrolysis plant and an Anaerobic Digestion 2-3 MWe facility with an integrated education centre) and a 1 MWe Photovoltaic Solar Array together with access, landscaping and associated works at Chickenhall Lane, Eastleigh, SO50 6RQ (Application No. S/13/73507) (Site ref. EA110) was approved subject to the revised conditions circulated at the meeting.

Voting:

Favour: 12

Against: 2

Abstentions: 1

86. CHANGE OF USE OF A HORSE Paddock TO AN ALL WEATHER SYNTHETIC TURF PITCH (STP) WITH FLOODLIGHTING AND ASSOCIATED WORKS, INCLUDING A GRASS RUGBY PITCH (SWANMORE COLLEGE OF TECHNOLOGY), AT LOWER CHASE ROAD, SWANMORE (APPLICATION NO: 12/02419/HCS) (SITE REF: WRE005)

Councillor Huxstep declared a that he was a West Meon Parish and Winchester City Council – Shedfield Ward Member, but had not predetermined the item and had come to the meeting with an open mind.

The Committee considered a report from the Director of Economy, Transport and Environment (Item 8 in the minute book) regarding an application for change of use of a horse paddock to an all weather Synthetic Turf Pitch with floodlighting and associated works, including a grass rugby pitch for use by Swanmore College of Technology at Lower Chase Road, Swanmore.

The officer introduced the item, confirming that the application was linked to a development for housing on the existing school rugby pitch, neighbouring the site which had recently been approved by Winchester City Council, subject to a legal agreement. Aerial photos of the site were shown, along with photos of the site and Lower Chase Road. Members were reminded of the floodlighting, acoustic fencing and landscaping, as well as the proposed layout of the site.

It was confirmed that there had been concerns over flood risk, but that they had been addressed and sustainable drainage requirements had been met. It was also stated that concerns over noise had been addressed by limiting use of the floodlit pitch to 21:15 hours, as opposed to the original requested 22:00 hours.

The Committee received six deputations on this item. Pete Ansty, Dr Jake Oates and Rachel Pelly, local residents, all spoke against the item and agreed that they

felt such a modern urbanising development did not suit the local area. Pete Ansty requested that the proposed tree landscaping included evergreen species so there was visual screening all year round, and also that the management plan needed to be looked at further and have more engagement with local residents. He also felt that the procedure for reporting problems at the site were not realistic as only an email could be sent outside of the regular working hours. Dr Jake Oates said he overlooked site had concerns about the visual impact, that the noise assessment was not a true reflection of what would be experienced by residents, for example did not include use of whistles, and also questioned extent of light spill and felt that the energy consumption of the bulbs was very high and not environmentally friendly. Rachel Pelly said would be affected by noise and disturbance and shared concerns over the use of whistles not featuring as part of the noise assessment and requested that the hours of use be restricted so as to eliminate Sundays, Bank Holidays and the school summer holidays over August.

Cllr Jon Seal from Swanmore Parish Council had three areas of concern over the application: Lower Chase Road safety during the construction period, drainage, and the management of parking along Lower Chase Road once the site was operational.

Kyle Jonathan, the Head Master of Swanmore College spoke along with Chris Loveday regarding the campus being very old and restrictive. The development would enable a huge investment to be made across the school and an essential factor is delivering core PE classes in the winter months. The community use was a vital factor and something that was in high demand. It was confirmed that the site would always be supervised and the school were happy to liaise with local residents going forward.

Andy Trotter and Miles Rankine from Hampshire County Council Property Services declared that a majority of the current college fell within the countryside gap. The remodelling done within the grounds would be used elsewhere on the site to minimise the number of lorry movements during the construction period and the two-tier levels within the site would also help minimise noise. It was also stated that although Lower Chase Road was currently proposed as being used for the main entrance during the construction period, this could be moved to New Road if Members felt this necessary.

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

- The management plan for community use being used was first adopted in 2005, the proposed management plan had been agreed with Sport England.
- Regarding monitoring the Management Plan a meeting took place each term between the school, representatives of the users and District and Parish Councillors. The meetings were not open to the general public but the school was keen to engage with local residents.
- The pitches would not be used on Bank Holidays and were only available subject to prior booking.

