

AT A MEETING of the REGULATORY COMMITTEE of the HAMPSHIRE COUNTY COUNCIL held at The Castle, Winchester on 24 November 2010.

PRESENT:

Chairman:
p Councillor R.C. McIntosh

Vice-Chairman
p Councillor I. Beagley

Councillors:

a F.G. Allgood	p Mrs A. McEvoy
p Mrs C.A. Bailey (for items 1 – 7)	p E.J. Neal (for items 1 – 9)
p A. Broadhurst	p F. Pearce (for items 1 – 9)
p J.V. Bryant (for items 1 – 6)	p R. Price
p C. Carter (for items 1 – 9)	p Mrs J. Porter
p M.G. Cooper	p D. Simpson (for items 1 – 10)
p B.T. Gurden	p J. Wall (for items 1 – 9)
p G.M. Hockley	p J.K. West
p S. James (for items 1 – 7)	p Mrs S. Wheale (for items 1 – 10)
p A. Joy	

157 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillor F. Allgood.

158 DECLARATIONS OF INTEREST

Members were mindful that, where they believed they had a personal or prejudicial interest in any matter to be considered at the meeting, they should normally at the time of the debate declare their interest and, having regard to the circumstances described in paragraphs 9, 10, 11 and 12 of the County Council's Code of Conduct, consider whether to leave the meeting whilst the matter was discussed, save for exercising any right to speak in accordance with paragraph 12 of the Code. The declaration should be made at the time of the relevant debate.

159 MINUTES

The Minutes of the meeting of the Regulatory Committee held on 29 September 2010 were confirmed as a correct record and signed by the Chairman.

160 CHAIRMAN'S ANNOUNCEMENTS

The Chairman confirmed that Site Visits would be taking place on Monday 20 December and advised Members to make a note in their diaries.

161 DEPUTATIONS

Members were reminded that they had approved a scheme which involved the amendment of Standing Order 21 to allow Members to ask questions of deputees for clarification of facts on an agenda item. Questions from Committee Members would be asked through the Chairman, who might seek the advice of the Committee's legal and other advisers as appropriate. The Chairman's decision on a question would be final. Any local Members who requested to speak at the Committee might also be asked questions. The Committee were advised that forty-two deputations had been received for this meeting. The Chairman advised that in view of the time limit under Standing Order 21 of one hour for the total time of deputations, this would mean that each deputees would only have around one and a half minutes each, and proposed that Standing Orders be suspended to allow further time for deputees, proposing a time limit of three minutes per deputees. The proposal was put to the vote and was agreed.

162 TO CONSTRUCT TWO SYNTHETIC TURF PITCHES (101.5 X 63 METRES) WITH FOURTEEN 15 METRE HIGH FLOODLIGHTING COLUMNS, THREE METRE AND 4.5 METRE HIGH GREEN WELDMESH BALL STOP FENCING, 1.2 METRE HIGH SPECTATOR VIEWING AREA AT WARBLINGTON SCHOOL, SOUTHLEIGH ROAD, HAVANT, HAMPSHIRE PO9 2RR (APPLICATION NUMBER 10/53510/006)

The Committee considered the report of the Head of Planning and Development (Item 6 in the Minute Book) which detailed an application for the construction of two synthetic turf pitches and subsequent works at Warblington School. It was confirmed that this application had come to Committee in September 2010 but was deferred pending further information on the management plan and planning details. No changes had been made to the proposal, but further information provided.

The Development Control Manager explained the application and advised the Committee of the Havant Borough local Plan policies listed in Appendix C, stating that the application had now been advertised as a departure from policy due to potential impact on residents. It had also been noted that the school had proposed a restriction on the football pitches for adults, who would not be able to use them in June or July.

The Committee were advised that there were advantages and disadvantages to the application, and that they would need to balance the educational and health benefits for the school children and the benefits to

the community, which are material considerations, against the impact on the nearby residents. On balance, notwithstanding the departure from policy it was considered to be an acceptable proposal and recommended for approval.

