

AT A MEETING of the REGULATORY COMMITTEE of the HAMPSHIRE COUNTY COUNCIL held at The Castle, Winchester on 12 January 2011.

PRESENT:

Chairman:
p Councillor R.C. McIntosh

Vice-Chairman
p Councillor I. Beagley

Councillors:

a F.G. Allgood	p Mrs A. McEvoy
p Mrs C.A. Bailey	p E.J. Neal
p A. Broadhurst	p F. Pearce
p J.V. Bryant	p R. Price
p C. Carter	p Mrs J. Porter
p M.G. Cooper	p D. Simpson
p B.T. Gurden	p J. Wall
p G.M. Hockley	a J.K. West
a S. James	p Mrs S. Wheale
p A. Joy	

172 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillor F. Allgood, Cllr James and Cllr West.

173 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.

174 MINUTES

It was agreed by the Committee that the following text be added to Minute 163 (Item 7 in the minute book):

“The applicant confirmed that there was no information available with regards to the site’s carbon footprint.”

The Minutes of the meeting of the Regulatory Committee held on November 2010 were confirmed as a correct record and signed by the Chairman.

175 CHAIRMAN'S ANNOUNCEMENTS

The Chairman confirmed that a Site Visit would be taking place on Monday 24 January and advised Members to make a note in their diaries.

176 DEPUTATIONS

Members were reminded that they had approved a scheme which involved the amendment of Standing Order 21 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 two deputations had been received for this meeting.

177 ERECTION OF A WASTE RECEPTION BUILDING AND CHANGES TO INTERNAL LAYOUT IN UNITS 1, 2, 3, 4, 5 AND 8 AND PERMANENT USE OF UNITS 1, 2, 3, 4, 5 AND 8 FOR WASTE RECYCLING AND TRANSFER ACTIVITIES, INCLUDING THE RECYCLING AND TRANSFER OF NON PUTRESCIBLE CONSTRUCTION, DEMOLITION, COMMERCIAL, INDUSTRIAL AND MUNICIPAL WASTE AND EVERSLEY HAULAGE PARK, BRICKHOUSE HILL, EVERSLEY, HOOK, HAMPSHIRE RG27 0PZ (APPLICATION NO: 10/02547/CMA) (SITE REF: HR085)

The Committee considered the report of the Head of Planning and Development (Item 6 in the Minute Book) which detailed an application for changes to the internal layout at Eversley Haulage Park, Eversley and included the erection of a large building that would house waste recycling and transfer activities.

The Development Control Manager introduced the proposals, which were supported by recent photos of the site, current and proposed plans of the layout, and the access into the site. It was confirmed that the site was adjacent to Eversley Quarry. Although the proposed building stood 15 metres high to eaves and 16.6 metres to ridge, on balance it was felt that this was acceptable as there were no significant adverse affects on the local environment or local amenity.

The Committee were informed that Natural England had no objections as the application would not affect the neighbouring Special Protection Area and also that since the publication of the report, the Environment Agency had responded and stated that they had no objections to the proposals.

The Development Control Manager also confirmed that two of the objections received from Eversley Parish Council had been omitted from the report due to the risk of them being misleading. These were:

- a) *Objections on the grounds the haulage park has for many years operated unpermitted uses and buildings constructed without planning permission.* It was confirmed that the applicants use did have planning permissions, which were temporary, and this was not a retrospective application.
- b) *Consideration should be given to exchange the site for an alternative site in a better location and the existing site returned to heath land* – this was not felt relevant to the consideration of the application. The site was confirmed as being brown field site, with certificate of lawful use for a haulage depot.

The Committee were told that although there had been no objections from local neighbours, there were concerns over flooding and drainage for the road. It was confirmed that a ditch clearance was programmed for later in 2011.

