

AT A MEETING of the REGULATORY COMMITTEE of the HAMPSHIRE
COUNTY COUNCIL held at The Castle, Winchester on 29 September 2010.

PRESENT:

Chairman:
p Councillor R.C. McIntosh

Vice-Chairman
p Councillor I. Beagley

Councillors:

p F.G. Allgood (for items 1 – 7)	a Mrs A. McEvoy
p Mrs C.A. Bailey	p E.J. Neal (for items 1 – 7)
p A. Broadhurst	p F. Pearce
a J.V. Bryant	p R. Price
a C. Carter	p Mrs J. Porter
p M.G. Cooper	p D. Simpson
a B.T. Gurden	p J. Wall
p G.M. Hockley (for items 1 – 7)	p J.K. West
p S. James (for items 1 – 7)	a Mrs S. Wheale
a. A. Joy	

142 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors J. Bryant, C. Carter, B. Gurden and A. Joy

143 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.

144 MINUTES

The Minutes of the meeting of the Regulatory Committee held on 28 July 2010 were confirmed as a correct record and signed by the Chairman.

145 CHAIRMAN'S ANNOUNCEMENTS

The Chairman confirmed that training had been arranged for Regulatory Members on the following dates:

- Wednesday 13 October, 14:00 – Environment
- Tuesday 2 November, 14:00 – CCRA (Rights of Way)

146 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 eighteen deputations had been received for this meeting.

147 PROPOSED MULTI-USE GAMES AREA WITH ASSOCIATED FENCING AND PEDESTRIAN PATH AT HILTINGBURY JUNIOR SCHOOL, HILTINGBURY ROAD, CHANDLERS FORD (APPLICATION NO: S/10/676480) (SITE REF: EAE 008)

Councillor Broadhurst declared a personal but non prejudicial interest, being a Member of Chandlers Ford Parish Council.

The Committee considered the report of the Head of Planning and Development (Item 6 in the Minute Book) summarising a proposal to install a multi-use games area (MUGA) within the existing grounds at Hiltingbury Junior School.

The MUGA would be situated on the schools grass playing field, adjacent to the current hard surfaced playground. The location enabled a grass football pitch to be retained alongside it.

The Development Control Manager confirmed that no objections had been received from Eastleigh Borough Council and no objection in principle received from Chandlers Ford Parish Council. Sport England had initially objected due to the reduction in the grass playing area, but this has been withdrawn as the MUGA would be available for community use. Several objections had been received from local residents, who were concerned about noise levels and the potential increase in anti-social behaviour on the site. As a compromise, the school had agreed to withdraw the construction of a gazebo, agreed to not use or lease the site on a Sunday and only allow the MUGA to be used by children ages 12 and younger; the same age range as those at the school. It was also confirmed that no floodlighting was proposed for the sight.

The Committee received deputations from Mrs Carole Munckton and Mr Tony Huggett, speaking on behalf of Mrs Sissons (Local resident) who shared their concerns and their fears over the increased risk of antisocial behaviour. Mrs Munckton stated that teenagers were often creating noise and disturbance and playing with footballs in the early hours of the morning. Mr Huggett suggested the MUGA should be placed on the western side of the field further away from neighbours. Deputations were also received from Mr Miles Rankin Hampshire County Council and Mr Jon Clarke, Head Master at Hiltingbury Junior School. Mr Rankine confirmed that the Western part of the field was looked at, but not only was there a substantial oak tree there, it would have blocked access to the MUGA and left no room for football pitches. Mr Clark confirmed that the school had made several changes to the application to respond to concerns raised by local residents and that the MUGA was for the benefit of the children at the school not a money making opportunity. He also confirmed that the grass playing field was currently used during playtimes in the summer/drier months and also for after school clubs, so there was already activity in the area.

During questions of the officer, it was confirmed there was going to be a fence and gate around the MUGA. There was also a question concerning a possible MUGA being constructed on nearby Hiltingbury Recreation Ground, as mentioned by Cllr Davidovitz in the report. It was confirmed there are no current proposals and such a facility would not meet the schools requirements.

Members considered that although the MUGA should not normally be used on Sundays and Public Holidays, it could be available on special occasions, when agreed with residents. Members considered the management of the site would be left to the school to review on an annual basis, along with consultation with residents, but there should be an advice note.

RESOLVED:

- i. That planning permission for the construction of a Multi-Use Games Area with associated fencing and pedestrian path at Hiltingbury County Junior School, Hiltingbury Road, Chandlers Ford, near Eastleigh, (Application No. S/10/67648), be granted subject to the planning conditions in Integral Appendix B, subject to amendments concerning restrictions on use on Sundays and public holidays and restricting the age of children using the MUGA to 12 or under.

