

Please ask for:

Joe Martin

Direct dial:

(023) 9254 5651

Fax:

(023) 9254 5587

E-mail:

Joe.martin@gosport.gov.uk

Monday, 3 December 2007

SUMMONS

MEETING: Regulatory Board
DATE: 11 December 2007
TIME: 6.00pm
PLACE: Council Chamber, Town Hall, Gosport
Democratic Services contact: Joe Martin

Please Note: A site visit has been arranged for 10am at 6, 7 & 8 Marine Parade East on the morning of this meeting

BOROUGH SOLICITOR

MEMBERS OF THE BOARD

Councillor Davis (Chairman)
Councillor Train (Vice Chairman)

Councillor Allen	Councillor Foster
Councillor Carter	Councillor Hicks
Councillor Chegwyn	Councillor Taylor
Councillor Farr	Councillor Ward

The Mayor (Councillor Gill) (ex officio)
Chairman of Policy and Organisation Board (Councillor Cully) (ex-officio)

FIRE PRECAUTIONS

(To be read from the Chair if members of the public are present)

In the event of the fire alarm (continuous ringing) or controlled evacuation alarm (intermittent ringing) sounding, please leave the room immediately. Proceed downstairs by way of the main stairs or as directed by GBC staff, follow any of the emergency exit signs. People with disability or mobility issues please identify yourself to GBC staff who will assist in your evacuation of the building.

Legal & Democratic Support Unit: Linda Edwards – Borough Solicitor
Switchboard Telephone Number: **(023) 9258 4242**
Britdoc Number: **DX136567 Gosport 2** Website: **www.gosport.gov.uk**

IMPORTANT NOTICE:

- If you are in a wheelchair or have difficulty in walking and require access to the Committee Room on the First Floor of the Town Hall for this meeting, assistance can be provided by Town Hall staff on request

If you require any of the services detailed above please ring the Direct Line for the Democratic Services Officer listed on the Summons (first page).

NOTE:

- i. Members are requested to note that if any member wishes to speak at the Board meeting then the Borough Solicitor is required to receive not less than 24 hours prior notice in writing or electronically and such notice shall indicate the agenda item or items on which the member wishes to speak.
- ii. Please note that mobile phones should be switched off for the duration of the meeting.

AGENDA
PART A ITEMS

Recommended
Minute Format

1. APOLOGIES FOR NON-ATTENDANCE

2. DECLARATIONS OF INTEREST

All Members present are required to declare, at this point in the meeting or as soon as possible thereafter, any personal or personal and prejudicial interest in any item(s) being considered at this meeting.

3. MINUTES OF THE MEETING OF THE BOARD HELD ON
13 NOVEMBER 2007 [copy attached].

4. DEPUTATIONS – STANDING ORDER 3.5

(NOTE: The Board is required to receive a deputation(s) on a matter which is before the meeting of the Board provided that notice of the intended deputation and its object shall have been received by the Borough Solicitor by 12 noon on Friday, 7 December 2007. The total time for deputations in favour and against a proposal shall not exceed 10 minutes).

5. PUBLIC QUESTIONS – STANDING ORDER 3.6

(NOTE: The Board is required to allow a total of 15 minutes for questions from Members of the public on matters within the terms of reference of the Board provided that notice of such Question(s) shall have been submitted to the Borough Solicitor by 12 noon on Friday, 7 December 2007).

6. REPORTS OF THE DEVELOPMENT SERVICES MANAGER

*Schedule of planning applications with recommendations.
(grey sheets – pages 1 –46/1)*

PART II
Contact Officer:
Pat Aird
Ext 5328

7. ANY OTHER ITEMS

- which by reason of special circumstances the Chairman determines should be considered as a matter of urgency.

A MEETING OF THE REGULATORY BOARD

WAS HELD ON 13 NOVEMBER 2007

The Mayor (Councillor Gill) (ex-officio), Chairman of the Policy and Organisation Board (Councillor Cully) (ex-officio), Councillors Allen (P), Carter (P), Chegwyn (P), Davis (P), Farr (P), Foster (P), Hicks (P), Taylor (P), Train (P) and Ward (P).

100 APOLOGIES

Apologies for inability to attend the meeting were received from the Mayor and Councillor Cully.

101 DECLARATIONS OF INTEREST

- Councillors Allen and Carter declared Personal and Prejudicial interests in item 7 (K17000/2 – Davenport Close)

102 MINUTES

RESOLVED: That the Minutes of the Regulatory Board meeting held on 9 October 2007 be approved and signed by the Chairman as a true and correct record.

103 DEPUTATIONS

It was reported that deputations had been received on the following applications:-

- Item 6 – K17384/1 – 63-65 Fareham Road, Gosport
- Item 8/01 – K17432 – 51-53 High Street, Lee
- Item 8/03 – K17320/1 – 6, 7 & 8 Marine Parade West, Lee
- Item 8/06 – K11429/5 – Land to the East of Grays Close, Gosport

104 PUBLIC QUESTIONS

No public questions had been received.

PART II

105 K17384/1 - CHANGE OF USE AND ERECTION OF TWO STOREY EXTENSIONS AND ALTERATIONS TO CONVERT EXISTING SHOPS AND 2 FLATS INTO 8 ONE BED-ROOMED FLATS TOGETHER WITH CAR PARKING AND ANCILLARY FACILITIES 63-65 FAREHAM ROAD GOSPORT

Members considered a report of the Development Services Manager (a copy of which is attached in the Minute Book as Appendix 'A') which requested the Board to consider the above application in the light of an appeal against the refusal of application K17384 for the same development along with current statistical evidence relating to housing supply and demand in Gosport.

Members were informed of statistical data relevant to the application, as detailed below:

- Census data relating to population and household growth indicate that population in Gosport will fall by about 2,500 over the next 20 years and the number of households in the borough will grow by 2,500 resulting in an average household size of 2.15 persons.
- the housing stock in 2003 was made up of 12% 1 bed, 28% 2 bed with the remainder 3 + bed
- By 2026 a minimum of a further 2397 dwellings will be required - roughly a third 1 beds, a third 2 beds and a third 3+ beds
- Over the last 4 years planning permission has been granted for 2420 dwellings of which 25% were 1 bed, 44% 2 bed and 31% 3 or more beds
- Policies R/H1, RH/2 and R/H3 set out the housing land allocations. This is not a site allocated for housing but is classed as a small windfall site
- Paragraph 5.31 of the Gosport Borough Local Plan provides a commentary on the part of Policy R/H4 which relates to the range of accommodation to provide a social mix and allow for the changing accommodation needs at different stages of life.

Members were advised of current housing supply and demand statistical evidence in order to provide a demographic context and assist Members of the Board in determining the application. Officers advised that the applicant had agreed to pay a commuted sum towards the provision of outdoor playing space within the Borough and completed the agreement on 7 November 2007.

Mr Tutton was invited to address the Board as the Agent on behalf of the Applicant. Mr Tutton quoted passages contained in the Gosport Borough Local Plan Review and the Housing Needs Survey to emphasise his belief that there was a greater demand for small properties than there was at present available. He added that family sized housing made up over 60% of the total proportion of housing available in the Borough, and that statistics showed there to be a demand for 1 bedroom properties. The Borough's demographic requirements would not be met with refusal of the application.

