

AT A MEETING of the REGULATORY COMMITTEE of the HAMPSHIRE COUNTY COUNCIL held at The Castle, Winchester on 30 June 2010.

**PRESENT:**

Chairman:  
p Councillor R.C. McIntosh

Vice-Chairman  
p Councillor I. Beagley

Councillors:

a F.G. Allgood	p Mrs A. McEvoy (for agenda items 1 – 10)
p Mrs C.A. Bailey	p E.J. Neal
p A. Broadhurst	p F. Pearce
a J.V. Bryant	a R. Price
p C. Carter	p Mrs J. Porter
p M.G. Cooper	p D. Simpson (for agenda items 1 - 10)
a B.T. Gurden	p J. Wall
p G.M. Hockley	p J.K. West (for agenda items 1 – 10)
p S. James	p Mrs S. Wheale
p. A. Joy (for agenda items 1 – 6)	

**114 APOLOGIES FOR ABSENCE**

Apologies for absence were submitted on behalf of Councillor F. Allgood, J. Bryant, B. Gurden and R. Price

**115 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.

## **116 MINUTES**

The Minutes of the meeting of the Regulatory Committee held on 26 May 2010 were confirmed as a correct record and signed by the Chairman.

## **117 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 five deputations had been received for this meeting.

## **118 CHANGE OF USE FROM WASTE PAPER RECYCLING TO BIOMASS PLANT (SUI GENERIS) FOR THE IMPORTATION OF WOOD WASTE (BIOMASS) FOR THE PURPOSE OF PROVIDING ELECTRICITY (750 KILOWATT) TO THE NATIONAL GRID AT FORMER SCA BUILDING AND YARD, ARMSTRONG ROAD, BASINGSTOKE, RG24 8NU (APPLICATION NO. BDB/72250) (SITE REF: BA161)**

The Committee considered the report of the Head of Planning and Development (Item 6 in the Minute Book) summarising a proposal to install a 4800 kilowatt thermal biomass plant in Basingstoke.

The Head of Planning and Development confirmed that the biomass plant would be installed within the existing industrial building and include a thermal treatment plant, with associated pollution control equipment. Chipped waste wood would be thermally treated in the proposed plant and the ash would move along a sealed conveyor belt into a covered skip. Approximately 25,000 tons of ash would be collected each year and it was anticipated that this would be recycled. All chipping would be done off site at the applicants site in Wade Road. Currently the chipped waste wood is taken from Wade Road to a power plant in Slough.

The proposed changes are to be made to the exterior of the building would not be significant, comprising a chimney stack ,louvres for ventilation of the cooling plant and alteration to the rear facade. The proposed traffic movements of 300 a month would be lower than that in the building's previous use, which was about 1600 month. The site would continue to do waste recycling in the yard outside the building, this would add an extra

150 lorries movements a month, therefore giving a total of 450 movements a month.

The Head of Planning and Development confirmed that an Environmental Permit from the Environment Agency would be required as well as planning permission. This would set strict levels with regards to emissions from the plant, monitoring of levels. The permit would also be specific to the operator and equipment installed, and the Environment Agency would take into account the competency of the operator technically and financially.

The Committee received five deputations for this item, which included two residents, a local Parish Member, the applicant and Local County Councillor Elaine Still. Concerns were raised at the noise and emissions from the plant and also at the fact that the site would not be manned overnight and weekends. The residents felt that the houses were too close for a biomass plant to be installed and the emissions may cause respiratory problems. The applicant reassured the Committee that the emissions would be tested and monitored by the Environment Agency and posed no risk. It was also proposed that the site could be manned 24hrs if the Committee felt this was suitable. Despite accusations that the machinery would not fit inside the current building without the roof being heightened, the applicant confirmed that no current changes would need to take place to the exterior structure to accommodate the equipment.

Councillor Still told the Committee that whilst she supported renewable energy and the biomass plant in principle, she felt not enough research had been done on their long term effects and therefore it should not be placed close to a residential area.

The Head of Planning and Development confirmed that it would not be appropriate to add conditions relating to emissions as these would be covered by the Environmental Permit, but agreed that site security outside normal working hours could be conditioned if the Committee felt this was necessary. It was also confirmed that an Environmental Impact Assessment was not required because the proposal was not likely to have a significant environmental effects. However the County Council does need to have the necessary environmental information and should consider the environmental impacts. The County Council would be consulted by the Environment Agency as part of their consideration of an Environmental Permit application.

The Committee agreed that 24 hour manning security arrangements should be incorporated into the conditions.

RESOLVED:

- i. That planning permission for a change of use from waste paper recycling to Biomass Plant (sui generis) for the importation of wood waste (biomass) for the purpose of providing electricity (750 kilowatt) to the national grid at former SCA Building and yard, Armstrong Road, Basingstoke RG24 8NU. (Application No: BDB/72250), be granted subject to the planning conditions in Integral Appendix B and 24 hour security arrangements and staffing being put in place.

