

AT A MEETING of the REGULATORY COMMITTEE of the HAMPSHIRE COUNTY COUNCIL held in the Council Chamber at The Castle, Winchester on 6 June 2013

PRESENT:

Chairman:
p Councillor R.C. McIntosh

Vice-Chairman:
p Councillor G Hockley

Councillors:

C. Carter	p P Latham
p M. Cooper	p F Pearce
p J Frankum	R Price
p C Greenwood	p T Rolt
K House	p D Simpson
p R Humby	p J West
p R Huxstep	p S Wheale

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

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Carter, House (both of whom were unable to attend due other Council commitments) and Price.

2 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.

3 MINUTES

The minutes of the meeting of the 24 April 2013 were signed as a correct record by the Chairman.

4 CHAIRMAN'S ANNOUNCEMENTS

No announcements were made.

5 DEPUTATIONS

The Committee were advised that 20 deputations had been received for this meeting, (in addition to two County Councillors) and the deputation process was explained.

6 APPLICATION TO EXPAND THE EXISTING SECONDARY SCHOOL WITH A 420 PLACE TWO-FORM ENTRY PRIMARY SCHOOL AT WESTGATE SCHOOL AND ROTHERLEY HOUSE, CHERITON ROAD, WINCHESTER SO22 5AZ (APPLICATION NO: 12/02659/HCS) (SITE REF: WRE006)

The Committee considered a report from the Director of Economy, Transport and Environment (Item 6 in the minute book) regarding a proposed expansion of the existing secondary school with a 420 place two form entry Primary school, making an 'All Through' education provision. The proposals included the reprovision of a 55 place nursery unit (to be retained on site), additional car parking and landscaping, part demolition of an existing boarding house and an annexed nursery unit.

An informal site visit of the Committee had viewed the site on 4 March 2013.

The officer updated the report by explaining that Sport England (who had objected to the proposed changes to the badminton centre's car parking) had subsequently withdrawn their objection after visiting the site, subject to a condition regarding management of car parking.

The officer's presentation underlined that, as with many schools, whilst the site was in a sustainable location, the traffic which dropped off and collected pupils at the school was likely to cause some disturbance to local residents for temporary periods of time in the morning and afternoon. In response, the application proposed approximately 30 additional spaces in Chilbolton Avenue, and moving the existing school bus stop from Chilbolton Avenue to Cheriton Road. This part of the proposal requires a Traffic Regulation Order, which has a separate approval process and would be subject to public consultation.

The Committee received 16 deputations on this item. Councillor Robert Hutchison (Winchester City Council ward member), Liz Darlison, Phil Gagg (WinAcc), Jenny Hobbs (Greening Fulflod), Christopher Gillham (Winchester Friends of the Earth), Dennis Blazye and Di Troke (Badminton Association), Mark Benzie, Paul Cooper and Karen Barratt, and Andrew Strevens (Chairman of Governors, Western Church of England Primary School) all spoke against the application. In summary, the concerns they raised included;

- That the proposal failed to accord with the National Planning Policy Framework and local planning policies.
- That creating a single new primary school (rather than increasing the capacity of the town's other schools, an option which some speakers advocated) would draw from a wider catchment area. It was suggested that the new school would not be within walking distance for most pupils and therefore was likely to increase congestion (and carbon emissions) along already busy and dangerous roads.
- That the increased congestion was likely to create pedestrian/vehicle conflict and particular concerns were raised regarding the status of Green Lane, an un-adopted road.
- That the proposed additional parking on Chilboton Avenue was likely to be used by parents of the nearby Western Primary School.
- That the application did little to improve pedestrian and cycle access to the proposed school. Whilst some speakers welcomed the proposed new pedestrian crossings, concerns were raised that pedestrian movement within the catchment area of the school was restricted by a number of busy roads.
- That the application had greatly underestimated the additional number of traffic movements the new school would generate.
- That the proposed car parking provision for staff was excessive, given the school's sustainable location.
- That the application contained little detail on the sustainability of the new buildings.
- That the reduction of the car parking next to the badminton centre and its relocation was unacceptable. The Badminton Association criticised the consultation on the proposals and were concerned that relocated parking could be unsafe for visitors to the centre.
- That the proposed application was an overdevelopment of the site which both restricted the outside space available to pupils and the existing Westgate School's ability to expand and respond to future needs.