Members understood that the application had not changed from the one that had been refused previously. They had been presented with statistics that the Agent believed proved the viability of the resubmitted scheme, but Members were of the opinion that each

application should be judged on its own merits in any case. Members referred to the report which listed the grounds for appeal denoted by the applicant. It was stated by Members that, on the contrary, Local Plan Policies did not specify a need for one-bedroom flats where they spoke of changes in household size and that “single person occupancy” did not by any way imply that the owner required only one bedroom. Members were concerned by the number of vacant one-bedroom dwellings in the Borough and did not feel that this application was at all acceptable. Members considered the statistical evidence presented but felt that the proposal would not provide a mix of dwelling sizes and types to reflect the needs of those seeking houses in the Borough, contrary to Policy R/H4 of the Gosport Borough Local Plan Review.

RESOLVED: That application K17384 – 63-65 Fareham Road, Gosport

1 be refused for the following reason:

- i. The proposed development does not provide a mix of dwelling sizes and types to reflect the needs of those seeking housing in the Borough and is therefore contrary to Policy H4 of the Gosport Borough Local Plan Review

2 Authority be delegated to the Borough Solicitor to negotiate and enter into a Section 106 Agreement relating to the payment of a commuted sum towards the provision and/or improvement of outdoor playing space as without this agreement an additional ground for refusal would be raised

**106 K17000/2 – OUTLINE APPLICATION – USE OF LAND FOR DEVELOPMENT OF 40no. ONE BEDROOM FLATS AND ASSOCIATED ACCESS SITE OF FORMER RECREATION CENTRE
DAVENPORT CLOSE, GOSPORT**

Members considered a report of the Development Services Manager (a copy of which is attached in the Minute Book as Appendix ‘B’) which requested the Board to consider the above application as an appeal had been made against the non determination, and therefore deemed refusal, of application K17000/2.

RESOLVED: That if an appeal had not been made application K17000/2 – Davenport Close, Gosport would have been refused for the following reasons:

- i. No provision is made for built recreation/leisure provision on, or in the vicinity of, the site contrary to Policy R/CF9 of the Gosport Borough Local Plan Review.
- ii. The proposal by reason of its high density in this location constitutes an unsustainable form of development which is likely to result in a greater reliance on the private car. As such, it is contrary to Strategic Statements SS1 and SS2 and Policy R/H4 of the Gosport Borough Local Plan Review.
- iii. The proposal does not make satisfactory provision for pedestrian, cycle or vehicle access, or access for people with disabilities contrary to Policies R/DP1, R/T2 R/T3, R/T10 and R/T11 of the Gosport Borough Local Plan Review.

- iv. The proposal by reason of the excessive number of units and resulting cramped layout would result in an unsatisfactory living environment for existing residents of adjacent properties and prospective occupiers of the new development, in terms of light, outlook, privacy and noise disturbance, contrary to Policies R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review
- v. The proposed development does not make adequate provision for affordable housing contrary to Policies R/DP3 and R/H5 of the Gosport Borough Local Plan Review.
- vi. The proposed development does not make adequate provision for outdoor playing space contrary to Policies R/DP3 and R/OS8 of the Gosport Borough Local Plan Review.
- vii. The possible risks from contamination have not been fully identified and assessed and therefore the suitability of the site for residential development is currently unknown. As such, the proposal is contrary to Policies R/DP1 and R/ENV5 of the Gosport Borough Local Plan Review.

107 REPORT OF THE DEVELOPMENT SERVICES MANAGER

The Development Services Manager submitted a report on applications received for planning consent setting out the recommendation in each case (a copy of which is attached in the Minute Book as Appendix 'C').

RESOLVED: That decisions be taken on each application for planning consent as detailed below:

108 K17432 – ALTERATIONS TO EXISTING BUILDING TO PROVIDE ONE ADDITIONAL 1 BED FLAT AND NEW TWO STOREY 3 BED HOUSE TO THE REAR 51-53 High Street, Lee-on-The-Solent

Members were informed that an additional letter of objection had been received which stated that any previous conversion of parts of the ground floor to residential use appeared to be carried out without planning permission. Concerns were also raised about the proposed first floor balcony which did not appear to be on the plans and would overlook neighbouring properties and windows, as well as the potential noise nuisance to residents from the potential occupation of the development by a family.

Mr Lee was invited to address the Board as an objector to the application. He believed the proposal to be out of keeping with the surrounding area in terms of scale and layout and located at an unsuitable site on which to erect a building. He also raised concern over the provision for car parking space and subsequent loss of manoeuvrability for vehicles loading and unloading; the health and safety implications of vehicles using the access road on a daily basis to service shops at the rear; and the proposed distance of the development from Robinson Court, which would cause overshadowing and a loss of amenities.

RESOLVED: That planning application K17432 be refused for the following reasons:

- i. The erection of a dwelling in this location is alien to the established pattern of development in the area and as such harmful to the character contrary to Policy R/DP1 of the Gosport Borough Local Plan Review.
- ii. The erection of the house and provision of residential parking in the rear servicing area would prevent rear servicing of the retail unit and so affect its long term viability and compromise the retail function of the Lee on the Solent District Centre. As such the proposal is contrary to Policy R/S6 of the Gosport Borough Local Plan Review.
- iii. The first floor flat will have no private amenity space, and the small areas of amenity space proposed for the dwelling are well below the acceptable standard for a 3 bedroom house. Moreover the amenity space of both residential units will be overlooked by the windows on all 4 storeys of the adjacent Robinson Court, resulting in a cramped and congested layout which will not provide satisfactory living conditions for future occupiers contrary to Policy R/DP1 as amplified by Appendix B of the Gosport Borough Local Plan Review.
- iv. No contribution has been made towards the provision of outdoor playing space within the Borough contrary to Policy R/OS8 of the Gosport Borough Local Plan Review.
- v. Due to the restricted width of the service road and the existing boundary treatment, the car parking spaces cannot be used without causing inconvenience and danger to other users of the highway. As such the proposal is contrary to Policy R/T11 of the Gosport Borough Local Plan Review.

**109 K3369/2 - ERECTION OF 4 STOREY BLOCK OF 7 FLATS WITH ASSOCIATED CAR AND CYCLE PARKING
16 Marine Parade West Lee-On-The-Solent Hampshire PO13 9LW**

Members considered the impact on the character of the area, the 'local list' status of the house, and the rich history associated with it.

RESOLVED: That planning application K3369/2 – 16 Marine Parade West, Lee-On-The-Solent, be refused for the following reasons:

- i. The development would result in the loss of a building that has been included on the Borough Council's List of Buildings of Local Interest because of its historic and architectural interest. The proposed replacement building, whilst appearing to emulate the appearance of the original, does not display the architectural quality of the design or detailing, contrary to Policies R/BH5 and R/DP1 of the Gosport Borough Local Plan Review.
- ii. The existing building makes an important contribution to the character and appearance of Marine Parade which has been designated an Area of Special

Character. The elevations of the proposed building are over prominent and devoid of detail, and do not respect the Area of Special Character, contrary to the SPD and Policies R/DP10 and R/DP1 of the Gosport Borough Local Plan Review.