The Committee received sixteen deputations. These were from local residents (Mr Peter Eames), members of Warblington and Denvilles Residents Association, (Mr Clifford Smith, Mrs Elaine Kilbey, Mr Ian Crabtree and Mr Peter Dessent), representatives of Warblington Development Action Group (Mrs Sue Layton and Dr Paul McCormick) There were also representatives of the school (Mr Owen Davies, Head, Mr Keith Chessell, Chair of Governors), Havant Hockey Club (Mr Peter Taylor and Mr Barry Bradley), England Hockey, (Commander John Gawley), Hampshire County Council as applicant (Colin Lord) and also Havant Borough Councillor Jackie Branson and County Councillors Ray Bolton and David Keast.

The main concerns of the local residents and Warblington and Denvilles Residents Association (WDRA) were that the proposals represented over development to provide a major sports facility in a residential area, the flood lighting affecting sleep patterns, visual impact of floodlights and fencing, the noise and disturbance during evening and weekends affecting residents amenity and quiet enjoyment and the disturbance from increased traffic and the risk of traffic and parking in the nearby roads. Mrs Sue Layton (Warblington Development Action Group – WDAG) also raised concerns about amenity impact and in addition the inadequate toilet and changing facilities and the effectiveness of a single-sided acoustic fencing, which could amplify the noise of passing trains on the northern boundary. Dr Paul McCormick, a barrister speaking on behalf of the WDAG, spoke of the departure from Havant Borough Local Plan under policies D1, D19 and R15 and referred to a letter submitted by solicitors on behalf of WDAG.

Colin Lord, from Hampshire County Council (HCC), addressed the concerns in his deputation, confirming that Network Rail were content, the Environment Agency had no concerns over flood risk and that Highways were also happy that there would be no adverse affects on traffic. The overflow parking provided at the rear of the school would also mean that no one would need to parking on the nearby roads. It was also stated that the acoustic consultant had been very thorough in investigating the impact of noise and that a double-sided acoustic fence would not be needed. Hampshire County Council Property Services had looked into the toilets and changing facilities and reported that these were of a suitable standard.

Mr Owen Davies, Head of Warblington School, and Mr Chessell, confirmed that the management plan had been developed alongside WDRA and they would continue to liaise with residents to ensure minimum impact to those living nearby. Mr Davies also stated the very positive impact of the proposals for high quality sports facilities not only for

Warblington School but also for colleague schools and feeder schools which would also have access to facilities.

The representatives of Havant Hockey Club explained their links with Warblington School and the need for the club to have improved facilities and the benefits particularly in encouraging participation of young people. The representative of Hockey England supported proposal and emphasised control over behaviour of players by referees they trained.

Havant Borough Councillor Jackie Branson told the Committee that she trusted the views and findings of the experts that had looked into the concerns raised by local residents over noise, flood lighting and traffic and therefore supported the application.

County Councillor David Keast spoke in support of the application and considered that it would be a great benefit to the Community.

County Councillor Ray Bolton appreciated the proposal ticked many positive boxes but had concerns about loss of amenity and adequacy of the Management Plan. The latest draft was a big improvement but needed to continue to involve local residents to make sure met requirements. Cllr Bolton also considered there should be more restricted use outside the hockey season (September to April).

During questions of the officer, Members queried the departure from the Havant Local Borough Plan. The Development Control Manager confirmed that there was a departure relating to the amenity impacts for residents, but as stated earlier the benefits were material considerations to be considered in the balance. In addition the application also met the requirements of other policies in the Plan and noted Havant Borough Council had not raised objection to the application

On debating the item, Members put forward several amendments to the proposed conditions should permission be granted. These were put to the vote:

That floodlighting will terminate at 21:00 on weekdays.

Favour: 17
Against: 1
Abstentions: 2

That between the 1 May and 1 September each year, there is a 18:00 finish at weekends.

Favour: 16
Against: 2
Abstentions: 2

That the Public Announcement (PA) system is used for no more than two hours at a time, on a maximum of twenty occasions throughout the year.

Favour: 14
Against: 1
Abstentions: 5

Added Resolution – That a liaison panel is set up and run by the school, so the local residents can share and discuss any issues.

Favour: 12
Against: 6
Abstentions: 2

On the approval of the Conditions listed above, the recommendations were put to the Committee.

