

AT A MEETING of the REGULATORY COMMITTEE of the HAMPSHIRE COUNTY COUNCIL held in the Council Chamber at The Castle, Winchester on 13 March 2013

PRESENT:

Chairman:
p Councillor R.C. McIntosh

Vice-Chairman:
p Councillor I. Beagley

Councillors:

p C. Bailey	p E. Neal
p J. Bryant	p F. Pearce
a C. Carter	a R. Price
p M. Cooper	p D. Simpson
p B. Gurden (for Items 1-8)	a J. West
a G. Hockley	p S. Wheale
a A. McEvoy	

p. A. McNair Scott (deputy)
p. A. Broadhurst (deputy)

***The order of the agenda at this meeting was as follows:
Items 1-9***

389 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Carter, Hockley, McEvoy, Price and J. West. Councillors Broadhurst and McNair-Scott were in attendance as deputies.

390 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.

391 MINUTES

The minutes from the meeting of the 13 February 2013 were signed by the Chairman.

392 CHAIRMAN'S ANNOUNCEMENTS

There were no announcements at this meeting.

393 DEPUTATIONS

The Committee were advised that sixteen deputations had been received for this meeting (including County Councillors), and the deputation process was explained.

394 CONSTRUCTION OF A TEMPORARY PRIMARY SCHOOL TO PROVIDE PLACES FOR UP TO 210 PUPILS ON PLOT OF LAND OFF LADY BETTY'S DRIVE, WHITELEY (APPLICATION NO: 12/02686/HCS) (SITE REF: WRE058)

The Committee considered a report from the Director of Economy, Transport and Environment (Item 6 in the Minute Book) regarding an application for a new temporary Primary School in Whiteley.

The officer introduced the item stating that there was need for additional capacity in the area. A location plan of the site was shown along with drawings showing Phases One and Two of the proposed development. The proposed school was in a residential area with little capacity for on street pupil drop off/pick up and consequently the proposals included onsite parent parking and drop off/pick up facilities. It was confirmed that an additional pedestrian entrance to the rear of the school onto Gibson Close was a late amendment and objections had been received from local residents as a result of this aspect of proposal. Members were shown photographs of the proposed main entrance and local roads, and photographs of Gibson Close at the proposed pedestrian access.

The Committee received seven deputations on this item. Hayden Evans, a resident of Gibson Close, had concerns about the pedestrian entrance at the rear of the school. It was felt that this would increase traffic and congestion down Gibson Close, as well noise from pedestrian usage. Andrew Saunders and Laura Poustie, local residents, both spoke in favour of the school and confirmed that they had both been campaigning for an additional Primary School for many years. It was acknowledged that the site was not the most ideal, but that it was the best out of ones that had been looked at in the area. Journeys were currently very difficult for many parents who had children at different schools as there were not spaces at their nearest schools and so a new school would greatly help with this problem. It was felt that due to the good network of footpaths and cycleways in Whiteley, children would be able to go to school on foot or bicycle.

Liam Presley from Property Services (HCC) confirmed that the proposal was for a four classroom temporary school, which could expand to seven classrooms with both internal and external teaching facilities. Parking was in accordance with new emerging guidelines (based on staff numbers rather than classrooms). The

entrances would be managed through the school travel plan and any problems with the rear pedestrian entrance would be addressed by the school.

Richard Vaughan from Children's Services (HCC) confirmed that he was available to answer any questions Members had on behalf of Children's Services.

County Councillor Patricia Stallard supported the application and stated how the current Primary school in Whiteley was at full capacity and hugely oversubscribed. There was a desperate need for another school and it was important that children could be provided with a good education locally, rather than having to travel.

County Councillor Sean Woodward addressed the committee confirming that it was the third application for another school that he had been involved in for Whiteley, and that only having the one school had been a problem for many years. It was a logistical nightmare for parents who had to take children to more than one school and the proposed timescales of getting the school built would be a huge success for the County Council, with the total development time being under 18 months from concept to opening.

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

- The main entrance to the school was the same access as the permitted housing development;
- The rear pedestrian access via Gibson Close was added following concerns over there only being one access point to the school;
- Access to the rear entrance would be managed by the school, with the gate being locked and unlocked as required throughout the day;
- There were currently no parking restrictions along Gibson Close;
- The school would use the Travel Plan to inform them of the rear access, and also to confirm that it was for pedestrian access only;
- Currently approximately 50 children a year were not able to be provided with a space at Whiteley School; and
- Children from the local caravan site would be entitled to attend the school if they fell within the catchment area.

