

AT A MEETING of the Regulatory Committee of HAMPSHIRE COUNTY  
COUNCIL held at the castle, Winchester on Wednesday, 15th November, 2023

Chairman:

\* Councillor Peter Latham

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|---------------------------------|-------------------------------|
| * Councillor Lance Quantrill    | * Councillor Stephen Parker   |
| * Councillor Lulu Bowerman      | * Councillor Roger Price      |
| * Councillor Steven Broomfield  | * Councillor Kim Taylor       |
| * Councillor Mark Cooper        | * Councillor Stephen Philpott |
| * Councillor Rod Cooper         |                               |
| Councillor Christopher Donnelly |                               |
| * Councillor Michael Ford       | * Present                     |
| * Councillor Pal Hayre          |                               |
| * Councillor Keith House        |                               |
| * Councillor Adam Jackman       |                               |
| * Councillor Lesley Meenaghan   |                               |
| * Councillor Sarah Pankhurst    |                               |

**87. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Chris Donnelly. Councillor Stephen Philpott attended as a deputy.

**88. DECLARATIONS 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 5 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.

**89. MINUTES OF PREVIOUS MEETING**

It was noted that there was some duplication in the attendance list, but the minutes of the last meeting were then agreed.

**90. DEPUTATIONS**

The Chairman confirmed that seven deputations had been received for the meeting along with one County Councillor.

91. **CHAIRMAN'S ANNOUNCEMENTS**

The Committee was reminded of upcoming training sessions and informed that previous training slides and recordings could be viewed on the Members Regulatory Toolkit.

92. **ECOGEN RECYCLING LIMITED, KINGS WORTHY**

***Revised Application - Variation of condition 7 (volume of waste) and 13 (HGV Movements) of Planning Permission 19/00200/HCS at Ecogen Recycling Limited, Stoke Charity Road, Kings Worthy, Hampshire SO21 2RP (No. 23/01338/HCS) WR240***

The Committee considered a report from the Assistant Director of Waste and Environmental Services (item 6 in the minute book) on a revised application in Kings Worthy that had come to Committee earlier in 2023.

It was raised that a highway officer was not present at the meeting and Members discussed whether the meeting should be adjourned if a highway officer could not attend. The meeting proceeded on the basis that it was premature to defer the item before it had been heard. Members would therefore hear the item and if they subsequently considered unable to make a decision they would be free to move for deferral at that point.

The lead officer summarised the report, highlighting the update report that had been published (see minute book). This covered some amendments to the original report and further information received since the publication, but did not affect the recommendations. As detailed in the report, the applicant had taken some proactive measures in response to local concerns (including the installation of signage for HGV's upon exiting). The site has been actively monitored and no formal complaints have been received by the Waste Planning Authority since the last planning application was heard.

The Committee was shown aerial photographs of the site and surrounding area, and the nearest properties were highlighted. It was confirmed that the speedbumps on site had since been removed with the whole site being resurfaced to help mitigate noise from vehicles manoeuvring.

The Committee received seven deputations on this item along with the County Councillor. Local residents Amanda Hassell, Rosamund McCarthy, Ann Edwards and Steve Waters all attended and spoke against the application along with Councillor Signe Biddle from Kings Worthy Parish Council and Councillor Steve Cramoysan from Winchester City Council. The applicant attended to speak in support of the proposals and County Councillor Jackie Porter also shared her concerns regarding the application and potential impact on the local area.

During questions of deputations, the following points were clarified:

- A HGV survey had been done by local residents, but it was unclear how many of the HGV's recorded had left or entered the site.

