

AT A MEETING of the REGULATORY COMMITTEE of HAMPSHIRE COUNTY COUNCIL
held in The Council Chamber at Castle Hill, The Castle, Winchester on
Wednesday 14 December 2016

PRESENT:

Chairman:
p Councillor R.C. McIntosh

Vice-Chairman:
p Councillor P Latham

Councillors:

p C Carter	p K House
p C Choudhary	a R Huxstep
p M Cooper	p R Price
p C Connor	p T Rolt
a J Grajewski	p D Simpson
p C Greenwood	a S Wheale
p M Harvey	p C Wood

Notices posted at the meeting advised 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 1-5, 8, 6, 7***

308. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Grajewski, Huxstep and Wheale,

309. 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.

310. MINUTES

The Minutes of the meeting held on 16 November 2016 were agreed as a correct record and signed by the Chairman.

311. CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced that Councillor Wall had left the Committee and been replaced by Councillor Chris Wood. Cllr Wall was thanked for his work on the Committee and the Committee welcomed Cllr Wood as a new member.

312. DEPUTATIONS

The Committee was advised that two deputations had been received for the meeting. The deputation process for the meeting was explained by the Chairman.

313. PROPOSED SCHEME OF 18 ONE BEDROOM ASSISTED LIVING UNITS AND SUPPORTING COMMUNAL SPACE WITHIN THE C2 USE CLASS WITH ASSOCIATED CAR PARKING AND LANDSCAPING AT LAND OFF FOREST OAK DRIVE, NEW MILTON, BH25 5NT. (APPLICATION NO. 16/11323) (SITE REF: NFS014)

The Committee considered a report from the Head of Strategic Planning (Item 6 in the Minute Book) regarding assisted living units on land off of Forest Oak Drive in New Milton.

The Officer summarised the report and highlighted that an update had been circulated to Members, confirming further representations that had been received since the report had been published. Whilst there were issues raised by a resident regarding HCC procedures, Legal reassured Members that this was not related to the planning application and was being dealt with separately. A further document had also been provided for ease of reference, which showed the design and construction materials proposed in more detail.

Aerial photographs and plans of the area and proposals were shown to Committee, as well as the nearby road network, landscaping and the design of the proposed development, which was C2 use (residential care). Due to concerns regarding the car park entrance and headlights shining into a nearby property, the entrance had been moved slightly to minimise the inconvenience to neighbours. The New Milton Local Plan did not specify a style or design of any construction, but it was felt that the look of the proposed building was sensitive to the style of the local area, whilst being modern and innovative. It was confirmed that some objections had been received from local residents, the Town and District Councils, focusing on the design of the new building, and these were summarised to Committee.

The Committee received two deputations on this item.

Ian Prentice, a local resident, highlighted the main areas that he and other residents had concerns over, being the design of the building not being sensitive to the style of the nearby houses, parking and the location of the car park, which could be moved to the other side of the site where it would lessen the impact on residents; landscaping and the proposed palisade fencing being inferior and not in keeping with the local area; and also how the number of units on site should reduce.

Louise Hague and Charles Flood spoke on behalf of the applicant in support of the application. They talked about the need for this type of facility and how the access to the site via Forest Oak Drive had been specified in the New Forest Local Plan. The adjoining dormant site to the south, which was also owned by Hampshire County Council, would be used to access the site during construction and also to store materials and vehicles during the construction period, minimising impact on the residents. The details and design of the building were explained, and it was confirmed that whilst not exactly matching the neighbouring houses, the design was sympathetic to the area. The palisade fencing was also felt to be a suitable balance between privacy for the users of the development and not totally isolating the residents from the surrounding area, gardens and landscaping.