During questions of the officer, it was confirmed that a Traffic Regulation Order could be applied to prevent cars from parking in Gibson Close, however the best method for control would be for the pedestrian access to be managed by the school, which had the ability to close the rear entrance if this was felt necessary.

During debate, Members were unsure whether there would be potential problems with parking on Gibson Close. On balance it was felt that parents would choose to use the proposed designated parking area at the front of the school rather than try and park down Gibson Close, which could be very difficult and potentially dangerous for their children. It was acknowledged that the addition of another school in Whiteley had been looked at for many years but had always been delayed due to various problems.

RESOLVED:

- a) Planning permission was granted for the construction of a temporary primary school to provide places for up to 210 pupils on plot of land off Lady Betty's Drive, Whiteley subject to the conditions listed in Integral Appendix B.

Voting:

Favour: 12 (unanimous)

395 A NEW TWO FORM ENTRY PRIMARY SCHOOL FOR THE NORTHERN SITE OF THE WEST OF WATERLOOVILLE HOUSING DEVELOPMENT, TO INCLUDE SCHOOL ACCOMMODATION, TEACHING ROOMS, HALLS, STAFF PARKING AND LANDSCAPING AT WEST OF WATERLOOVILLE DEVELOPMENT, WATERLOOVILLE, HAMPSHIRE (APPLICATION NO: 12/02281/HCS) (SITE REF: WRE057)

Cllr McIntosh and Cllr Beagley declared non pecuniary interests as Members on the Waterloo Development Forum

The Committee considered a report from the Director of Economy, Transport and Environment (Item 7 in the Minute Book) regarding a deferred application for a Primary School at the West of Waterloo development.

The officer introduced the item and confirmed that it had been deferred from the 13 February Committee meeting due to the reasons detailed in Section 3 of the report and provided the responses to these reasons :

- 1) It was clarified that the legal agreement associated with the West of Waterloo Development provided scope for further expansion of the school, given the potential for increase in numbers in the future, without impacting on other external site space;
- 2) It was clarified that there was cycleway/pedestrian infrastructure to all school entrances from within the MDA;
- 3) Plans were provided showing what lay-by provision will be available outside of the school and local centre;
- 4) It was clarified the catchment area for the school was the West of Waterloo development;
- 5) Plans were provided showing off site parking for the school and its visitors;
- 6) It was clarified how permanent and temporary parking had been assessed at the local centre taking ;
- 7) The on site parking arrangements, had been reviewed and car parking increased to 40 marked parking bays and provision for a further 6 tandem spaces;
- 8) Plans were shown indicating the areas of potential community use;

9) It was clarified that the Flood Risk Assessments and proposed mitigation for the West of Waterlooville Development and River Wallington had included assessment downstream away from site; and

10) it was confirmed bicycle storage would be covered.

The Committee received a deputation from Martin Hallum, Property Services (HCC) who summarised the additional information and developments to the Committee, including details of the potential expansion of the site, parking and plans for community use.

During questions of the officer, it was confirmed that the flood risk for the site was low and that any risks to the River Wallington had been considered as part of the overall MDA, rather than just the school proposals.

The Committee agreed that the parking was a significant improvement and were happy that all the concerns raised at the previous meeting had been addressed.

RESOLVED

- a) Planning permission was granted for the construction of the new two form entry primary school for the northern site of the West of Waterlooville housing development to include school accommodation, teaching rooms, halls, staff parking and landscaping subject to the conditions listed in Integral Appendix B.

Voting:

Favour: 12 (unanimous)

396 VARIATION OF CONDITION 4 OF PLANNING PERMISSION BDB/72250 TO CHANGE THE PERMITTED HOURS AT SOUTHERN WASTE MANAGEMENT, ARMSTRONG ROAD, BASINGSTOKE, HAMPSHIRE (APPLICATION NO: BDB/7750) (SITE REF: BA161)

The Committee considered a report from the Director of Economy, Transport and Environment (Item 8 in the Minute Book) regarding a proposal to change the permitted hours at a waste management site in Basingstoke.

The officer confirmed that Members had been on a Site Visit to the location. The proposal was to enable eight lorries to leave the site between 5:00 and 7:00, rather than from 8:00 when the site currently opened. The lorries would be routed right, along Armstrong Road to avoid Swing Swang Lane, and so away from Old Basing and residents.