- iii. The proposed development by reason of its height, depth and resultant mass would have an unacceptable impact on the occupiers of 15a Marine Parade West in terms of loss of light, outlook and privacy, contrary to Policies R/DP1 and R/DP10 of the Gosport Borough Local Plan Review.
- iv. The layout of the car parking spaces does not provide for safe and convenient use, contrary to Policy R/T11 of the Gosport Borough Local Plan Review.
- v. The area shown for bin storage on the plan is undersized and would not provide adequate refuse storage, contrary to Policy R/DP1 of the Gosport Borough Local Plan Review.
- vi. The proposed development does not make adequate provision for outdoor playing space, contrary to Policy R/OS8 of the Gosport Borough Local Plan Review.

**110 K17320/1 - ERECTION OF 4 STOREY BLOCK OF 14 FLATS WITH ASSOCIATED CAR AND CYCLE PARKING (as amended by plans received 07.09.07)
6, 7 & 8 Marine Parade East Lee-On-The-Solent**

Members were advised that there had been 7 letters of objection, rather than 5 as stated in the report of the Development Services Manager. There had been 2 further letters of objection which did not raise any new issues. In addition, 2 letters and an e-mail were put before Members as requested. The first letter referred to policies within the Local Plan and Marine Parade Area of Special Character Supplementary Planning Document. The second was critical of the officer's report and its late availability and speculated that the case officer had not visited the site. The writer stated that residents would be prepared to apply for a judicial review and possibly an injunction to protect their rights. Officers, in response, stated that the case officer had visited the site, the report used the usual conventions and had been available on the website at least 5 working days before the meeting in accordance with usual practice, and that the threat of judicial review or an injunction was not a material consideration.

Mrs Duffy was invited to address the Board as an objector to the application. Photographs of the site in question and surrounding buildings were circulated to Members. She believed that the proposed development was out of keeping with the area and would damage the character of the sea front. The development was said to be too high and in conflict with the Policies set out by the Council to retain the character and uniformity of the area. She further stated that the proposal would be sited too close to Bembridge Lodge and would result in a loss of light and amenities to residents.

Mrs Roast was invited to address the Board as an objector to the application. Mrs Roast was representing the Lee Residents Association and focused on what she believed to be elements of the proposal that were contrary to the Policies set out in the Marine Parade Supplementary Planning Document. She felt that if the application was to be approved it

would set a dangerous precedent and there was a risk that the future authority of Marine Parade Planning Policies could be seriously jeopardised.

Mr Philips was invited to address the Board as the architect in support of the application. He stated that he had worked closely with planning officers to ensure that the style and design of the proposal was within the bounds required in the Supplementary Planning Document. He asked Members to consider the previous commended work of his client and expect the construction of the proposal to be of a high standard.

Councillor Burgess addressed the Board as Ward Councillor for Lee West. He firmly believed the mass of the building when compared to those on the east of the site to be too vast, and to the detriment of the character of the area.

Officers clarified the location of the site in relation to the Marine Parade Supplementary Planning Document; the style of the proposed building; the transitional style of properties already present on this sector of Marine Parade; the position of the development in relation to Bembridge Lodge, and the distances between the proposed development and Bembridge Lodge. Members were concerned that there may be a loss of light and amenities to neighbouring residents and agreed that a site visit would help them make a determination on this application.

RESOLVED: That application K17320/1 – 6, 7 & 8 Marine Parade East Lee On The Solent be deferred for a site visit:

**111 K4363/4 – DEMOLITION OF EXISTING BUILDINGS AND CONSTRUCTION OF 50no. 1 AND 2 BED VERY SHELTERED FLATS FOR ELDERLY AND DAY CARE CENTRE WITH ANCILIARY ACCOMMODATION (as amended by plans received 02.11.07)
1-25 The Leisure Cunningham Drive Gosport**

Members were informed that Defence Estates had now responded with no objection to the proposal.

RESOLVED: That planning application K4363/4 – 1-25 The Leisure Cunningham Drive Gosport be approved subject to the conditions set out in the report of the Development Services Manager, for the following reason:

- i That having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the development as proposed is acceptable in this location and will meet an acknowledged housing need. The design is appropriate and the building suitably landscaped with opportunities to enhance biodiversity. There will not be any significant loss of amenity to occupiers of the adjacent residential properties and adequate provision has been made for access, parking, refuse storage and open space. As such the proposal complies with Policies R/H4, R/H5, R/H8, R/DP1, R/DP6, R/CF1, R/CF5, R/T11, R/ENV14, R/OS8 and R/OS14 of the Gosport Borough Local Plan Review.

112 K3965/13 – REDEVELOPMENT BY THE ERECTION OF 5NO. TWO STOREY INDUSTRIAL UNITS (CLASS B1) WITH ASSOCIATED PARKING AND ACCESS (as amended by emails dated 17.9.07, letter dated 24.9.07 and plans received 26.9.07)

Carrier Vehicle Services Unit 10 Dock Road Gosport Hampshire

RESOLVED: That planning application K3965/13 – Carrier Vehicle Services, Unit 10, Dock Road, Gosport be approved subject to the conditions set out in the report of the Development Services Manager, for the following reason

- i That having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the proposal maximises the employment use of the site and will reduce the need to travel by providing employment opportunities within walking distance of homes and where public transport can be used for commuting. The proposal will not have an adverse effect on the character and appearance of the area, or the amenities of nearby residential properties, or traffic/parking conditions in the locality. Suitable cycle parking facilities will be provided and it has been demonstrated that the risk of flooding both to the proposed development and arising from the development has been appropriately considered and the proposal incorporates relevant flood prevention measures. Adequate provision has also been made to deal with possible land contamination. As such, the development complies with Policies R/DP1, R/DP3, R/EMP3, R/EMP7, R/T2, R/T11, R/ENV1, R/ENV5, R/ENV10 and R/ENV12 of the Gosport Borough Local Plan Review.

113 K11429/5 – ERECTION OF 5no. DETACHED HOUSES WITH GARAGES/PARKING (AMENDMENT TO K11429/2) (as amended by plans received 18.09.07, 21.09.07 and 01.11.07)

Land To East Of Grays Close Gosport PO12 2QL

Mr Harris was invited to address the Board in support of the application. He spoke about the history of the site as well as the intention of the applicant to match the development with the surrounding area. It was confirmed that each of the 5 proposed detached houses would have 4 bedrooms.

RESOLVED: That planning application K11429/5 – Land To East Of Grays Close, Gosport be approved subject to the payment of a commuted sum towards the provision and/or improvement of outdoor playing space and subject to the conditions set out in the report of the Development Services Manager, for the following reason.

- i. That having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the proposal is at an acceptable density for this particular location and will assist in providing a variety of residential accommodation to meet the housing needs of the Borough. Due to the appropriate design of the proposal and the retained and new landscaping proposed it will enhance the character of the area and will not have a detrimental impact on the amenities of neighbouring or prospective occupiers. Adequate provision is made for open space, car parking and cycle and refuse storage. As such the development

complies with Policies R/DP1, R/DP6, R/DP8, R/H4, R/T3, R/T11 and R/OS8 of the Gosport Borough Local Plan Review.

**114 K17442 – INSTALLATION OF EXTERNAL INSULATION SYSTEM AND CONVERSION OF FLAT ROOF TO PITCHED ROOF
15-38 Wilmott Lane Gosport PO12 3RY**

RESOLVED: That planning application K17442 –15-38 Wilmott Lane, Gosport be approved subject to the conditions set out in the report of the Development Services Manager, for the following reason.