RESOLVED:

- i) That permission to construct two synthetic turf pitches (101.5 x 63 metres) with fourteen 15 metre high floodlighting columns, three metre and 4.5 metre high green weldmesh ball stop fencing, 1.2 metre high spectator viewing areas, and associated drainage at Warblington School, Southleigh Road, Havant, Hampshire PO9 2RR (Application No: 10/53510/006) be granted, subject to conditions in Integral Appendix B and subsequent conditions put forward and agreed by the Regulatory Committee.
- ii) That a liaison panel is set up and run by the school, so the local residents can share and discuss any issues on a regular basis.
- iii) The full conditions are circulated to members of the Committee prior to planning consent being issued.

Final Vote:
Favour: 18
Against: 2

Cllr Bryant left the meeting

- 163 THE CONSTRUCTION OF AN ANAEROBIC DIGESTER INCLUDING LAGOONS, FEEDSTOCK HANDLING BUILDING AND GAS CONDITIONING UNIT ON THE EXISTING BRICKWORKS SITE AND ADJACENT LAND TO ENABLE THE PRODUCTION OF SUFFICIENT BIOMETHANE TO SUPPLY ALL THE ENERGY THAT THE BRICKWORKS REQUIRE, ALL VEHICLE MOVEMENTS ASSOCIATED WITH THE OPERATION OF THE AD PLANT WILL USE ACCESS ROAD ACROSS CHAPEL FARM FROM OAKHANGER LANE THAT HAS THE BENEFIT OF PLANNING PERMISSION AT THE SELBORNE**

**BRICKWORKS, HONEY LANE, SELBORNE, ALTON, HAMPSHIRE
GU34 3BS
(APPLICATION NO: 20661/045)
(SITE REFERENCE: EH015)**

The Committee considered the report of the Head of Planning and Development (Item 7 in the Minute Book) in respect of an application for an anaerobic digester (AD) in conjunction with Selborne Brickworks. This item was deferred from the October Regulatory Committee pending clarification on elements of the application.

The Head of Planning and Development confirmed that since the last Committee, an objection had been received from Whitehill Parish Council with regards to the proximity of dwellings to the site, the condition of the haul road and potential water pollution and concerns over conditions No 3 & 4, which link the application with the brickworks.

The Head of Planning and Development ran through the proposal and explained the process that would take place on the site. It was confirmed that food would be brought to the site in enclosed vehicles/containers and the digesting process would also be in a sealed environment. This would result in minimal noise and no odour. At the last Committee, Members had raised concerns over gas storage. Although this was not an unusual case at an industrial site, the Fire and Safety Officer had been consulted who confirmed that adequate safety procedures would be put in place separately to the planning application.

The Committee received eight deputations from local residents, the applicant and local Members. The local residents shared their concerns over the risk of flooding and contamination, particularly as the nearby borehole was already flooded and had been out of use for sometime. Local residents were also angry at the location of the proposed application being only thirty metres from the nearest property.

The applicant, Mr Benham-Crosswell, confirmed to the Committee that gas prices were going to increase dramatically and this was a sustainable way of continuing his business. He stated that the nearby flora and fauna would remain where it was and the AD process was sealed and silent that would produce no odour emissions. It would be one of the smallest AD in the UK and would be subject to a Tier 1 bespoke (EA) licence – the highest regulated/monitored available, which would mean adhering to strict environmental conditions.

Hampshire County Councillors Carew and Kemp-Gee spoke against the application stating it offered no benefit to the community and Cllr Carew also raised concerns with regards to the disturbance of local wildlife and breach of policy DC13 that states that a restored landfill site cannot be used for such developments.

On questioning the deputations, Members asked the applicant whether any surveys had been done on local wildlife and it was confirmed that no protected species had been found on site. The applicant also stated that the capacity of the plant was 22,500 tonnes and would not be able to do much more than this.

Upon being questioned on flares, the applicant confirmed that these would be roughly three metres high, but burn clear. This would only be done in emergencies if the gas went out of spec or could not go to the grid. When asked what the worst thing that could potentially go wrong at the plant, the applicant informed the Committee that it would be a leak of gas. Although this was highly unlikely, gas detectors would be fitted around the lagoons and this would be something closely monitored as part of the Environment Agency permit. The applicant also explained that the gas created by the AD was held at low pressure.

