

AT A MEETING of the REGULATORY COMMITTEE of HAMPSHIRE COUNTY
COUNCIL held in the Council Chamber at The Castle, Winchester on
Tuesday 27 May 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	p R Price
a J Frankum	p T Rolt
p C Greenwood	p D Simpson
p K House	a S Wheale
p R Humby	
p R Huxstep	

***The order of the agenda at this meeting was as follows:
Items 1-10***

96. APOLOGIES FOR ABSENCE

Apologies were received from Cllr Frankum and Cllr Wheale.

97. 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.

98. MINUTES

The minutes of the meeting held on 24 April 2014 were agreed as a correct record and signed by the Chairman.

99. CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced that a Regulatory Briefing had been scheduled for the 30 June, to replace existing Site Visits.

Ian Austin from Legal updated Members on the Bushfield Village Green application that had previously come to Committee and confirmed that the appeal against the decision had been successful.

100. DEPUTATIONS

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

101. WASTE TRANSFER STATION FOR ASBESTOS TO REAR OF YARD AT UNIT 4, HARDLEY INDUSTRIAL ESTATE, HYTHE, SOUTHAMPTON, SO45 3NQ (APPLICATION NO. 14/10437) (SITE REF: NF268)

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 in Hythe.

The officer summarised the report and the Committee were shown a location plan along with nearby boundary markers, and also an aerial photograph of the site depicting the nearest properties. Three objections had been received from neighbouring properties on the grounds of noise, health and issues with vehicular access to the site. The officer also confirmed that there would be no processing of waste on site and no additional lighting. The hours of operation would be in line with other units in the area. New Forest District Council had raised no objections to the proposal, providing the recommended hours of operation were agreed to.

The Committee received one deputation from Denise Wyatt, a local resident speaking against the application. Ms Wyatt stated that there were already traffic problems in the area, and the site would exacerbate these. The trees used for screening were also deciduous and Ms Wyatt proposed that evergreen trees should be planted to shield properties from the industrial estate all year round. It was also felt that not enough information had been provided regarding the safe disposal of waste water and there was concern that a Member at New Forest district Council had not declared a pecuniary interest regarding the application, and therefore meant it should be deferred pending investigation into the matter.

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

- The application was in accordance with policy;
- There were no conditions regarding noise across the industrial estate and other sites;
- There had been complaints regarding the previous site, but these were never substantiated;
- The height of the sliding and swinging gates were the same;

- Washing down would take place on site, before material brought on site at Hythe;
- There was already screening around the industrial estate, which was felt adequate for the area and evergreen trees were not thought necessary;
- A noise condition could be added to reduce the noise from reversing vehicles;
- CCTV was proposed for the site as part of the application, but Members could request a condition to enforce that it was adequate to work in low lighting if it was felt this was necessary;
- There were no reasons for concern regarding health issues as material was handled off site and would be double bagged securely before being brought on site; and
- The site would be required to have an Environment Agency permit, which would mean adhering to strict regulations.

RESOLVED:

Planning subject to a Legal Agreement securing the surrender of planning permission 10/95719, planning permission for waste transfer station for asbestos to rear of yard at Unit 4, Hardley Industrial Estate, Hythe, Southampton, SO45 3NQ (Application No. 14/10437) was granted subject to the planning conditions in integral Appendix B, and two subsequent conditions agreed at the meeting:

- a) That the 'bleeper' noise made by reversing vehicles be reduced
- b) That CCTV installed be able to record images in low light levels

Voting:

Favour: 14 (unanimous)

102. A NEW BUILD SINGLE STOREY EDUCATION CENTRE AT THE FOREST EDUCATION CENTRE, CABOT DRIVE, DIBDEN, SOUTHAMPTON, SO45 5UQ. (APPLICATION NO. 14/10310) (SITE REF: NFE044)

The Committee considered a report from the Director of Economy, Transport and Environment (Item 7 in the minute book) regarding a proposed new Education Centre in Dibden, Southampton.

The officer introduced the report, along with showing aerial photos of the site and a location plan. It was confirmed that some trees shown in the photos had been since removed due to poor quality. The outside bunded area would be retained and resculpted and New Forest District Council (NFDC) had raised no objections. It was noted that Committee Members raised concerns and it was requested that regard was had to the following points (i) the proposals should make provision for the pedestrian and cycle route as required by Policy HYD2 of the Local Plan Part 2; (ii) The location of the proposed school on the site should be swapped with the area of potential residential development shown as meadow; (iii) The loss of trees/hedgerows is regrettable; (iv) The hours of operation of the school should be carefully considered in order to respect neighbouring amenities.

The hours for community use had been requested initially as 9am – 10pm, however 8pm had been recommended as a condition in the report as not enough reassurance had been provided regarding noise levels. It was also confirmed that the pedestrian/cycle link to Applemore Recreation Ground was not being provided due to education site requirements and the potential security issues of providing a route bounded on two sides by close-boarded fencing, however, there was an existing route approximately 200m from the site that could be used as an alternative connection.