Gareth Bloomfield, John Coughlan (Director of Children's Services, Hampshire County Council), Paul Nicholson (Head of Westgate School), Jeremy Brecknell (Chairman of Governors, Westgate School) and Steve Clow (Architect, Hampshire County Council) all spoke in support of the recommendation. In summary, they highlighted the following issues:

- That the policy issues raised by the objectors were a matter of balance and interpretation and that local people were likely to adapt their behaviour accordingly in response to any additional new traffic the school creates.
- That Winchester's schools had performed well, and forecasts of pupil numbers predicted a clear need for a new school.
- That the application was considered the best option, following two years of public consultation.
- That failure to approve the proposed application (which had already been delayed to this meeting to accommodate further consultation) was likely to result in additional costs to the Council in erecting temporary classrooms for

the new school year, starting in September 2013. The Director of Economy, Transport and Environment later explained that whilst this might be the reality of the situation, it was not a material planning consideration.

- That the proposed through-school education was likely to improve education by providing more specialist classes, closer working between staff and eliminate the traditional disruption for pupils which came from the transfer between primary and secondary schools.
- That, as part of the measures to minimise traffic impact, the start time of the schools would be staggered and where a need had been demonstrated, bus services provided for pupils.
- That the design of the proposed buildings responded to the consultation exercise and sought to provide an inspirational built environment for children.

Councillor Tod spoke against the recommendation as the local member and echoed the comments of the objectors as summarised above. Councillor Tod was concerned that the predicted level of traffic movement had been significantly underestimated and that the measures to mitigate this were inadequate. He commented that the proposed £100,000 for the travel plan was insufficient; that the number of drop-off spaces should be clarified and highlighted Winchester City Council's objection to the on-site parking for staff.

However, if the Committee were minded to approve the application, Councillor Tod recommended that Condition 7 be clarified to make it clear it referred to Green Lane. (This was later agreed by the Committee).

In concluding, Councillor Tod recommended that the application be refused and that, instead, the Council should meet the increased demand for school places by extending existing schools. This was likely to better reflect the major new developments in Winchester, none of which were in the Fulflood area.

In response to the Committee's questions, it was explained that the catchment of Westgate School was likely to become more localised with changes in primary provision in Winchester. The Committee also clarified issues relating to predicted traffic levels and noted that the Highways Officer had raised no objection.

At the conclusion of debate, whilst the Committee commended the deputations for their clarity and quality, on balance, the Committee agreed the application for the reasons set out in the report.

RESOLVED:

It was agreed that:

That planning permission to expand the existing secondary school with a 420 place two form primary school, making an "All Through" education provision, including the re-provision of a 55 place nursery unit, which is to be retained on site, additional car parking and landscaping, part demolition of an existing boarding house and annexed nursery unit required to facilitate the proposal at The Westgate School and Rotherley

House, Cheriton Road, Winchester SO22 5AZ (12/02659/HCS) be granted, subject to the conditions (as amended above) listed in Integral Appendix B of the Report.

Voting:

In favour: 13 (unanimous)
Against: 0
Abstained: 0

7 APPLICATION FOR A TWO CLASSROOM EXTENSION, KITCHEN ENLARGEMENT, ASSOCIATED CAR PARKING, PLAY AND LANDSCAPE ALTERATIONS AT ST PETERS SCHOOL, OLIVERS BATTERY ROAD NORTH, WINCHESTER SO22 4JB (APPLICATION NO: 12/02419/HCS) (SITE REF: WRE059)

The Committee considered a report from the Director of Economy, Transport and Environment (Item 7 in the minute book), regarding the proposed extension and works at St Peters School, Winchester.