On questioning the officer, the Head of Planning informed the Committee that the haul road would be maintained to be a suitable condition for all types of vehicles that may use it to prevent unnecessary dust and noise. There would be several conditions relating to the haul road that would be monitored. The Head of Planning also confirmed that a 'standard' environment permit can only be issued when dwellings are more than 250 metres from an AD. On the other hand a 'bespoke' permit could still be issued subject to detailed assessments..

Members also queried why the lagoons were situated where they were on the plan and not further away from residents. It was explained this was due to overhead power lines and underground cables and the integrity of the clay reserve to the north. It would also have obstructed the AD process. When asked what other agencies/authorities would need to be happy with the application if it was approved, the Head of Planning replied that the Building Control Authority and Environment Agency would need to issue permits of their own following assessments before any works could take place. The development would have to adhere to gas regulations.

Members asked the officer to confirm whether the application was strictly related to the brickworks and the Head of Planning and Development stated that it was, as the future of the brickworks was dependent on the AD and vice versa.

Members were reminded that if the application was refused against officer recommendation, then the reasons for the refusal needed to be on the planning merits of the case and should be clearly stated at the time the proposition was moved. Members were also reminded of advice in the costs circular regarding decisions against officer recommendations.

RESOLVED:

- i) That the planning application was not approved due to being an unacceptable departure from the development plan in that it is not all located within previously developed land as required by policy DC13 and the proposal would have a perceived adverse amenity impact upon the occupiers of neighbouring dwellings which is contrary to policy DC8.

Voting:

Favour (of application): 8
Against: 9
Abstained: 2

A vote was taken as to the reasons for the refusal and the 9 Members who voted against it agreed on the reasons listed above.

Cllr James and Cllr Bailey left the meeting

164 WESTERN EXTENSION TO EVERSLEY QUARRY WITH PROGRESSIVE RESTORATION TO HEATHLAND, MIRE AND COMMERCIAL FORESTRY, EXTRACTION OF MINERAL BENEATH BRIDLEWAY NO.11 WITHIN EVERSLEY QUARRY (PHASE 5); VARIATION OF CONDITION 1 FOR CONSENT NO. 98/00134/CMA FOR THE RETENTION OF MINERAL PROCESSING PANT, SILT LAGOONS AND MINERAL STOCKPILES; VARIATION OF CONDITION 1 FOR CONSENT NO 04/00717/CMA FOR THE RETENTION OF READY MIXED CONCRETE PLANT AT EVERSLEY QUARRY, COOPERS HILL, EVERSLEY COMMON, EVERSLEY, HAMPSHIRE RG27 0QA

The Committee considered the report of the Head of Planning and Development (Item 8 in the Minute Book) which detailed four separate applications relating to mineral extraction and subsequent restoration at Eversley Quarry.

The Head of Planning and Development introduced the item, confirming that the Committee visited the site on the 8 November 2010. The main application is an extension to an existing operation with plans to restore the area after the extraction has taken place. The officer also showed Members via a plan, the stand off of trees that would remain to protect Hill House, which stood to the north. The works would take place over five phases, which included the construction of a managed crossover of Coopers Hill to link the extraction area and the plant site

The other applications related to working material under the bridleway at Eversley Common and extending the life of the plant.

The Committee received three deputations from a local resident, a representative from the Forestry Commission (Mr Iain Skinner) and the applicant (Mr John Gough). The local resident, Mr Philip Todd, shared his concerns that the extraction was starting too early, as a shortfall in mineral was not anticipated until 2016 and that starting sooner would jeopardise future resources. Mr Skinner informed the Committee that the works and restoration would benefit local wildlife and that the extraction and site as a whole benefitted the local community in terms of employment and supported local businesses. Mr Gough stated that no objections had been raised on technical or planning issues and that all queries raised by local residents had been addressed. Mr Gough also confirmed that there would be no Saturday working during Phases 1 and 2, and that extraction would not take place for more than 12-15 weeks in any one year.

Upon questioning the officer, Members queried the figures in the report regarding lorry movements, as two different numbers were quoted. The Head of Planning and Development confirmed that 112 of the lorry movements, mentioned in Condition 16, related to export movements out of the site, whereas the 232 movements included movements between the extraction area and plant site.