- The applicant had an email address for the community to use to report any concerns or complaints, which was regularly monitored.
- The increase in noise levels would be less than 1dB, resulting in no audible or discernible difference to the current arrangements, should the application be approved.
- Utilising the rail connection was not feasible due to the topography of the area and steep bank.
- The majority of waste material came from within Hampshire but a small proportion came from outside of the County. Should the application be successful, it was thought that the ration would likely remain the same but in potentially higher quantities going forward.
- Noise analysis had been undertaken on both laden and unladen vehicles.
- The applicant was in regular contact with the haulage company to ensure breaches did not happen by HGV drivers.
- A liaison panel was set up following the last planning application and is operational and HGV's remained the main concern of local residents, but any issues had been addressed in a timely manner as much as possible and where within the control of the applicant.

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

- A previous planning application was approved by Winchester City Council in 2017 which had no restrictions set on vehicle movements.
- No formal accidents had been reported to the County Council.
- The Environment Agency request that tonnages and usage of the weighbridge be recorded as part of the environmental permit and this had been incorporated into the conditions along with hours of working and when HGV's could arrive and leave the site.
- The proposal would double the number of current vehicle movements, but it was noted that this was a maximum and the average levels would be much lower, particularly in the shorter term.
- The mitigations for HGV's were found fit for purpose and Highways had no objection to what had been proposed subject to delivery of the mitigation. Concerns had been raised about a claim that some mitigation works required were outside of the highway boundary and on third-party land. It was confirmed that the mitigation would need to be in place before the permission was implemented.
- Air quality had been previously looked at by Committee when the application had come in January 2023 and was found to be acceptable with the main concern being that around noise.

During debate, Members agreed that attendance of Highways officers would have been helpful for the meeting due to most of the issues being around HGV's and the road adjoining the site. Whilst the Committee empathised with the local residents, it was also acknowledged that a previous lapsed application for the site had included no vehicle restrictions, which set a precedent. Some Members had concerns regarding the creep of vehicle permissions and emissions and road damage as a result of HGV's, whereas others noted that the HGV's using the road were from other sites as well as the applicant and so not all responsibility fell to the site specifically.

Officers reminded Members that it was important to focus on the application that had been presented to Committee and not any of the previous applications and Members were reassured that a revised Environmental Permit would be required and that there had been no previous issues with the application, who were an accountable operator.

An amendment was proposed by Councillor Mark Cooper and Seconded by Councillor Stephen Parker. Following consultation with officers, this was finalised and put to the vote:

*“Prior to the commencement of the development hereby approved, a Traffic Management Scheme will be submitted to and approved in writing by the Waste Planning Authority.*

*The scheme shall cover freight management measures (including the maintenance and retention of Heavy Good Vehicle (HGV) routing and speed limit signage along the haul road), management of HGVs queuing prior to site opening) and the communication of measures to all HGV drivers entering and departing the site.*

*The scheme shall be implemented as approved for the duration of the development.*

*Reason: To ensure the satisfactory use of the highway in accordance with Policy 12 (Highway impacts) of the Hampshire Minerals & Waste Plan (2013). This a pre-commencement condition which relates to the use of the highway and therefore goes to the heart of the permission.”*

This was supported by 14 Members of the Committee and therefore approved. The recommendation as amended was then put to the vote.

RESOLVED

Planning permission was GRANTED subject to:

- a) The conditions listed in **Appendix A**
- b) The completion of legal agreements to ensure that the required mitigatory works to the public highway are completed to ensure levels of road safety are maintained along the Heavy Goods Vehicle (HGV) route between the site’s vehicular access with Stoke Charity Road and at the agreed locations along Stoke Charity Road and Lovedon Lane
- c) The update report
- d) The amendment supported by Committee as follows:

*Prior to the commencement of the development hereby approved, a Traffic Management Scheme will be submitted to and approved in writing by the Waste Planning Authority.*

*The scheme shall cover freight management measures (including the maintenance and retention of Heavy Good Vehicle (HGV) routing and speed limit signage along the haul road), management of HGVs queuing prior to site opening) and the communication of measures to all HGV drivers entering and departing the site.*

*The scheme shall be implemented as approved for the duration of the development.*

Voting

Favour: 9

Against: 5

Abstentions: 2

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Chairman,