- Any problems on site could be called through at any time as reception was always manned, and it would be followed up by managers the following working day.
- There would be no access via Lower Chase Road once construction had finished, including no pedestrian access. For security reasons all access would be via the main school campus.
- No complaints had been received from local residents regarding the main playing fields, the only noise complaint received related to the pitch being proposed for housing.

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

- The hours of operation only applied to the floodlit synthetic turf pitch (STP) and not the rugby pitch, but Members could amend this if they felt it necessary.
- Netting around the rugby pitch could be looked at as part of the landscaping conditions if Members felt it necessary.
- Understorey planting and an increase in evergreen species could be looked at as part of the landscaping conditions if Members felt it necessary.
- It was felt that anticipated light spill had been assessed accurately and to the correct standard.
- There were other developments with floodlighting close to existing property as with this application, but the proximity to the proposed new housing development would be closer.
- Flooding issues had been taken seriously and the drainage scheme had been thorough.
- The construction traffic plan was felt adequate and up to date, but there was opportunity for further consideration secured through the proposed condition. Construction vehicles would equate to two or three a day, which was felt very low and of minimal impact.
- It was felt double yellow lines were not needed along Lower Chase Road as there would be no access to the site from that road, but it could be monitored, and measures required if these were later required.
- Monitoring the conditions on the housing development would be the responsibility of Winchester City Council, but Hampshire County Council would be responsible for monitoring any conditions on the application site
- The site would be operational before there were any residents in the housing development, and therefore any potential tenants/buyers would be aware of the site before committing to a property.
- The 11 metres distance quoted from the STP was to the nearest plot itself, which was reference to the gardens/grounds and not the actual property.

During debate, members considered several amendments and additions to conditions. These covered the following:

1. Access – that all access be removed from Lower Chase Road during the construction period and moved to New Road, and for measures to be taken if necessary if the proposal leads to parking on Lower Chase Road.
2. Hours of Operation – that the use of the rugby pitch has the same time restrictions as the STP.

3. Landscaping – that more evergreen plants be incorporated and that absorbent acoustic fencing be used, as opposed to fencing that may deflect the sound.
4. Monitoring – that the lighting be monitored to ensure there are no problems for residents, particularly for those in the new housing.
5. There should be an advice note concerning the Management Plan and involvement of local residents.

These conditions were put to the vote and were successful with six Members in favour, two against and seven abstentions

RESOLVED:

Planning permission in respect of the change of use of a horse paddock to an all weather Synthetic Turf Pitch (STP) with floodlighting and associated works, including a grass rugby pitch for use by Swanmore College of Technology at Lower Chase Road, Swanmore (Application number: 12/02419/HCS) (Site Reference: WRE005) was approved for the above reasons, subject to the conditions listed in Integral Appendix B, as agreed to be amended at the meeting.

Voting:

Favour: 8

Against: 7

87. PROPOSAL TO DEDICATE PUBLIC FOOTPATH RIGHTS OVER LAND AT SPRINGVALE, KINGS WORTHY, AND TO RESCIND THE HAMPSHIRE (WINCHESTER CITY NO. 18) (PARISH OF KINGS WORTHY) DEFINITIVE MAP MODIFICATION ORDER 2005

This item was withdrawn from the meeting at the request of the applicant.

88. ACCEPTANCE OF THE WITHDRAWAL OF AN APPLICATION FOR REGISTRATION OF LAND KNOWN AS 'SCHOOL FIELD' IN THE PARISH OF ABBOTTS ANN AS TOWN OR VILLAGE GREEN' (APPLICATION NO. VG 254)

The Committee considered a report (Item 10 in the minute book) from the Director of Culture, Communities and Business Services regarding the withdrawal of an application on the basis that a final agreement has been reached between Abbots Ann Parish Council and Hampshire County Council, to enter into a lease which would prevent development of the land that was the subject of the application.

The officer confirmed that case law states an application does not need to be pursued if the applicant does not wish it and it is reasonable not to pursue it, and no other party had expressed interest in taking on the application.

RESOLVED:

The withdrawal of the application was accepted by Members of the Regulatory Committee.

Voting

Favour: 15 (unanimous)

Councillor R McIntosh
Chairman
23 April 2014