- i. That having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the development as proposed will not have a detrimental impact on the amenities of neighbouring residents and will improve the appearance of the building and the visual amenities of the locality. As such, the proposal complies with Policies R/DP1 and R/DP7 of the Gosport Borough Local Plan Review.

**115 K14993/1 - INSTALLATION OF EXTERNAL INSULATION SYSTEM AND CONVERSION OF FLAT ROOF TO PITCHED ROOF
30-92 Hamble Road Gosport PO12 3RJ**

RESOLVED: That planning application K14993/1 – 30-92 Hamble Road, Gosport be approved subject to the conditions set out in the report of the Development Services Manager, for the following reason.

- i. That having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the development as proposed will not have a detrimental impact on the amenities of neighbouring residents and will improve the appearance of the building and the visual amenities of the locality. As such, the proposal complies with Policies R/DP1 and R/DP7 of the Gosport Borough Local Plan Review.

**116 K17401 - CONVERSION OF INTEGRAL GARAGE AND RETENTION OF BOUNDARY FENCE AND SHED (as amended by plan received 28.08.2007)
40 Fitzroy Drive Lee-On-The-Solent Hampshire PO13 8LZ**

RESOLVED: That planning application K17401 – 40 Fitzroy Drive, Lee-On-The-Solent, be approved subject to the conditions set out in the report of the Development Services Manager, for the following reason.

- i. That having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the proposed integral garage conversion and existing shed and fencing are acceptable in this location are of an appropriate design and are acceptable in terms of their impact on the amenities of neighbouring residents, the visual amenity of the area and the traffic conditions of the locality. As such, the development complies with Policies R/DP1, R/DP7 and R/T11 of the Gosport Borough Local Plan Review.

Regulatory Board
13 November 2007

The meeting commenced at 6pm and concluded at 7.07pm

CHAIRMAN

GOSPORT BOROUGH COUNCIL – REGULATORY BOARD

11th December 2007

ITEMS WITH RECOMMENDATIONS

1. Copies of drawings and accompanying planning applications referred to in this schedule will be made available for inspection by Members from 5.00 pm immediately prior to the meeting. Unless otherwise advised, these plans will be displayed in the room in which the Regulatory Board is to be held.
2. The number of objections and representations indicated in the schedule are correct at the time the recommendations were formulated. Should any representations be made after this date, these will be notified to the Regulatory Board during the officer presentation.
3. Copies of all representations received from the public will be made available for inspection by Members in the same way as drawings will be made available, referred to in Note 1 above.
4. An index of planning applications within this schedule can be found overleaf, together with a summary of each recommendation.

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01.	3	K17320/1	6, 7 & 8 Marine Parade East Lee On The Solent	Grant Permission
02.	9	K17387	Land At Lederle Lane Gosport Hampshire	Grant Permission
03.	14	K17440	Land Adjacent To Huhtamaki Rowner Road Gosport Hampshire PO13 0PR	Grant Permission
04.	20	K9913/63	Fort Blockhouse Dolphin Way Gosport Hampshire PO12 2AB	Grant Permission
05.	24	K12430/5	Dolman Hall Old Road Gosport Hampshire	Refuse
06.	31	K7208/3	145-147 High Street Lee On The Solent	Grant Permission
07.	36	K14416/1	Land Adjacent To 90 Green Crescent Gosport Hampshire	Grant Permission
08.	41	K17475	Land To The Rear Of 94-96 High Street Gosport Hampshire PO12 1DS	Grant Permission

ITEM NUMBER: 01.
APPLICATION NUMBER: K17320/1
APPLICANT: Roxan Construction
DATE REGISTERED: 01.06.2007

**ERECTION OF 4 STOREY BLOCK OF 14 FLATS WITH ASSOCIATED CAR AND CYCLE PARKING (as amended by plans received 07.09.07)
6, 7 & 8 Marine Parade East Lee On The Solent**

The Site and the proposal

This application was considered by the Regulatory Board at the meeting on the 13 November 2007 when Members resolved to defer it for a site visit.

In response to questions raised by Members the Head of Streetscene has now clarified that the only collections made from the rear service road are those from flats which do not have sufficient space to store recycling bins and therefore do not have recycling collections.

The application site is located on the north east side of Marine Parade East between Pier Street and Beach Road and is within the Marine Parade Area of Special Character. It is currently occupied by 3 bungalows. At this point Marine Parade East slopes down from west to east. To the west the built form is mainly blocks of flats between 3 and 4 storeys in height. From No. 6 eastwards the predominant character is buildings of a lower domestic scale with the exception of older development around Beach Road and immediately east of Cambridge Road. Immediately to the west of the application site there is a block of flats rising from 3 storey adjacent to the site to 4 storeys in the main block. The three storey element is set back approximately 10 metres from the back edge of the footway with the frontage of the 4 storey block approximately 5 metres closer to the road in line with the dwellings to the east of the existing bungalows. The upper storeys of the main block are set back in a tiered arrangement. There are balconies on the front of the whole block with all those in the 3 storey element recessed within the elevation whereas those on the 4 storey block are on top of each lower tier. There are high level windows along the side elevation facing on to the application site within the 3 storey part of the block on all 3 floors. The house immediately to the east is 2 storey with 2 windows at first floor and 2 windows at ground floor, one of which is a bay. These windows are on the rear part of the side elevation. The side of the house is adjacent to a pedestrian walkway that links through to the High Street. The front of this house is set back 6 metres from the back edge of the footway to Marine Parade East.

The application is for the erection of a 4 storey block of flats following the demolition of the 3 existing properties. The block is articulated to give the impression of 3 separate buildings at ground, first and second floors with the 4th storey set back 3.5 metres and built of lighter construction materials to reduce the impression of height and bulk. 14 flats are proposed. 12 are to be 2 bed (one of which is a duplex) and 2 are to be 3 bed. The articulation of the building allows for small terraces set back into the front elevation for each of the 2 bed flats on the ground, first and second floors. The set back on the fourth storey provides a roof terrace for the top 2 flats and the living area of the duplex at the western end of the building. At the eastern end of this roof terrace is a 2 metre obscure glass screen. In addition to the private terraces a small shared amenity area and drying area is proposed to the west of the parking area at the rear and a lawned amenity area is to be provided at the front bounded by railings set into a dwarf brick wall to a height of 1.2 metres.

17 car parking spaces are proposed (including 3 for visitors) with 10 in the basement and 7 to the rear of the building taking access from the rear service road. There will be a total of 14 secure cycle storage spaces in the basement for residents with a further 15 for visitors on either side of the ground level car parking area.

The bin storage area is within the north western corner of the building with a paved path running alongside the building out to Marine Parade East.

Relevant Planning History

K.17320 Erection of 4 storey block of 14 flats - Withdrawn 25.04.07

Relevant Policies

Gosport Borough Local Plan Review, 2006:

R/DP1

General Standards of Development within the Urban Area

R/DP10

Marine Parade Area of Special Character

R/H4

Housing Densities

R/OS8

Recreational Space for New Residential Developments

R/ENV14

Energy Conservation

R/T11

Access and Parking

R/CF6

Provision of Educational Facilities

Consultations

Traffic Management

Pedestrian access possible from front and rear but to improve access from the rear the footway should be widened at the north east corner of the building. However the rear service road is not ideal for shared access and pedestrian access should primarily be from Marine Parade East. Maximum no of car parking is 28 and 17 are to be provided including 3 visitor spaces thus providing one space per flat. 14 cycle parking spaces with 15 for visitors which meets minimum standards but the vertical storage proposed is not ideal. The widening of the service road to the rear to 4.1 m to accommodate refuse vehicles should be conditioned to ensure it is constructed to approved standards and maintained and retained for public use.