There was also question with regards to Condition 30, and it was proposed that the restoration could take place in the form of forest or heathland to allow flexibility. A vote on this was put to the Committee and lost.

RESOLVED:

- i. That, subject to a section 106 legal agreement for long term management for a period of 25 years following aftercare, with specific reference to conservation management of health land and mire habitat, planning permission in respect of the four planning applications:
 - a. Application 10/01971/CMA
Site reference: HR040
Location: Eversley Quarry, Coopers Hill, Eversley Common, Eversley, Hampshire, RG27 0QA
Proposal: Western Extension to Eversley Quarry with progressive restoration to heathland, mire and commercial forestry;
 - b. Application 10/02021/CMA
Site reference: HR040
Location: Eversley Quarry, Coopers Hill, Eversley Common, Eversley, Hampshire, RG27 0QA
Proposal: Extraction of Mineral Beneath Bridleway No.11 within Eversley Quarry (Phase 5);
 - c. Application 10/01974/CMA
Site reference: HR040
Location: Eversley Quarry, Coopers Hill, Eversley Common, Eversley, Hampshire, RG27 0QA

Proposal: Variation of condition 1 for consent no. 98/00134/CMA for the retention of mineral processing plant, silt lagoons and mineral stockpiles; and

d. Application no 10/01977/CMA

Site reference: HR040

Location: Eversley Quarry, Coopers Hill, Eversley Common, Eversley, Hampshire, RG27 0QA

Proposal: Variation of condition 1 for consent no 04/00717/CMA for the retention of ready mixed concrete plant

Be approved subject to conditions in Integral Appendix B.

Voting:

Favour: 15

Against: 0

Abstentions: 2

165 CHANGE OF USE OF EXISTING TRANSFER STATION TO USE AS A MATERIALS RECYCLING FACILITY FOR THE PRODUCTION OF SOLID RECOVERED FUEL AT WARREN FARM WASTE TRANSFER STATION, DOWNEND ROAD, NEAR FAREHAM, HAMPSHIRE (APPLICATION NO: P/10/0848MW) (SITE REF: FA025)

The Committee considered the report of the Head of Planning and Development (Item 9 in the Minute Book) detailing an application for change of use and subsequent production of Solid recovered Fuel (SRF). This site was visited by Members of the Committee on 8 November 2010.

The Head of Planning and Development confirmed that the traffic levels in and out of the site would remain the same. There was good access to the strategic highway network via a private haul road where no housing was passed. The noise would very rarely exceed background noise levels. The site was an important recycling centre and the proposed production of SRF would divert waste from landfill.

The Committee received one deputation from the applicant, Mr Owen Dimond, who spoke to share his support of the application and confirmed that the nearest residents were 450 metres from the site and should not experience any impact from the noise.

Members also raised concerns over noise on the site, but the officer confirmed that any problems with noise would be picked up and monitored by the conditions as part of the application. It was suggested by Members that in order to make sure the noise levels were not excessive, a one year temporary permission be granted and then readdressed after twelve months. The Head of Planning and Development informed Members that this would result in a lot of time and money from the applicant on an

application that could potentially only apply for a year. The recommendation to award a temporary permit was put to the vote but lost.

Members also queried the late working of the site, which would finished at 23:00, whilst excessive noise was not anticipated, Members proposed that a 20:00 finishing time be incorporated as part of the Conditions. The Head of Planning and Development advised that the late working was so the facility could process the large amount of waste and during the evening the doors to the facility would be closed to act as an extra barrier. The extra condition to finish work on the site at 20:00 was put to the vote but lost.

A final query from Members was with regards to working on Bank Holidays. It was noted that in the current conditions, working would only cease on Christmas Day and Boxing Day. Members queried why all Bank Holidays were not included in the Conditions and it was confirmed this was because rubbish was collected from households and recycling centres on Bank Holidays, and so it was important for the site to remain open. The recommendation to close on all Bank Holidays was put to the vote but lost.

RESOLVED:

- i. That planning permission in respect of the change of use of existing transfer station to use as a Materials Recycling Facility for the production of Solid Recovered Fuel at Warren Farm Waste Transport Station, Downend Road, near Fareham, Hampshire (Application No: P/10/0848MW) be granted subject to the planning conditions in Integral Appendix B.