Voting:

Favour: 14

Against: 0

Abstained: 1

148 TO CONSTRUCT TWO SYNTHETIC TURF PITCHES (101.5 X 63 METRES) WITH FOURTEEN 15 METRE HIGH FLOODLIGHTING COLUMNS, THREE METRE AND 4.5 METRE HIGH GREEN WELDMESH BALL STOP FENCING, 1.2 METRE HIGH SPECTATOR VIEWING AREA AT WARBLINGTON SCHOOL, SOUTHLEIGH ROAD, HAVANT, HAMPSHIRE PO9 2RR (APPLICATION NO: 10/53510/006)

The Committee considered the report of the Head of Planning and Development (Item 7 in the Minute Book) in respect of an application to construct a 'Hockey Centre of Excellence' which would include two synthetic surf pitches, with floodlighting, weldmesh fencing and spectator viewing areas. A draft management plan was circulated to Members and deputations.

The Development Control Manager introduced the item and showed the Committee proposed plans of the area, along with landscaping proposals and the positions of nearby housing. Whilst it was accepted that this application was close to residential housing, the officer confirmed that measures had been taken to keep impact to a minimum, including tall, step angled floodlights to minimise light spill, acoustic barriers to reduce noise and landscaping to reduce the visual impact of the pitches. Additional noise and traffic reports had been submitted in response to concerns raised. As well as potential noise and disturbance, other objections from residents included potential problems with traffic, drainage issues and the provision of changing and toilet facilities.

The Committee received deputations from Mr Peter Eames (Local Resident), Mr Clifford Smith and Mrs Elaine Kilby (Warblington and Denvilles Residents Association) and Mrs Sue Layton and Dr Paul McCormick (Warblington Development Action Group) who all raised objections to the application, in particular the scale of the proposals which are to provide a major sports facility for the Hockey Club, in excess of the facilities required educationally by the school. Also specific issues including that of the traffic with the railway level crossing outside the school and parking on the site, rainwater and water from the hockey pitches draining and flooding nearby gardens, the use of facilities in the school and whether these would be suitable for adults and children. Dr Paul McCormick also raised legal concerns related to procedural matters and also in relation to the interpretation of Havant Borough Plan policies which he considers are incorrect in the report. Mr Peter Taylor (Havant Hockey Club), Mr Owen Davies (Head Master, Warblington School), Mr Keith Chessel (Chair of Governors, Warblington School) and Mr Colin Lord (Hampshire County Council) supporting the application. A deputation was also received from Cllr Jackie Branson (Havant Borough Council), who told the Committee she had visited Havant Hockey club and witnessed the activities. She considered concerns were overstated and supported the proposal. County Councillor Ray Bolton was concerned that the proposal would have an adverse impact on environment. He also commented that

Hockey season ran between September and April, so suggested shorter hours for outside this period and raised issue of who and how the requirements of the management plan would be enforced

Members asked questions regarding the management of the site and the content of the management plan in terms of parking (including possibility of park and ride on match days), security, managing noise and times of operation (including the acceptability of the restrictions suggested by Cllr Bolton). Concerns regarding the changing and toilet facilities on site were raised over children and adults potentially having to share facilities at the same time, which would go against safeguarding children. Consideration of the legal issues concerning planning policy were also raised in the deputation. Members also queried why there was no wrap around with the acoustic fencing to protect houses at the corner of the site, and the lack of landscaping on the south west corner of the playing field, and it was confirmed that there was already substantial tree cover adjoining this area.

During debating the item, Members agreed that further information was required, and that the item be deferred.

RESOLVED:

- i) That the item be deferred to provide further information on the issues raised in the Members questions.

Voting:

Favour: 11

Against: 1

Abstained: 3

***Councillors Hockley, James left the meeting at the end of this item.
Councillors Allgood and Neal left the meeting at the end of this item to attend the Audit Committee meeting.***

**149 VARIATION OF CONDITIONS 2,3,4 OF PLANNING PERMISSION
08/02657/HCS TO ALLOW RECYCLING OF PLASTERBOARD TO
PRODUCE GYPSUM AND WASTE PAPER AS A BY-PRODUCT AT
FOUR DELL FARM, OTTERBOURNE, WINCHESTER, HAMPSHIRE
SO21 2DY
(APPLICATION NO. (10/01128/HCS)
(SITE REF: WR 215)**

The Committee considered the report of the Head of Planning and Development (Item 8 in the Minute Book) which detailed a proposal to allow recycling of plasterboard to produce gypsum and waste paper as a by product.