Streetscene (Waste & Cleansing)

Adequate storage space available - maximum distance from highway acceptable - requires flush threshold and drop kerb to facilitate collection.

Building Control

Fire service access from rear service road is unsatisfactory.

County Education Officer

Contribution of £31,449 required toward education facilities.

Southern Water

No objection in principle - subject to condition relating to protection of public sewers.

Response to Public Advertisement

7 letters of objection to original scheme.

Issues raised: Building ugly and out of keeping with pitched roofs; too many apartment blocks on sea front and bungalows should be retained; block horizontal and out of keeping - does not follow design guidance of SPD or R/DP10; loss of light; loss of privacy; bin storage close to kitchen windows of existing properties and will be noisy when bins are taken out for collection - should be collected from rear; will create a wind funnel; increase in traffic up drive which is too narrow for cars to pass so they may have to reverse onto Marine Parade; 4 storeys over dominant and out of character

7 letters of objection to revised scheme. (3 from additional objectors)

Issues raised: Proposal does not conform to SPD guidance or Policy R/DP10 in that it is 4 storeys; loss of light; refuse collection should be from rear to prevent traffic obstruction and lessen impact on residents of adjacent property; comments on original scheme still stand; amended building no different and not suitable for the area; overbuilding in Marine Parade East is excessive and unnecessary; late publication of report, report biased; objectors reserve right to take matter to judicial review or injunction.

Principal Issues

1. The main issues in this case are whether the principle of the development is acceptable, the design and impact on the character and appearance of Marine Parade, the impact on residential amenities, and the provision to be made for car and cycle parking, refuse storage, open space and education. The report was published in accordance with the usual timescale and follows established conventions. The threats of judicial review or injunctions are not material planning considerations.
2. The site is within the urban area and close to Lee on the Solent District Centre where higher densities of residential development are provided for under Policy R/H4 therefore although the density of the scheme is 100 dwellings per hectare the principle is acceptable in this location. As the scheme is for less than 15 units there is no requirement to provide affordable housing.
3. This site is located at an important transitional point in Marine Parade where the form of the building should be seen to relate to both the domestic scale to the east and higher, flatted development to the west within the context of the sloping topography. The proposal has been significantly amended from the original submission in order to meet these requirements. A distinct rhythmic quality has been introduced in the treatment of the main elevation to give the illusion of this being three linked blocks to replicate the existing rhythm of the buildings on the site and the strong character of this built form to the east. The building follows the traditional building line and the recession of the 4th storey draws the focus from street level to the 3rd storey parapet. The 4 storey height at the western end of the building reflects the height of the adjacent block of flats and the 4th storey at the eastern end of the building has been cut back to ease the transition back down to the more domestic scale of the adjacent dwelling. The external appearance of the 3 white blocks echoes the Art Deco style which is appropriate in this location as much of Marine Parade was developed between WW1 and WW2. In summary the design and layout reflects the special character of Marine Parade and as such comply with the guidance of the SPD and Policy R/DP10. The design and materials will result in a reduced energy use in compliance with Policy R/ENV14.
4. Due to the siting and orientation of the proposed building and its relationship with the properties either side of the application site I do not consider there to be a significant loss of light or outlook to the occupiers of those properties. The balconies on the first and second floor are recessed within the front elevation and the roof terrace at the eastern end of the building is set in by a metre with a 2 metre high screen along the side which will prevent overlooking. Whilst there is no screen on the western end of the 4th floor roof terrace it will only overlook the balconies on the front elevation of the adjacent flats which are already open to public view. As there are secondary windows to the living areas indicated on the east (side) elevation a condition is proposed that these windows must

be obscure glazed and non-opening. The height of the balcony screens on the east elevation is also to be conditioned to prevent anyone using the balcony being able to look over into the windows of the adjoining house.

5. The level of car parking provided at one per flat with 3 for visitors complies with maximum standards and the cycle parking provision meets minimum requirements. The rear service road is to be widened to allow for the safe passage of refuse collection and delivery vehicles and details of the construction are to be required by condition to ensure the works are to an approved standard and the road is subsequently maintained and made available.

6. Refuse storage facilities are acceptable and a contribution towards the provision of outdoor playing space is to be secured by way of a legal agreement. A contribution towards education facilities will also be made and arrangements to make this contribution are required by condition. Without these provisions the proposal would be contrary to Policies R/OS8 and R/CF6 and as such refused.

RECOMMENDATION: Grant Permission

Subject to Section 106 agreement relating to

1. the provision of outdoor playing space

Reasons for granting permission:

1. Having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the development as proposed is acceptable in principle in this location and the design reflects the existing character of Marine Parade East. It will not have a significant impact on the amenities of adjoining residents and adequate provision is made for car parking, cycle parking, refuse storage, and open space. As such it complies with Policies R/DP1, R/DP7, R/DP10, R/H4, R/T11, R/CF6 and R/OS8 of the Gosport Borough Local Plan Review and the Marine Parade Supplementary Planning Document.

Subject to the following conditions:-

1. The development hereby permitted must be begun within a period of three years beginning with the date on which this permission is granted.

Reason - To comply with Section 91 of the Town and Country Planning Act, 1990.

2. The facilities hereby approved for the storage of refuse for removal from the premises shall be provided before the development is first brought into use and thereafter retained and maintained.

Reason - In order to protect the amenities of the area, and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

3. Details, including samples of all external facing and roofing materials shall be submitted to, and approved by, the Local Planning Authority before works above slab level are commenced. The development shall thereafter be implemented in accordance with the approved details.

Reason - To ensure that the external appearance of the building is satisfactory, and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

4. No development shall take place until full details of the hard landscaping works have been submitted to and approved by the Local Planning Authority and these works shall be carried out as approved. These details shall include samples of all surfacing materials.

Reason - In the interests of amenity and the appearance of the locality, and to comply with Policies R/DP1 and R/DP6 of the Gosport Borough Local Plan Review.

5. No development shall take place until full details of the soft landscaping works have been submitted to and approved by the Local Planning Authority and these works shall be carried out as approved. These details should include full planting plans detailing numbers, species and size and maintenance arrangements.

Reason - In the interests of amenity and the appearance of the locality, and to comply with Policies R/DP1 and R/DP6 of the Gosport Borough Local Plan Review.

6. The approved landscaping scheme shall be completed within the next planting season following the completion of building shell, and any trees or plants which die are removed or become seriously damaged or diseased during the first five years, shall be replaced with others of identical species (or as may otherwise be agreed in writing with the Local Planning Authority) during the next planting season.

Reason - In the interests of amenity and the appearance of the locality, and to comply with Policies R/DP1 and R/DP6 of the Gosport Borough Local Plan Review.

7. The windows on the south-eastern elevation of the building hereby permitted shall be non-opening and glazed with obscure glass and shall be retained in that condition.

Reason - To preserve the amenity of the adjoining property, and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

8. The balcony screens on the first and second floors on the south eastern elevation shall be a minimum height of 1.6 metres above the floor level of the balcony.