The officer's presentation described the site and proposals, including photographs of the site. The presentation also included the location of the nearby Pitt Manor housing permission, which included a park and ride facility, and improvements to the Stanmore Lane/Romsey Road junction.

The Committee received a deputation from Councillor Tod as the local member. In summary, Councillor Tod supported the application but requested that the condition on traffic management be strengthened to recognise the high percentage of pupils that were driven, rather than walk, to the school. Councillor Tod also requested that the proposed "Park and Stride", to be provided at the nearby Pitt Manor residential development, should be linked (through either condition or legal agreement) to the school extension.

However, in response to questions, the Committee noted that the "Park and Stride" was a Section 106 Legal Agreement requirement of the Pitt Manor housing development. This fell outside the application site and outside the control of the applicant and could not therefore reasonably be included as a condition in the school's application. It was noted that this Agreement required the Park and Ride car park to be delivered by the occupation of the first dwelling and was therefore likely to be available to parents at a similar time to the completion of the proposed school extension.

At the conclusion of debate, the Committee agreed the application for the reasons set out in the report.

RESOLVED:

It was agreed that:

That planning permission for the two classroom extension, kitchen enlargement, associated car parking, play and landscape alteration at St Peter's School, Oliver's Battery Road North, Winchester (13/07774.HS) be granted, subject the conditions listed in the integral Appendix B of the Report.

Voting:

In favour: 13 (unanimous)

Against: 0

Abstained: 0

Councillor Pearce left the meeting at this point.

8 APPLICATION TO HANDLE CONSTRUCTION AND DEMOLITION/SKIP WASTE (10,000TPA) AND THE CONTINUED USE OF THE SITE FOR RECYCLING METAL, PAPER, CARDBOARD AND PLASTIC (15,000TPA) AT THE WASTE TRANSFER STATION AT BARFIELD CLOSE, BAR END INDUSTRIAL ESTATE, WINCHESTER (APPLICATION NO: 13/00793) (SITE REF: WRE006)

The Committee considered a report from the Director of Economy, Transport and Environment (Item 8 in the minute book) regarding the proposals at Barfield Close, Winchester.

The officer introduced the item and explained that several members of the Committee had visited the site on 30 May 2013 to assess its relationship to the surrounding landscape and neighbouring properties.

The officer's presentation described the proposal and highlighted the location of the site, its access in the context of its surroundings and its status in terms of development plan policy. Members' attention was drawn to the designated Right of Way adjacent to the site, separating it from the newly constructed Winchester City Council Depot to the south; the line of an existing but unusable Right of Way through the site; the permissive path due west of the site; the footpath, bridleway and cycleway at the lower level on Domum Road and the footpath running along the edge of the River Itchen. The officer also highlighted the location of the River Itchen Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC), the South Downs National Park to the west, and the Winchester City built Conservation Area to the north. The Committee was informed that the nearest residential houses were on Domum Road, Wharf Hill and that the gardens of properties fronting Bar End Road backed onto Barfield Close and that Barfield Close runs along the line of the old railway and that the existing site building was a former railway building.

The Committee received two deputations on this item. Mike Thompson (a local resident) and Councillor Mather both spoke against the application. In summary, Mr Thompson raised the following concerns:

- That the proposed single skin construction would be ineffective in insulating noise within the building.
- That weekend working could disturb fellow local residents.
- That, based on his experience of the previous use of the site, that the noise nuisance was likely to constitute difficult to control loud bangs, associated with handling demolition waste.

In summary, Councillor Mather highlighted the nearby SSSI (Site of Special Scientific Interest) and residential housing and questioned its suitability for the proposed use. She also highlighted residents' concerns about increased dust, noise and disturbance from lorry movements to and from the site and echoed the comments of Mr Thompson as summarised above.

