

AT A MEETING of the REGULATORY COMMITTEE of HAMPSHIRE COUNTY
COUNCIL held in the Council Chamber at The Castle, Winchester on
Wednesday 21 October 2015

PRESENT:

Chairman:
p Councillor R.C. McIntosh

Vice-Chairman:
p Councillor G Hockley

Councillors:

| | |
|---------------|-------------|
| p C Carter | p R Huxstep |
| p C Choudhary | p P Latham |
| p M Cooper | p F Pearce |
| p J Frankum | p R Price |
| p C Greenwood | p T Rolt |
| a M Harvey | a D Simpson |
| p K House | p S Wheale |

The Chairman announced that the press and members of the public were permitted to film and broadcast the meeting. Those remaining at the meeting were consenting to being filmed and recorded, and to the possible use of those images and recording for broadcasting purposes.

***The order of the agenda at this meeting was as follows:
Items 1-9, 11 and 10***

191. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Harvey and Simpson.
Councillor Gurden deputised for Councillor Simpson at this meeting.

192. 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.

193. MINUTES

The Minutes of the meeting held on 15 July 2015 were agreed as a correct record and signed by the Chairman.

194. CHAIRMAN'S ANNOUNCEMENTS

The Chairman confirmed that site visits had taken place for Members of this Committee regarding Items 6 and 7 on this agenda.

195. DEPUTATIONS

The Committee was advised that there were twenty deputations for this meeting and the deputation process was explained to those who had attended to speak.

196. APPLICATION FOR CONSTRUCTION OF A BYPASS FOR STUBBINGTON, PROVIDING A CONNECTION FROM TITCHFIELD ROAD TO GOSPORT ROAD TOGETHER WITH ASSOCIATED IMPROVEMENTS/ENABLING WORKS TO TITCHFIELD ROAD AND GOSPORT ROAD AND NEW/IMPROVED JUNCTIONS AT TITCHFIELD GYRATORY, BRIDGE STREET, PEEK COMMON ROUNDABOUT & PEAK LANE, AT TITCHFIELD ROAD/GOSPORT ROAD, STUBBINGTON, HAMPSHIRE (APPLICATION NO. P/15/0718/CC) (SITE REF: FAH006)

Councillor Price declared an interest in Items 6 and 7 as a Fareham Borough Councillor and had voted on this matter at the Borough Council. He was attending this meeting with an open mind

Councillor Hockley declared an interest in Items 6 and 7 as a Fareham Borough Councillor and had voted on this matter at the Borough Council. He was attending this meeting with an open mind

Councillor Carter declared an interest in Items 6 and 7 as a Gosport Borough Councillor

The Committee considered a report of the Head of Strategic Planning (Item 6 in the Minute Book) seeking approval to the construction of a bypass for Stubbington and associated improvement works to neighbouring roads.

The Principle Development Management Officer summarised the main points and the Committee were shown aerial photos of the site and location plans of the area. During his presentation of the report, the Officer advised that since publication, updates had been identified as desirable in order to provide clarification on certain issues. These were:

- Gosport Borough Council had formally adopted its Local Plan on 14 October 2015;
- Noise impacts and the number of affected properties;
- The number of trees and shrubs proposed to be planted in association with the scheme;
- Minor amendments required to Condition 3 - Working Hours

The Committee received 7 deputations on this item. Hassan Sadiq, Elizabeth Dawson and Mrs J Frew, local residents who spoke against the scheme and Pal Hayre and Councillor Arthur Mandry who spoke in support of the proposals.

Deputations were also heard from Keith Wilcox/Rob Ward, the applicant – Officers from Hampshire County Council's Environment Department and County Councillors Chris Wood and Graham Burgess who both supported the application.

Several questions were asked of the applicant, mainly around the cost of using low-noise surfacing as part of the scheme. Officers advised the Committee that in this instance the benefits of low-noise surfacing would be negligible and that the noise levels that are predicted to occur once the road has been built are below the thresholds contained in other legislation which would trigger the provision of noise insulation to affected properties.

During the debate, Councillor Cooper proposed the following amendment, which was seconded by Councillor House:

“To include an additional Condition 6a to use low noise level surfaces”. This amendment was put to the vote, the outcome of which was as follows:

Voting

Favour: 7

Against: 8

The amendment was therefore lost.

Following receipt of the additional information and to ensure that all of the conditions were fit for purpose, it was proposed that the Head of Strategic Planning be authorised to make minor amendments to the Conditions, in consultation with the Chairman and Vice-Chairman of this Committee.

RESOLVED:

1. That planning permission in respect of the construction of a bypass for Stubbington, providing a connection from Titchfield Road to Gosport Road together with associated improvements/enabling works to Titchfield Road, and Gosport Road and new/improved junctions at Titchfield Gyratory, Bridge Street, Peel Common Roundabout & Peak Lane, at Titchfield Road/Gosport Road, Stubbington Hampshire (Application No. P/15/0718/CC) (Site Ref: FAH006) be approved, subject to the conditions listed in integral Appendix B.
2. That delegated authority be given to the Head of Strategic Planning, in consultation with the Chairman and Vice-Chairman of the Committee, to approve any minor amendments to the Conditions.