Reason - To preserve the amenity of the adjoining property, and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

9. Details of the final colour finish of the fourth storey elevations shall be submitted to and approved by the Local Planning Authority in writing before that part of the development is commenced and the fourth storey shall be finished in the agreed colour and thereafter maintained in that condition.

Reason – To ensure that the external appearance of the building is appropriate in this location and to comply with Policies R/DP1 and R/DP10 of the Gosport Borough Local Plan Review.

10. No development shall commence until arrangements have been put in place to secure the appropriate contribution towards the provision of educational facilities within the Borough.

Reason – to ensure provision is made towards educational facilities in compliance with Policy R/CF6 of the Gosport Borough Local Plan Review.

11. The development hereby permitted shall not be brought into use until the areas shown on the approved plan for the parking, loading and unloading of vehicles shall have been made available, surfaced and marked out, and these areas shall be retained for that purpose at all times.

Reason - In the interests of highway safety and to ensure adequate car parking, loading and unloading facilities are provided and retained, and to comply with Policy R/T11 of the Gosport Borough Local Plan Review.

12. The approved facilities for the storage of cycles shall be provided before the development is first brought into use and thereafter retained and maintained

Reason - In order to ensure that adequate cycle storage is provided in compliance with Policy R/T11 of the Gosport Borough Local Plan Review.

13. The development hereby permitted shall not be commenced until the Local Planning Authority shall have approved :-

(a) a specification of the type of construction proposed for the widening of the rear service road including all relevant horizontal cross sections and longitudinal sections showing the existing and proposed levels, together with details of street lighting and the method of disposing of surface water;

(b) a programme for the making up of the widening of the rear service road.

Reason - To ensure that the widening of the rear service road is constructed to a standard which will enable it to be taken over as publicly repairable highway, and to comply with Policy R/T3 of the Gosport Borough Local Plan Review.

14. The service road shall be laid out and made up in accordance with the specification, programme and details approved under condition 13 above and in any event shall be so constructed that, by not later than the time the building erected on the land is occupied, there shall be a direct connection from it to the public highway completed to the approved specification.

Reason - To ensure that the widening of the service road is constructed to a standard which will enable it to be taken over as publicly repairable highway, and to comply with Policy R/T3 of the Gosport Borough Local Plan Review.

ITEM NUMBER: 02.
APPLICATION NUMBER: K17387
APPLICANT: Cemex Uk Materials South West
DATE REGISTERED: 12.06.2007

**ERECTION OF PLANT FOR THE PRODUCTION AND SUPPLY OF READY MIXED
CONCRETE (PLOT 2) (as amended by plans received 16.11.07)**
Land At Lederle Lane Gosport Hampshire

The Site and the proposal

The application site is a small area within the larger site formerly occupied by Cyanamid at the northern end of the Borough. It is located within the curve of the bend at the north end of Lederle Lane, the access road to the site from the A32 (Fareham Road) where there is a light controlled junction. The site itself is relatively flat but it slopes down at the northern edge towards Lederle Lane with the road surface about 2 metres lower than the centre of the site. The edge of the site is overgrown with a large number of self seeded Buddleia and a few small birches, poplar and fir trees at the eastern end. There is no existing access to the site.

To the north and on the opposite side of Lederle Lane is the unit occupied by Selden Masts on which there is a standard silver grey industrial building with a large area of open storage on the road frontage where the masts are kept. On the eastern side of this unit is a large area of land occupied by containers rented out by Sentry Self Storage. The unit to the north west of Selden Masts is occupied by Wyeth. Beyond is Fareham Creek, part of the upper reaches of Portsmouth Harbour. To the east is DARA Fleetlands. To the west is a vacant plot which falls away to the western side and beyond is the Regent Trading Estate. To the immediate south is staff car parking for Tyco Health Care with the factory extending up to Fareham Road. To the far south east are houses fronting Fareham Road and 2 chalet bungalows at the bottom end of Lederle Road c. 240 metres distant.

The applicant is proposing to move from Cherque Quarry to these premises. The application is for storage facilities, plant and a wash down area for a concrete batching plant. The on-site activity comprises the mixture of bulk quantities of sand, aggregate and cement to produce 25,000 cubic metres of concrete per year. The sand and aggregate is to be stored in open bays edged with railway sleepers on the eastern boundary of the site. Traffic will enter the site from an access opened up from Lederle Lane on the eastern side of the site and exit from a new opening onto Lederle Lane further to the west. 8 car parking spaces are to be provided adjacent to the northern road frontage with space for 8 HGVs to park and a manoeuvring area in the centre of the site. Landscaping in the form of a dense tree and shrub screen is proposed on both frontages to Lederle Lane. The land immediately adjacent to the road will be grassed to allow forward visibility. The production area will be in the SW corner of the site and the structure to be erected for this purpose will be 7 metres in height and clad in goose wing grey with associated plant constructed from steel sections coloured white. Raw materials other than the cement will be brought from the open storage area via a covered overhead conveyor rising to a height of 7.0 metres. Alongside are the sealed silos for storing the cement. They are cylindrical structures 14 metres tall which will be constructed from steel sections painted white with a blue and red CEMEX logo. A vehicle wash-down area is to be located on the west side with water tanks to the south. Offices including toilet and canteen facilities are to be accommodated in standard portacabins finished in goose wing grey in an L shaped arrangement on north east side of the plant. The site will be enclosed by a 2 metre high palisade security fence with a galvanised finish.

The aggregate and sand will be brought to the site already graded by HGVs and deposited in the open bunkers. The cement/lime will be delivered in tankers to the site and sucked into the silos for storage. The finished concrete will be taken away in specialist concrete mixers. 11 staff will be employed. Operating hours will be Mon-Sat 08.00 – 20.00 and Sunday 06.00 -16.00 plus

essential overnight operations for road repairs. Approximately 48 HGV movements per day are anticipated ie 3 movements per hour over 14 hours.

The activities come within the remit of the Pollution Prevention and Control Act 1999 and Regulation 10 of the Pollution Prevention and Control Regulations 2000. Therefore in addition to the need for planning permission for the plant and associated facilities, the process requires authorisation from the Council as Local Pollution Control Authority before commencement and thereafter with monitoring and annual renewal to control emissions. A permit is shortly to be issued.

Relevant Planning History

The industrial site at Lederle Lane was previously occupied by Cyanamid for a variety of manufacturing and office uses. In 2004 K12345/68 was granted for a mix of B1, B2 and B8 uses. Subsequently there have been a number of applications for industrial buildings and a total of 30 units have now been erected.

Relevant Policies

Gosport Borough Local Plan Review, 2006:

- R/DP1
General Standards of Development within the Urban Area
- R/DP6
Landscape Design
- R/T11
Access and Parking
- R/EMP1
Allocation of Land for Employment
- R/OS10
Protection of Areas of International Conservation Importance
- R/OS11
Protection of Areas of National Nature Conservation Importance
- R/OS13
Protection of Habitats Supporting Protected Species
- R/ENV2
River and Groundwater Protection
- R/ENV4
Treatment of Foul Sewage and Disposal of Surface Water
- R/ENV10
Noise Pollution

Consultations

Traffic Management	Visibility splay on Lederle Lane required
Environmental Health (Pollution & Environment)	Permit required from Council as Local Authority to regulate emissions
Environment Agency (Hants & IOW)	No objection subject to conditions
Defence Estates	No safeguarding objection.
Southern Water	Surface water disposal details required; foul sewage can be provided.