**Voting:**

**Favour: 15**

**Against: 2**

***Councillor A. Joy left the meeting***

**119 CONSTRUCTION OF A NEW SINGLE STOREY STAND ALONE 26 PLACE PRIVATE PRE-SCHOOL WITH ASSOCIATED EXTERNAL WORKS AT BURGHCLERE COUNTY PRIMARY SCHOOL, CHURCH LANE, BURGHCLERE, HAMPSHIRE (APPLICATION NO: BDB/72245) (COUNTY COUNCIL REF: BAE 032)**

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 new single storey stand alone pre-school.

The Head of Planning and Development introduced the item and showed the Committee proposed plans for the site. A pre-school service was already in place in the village hall and the proposals would mean the children moving from this into the new building adjacent to the school. , This was part of Boroughs policy to improve existing facilities at schools. Although part of the playing field would be needed for the proposed building, the area would be redesigned to make the most of the remaining space and was agreed to by Sport England.

There was no parking at the school but ample on-street parking. The Highways Authority had confirmed that this was suitable and the proposal would not affect traffic or parking.

The Committee received deputations from Liam Presley from Hampshire County Council who confirmed the plans, design and materials proposed for the new site, and also Jean Holdcroft, Headmistress at the school. Mrs Holdcroft confirmed that the proposal had the full support of herself and the governors and welcomed the new improved facilities that would be available as a result of it going ahead. Liam Presley confirmed that the

design of the building had been done to fit in context with the rest of the village and in particular, the village hall close by.

Members enquired with regards to the pitched roof and whether solar panels could be used. Mr Presley replied that the building would be heavily insulated with minimal air leakage, which would make it incredibly energy efficient and therefore solar panels would not be necessary in the short term. A review of solar panels may be done in the future when the current scheme for school buildings had been completed and it was also confirmed that the building would be properly ventilated.

The Committee raised concerns that children may run into the nearby road, but assurances were given that safety issues were always considered with school developments.

Questions were also raised with regards to the photos presented in the plan and the fact they did not represent the busy dropping off/picking up periods at the school. The Head of Planning and Development confirmed that due to the pre-school service already being provided in the vicinity there would be little change in traffic movements.

**RESOLVED:**

- i. That planning permission for the construction of a new single storey stand along 26 place private pre-school together with associated external works at Burghclere County Primary School, Church Lane, Burghclere (Application No. BDB/72245), be granted subject to the conditions in Integral Appendix B.

**Voting:**

**Favour: 15**

**Against: 0**

**Abstain: 1**

**120 CONSTRUCTION OF A 420 PLACE PRIMARY SCHOOL WITH ASSOCIATED PARKING AND EXTERNAL WORKS AT LAND TO THE NORTH-EAST OF EAST ANTON MANOR FARM, EAST ANTON, ANDOVER  
(APPLICATION NO. (10/00529/HCC3N)  
(SITE REF: TVE 058)**

The Committee considered the report of the Head of Planning and Development (Item 8 in the Minute Book) which detailed a proposal to construct a new primary school in East Anton. The Head of Planning and Development confirmed that since the Committee requested changes to the proposals, changes had been made to the application, including

additional parking and bicycle racks, and pitched roofs on the school building.

The Committee were presented with plans that demonstrated how the nearby road had been widened to accommodate dropping off and collecting children. An additional 2 car parking spaces were proposed, as well as enough space to hold up to 24 bicycles.

The Committee received one deputation for this item from Liam Presley, Hampshire County Council, who was able to detail plans for the proposal. Mr Presley confirmed that access to the school would only be allowed during the dropping off/collection periods and the school roof would be installed with solar panels, which would operate at 98% efficiency.

RESOLVED:

- i. That planning permission for provision of a 420 place primary school with associated car parking and external works on land to the north-east of East Anton Manor Farm, East Anton, Andover (Application No. 10/00529/HCC3N) and within the East Anton Major Development Area, be granted subject to the conditions in Integral Appendix B.

**Voting:**

**Favour: 16**

**Against: 0**

**121 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)**

This report was withdrawn from the Committee

**122 CONSOLIDATION APPLICATION FOR CONTINUED USE OF SITE FOR MIXED DEVELOPMENT AT LEE LANE, NURSLING (APPLICATION NO. 10/00926/CMAS) (SITE REF: TV055)**

The Committee considered the report of the Head of Planning and Development (Item 10 in the Minute Book) proposing continued use of a site for mixed development at Lee Lane in Nursling.

The Head of Planning and Development confirmed that the site was already in operation and was applying to continue the mixed use of the

site. The site would largely stay as it is, although additional planting on the bund had been proposed. It had also been requested that stock pile heights be increased and a small concrete mixing plant and block making be formalised as part of the proposals.

The Committee received two deputations for this item. Mr Stevens, a nearby resident to the site shared his concerns over the large vehicles travelling down the lane early in the morning and their effect on the residential buildings, which are quite old. The applicant replied that the traffic and lorry movements were difficult to monitor, although there were plans to put a loop in the road, which will track movements across the days. There were no plans to increase the number of lorries on the road, but they confirmed that the largest used was a 42 ton arctic lorry.