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

- The residential sprinkler system was the same as the one used in some secondary schools;
- Moving the car park and access would affect more houses, as vehicles would have to drive past more properties in order to access the site;
- Whilst there are only two disabled parking bays proposed, most residents will not have cars, and therefore not be using the bays and/or may not be classified as disabled drivers. The bays meet the required standard;
- The design of the building forms part of a district programme, but elements of the design are tailored to the location;
- Allowances had been made for mobility scooters to be stored securely indoors;
- The contributions for open space and financial mitigation were in hand and this was not a reason to defer the decision;
- The materials selected for the exterior of the building would be looked at further, which was supported by Condition 3 in the report; and
- Access would be via Forest Oak Drive once construction had been completed, and this was stated in the Local Plan.

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

- The traffic movements for the centre were less than if the allocated housing was to be put on the plot of land;
- The design was modern and in keeping with such schemes, using new materials and techniques; and
- The car park was predominantly for staff and not residents.

During debate, Members agreed that an advisory note should be attached to the conditions recommending that the hanging tiles be readdressed considering the disapproval from local residents, although it was acknowledged that the tiles helped break up the large areas of red brick.

RESOLVED:

- 1 That a Section 106 Unilateral Undertaking be provided by the applicant to secure the following:
 - a. The transfer of land for use as public open space to New Forest District Council; and

- b. The payment of an agreed financial contribution to New Forest District Council to offset the effects associated with the recreational impacts on both the New Forest and the Solent European Nature Conservation Sites.
2. Provided that by no later than 31 March 2017 the Unilateral Undertaking is completed, then authority be delegated to the Director of Economy, Transport and Environment to GRANT permission subject to the conditions listed in integral appendix B.
3. In event that the Unilateral Undertaking is not completed by 31 March 2017, then the Director of Economy, Transport and Environment be authorised to refuse planning permission for that reason.

Voting:

Favour: 12

Against: 1

314. APPLICATION FOR SINGLE STOREY NEW BUILD COMMUNITY ROOM COMPRISING MULTI-PURPOSE SPACE AT HYTHE PRIMARY SCHOOL, SCHOOL ROAD, HYTHE, SO45 6BL. (APPLICATION NO. 16/11226) (SITE REF: NFE009)

The Committee received a report from the Head of Strategic Planning (Item 7 in the Minute Book) regarding an application for a new community room at Hythe Primary School.

The officer summarised the report and highlighted that an update report had been done, which covered the dimensions of the proposed building in relation to paragraph 4.4 of the report. Elevations of the proposal were shown, which was a modular building designed to be in keeping with its wooded surroundings. The building would be close to access and detached from the school, and the area it would be placed was unused land, so it would not affect any of the nearby trees.

New Forest District Council (NFDC) had opposed the proposal on the grounds of the design of the building and flat roof, which was not sympathetic to the design of the school, however, it was felt that the building did suit its surroundings, was to be used outside of school hours, and was not easily visible from the school, so this was not necessary.

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

- The contractors compound would be outside of the tree canopy area marked on the plan;
- NFDC's primary objection was against the flat roof, but it was felt that a pitched roof would not be suitable. A flat roof was more cost effective and discrete;

RESOLVED:

a) Planning permission was GRANTED subject to the conditions listed in integral Appendix B.

Voting:

Favour: 10

Against: 3

315. DEDICATION OF PUBLIC FOOTPATH AND CYCLING RIGHTS AT BARTONS ROAD, HAVANT, BY WYEVALE GARDEN CENTRES

The Committee received a report from the Director of Culture, Communities and Business Services (Item 8 in the Minute Book), regarding a public footpath and cycling rights at Bartons Road in Havant.

The report was summarised by the officer, who confirmed that the application was at Committee to confirm arrangements put forward a decade ago that needed to be reconfirmed due to a deficient Deed. The dedication was on behalf of Hampshire Highways as part of transport link improvements, and would be maintained by Hampshire Highways at minimum cost.

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

- The path would be fully surfaced and was the standard width of 3.2 metres
- Barriers would be placed to prevent vehicles from using the path

RESOLVED:

The County Council accepted the offer to dedicate public footpath and cycling rights between points A-B on the Committee Map attached to this report.

Voting:

Favour: 13 (unanimous)

Councillor R McIntosh
Chairman
Wednesday 25 January 2017