Response to Public Advertisement

18 letters of objection.

Issues raised: use by HGVs will exacerbate congestion in the area; dust will be generated from sand and aggregate brought to the site/moved around on site and potentially from filter failure on the cement silos (cement dust is alkaline and potentially corrosive) and this will have catastrophic effect on operation of nearby businesses which depend on clean air and controlled environment, or whose products are vulnerable to corrosive effects, and will adversely impact on health of employees, cars parked in the area and potentially safety of navy helicopters – especially as this area is windy; noise – no noise level report or attenuation measures - existing cement plant is further away and can be heard in the vicinity; existing noise and pollution from DARA Fleetlands already too much; hours of work too long and for 7 days a week will impact on local residents; too many HGV movements; delays on A32 caused by extra traffic will affect local business viability; poor state of roads and increased vibration from traffic; safety of pedestrians as there are no pavements and local residents exiting concealed drive; junction unsuitable; pollution from exhaust fumes from vehicles waiting at junction on amenity; impact on SSSI of Portsmouth Harbour; address incorrect; past environmental record of applicant; reduction in property values; ask Members of RB to visit other plants to assess impact; local businesses not informed; other uses on site have moved away from heavy industrial to light manufacturing and consequent change in the environment; use more suited to a quarry; potential of cement dust to clog filters of adjoining production facilities so halting production and mix with surface water to clog drains with consequent flooding

Principal Issues

1. The proposed development is located within the urban area on a site which is within an existing industrial land allocation on the Local Plan Review Proposals Map where permission has been recently granted for subdivision into multiple units for B1, B2 and B8 uses. The use of the site as a concrete batching plant falls within Class B2 of the Use Classes Order and as such is acceptable in principle. A B2 use is differentiated from a B1 use by the potential it has for noise, dust and vibration and for this reason B2 uses are located away from residential areas. It is only on such sites with B2 uses that operations of this kind can be located.
2. Noise and potential for pollution are not therefore planning considerations in this case but issues dealt with under the Environmental Health legislation. An application has been made to the Council's Environmental Health Section under this legislation and it is through restrictions and controls on any permit issued that these issues will be addressed. However, the applicant has confirmed that discussions have been taking place with the operators of Selden Masts and an offer has been made to install an 'air curtain' facility at the entrance to the site to minimise the travel of air-borne dust but nothing has been agreed yet and Selden Masts have not withdrawn their objection.
3. There are no restrictions on the planning permission for this industrial site on the number of vehicle movements or the hours of operation and whilst the number of employees is low the planning permission for this site allows for 60% of the whole industrial site to be occupied by warehousing which is traditionally a low employment generating use. Natural England have confirmed that no formal consultation was required in respect of the impact on the SPA/Ramsar Site or SSSI. Whilst the SINC at Fleetlands is a feeding ground for Brent Geese, in view of the existing level of activity on that site and the permitted use of the application site and surrounding for general industry the additional impact of the proposed plant is not considered to be significant. The effect on property prices is not a planning issue. Consequently the main issues are the impact of the plant and associated structures, access and parking on the character and appearance of the area and the visual amenity of the adjacent occupiers, and the safety and convenience of other users of the highway.
4. At approximately 14 metres in height the silos will be the highest structures on the site. They are industrial in appearance but in the context of other buildings in the area are not conspicuous. Tree screening on the boundaries of the site will minimise any visual impact. As such I do not consider there will be a detrimental impact on the character and appearance of the area or the visual amenities of occupiers of adjacent properties and the proposal complies with Policy R/DP1 and R/DP6.

5. The main access to the site via Lederle Lane from Fareham Road has been judged suitable for industrial traffic therefore it is only the access onto the site itself from the estate road which need to be considered in terms of the safety of other users. The grassed area adjacent to the site boundaries and the splay in tree planting at the egress will allow forward visibility and a condition will ensure this is retained. The applicant has demonstrated that there is sufficient room on site for all vehicles to be able to turn and enter/exit in a forward gear. As such there is no conflict with Policy R/T11.

RECOMMENDATION: Grant Permission

Reasons for granting permission:

1. Having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the development as proposed is acceptable in this location and will not have an adverse impact on nature conservation interests or controlled waters, biodiversity, the character and visual amenity of the area and highway safety, As such it complies with Policies R/DP1, R/DP6, R/EMP1, R/EMP7, R/ENV2, R/T11, R/ENV4, R/OS10, R/OS11, R/OS13 and R/OS14 of the Gosport Borough Local Plan Review.

Subject to the following conditions:-

1. The development hereby permitted must be begun within a period of three years beginning with the date on which this permission is granted.

Reason - To comply with Section 91 of the Town and Country Planning Act, 1990 (as amended).

2. No development hereby approved shall commence until details of the surface water drainage have been submitted and approved in writing by the Local Planning Authority. Such details should include provision for all surface water drainage from parking areas and areas of hardstanding to be passed through trapped gullies with an overall capacity compatible with the site being drained.

Reason – To prevent pollution as the site is in close proximity to Portsmouth Harbour a designated Controlled Water, Spa/Ramsar Site and SSSI as well as being important shellfish water and to comply with Policies R/OS10, R/OS11, R/OS13, R/ENV2 and R/ENV4 of the Gosport Borough Local Plan Review.

3. No development hereby approved shall commence until a scheme for the method of work and construction has been submitted to and approved by the Local Planning Authority. The Method Statement should identify all potential pollution sources which may arise during the development. It should also identify all pollution linkages and environmentally sensitive receptors. Finally it should explain any pollution prevention methods employed to mitigate against these risks.

Reason – To prevent pollution as the site is in close proximity to Portsmouth Harbour a designated Controlled Water, Spa/Ramsar Site and SSSI as well as being important shellfish water and to comply with Policies R/OS10, R/OS11, R/OS13, R/ENV2 and R/ENV4 of the Gosport Borough Local Plan Review.

4. Before the development hereby permitted is first brought into use cycle storage facilities shall be provided and thereafter retained in accordance with a detailed scheme submitted to and approved by the Local Planning Authority.

Reason - In order to ensure that adequate cycle storage is provided in compliance with Policy R/T11 of the Gosport Borough Local Plan Review.

5. The development hereby permitted shall not be brought into use until the access and egress points and areas shown on the approved plan for the parking, loading and unloading of vehicles

shall have been made available, surfaced and marked out, and these areas shall be retained for that purpose at all times.

Reason - In the interests of highway safety and to ensure adequate access, car parking, loading and unloading facilities are provided and retained, and to comply with Policy R/T11 of the Gosport Borough Local Plan Review.

6. The grassed area coloured green on the approved drawing TD07013 rev 3 shall be kept free of any structure or planting in excess of 600mm in height.

Reason - In the interests of highway safety, and to comply with Policies R/DP1 and R/T11 of the Gosport Borough Local Plan Review.

7. The eastern access point shall be used for the purpose of 'Entry Only' and appropriate signs shall be erected and retained.

Reason - In the interests of highway safety, and to comply with Policies R/DP1 and R/T11 of the Gosport Borough Local Plan Review.