The Committee received two deputations for this item. Cllr Philip Todd, Chairman on Eversley Parish Council, told the Committee that he had concerns over screening not being included as part of the conditions. He also felt that the building was too large and intrusive. Mr David Sandbrook spoke on behalf of the applicant, and reinforced that there were no objections from Natural England. He also stated that the site was close to Blackbushe Airport where there were large hangers, but the applicant would be happy to reduce the building height by two metres, reducing it to 14.5 metres at the ridge, if the Committee felt this appropriate. The applicant was also happy to leave the colour of the building for the planning authority to decide.

During questions of the deputees, Mr Sandbrook confirmed the temporary permissions expired at the end of 2010 and explained that 'non putrescible waste' was anything that was not 'inert'. Whilst the site had no plans to process non putrescible waste, allowances needed to be made in cases where some was brought accidentally into the site, within waste loads.

Members asked why the landscape screening had not been incorporated into the conditions and also why the original permissions had been temporary. It was confirmed that the maintenance of the existing screening be part of the conditions, and had been omitted by mistake. The temporary permissions had originally been granted due to some early planning and enforcement issues with Hart District Council, and it also gave the opportunity for assessing the environmental and amenity impacts. No complaints had been received about the site during this period.

It was confirmed that Blackbushe airport had been consulted directly. The maximum tonnage of 120,000 was part of the Environment Agency permit,

but this could be included as a condition if Members wished. Finally it was confirmed that all current outside operations be move into the building and be enclosed, with only the movement of materials and skips/storage remaining out in the open.

During debate of the item, it was proposed that the item be deferred pending a site visit, and also that the required height of the building be investigated by officers, however these were put to the vote and lost.

Members agreed that the height was a primary concern and that the building was a very large size compared to other recycling centres that had been visited and that this should be reduced as much as possible.

The Chairman confirmed, with agreement from the Committee, that the current conditions being added to the recommendations were as follows:

- 1) The colour of the building to be agreed;
- 2) The height of the building would be reduced by at least two metres;
- 3) That there would be a limit of 120,000 tonnes per annum; and
- 4) The existing landscaped bund would be maintained to help screen the building

The recommendations, with additional conditions were put to the Committee:

- i) That permission for the erection of a Waste Reception Building and changes to internal layout in Units 1, 2, 3, 4, 5 and 8 and permanent use of Units 1, 2, 3, 4, 5, and 8 for waste recycling and transfer activities, including the recycling and transfer of non putrescible construction, demolition, commercial, industrial and municipal waste at Eversley Haulage Park, Brickhouse Hill, Eversley, Hook, Hampshire RG27 0PZ (Application No: 10/02547/CMA) be approved, subject to the conditions listed in Integral Appendix B and additional conditions concerning:
 - a The colour of the building to be agreed;
 - b The height of the building to be reduced by at least two metres;
 - c That there would be a limit of 120,000 tonnes per annum; and
 - d The existing landscaped bund would be maintained.
 - e That the building be demolished if it is no longer used for recycling purposes

Final Vote:

Favour: 12

Against: 5

Abstentions: 1

178 APPLICATION FOR A PUBLIC PATH DIVERSION ORDER FOR PART OF FOOTPATH NO. 30 AND DEDICATION OF A PUBLIC FOOTPATH BETWEEN FOOTPATH NO. 17 AND BRIDLEWAY NO. 32 IN THE PARISH OF SOPLEY

The Committee considered the report of the Director of Culture, Communities and Rural Affairs (Item 7 in the Minute Book) which detailed an application for a footpath diversion in Sopley. The Countryside Access Development Officer confirmed to the Committee that the landowner wanted to make better use of the land for agricultural purposes. It would also benefit walkers as the current path is often very muddy due to legitimate land management activities such as ploughing and the keeping of livestock, whereas the proposed route follows a grassy field edge along a stream bank that is not disturbed by such activities. All costs for advertising the diversion and the necessary physical works would be met by the applicant.

Members were also informed that since the publication of the report, the Ramblers have stated that they have no objections to the proposal.

RESOLVED:

- i) That an Order is made diverting Sopley Footpath No.30 from A-B to A-C, as shown on the accompanying plan.
- ii) That the dedication of a public footpath following the route D to E be accepted, as shown on the accompanying plan

Vote:

Favour: 18 (unanimous)