The Development Control Manager confirmed to the Committee that the applicant currently purchases ammonium sulphate to apply to the land and enrich crops, which is very costly, and using gypsum would be cheaper and more effective. Objections had been received from Parish Councillors about potential dust, pollution and noise and also the increase in vehicles on the surrounding rural roads. There would be no increase from the current permissions, but the variation would allow for plasterboard to be included in the current material, which would be clean plasterboard only and exclude artex and any potential for asbestos. A weighbridge already existed on the site, which was operational and available to enable monitoring of the 32,000 tonne annual limit.

The Committee received deputations from John and Geoff Venn (applicants) and Richard Alderman (Agronomist) who emphasised the benefits of using gypsum and the importance of recycling nutrients for agriculture.

Members asked the officer about water management for dust suppression, it was confirmed that the water tank would be sufficient, but may be topped up if there was to be a drought. The officer also confirmed that the site would require an Environmental Permit and so would be monitored by both the Environment Agency and the County Council.

It was requested that a copy of the Environment Management Plan be forwarded to Parish Councils so they could be reassured it will be implemented effectively.

RESOLVED:

- i. That permission for Variation of conditions of planning permission 08/02657/HCS to allow recycling of plasterboard to produce gypsum and waste paper to facilitate existing composting at Four Dell Farm, Otterbourne, Winchester, Hampshire SO21 2DY (Application No: 10/01128/HCS) (Site Ref: WR215) be granted for the reason outlined in the Executive Summary, and subject to the conditions attached as Appendix B of this report.

Voting:

Favour: 11

Against: 0

150 CONTINUED USE OF LAND FOR RECYCLING AND STORAGE OF INERT EXCAVATION MATERIALS AT TILE BARN FARM, UPTON GREY, BASINGSTOKE RG25 2RS (APPLICATION NO. BA166BDB) (SITE REF: 72278)

The Committee considered the report of the Head of Planning and

Development (Item 9 in the Minute Book) detailing retrospective planning permission for the continued use of land for recycling and storage of inert excavation materials.

The Head of Planning and Development confirmed that objections had been received from Basingstoke and Deane Borough Council due to the site having an impact on the landscape, the impact on nearby roads, local amenity and proximity of waste resources.

Objections had also been received from the Highway Authority. Meetings had been held over the summer with the applicant, but the Highway Authority felt that Little Dean Lane was not suitable for the traffic and the junction with Ford Lane did not have suitable visibility.

The Committee received a deputation from David Janaway (Applicant) who spoke in favour of the application commenting that the activities had not given rise to any issues or complaints.

It was confirmed that approximately 20,000 tonnes were processed each year currently, but as the site was quite remote, there had been no complaints received.

During debating the item, Members agreed that a site visit would be suitable in order to see the roads and the location of the farm.

RESOLVED:

- i. That the item be deferred for a site visit

Voting:

Favour (of site visit): 10

Abstained: 1

**151 CHANGE OF USE TO VEHICLE, PLANT AND CONTAINER PARKING OF AN AREA TO THE SOUTH OF THE EXISTING WASTE RECYCLING FACILITY AT RF SALVIDGE RECYCLING, BUNNY LANE, TIMSBURY, ROMSEY, SO51 0PG
(APPLICATION NO. 10/00744/CMAS)
(SITE REF: TV 066)**

The Committee considered the report of the Head of Planning and Development (Item 10 in the Minute Book) which detailed an application to change use of 0.25ha of land to the south of the existing waste recycling facility at RF Salvidge Recycling.

The Development Control Manager gave an overview of the application and showed the Committee plans of the area, which had been visited by Members on 13 September 2010. At the visit Members asked how far the

nearest residential area was, and it was confirmed that the applicants house was about 330 metres from the application site and nearest houses at Michelmersh about 500 metres to the north from the application site.

RESOLVED:

That planning permission for change of use to vehicle, plant and container parking of an area to the south of the existing waste recycling facility at R F Salvidge Recycling, Bunny lane, Timsbury, Romsey, SO51 0PG (No.10/00744/CMAS)(Site Ref:TV066) be granted subject to the planning conditions in Integral Appendix B.

Voting:

Favour: 11 (unanimous)

152 APPLICATION FOR A PUBLIC PATH DIVERSION ORDER FOR PART OF FOOTPATH NO.4 IN THE PARISH OF MOTTISFONT

The Committee received the report of the Director of Culture, Communities and Rural Affairs (Item 11 in the Minute Book) with an application to permanently divert part of Mottisfont Footpath No, 4 as part of the restoration of the former Kimbridge Quarry site.