Elizabeth Ellam, a member of the Parish Council and a local resident, and Stephen Durman, local resident, spoke against the proposal and felt that approval would greatly affect local amenity. The site had previously broken conditions and there were concerns that this would happen again in the future with no consequence or enforcement. Ms Ellam also spoke of her legal concerns regarding the site and

whether the Conditions could be altered as they related to a different operation than what was currently permitted at the site.

David Sandbrook from SLR Consultancy spoke on behalf of the applicant. He stated that there had been confusion over conditions in the past, which had resulted in some being broken unintentionally and this was being rectified. There was a high demand early in the morning from businesses, which was the trigger for the requested change in conditions.

Finally, County Councillor Elaine Still endorsed the deputations made by the local residents and agreed that there were concerns over the site and previous breaches of conditions. Councillor Still urged the Committee to reject the application, or if not then to defer it pending further information as to the history of the site.

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

- Basingstoke and Deane Borough Council had been contacted by local residents regarding vehicles leaving the site early and the associated noise;
- Noise mitigation works and equipment had not been installed until April 2012, after enforcement action taken;
- The gates would be opened at 5:00am, with HGV's leaving after that.;
- The nearest houses were approximately 240 metres away from the site;
- All vehicles were owned by the applicant and drivers were trained/monitored by the site to ensure that routing Conditions were followed;
- Vehicles travel to a variety of sites and not all at the same time; and
- There were not the same conditions on other nearby industrial sites, some of which were able to operate 24/7

During questions of the officer, the Legal officer confirmed that if the Committee considered that the change of condition applied for related to waste activity preserved by the current planning permission rather than the storage of vehicles overnight, then the application would be one which the Committee could determine.

During debate, Members agreed that there would not be a great deal of change that would affect local residents if other units were able to operate 24/7, however, they agreed that the routing was important to enforce.

It was proposed and seconded that measures be taken (which could include CCTV) on the site to monitor lorry movements between 5:00 – 7:00am to ensure that vehicles were turning right onto Armstrong Road as per the routing Condition. This was put to the vote.

Voting:

Favour (of monitoring): 6

Against: 3

Abstentions: 3

RESOLVED:

- a) Planning permission the variation of Condition 4 of Planning Permission BDB/72250 to change the permitted hours at Southern Waste Management, Armstrong Road, Basingstoke, Hampshire (Application No: BDB/77550), was granted subject to the planning conditions in Integral Appendix B.

Cllr Gurden left the meeting

**397 RETROSPECTIVE APPLICATION FOR CHANGE OF USE TO WASTE TRANSFER STATION AT WASTECARE, UNITS 1 AND 4-6 HIGHFIELD INDUSTRIAL ESTATE, LASHAM, ALTON GU34 5SQ
(APPLICATION NO: 20158/017)
(SITE REF: EH171)**

The Committee considered a report from the Director of Economy, Transport and Environment (Item 9 in the Minute Book) regarding a retrospective application for change of use at Units on Highfield Industrial Estate in Lasham.

The officer described the site and use for waste transfer and reminded the Committee of the planning application granted permission last year for a similar use at two units on the industrial estate. The officer also confirmed that the same routing is proposed to prevent lorries from going through Lasham Village.

The Committee received two deputations on this item. Michael Del Mar, local resident confirmed that the application was for 5000 tons of material, which was more than the previous one of 400 tons. Lorries still travelled through Lasham Village and the roads were affected by the heavy vehicles, making some of them difficult for walkers and cyclists to use safely. There were also concerns following the fire that happened under the previous applicants.

Ian Donohue and Andrew Milner spoke on behalf of the applicant, and confirmed that the units had been obtained without the applicant being aware of the lack of permissions on the site. The only machinery used on site was a forklift truck and thermal imaging was used to monitor the waste, particularly batteries, stored to prevent a fire from happening again. There were no plans to intensify the usage on site, which already had a valid Environmental Permit from the Environment Agency. The applicant also had good communication with local residents to address any concerns.

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

- Car batteries and lithium batteries were not handled on the site, only batteries from shops and supermarkets (domestic type batteries); and
- There were no plans to increase the traffic movements to and from the site

The Officer confirmed that the Highways Authority had considered The Avenue in their assessment of the proposal.

The Committee agreed that it was good practice for the applicant to be liaising with local residents and it was hoped that this would continue.

RESOLVED:

- a) Planning permission for a retrospective change of use to a waste transfer station at Unit 1, 4-6 of Highfield Industrial Estate, Lasham, Alton, Hampshire (Application No: 20158/017) was granted, subject to the conditions listed in Integral Appendix B.

Voting:

Favour: 11 (unanimous)