Voting

Favour: 11

Against: 2

Abstentions: 2

197. APPLICATION FOR CONSTRUCTION OF A NEW SOUTHERN SECTION OF NEWGATE LANE TO PROVIDE A NEW CONNECTION FROM NEWGATE LANE TO PEEL COMMON ROUNDABOUT TOGETHER WITH THE CONSTRUCTION OF A JUNCTION AND LINK ROAD TO ACCESS THE EXISTING ROUTE OF NEWGATE LANE, AT LAND TO THE EAST OF NEWGATE LANE, FAREHAM HAMPSHIRE. (APPLICATION NO'S. P/15/0717/CC AND 15/00382/HCC3) (SITE REF: FAH007 AND GPH003)

Councillor Price declared an interest in Items 6 and 7 as a Fareham Borough Councillor and had voted on this matter at the Borough Council. He was attending this meeting with an open mind

Councillor Hockley declared an interest in Items 6 and 7 as a Fareham Borough Councillor and had voted on this matter at the Borough Council. He was attending this meeting with an open mind

Councillor Carter declared an interest in Items 6 and 7 as a Gosport Borough Councillor

The Committee considered a report of the Head of Strategic Planning (Item 7 in the Minute Book) on an application for the construction of a new southern section of Newgate Lane to provide a new connection to Peel Common roundabout, together with the construction of a junction and link road to access the existing route of Newgate Lane at land to the east of Newgate Lane in Fareham.

The Officer presented the main points of the report and advised that since publication of the report, updates had been identified as desirable in order to provide clarification on certain issues. These were:

- Gosport Borough Council had formally adopted its Local Plan on 14 October 2015.
- Noise impacts and the number of affected
- The number of trees and shrubs proposed to be planted in association with the scheme;
- Minor amendments required to Condition 3 - Working Hours

The Committee heard from deputations on this item. Aimee White who was against the proposals, Les Swindells (Chairman of the Lee-on-the-Solent Golf Club), Tim Wall (Associate partner for I-Transport LLP), Keith Wilcox/Rob Ward, Hampshire County Council Officers (the Applicant) and local County Councillors Chris Wood and Graham Burgess who were in support of the scheme.

Councillor Arthur Mandry from Fareham Borough Council had submitted a deputation for this item but withdrew it during the meeting.

Officers answered a number of detailed questions from Members, including speed limits and the provision of bus laybys at certain points along the proposed routes. The Committee was advised that the operation of sluice gates on Main Rivers in the area was the responsibility of the Environment Agency. The Officer's recommendation included a condition requiring the on-going maintenance of drainage systems to ensure they operate as designed. It was noted that consultations had been carried out with the statutory consultees, which did not include bus companies.

During debate, Councillor Price proposed and seconded by Councillor Cooper that the matter be deferred to allow further information to be brought back to the Committee to include, the potential for the provision of lay-by bus stops, justification and need for the closure of the southern end of Newgate Lane and to explore the potential for an alternative access to the Woodcote Lane detention basin or its relocation.

This amendment was put to the vote, the outcome of which was as follows:

Voting

Favour: 8

Against: 6

Abstention: 1

The amendment was therefore carried.

RESOLVED:

That the Committee defer consideration of this application and request the applicant to:

- a) Provide additional information on the potential for the provision of lay-by bus stops on the new route rather than 'in carriageway' stops;
- b) Provide additional information on the justification and need for the closure of the southern end of Newgate Lane, including what consideration was given to retaining vehicular access to the Peel Common roundabout for buses and/or local residents only;
- c) explore the potential for an alternative access for maintenance vehicles to the Woodcote Lane detention basin, or a relocation of the detention basin.

198. APPLICATION FOR NEW FUTURE SKILLS CENTRE FOR VOCATIONAL TRAINING OF MAINLY POST-16 STUDENTS WITH A FOCUS ON THE CONSTRUCTION SECTOR ALONGSIDE EMPLOYABILITY AND ENTERPRISE SKILLS. THE NEW BUILDING IS PART OF THE LOUISBURG BARRACKS REDEVELOPMENT, THE APPLICATION INCLUDES A NEW ACCESS ROAD FROM THE PROPOSED RELIEF ROAD AT SITE FOR FUTURE SKILLS CENTRE, LOUISBURG BARRACKS DEVELOPMENT AREA, BORDON. (APPLICATION NO. 55369/003) (SITE REF: EHE050)

The Committee considered a report of the Head of Strategic Planning (Item 8 in the Minute Book) on an application for a new future skills centre for vocational training as part of the Louisburg Barracks redevelopment area in Bordon.