The Countryside Access Development Officer showed the Committee plans of the area and the site itself and explained that the proposed route offered improved width, surfacing and accessibility. The diversion is required as part of the approved restoration plan for this former quarry now that mineral extraction is complete, leaving the existing line running across a newly created lake.

It was confirmed that the new route would have a compacted stone surface with fencing on the southern side for safety and the northern side for stock-control purposes. Comments had been received on the proposal, but no objections.

When questioning the officer, Members enquired about landscaping on the new route and it was confirmed that, although a condition on future planting could not be enforced after the restoration is complete, tree planting does form part of the approved restoration plan for the site.

RESOLVED:

- i. That an Order is made diverting part of Mottisfont Footpath No. 4 from the current definite alignment to the proposed alignment, as shown on the accompanying plan.

Voting:

Favour: 10

Abstained: 1

153 APPLICATION FOR A PUBLIC PATH DIVERSION ORDER FOR PART OF FOOTPATH NO.1 IN THE PARISH OF DOGMERSFIELD

Cllr Simpson declared a personal, non prejudicial interest in this item, being a Member of Hart District Council, who granted planning permission for the viewing platform.

The Committee received the report of the Director of Culture, Communities and Rural Affairs (Item 12 in the Minute Book) detailing an application to divert part of Dogmersfield Footpath No. 1 to enable the landowner to manage the land more effectively for agricultural purposes. The proposal also includes a viewing platform to be constructed, offering benefits to the public.

During debate Members agreed that it was a substantial change and some felt that the old route was preferable, being easier to walk.

RESOLVED:

- i. That an Order is made diverting Dogmersfield Footpath No. 1 from the current definitive alignment to an alignment following the route A-C-B, as shown on the accompanying plan.

Voting:

Favour: 11

Against: 0

154 PROPOSAL TO MAKE A DEFINITIVE MAP MODIFICATION ORDER TO RECORD A RESTRICTED BYWAY IN THE PARISHES OF SHIPTON BELLINGER AND KIMPTON

The Committee received the report of the Director of Culture, Communities and Rural Affairs (Item 13 of the Minute Book) detailing a proposal to make a Definite Map Modification Order to record a restricted byway.

The Map Review Officer presented the item to the Committee and explained there were two rights of way in the locality – the recorded route and the used route. It was felt that the used route should be formally recorded so the old route could be extinguished.

During questioning the officer, Members asked why the route was not a bridleway if bikes and horses used it. It was confirmed that was because the route was historically a road, over which rights for public motorised vehicles have been extinguished leaving restricted byway rights

RESOLVED:

- i. That the authority be given to make a definitive map modification order to record the route A-C, as shown on the attached map by a dashed orange line, as a restricted byway with a width of 6.0 metres.

Voting:

Favour: 11 (unanimous)

155 PROPOSED DEDICATION OF PUBLIC FOOTPATHS AT CUNNINGHAM GARDENS, IN HOUND PARISH, BY EASTLEIGH BOROUGH COUNCIL

The Committee received the report of the Director of Culture, Communities and Rural Affairs (Item 14 of the Minute Book) detailing a proposal from Eastleigh Borough Council to dedicate public footpaths over land in its ownership at Cunningham Gardens in Old Netley.

The Map Review Officer confirmed that Eastleigh Borough Council had recommended this proposal and it had been well received by ramblers.

Members enquired as to whether this could not be a bridleway, but it was verified that the connecting footpath route to the west was not capable of taking horses and bikes.

RESOLVED:

- i. That the County Council enters into a dedication agreement with Eastleigh Borough Council for the dedication of footpath rights over the routes A-B, C-D-E-F-G and F-H as shown on the attached plan. The dedication agreement to include the provision of gates at points A, B, D and E and the width of the paths to be 3.0 metres.

Voting:

Favour: 11 (unanimous)

156 APPLICATION FOR REGISTRATION OF LAND AT DUMMER VILLAGE AS TOWN OR VILLAGE GREEN (APPLICATION NO: TVG 253)

The Committee received the report of the Director of Culture, Communities and Rural Affairs (Item 13 of the Minute Book) detailing an application to register land, known as Dummer Village Pond, as a town or village green.

The Map Review Officer presented the item to the Committee, and stated that the Committee was required to accept the registration because it was voluntary, and no other parties needed to give consent .

There were no questions or debate on this item, so Members went straight to the vote.

RESOLVED:

- i. That the application to register voluntarily land shown edged in red on the attached plan as a town or village green be accepted

Voting:

Favour: 11 (unanimous)