Voting:

Favour: 15

Against: 2

Cllr Neal, Cllr Wall, Cllr Pearce and Cllr Carter left the meeting

166 ADDITIONAL FARM BUILDINGS AND STRUCTURES FOR AGRICULTURAL USE AT HAZELEY FARM, HAZELEY HEATH, HOOK RG27 8NA (APPLICATION NO: 10/02022/HCCRG3) (SITE REF: HRG001)

The Committee considered the report of the Head of Planning and Development (Item 10 in the Minute Book) which detailed an application for additional farm buildings at Hazeley Heath. A site visit was attended by Members of the Committee on 11 October 2010.

The Head of Planning and Development showed proposed plans for the site and informed the Committee that the new buildings would benefit both

the farm owners and residents as it would mean the farm could be run more efficiently. It was also necessary for animal welfare.

The Committee received three deputations from local residents Mr Mark Arnold and Mr Peter Philips and also from Mr Robin Edwards of Hampshire County Council. The local residents told the Committee of the noise and smell that already came from the farm, particularly around feeding times and were concerned that expanding the farm would make it a lot worse. They also had concerns over the visual impact to neighbouring houses. Mr Edwards reassured the Committee that the new buildings and structures would improve the smell as there would be less rainfall on dirty areas where the animals foul. It would also enable them to comfortably house all the cattle on the farm.

When Members asked questions of the deputations, Mr Edwards confirmed that the number of cattle had decreased to 120 from 150 since the farmer arrived, but the new cubicles would enable them to house the cattle more effectively and therefore keep more. The Members also asked Mr Arnold about the smell and how often the smell of the feed was experienced. It was confirmed to be twice a day, but the smell was more of a chemical/brewery smell rather than a normal farm smell, due to the apple pulp the cattle were fed on. Although the smell had been reported, it had been said that it could not be measured like noise and so was difficult to monitor.

During debate, some Members shared their concerns that the farm was too big for the area yet too small for the activities that were performed on it, but this may improve after the new buildings are erected. It was also noted that the development was a separate issue from the concerns of the neighbours.

RESOLVED:

- i) That planning permission for additional farm buildings and structures for agricultural use at Hazeley Farm, Hazeley Heath, Hook RG27 8NA (Application No: 10/02022/HCCRG3) be granted subject to the planning conditions in Integral Appendix B.

Voting:

Favour: 7

Against: 3

Abstentions: 3

Cllr Simpson and Cllr Wheale left the meeting

167 VARIATION OF CONDITION 2 OF PLANNING PERMISSION S/10/66620 TO EXTEND THE OPERATIONAL HOURS OF THE CONCRETE BATCHING PLANT TO 0500-1900 MONDAY TO FRIDAY AND 0500-1400 SATURDAY AT BARDON AGGREGATES, TOWER LANE INDUSTRIAL ESTATE, CHICKENHALL LANE, EASTLEIGH SO50 6NZ (APPLICATION NO: S/10/67863) (SITE REF: EA046)

The Committee considered the report of the Head of Planning and Development (Item 11 in the Minute Book) for a proposal to change the hours of working (condition 2) at the concrete batching plant in Eastleigh.

The Head of Planning and Development introduced the item and showed the route that would be used on a plan. The change in hours was to enable the vehicles to get on sites early and avoid rush hour traffic and although permissions are for a 5:00 start weekdays, most journeys would be done from 6:00 onwards.

Members shared their concerns over the early hours of the route travelling through an Air Quality Management zone and also the fact that a lot of the route was through residential areas. The Development Control manager informed the Committee that the surrounding sites on the industrial site had no time restrictions and could operate at any hours and that there was not an increase in lorry movements but they would be more spread out over the new times.

It was proposed by the Committee that the starting time of operation Monday - Saturday be changed to 6:00, rather than 5:00 and this was put to the vote:

Favour: 7
Against: 3
Abstentions: 1

RESOLVED:

- i) That planning permission in respect of the variation of condition 2 of planning permission S/10/66620 to extend the operational hours of the concrete batching plant to 06:00 – 19:00 Monday to Friday and 06:00 – 14:00 Saturday at Bardon Aggregates, Tower Lane Industrial Estate, Chickenhall Lane, Eastleigh SO50 6NZ be granted permission for the following reason, subject to the conditions set out in Integral Appendix B.