As an update to the Report, the officer recommended that existing conditions could be strengthened were Members minded to grant approval to further mitigate against the affect of the application on the locality.

During questions, the Committee also considered the possibility of removing permitted development rights to prevent the applicant operating noisier machinery for up to 28 days a year.

At the conclusion of debate, the Committee considered that further information was needed regarding the detail of any additional/and or new conditions and clarification whether permitted development rights on the applicant's operation could be justifiably removed by way of a further condition before being able to determine the application.

RESOLVED:

It was agreed that:

- a) That planning permission be deferred to a future meeting to resolve the issues summarised above.

Voting:

In favour: 12 (unanimous)

Against: 0

Abstained: 0

9 VARIATION OF CONDITION 2 OF PLANNING PERMISSION TVS05746/7 TO ALLOW CONTINUATION OF LANDFILLING UNTIL 30 APRIL 2018 AT VIRIDOR, SQUABB WOOD LANDFILL SITE, SALISBURY ROAD, SHOOTASH, ROMSEY SO51 6GA (APPLICATION NO: 13/00208/CMAS TV072)

The Committee considered a report from the Director of Economy, Transport and Environment (Item 9 in the minute book) regarding the above proposed variation of

the Condition at Viridor, Squabb Wood Landfill Site, Salisbury Road, Shootash, Romsey.

The officer's presentation described the proposal and site in context of its surroundings including the nearby residential properties and the adjacent Roke Manor mineral extraction site where mineral extraction was expected to commence in late 2013. Members were shown photographs of the three key areas within the site known as Shootash, Squabb and Embley together with the location of the A27 and the site's vehicular access. The main planning issues raised by the proposal were also highlighted.

The Committee received a deputation from John Riley on behalf of the applicant, Viridor. In summary he stated that Viridor had been successfully operating the site for 16 years and that the proposed extension was necessary, because the site had been mothballed due to the recession. The additional time sought would enable the proper restoration of the site and take advantage of the infrastructure already created.

In response to a Member's question, Mr Riley explained that the area had been designated as a Site of Nature Conservation (SINC). The officer clarified this was due to sand martins temporarily inhabiting the sandy areas within the site and that a sand martin wall had been constructed at the site.

During debate, a Member recommended that the permission be limited to 48 months (3.5 years for tipping and 6 months for restoration), rather than the proposed 60 months set out in the application. A majority of the Committee agreed this amendment to minimise the effect of the site on local residents, whilst acknowledging that if the applicant required the further additional time, the applicant could return with a future application.

At the conclusion of debate, the Committee agreed the application, as amended above, for the reasons set out in the Report.

RESOLVED:

It was agreed that:

That permission for a Variation of Condition 2 of Planning Permission ref TVS05746/7, to allow 3.5 years continuation of landfilling and six months restoration until 30 April 2017 at Viridor, Squabb Wood Landfill Site, Salisbury Road, Shootash, Romsey SO51 6GA (application no 13/00208/CMAS) be granted subject to the condition listed in integral Appendix B.

Voting:

In favour: 11

Against: 0

Abstained: 1

10 SAFETY AT SPORTS GROUNDS

The Committee considered a report from the Head of Emergency Planning and Business Continuity (Item 10 in the minute book) regarding the Council's policies on safety at Sports Grounds.

Following debate, the Committee agreed the recommendations for the reasons set out in the Report.

RESOLVED:

It was agreed that:

- a) The responsibilities of Hampshire County Council under the Safety at Sports Grounds Act 1975 and the Fire Safety and Safety at Places of Sport Act 1987 be noted.
- b) That the progress made since 2009, with regard to implementing the legislation and the reason for the change of approach, be noted.
- c) That the risk based approach as outlined in the Report and as detailed in the support Sports Ground Policy and Strategy be approved.

Voting:

In favour: 12 (unanimous)

Against: 0

Abstained: 0