Four deputations were received for this item. Ian Osborne and P. Williams spoke as local residents on the item and whilst they were not against the application in principle, they shared their concerns over the size and also the layout of the school, car park and multi-use games area (MUGA). Concerns were also raised regarding anti-social behaviour, an increase in parking and traffic in the residential areas (particularly Cabot Drive) and the fact that similar community facilities were already available very close by. Cllr Chris Harrison from NFDC addressed the Committee confirming the reservations highlighted at the NFDC Planning Committee and summarised proposals for rearranging the layout of the site.

Dominic Coburn, Head teacher at the current centre, addressed the Committee and summarised the priorities of the school and gave some background as to why it was established and the type of children it was set up to help. He also stated that there was currently no provision for an outside sports area and therefore the MUGA would be particularly beneficial to pupils.

Andrew Parker from Property Services at Hampshire County Council went through the proposed layout of the site and explained how the public sewers dictated the positioning of various aspects of the school. No solar panels were planned as the school was cost effective to run, but these could potentially be considered in future if funding was to become available.

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

- The MUGA was currently proposed for the south-west corner, and residents had suggested moving it to the south-east corner and rotating it 90 degrees;
- Flat roofing was felt adequate and secure as they were at a high level and had overhangs to prevent people from climbing on them;
- The timber cladding was treated hardwood that would be fire resistant and not require maintenance;
- Residents were unhappy about an 8pm closure on the site, despite it being reduced from 10pm;
- No sprinklers were proposed for the site as the area was felt to be low risk and there was a high staff/pupil ratio. Additional fire compartments were proposed for inside the school and the exterior would be fire treated;
- The roof was robust and could be installed with solar panels in the future if required;
- Only two drop-off bays provided as most students arrived by taxi;
- The sewer was marked with a dotted line on the plan presented to members, and restricted the site building area

- The flat roofing connected the pitched roofing and also allowed cross ventilation and proper draining.

During questions of the officer, it was confirmed that the Travel Plan condition could be amended to make reference to the need to consider the community use within the Travel Plan that was to be submitted for approval.

RESOLVED:

Planning permission in respect of the construction of a new build single storey Education Centre at The Forest Education Centre, Cabot Drive, Dibden, Southampton, SO45 5UQ. (Application No. 14/10310) (Site ref: NFE044) was approved, subject to the conditions listed in integral Appendix B.

Voting:

Favour: 14 (unanimous)

103. APPLICATION TO RECORD A PUBLIC FOOTPATH AT DITCHAM WOODS, IN THE PARISH OF BURITON

The Committee considered a report from the Director of Culture, Communities and Business Services (Item 8 in the minute book) regarding a public footpath in Buriton. The application to dedicate the land was first received in 2006 and had been contested by the land owner. It had been acknowledged that access had been very infrequent and only by a small number of people, resulting in mostly user evidence rather than documented evidence. It was accepted that the land owner had not been as robust with signage as he have been, but this was likely down to only have 3-4 people access the site each year. The local Council also confirmed that the route was never thought to be public.

One deputation was received from Michael Wood, speaking on behalf of the landowner. Mr Wood stated that only the application and friends/associates of the application had provided evidence, which was not felt to be wholly reliable.

RESOLVED:

The application for a Definitive Map modification Order to record a public footpath at Ditcham Woods, Buriton, was refused.

Voting:

Favour: 14 (unanimous)

Cllr Humby left the meeting

104. CREATION OF A PUBLIC BRIDLEWAY RIGHTS AT WELLWORTH LANE, PARISH OF ROWLANDS CASTLE

The Committee considered a report from the Director of Culture, Communities and Business Services (Item 9 in the minute book) regarding a creation order in

Rowlands Castle.

It was confirmed that the application had previously been at Committee in January 2014, but it had since become clear that the apparently landowner did not own all of the route. Attempts had been made by officers to contact the owner of the small section to the north of the route, marked A-B on the plan, however this had proved unsuccessful, and therefore the creation order had been brought forward again for approval by Committee. It was confirmed that an landowner could potentially claim compensation for the route being used in the future, but seeing as the section was already part of the route, it was felt this was highly unlikely.

RESOLVED:

Authority was given for the making of a creation order to record bridleway rights between points A-B, as shown on the plan attached to the report.

Voting:

Favour: 13 (unanimous)

105. PROPOSAL TO DEDICATE PUBLIC BRIDLEWAY RIGHTS AT WOOLMER FOREST IN THE PARISH OF WHITEHILL

The Committee considered a report from the Director of Culture, Communities and Business Services (Item 10 in the minute book) regarding a proposal to dedicate public bridleway rights in Whitehill.

It was confirmed that the routes would provide cycling, riding and walking opportunities between Bordon and Liss, however, may change slightly to those marked on the plan depending on surface conditions and trees.

Section 106 funding had been made available by East Hampshire and the South Downs Hampshire County Council would be responsible for maintenance.

RESOLVED:

The MOD's offer to dedicate public bridleway rights on the route shown between points a-B on the plan was accepted by Committee.

Voting:

Favour: 13 (unanimous)

Councillor R McIntosh
Chairman
18 June 2014