Final Voting:

Favour: 8
Against: 2
Abstentions: 1

168 APPLICATION FOR A PUBLIC PATH EXTINGUISHMENT ORDER FOR AN UNRECORDED PUBLIC FOOTPATH AT ANCHORAGE COURT, GOSPORT

The Committee received the report of the Director of Culture, Communities and Rural Affairs (Item 12 in the Minute Book) with regards to an application to extinguish unrecorded public footpath rights through a car park to improve security at the site.

The Countryside Access Development Officer showed the current route to the Committee on a plan and confirmed that no costs would be incurred by the County Council.

RESOLVED:

- i) That an order is made extinguishing unrecorded rights through the car park of Anchorage Court, Gosport, between points A and B, in light of the alternate route that has been dedicated between C and D as shown on the supporting plan.

Voting:

Favour: 8

Against: 0

Abstentions: 3

169 APPLICATION FOR A PUBLIC PATH DIVERSION ORDER FOR PART OF FOOTPATH NO. 27 AND DEDICATION OF A PUBLIC BRIDLEWAY IN THE PARISH OF WORLDHAM

The Committee received the report of the Director of Culture, Communities and Rural Affairs (Item 13 in the Minute Book) which detailed an application to divert part of Footpath No. 27 and dedicate a new public bridleway along the new and an extended route to create a link between Worldham Byway Open to All Traffic No.39 and Worldham Bridleway No.30.

The Countryside Access Development Officer explained to the Committee that this would create more useful strategic links in the local path network for walkers, cyclists and equestrians and any physical costs would be met by the applicant.

The Committee received one deputation from local member Councillor Kemp-Gee in support of the proposal, requesting that Committee approve the recommendation to accept this proposal.

RESOLVED:

- i) That an Order is made diverting Worldham Footpath No.27 from A-B to A-C, as shown on the supporting plan.

- ii) That the dedication of a public bridleway following the route C to L be accepted, subject to the successful diversion in 14.1, as shown on the supporting plan.

Voting:

Favour: 11 (unanimous)

170 PROPOSAL TO MAKE A DEFINITIVE MAP MODIFICATION ORDER TO AMEND THE ROUTE OF PART OF LYMINGTON FOOTPATH NO. 75

The Committee received the report of the Director of Culture, Communities and Rural Affairs (Item 14 in the Minute Book) with regards to a proposal that seeks to amend an error in the definitive map, which currently shows a footpath through the garden of a property.

The Map Review Officer confirmed that the error was discovered when the property was put up for sale. The correct route for the path should run around the head of an old dock and does not connect with Normandy Lane as currently shown.

RESOLVED:

- i) That authority be given for the making of an Order to delete the public footpath between points B-C-D-E as shown on the attached map and to add a footpath between points B-E as shown on the attached map.

171 APPLICATION FOR REGISTRATION OF LAND AT THE TRIANGLE, CURDRIDGE, AS TOWN OR VILLAGE GREEN

The Committee received the report of the Director of Culture, Communities and Rural Affairs (Item 15 in the Minute Book) which seeks Committee approval for a non-statutory Public Inquiry to be held.

The Map Review Officer explained the history of the site to the Committee and how the County Council is unable to recommend a proposal for the site.

The Committee received four deputations for the item from the agent on behalf of the landowner (Mr Jeremy Gardiner), local residents (Mrs Anne West and Mr Neil Evans), and the applicant (Mr Rory Kemp).

Mr Gardiner informed the Committee that the land had been owned by the landowner for thirteen years and a former planning application had been eventually won after appeal. It was after the success of the application that evidence appeared to support a Village Green application and agreed it was right that it went to inquiry. The local residents told the Committee how The Triangle had been a play area for local children for many years

and was an important part of the community. This was reiterated by the applicant.

RESOLVED:

- i. That, in connection with the application to register land at Kitnocks Hill, Curdridge, a non-statutory public inquiry be held and the inspector appointed to conduct the inquiry be asked to hear the evidence for and against the application and then to prepare a written report advising the Registration Authority whether to accede or to reject the application.

Voting:

Favour: 11 (unanimous)