The Committee agreed that the item would be deferred pending a site visit and come back to the 28 July Committee meeting.

The officer recommendation within the report was not put to the Committee as they agreed to defer this item.

**123 VARIATION OF CONDITION 5 OF PLANNING PERMISSION  
09/00450/CMAS (REMOVE REQUIREMENT FOR BUND ON SITE  
BOUNDARY) AT RFSF RECYCLING LTD, BUNNY LANE, TIMSBURY,  
ROMSEY, SO51 0PG  
(APPLICATION NO. 10/00745/CMAS)  
(SITE REF: TV 066)**

This item was withdrawn from the Committee.

***Councillors A. McEvoy, D. Simpson and J. West left the meeting***

**124 SOUTH DOWNS NATIONAL PARK SCHEME OF PLANNING  
DELEGATION**

Cllr J. Porter declared a personal but non prejudicial interest, being a resident in the National Park.

The Committee received the report of the Head of Planning and Development (Item 12 in the Minute Book) proposing a planning function partnership, which would allow the current local planning authorities to continue to determine all but the most significant planning applications within South Downs National Park (SDNP).

The Head of Planning and Development confirmed to the Committee that the South Downs National Park Authority (SDNPA) would be effective from April 2011. Up until that point, HCC would manage any applications and share the responsibility with SDNPA from that point forward.

Members enquired as to who would cover any expenses as a result of site visits to the area and it was clarified that any expenses incurred up until April 2011 would be reimbursed by the park and a formula put in place for any expenses thereafter.

Over the coming nine months or so, the authority would be able to gauge which applications would be covered by HCC and which would be SDNPA, but this was a learning process. It was confirmed that HCC would only look after applications that fell in Hampshire and not those of the other two local authorities, being West Sussex and East Sussex.

**RESOLVED:**

- i. That the County Council be recommended to enter any required statement of intent and agency agreement with the South Downs National Park Authority under s101 of the Local Government Act 1972 for the delivery of those planning services currently carried out by the County Council within that part of Hampshire that is within the South Downs National Park.
- ii. That the County Council be recommended to authorise the Director of Environment and Chief Executive to negotiate the details associated with the agreements and conclude such agreements accordingly.

**Voting:**

**Favour: 11**

**Against 0**

**125 APPLICATION FOR REGISTRATION OF LAND FORMING THE SITE OF A DISUSED RAILWAY LINE BETWEEN WYCH LANE IN GOSPORT AND REDLANDS LANE IN FAREHAM AS TOWN OR VILLAGE GREEN (SITE REF: TVG 249)**

The Committee received the report of the Director of Culture, Communities and Rural Affairs (Item 13 in the Minute Book) detailing an application to register land forming the site of a disused railway in Gosport as town or village green.

The procedural applications were summarised and these included extending the claimed neighbourhood to include 5, Dale Drive.

RESOLVED:

- i. That the procedural applications laid out in paragraph 2.2 of this report be accepted
- ii. That the application made under s15(3) of the Commons Act 2006 to register land forming the site of a disused railway line between Wych Lane in Gosport and Redlands Lane in Fareham as a town or village green should be rejected for the reasons set out in the Inspector's Report dated 19 May and Second Report dated 29 May 2010.

**Voting:**

**Favour: 11**

**Against: 0**

**126 APPLICATION FOR A PUBLIC PATH DIVERSION ORDER FOR PARTS OF FOOTPATH NUMBERS 18, 728 AND 740 IN THE PARISH OF OAKLEY**

The Committee received the report of the Director of Culture, Communities and Rural Affairs (Item 10 of the Minute Book) detailing an application to record Footpath 4 in the Parish of Overton as a bridleway.

The Countryside Access Development Officer showed the Committee plans and photos of the area in question, and the proposed and current routes. It was explained that the applicant was requesting the alteration of the route so they could make better use of the land for their horses.

The proposed route was not considered by Officers to be less convenient than the existing route, but the Ramblers and the Open Spaces Society had shared concerns that there could be increased maintenance costs due to part of the proposed route passing between the field boundary fence and a line of mature trees. The area Countryside Access Manager at Hampshire County Council confirmed that this would be unlikely to result in any material increase to the cost of maintaining the path in the future.

Members questioned the costs to Hampshire County Council as a result of this application and it was confirmed that the applicant would meet the administrative costs of processing the application and the costs of the works required to bring the route up to the agreed standard.

RESOLVED:

That an Order be made for the permanent diversion of:

- i. Part of Oakley Footpath No.18, from the current definitive alignment to a new alignment between Points A, G and H
- ii. Oakley Footpath No.740, from the current definitive alignment to a new alignment between points H, J, K, L and F
- iii. Part of Oakley Footpath No. 728, from the current definitive alignment to a new alignment between Points F, M and N

As shown on Plan 1 in the report.

**Voting:**

**Favour: 11**

**Against: 0**