Councillor House declared an interest in this Item as a Board Member of the Homes and Communities Agency and left the meeting at this point.

The Head of Strategic Planning tabled elevation plans for the site and advised members on the main points of the scheme. Whilst showing the masterplan of the Louisburg Barracks development, it was pointed out that the proposed location of the school would be given a prominent gateway location and would be of a similar build to that of the newly opened CEMAST Centre in Fareham. Members were also advised that a late objection to the scheme had been received from Barratt Homes,

who were concerned whether suitable parking arrangements were in place for the building.

It was noted that Councillor Carew, the local member, was supportive of the application.

The Committee received one deputation on this item from the applicant, Philip Walker and Andrew Pritchard - Officers from Hampshire County Council's Children's Services.

Several questions were asked of the applicant around the use and longevity of using a flat roof and the availability of parking provision for the site and what percentage of this would be disabled bays.

RESOLVED:

That planning permission be granted for the construction of a new Future Skills Centre (to promote future skills training, with a focus on the construction sector, alongside core employability and enterprise skills) alongside a new access road for the Future Skills Centre site subject to the conditions listed in Integral Appendix B of the report.

Voting

For: 14 (unanimous)

At this point, Councillor Gurden left the meeting.

199. APPLICATION FOR CONSTRUCTION OF A TWO FORM ENTRY SINGLE STOREY PRIMARY SCHOOL WITH ASSOCIATED PARKING AND EXTERNAL WORKS AT BARTON FARM, WINCHESTER, HAMPSHIRE, SO22 6PG. (APPLICATION NO. 15/01891/HCS) (SITE REF. WRE060)

The Committee considered a report of the Head of Strategic Planning (Item 9 in the Minute Book) on the application for a two form entry single storey primary school with associated parking and external works at Barton Farm in Winchester.

The Head of Strategic Planning tabled elevation plans for the site and advised members on the main points of the scheme, which was to provide a two form entry primary school to be open in the spring of 2018.

The Committee received two deputations, one from the applicant (Keith Evans and Martin Hallum – Officers of Hampshire County Council's Property Services), the other from local County Councillor Jackie Porter.

Officers answered several questions on the provision of cycle and parking bays available on site and size of the hall should the proposed 2 form entry (2FE) school be expanded by a further 1FE.

RESOLVED:

That planning permission be granted for the construction of a new two form entry primary school for Barton Farm, Winchester, to include school accommodation,

teaching rooms, halls, staff parking and landscaping, subject to the conditions listed in Integral Appendix B of the report.

Voting

Favour: 11

Against: 0

Abstentions: 2

Councillors Wheale and Latham both left the meeting at this point.

200. PROPOSAL TO DEDICATE PUBLIC BRIDLEWAY RIGHTS OVER A ROUTE IN KINGSCLERE, BETWEEN KINGSCLERE BRIDLEWAY 745 AND HANNINGTON BRIDLEWAY 501, IN THE PARISH OF KINGSCLERE

The Committee considered a report of the Director of Culture, Communities and Business Services (Item 10 in the Minute Book) on a proposal to dedicate public bridleway rights over a route in Kingsclere between Kingsclere Bridleway 745 and Hannington Bridleway 501.

The Director's report was presented, and it advised that the authorisation of an agreement for the dedication of bridleway rights over the route A to B would be the first part of a process to resolve a long-standing anomaly.

RESOLVED:

That the dedication of public bridleway rights over a route connecting Kingsclere Bridleway 745, approximately 57 metres south of its junction with the A339, to Hannington Bridleway 501, between Points A and B (as shown on the accompanying plan to the report) be accepted.

Voting

Favour: 11 (unanimous)

201. APPLICATION FOR A DEFINITIVE MAP MODIFICATION ORDER TO RECORD A PUBLIC BRIDLEWAY AT JUNCTION 9, M3, WINCHESTER

The Committee considered a report of the Director of Culture Communities and Business Services (Item 11 in the Minute Book) on an application for a Definitive Map Modification Order to Record a public bridleway at Junction 9 of the M3 in Winchester.

The Director summarised the main points of the report and was recommending that the application to record a public bridleway be refused on the grounds that documentary evidence reviewed was insufficient to infer that cycle rights subsist on the claimed route. The report also observed that Sections A-B and D-E should in any event be excluded on the basis that use of these sections by cyclists would have been illegal, and so could not give rise to the acquisition of prescriptive rights.

The Committee received three deputations on this item from Mike Slinn (local resident), Sue Coles (the applicant) and local County Councillor Jackie Porter all of whom requesting the County Council accepts the application to record a public bridleway between points A-F on the plan attached to the report.

During the debate, the Solicitor advised Members on the process should they wish to accept that an order be made on this bridleway.

RESOLVED:

That the application for a Definitive Map Modification Order to record a public bridleway between points A-F on the plan attached to the report be accepted.

Voting

Favour: 11 (unanimous)

Councillor R McIntosh
Chairman
Wednesday 18 November 2015