8. The western access shall be used for the purpose of 'Exit Only' and appropriate signs shall be erected and retained.

Reason - In the interests of highway safety, and to comply with Policy R/DP1, and R/T11 of the Gosport Borough Local Plan Review.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), no accesses other than those shown on the approved plan shall be formed to the site.

Reason - In the interests of highway safety, and to comply with Policies R/DP1, and R/T11 of the Gosport Borough Local Plan Review.

10. The approved landscaping scheme shall be completed within the next planting season following commencement of the works hereby approved and any trees or plants which die are removed or become seriously damaged or diseased during the first five years, shall be replaced with others of identical species (or as may otherwise be agreed in writing with the Local Planning Authority) during the next planting season.

Reason - In the interests of amenity and the appearance of the locality, and to comply with Policies R/DP1 and R/DP6 of the Gosport Borough Local Plan Review.

ITEM NUMBER: 03.
APPLICATION NUMBER: K17440
APPLICANT: Highwood Residential Ltd
DATE REGISTERED: 03.09.2007

ERECTION OF 3 STOREY NURSING HOME AND 3 STOREY HEALTH RELATED OFFICE BUILDING WITH ASSOCIATED ACCESS AND PARKING (as amended by information received 26.10.07 and plans received 28.11.07)
Land Adjacent To Huhtamaki Rowner Road Gosport Hampshire PO13 0PR

The Site and the proposal

The site is adjacent to the new Brune Medical Centre located to the south west of the Huhtamaki factory on the north west side of the roundabout at the junction of Fareham Road and Rowner Road. It is separated from the residential area of Rowner to the west by the disused railway line which is now a public cycle path. To the north are the existing factory buildings and to the south and east there is extensive landscape bunding with a substantial tree screen.

The proposal is to build a nursing home with 86 rooms arranged over 3 floors on the west side of the site and a 3 storey building for health/community offices on the Rowner Road frontage. The buildings are designed in the same contemporary style with gull wing roofs at either end of the nursing home and a curved corner feature on the office block at the entrance to the site, and will be similar in terms of scale, massing, detailing and materials to each other and the existing medical centre. Both would be accessed from the existing access from Rowner Road into the factory which has been upgraded to serve the medical centre and will be extended further west into the site for the new development. Car parking (20 spaces) will be provided for the nursing home at the northern end of the building and car parking (32 spaces) will be provided for the offices behind the building. The existing bunding and tree screen to the west and south of the nursing home are to be retained.

Relevant Planning History

K17094 Erection of a 2 storey Health Centre Building permitted 24.10.2006

Relevant Policies

Gosport Borough Local Plan Review, 2006:

- R/DP1
- General Standards of Development within the Urban Area
- R/CF4
- Provision of New Health and Community Facilities
- R/EMP6
- Development for Employment Uses within Urban Areas
- R/H8
- Accommodation for the elderly
- R/T4
- Off-site Transport Infrastructure
- R/T11
- Access and Parking
- R/T5
- South Hampshire Rapid Transit
- R/OS14
- Biodiversity Action Plans
- R/ENV14
- Energy Conservation

Consultations

Traffic Management	Footways are to be extended to provide access to new development. Visibility for cars exiting parking space no. 1 needs to be considered. Maximum parking provision would be 55 for nursing home (22 for residents and 33 for staff) and 54 for the office therefore provision is below maximum so contribution has been made towards improvement of public transport and cycling facilities. Whilst below the threshold where a Travel Plan is required it would be beneficial to consider additional measures to secure reduction in private car use - however the Brune Medical Centre has funded a TRO to prevent parking on Rowner Road should problems arise with overspill parking. Transport assessment submitted with the application concludes that the capacity of the junction will not be exceeded.
National Care Standards Commission	No comments
South Hampshire Rapid Transit	No comments received
Environmental Health (Pollution & Environment)	Potential for contamination as the site was once in military occupation. Complaints relating to low level noise from the factory have been received in the past but have stopped of late.
Environmental Health (Commercial)	No observations

Response to Public Advertisement

nil

Principal Issues

1. The site is allocated in the Gosport Borough Local Plan Review as a Community/Health Facility Allocation therefore the development is acceptable in principle. The main issues are whether this is a suitable location for a nursing home and the impact on the character and appearance of the area, residential amenity, access, and provision to be made for car and cycle parking.

2. In assessing the suitability of the site for a nursing home the proposal needs to be considered against the criteria of Policy R/H8 which relates to accommodation for the elderly. The key issue is accessibility to services. The site occupies a central location in the Borough close to an established residential area and in close proximity to bus stops with regular services and a cycle route. It is approximately 650 metres from the Rowner Road Local Centre with some facilities at the north end of Brockhurst Road. It is also close to the leisure facilities at Holbrook. In addition the medical centre permitted to the north east has recently been completed and will be particularly accessible to the occupants of the nursing home. An added benefit will be the employment opportunities within the nursing home for the adjacent resident population.

3. In design terms the proposed office makes good use of the corner site: notably with the rotunda entrance feature which draws the eye and projecting north and west wings with their horizontal

emphasis. The nursing home is appropriately set back from the road and the mass of the building is successfully broken up by the use of contrasting materials and the layout. Like the office block the building has an appropriately horizontal emphasis in its built form. The proposed buildings will also screen the factory and as such have a positive impact on the street scene. Consideration has been given to energy use and consumption of resources within the design and materials palette in compliance with Policy R/ENV14.

4. The development is separated from the nearest residential properties by the cycle track, bunding and a substantial tree screen and will not therefore impact on the amenities of existing occupiers. The nursing home is set back from the main road and the bunding and trees provide a pleasant landscaped setting for the new residents. There is a south facing enclosed garden with views into it from the communal lounges.

5. The Transport Assessment submitted with the application concludes that the capacity of the junction is adequate for the proposed development. Car parking provision is below the maximum standards. However, a TRO to prevent parking in Rowner Road has been funded by the Brune Medical Centre development and in order to ensure that the site is accessible by means other than the private car a contribution is to be secured by way of a section 106 agreement towards the improvement of public transport and cycling facilities to meet increased demand generated by the proposal. Without this contribution the development would not comply with Policy R/T4 of the Gosport Borough Local Plan Review. Cycle storage is to be provided in the form of 12 long stay and 8 short stay spaces for the offices and 10 long stay and 8 short stay for the nursing home. These exceed the minimum requirements.

RECOMMENDATION: Grant Permission

Subject to Section 106 agreement relating to

1. The payment of a commuted sum towards the improvement of public transport and cycling facilities.

Reasons for granting permission:

1. Having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the development as proposed is acceptable in this location and as such complies with Policies R/CF4, R/DP1, R/DP6, R/T4, R/T5, R/T11, R/ENV14, R/OS14, R/EMP6 and R/H8 of the Gosport Borough Local Plan Review.

Subject to the following conditions:-

1. The development hereby permitted must be begun within a period of three years beginning with the date on which this permission is granted.

Reason - To comply with Section 91 of the Town and Country Planning Act, 1990.

2. Details, including samples of all external facing and roofing materials shall be submitted to, and approved by, the Local Planning Authority before works above slab level are commenced. The development shall thereafter be implemented in accordance with the approved details.

Reason - To ensure that the external appearance of the buildings is satisfactory, and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

3. No works pursuant to this permission shall commence until there has been submitted to and approved in writing by the Local Planning Authority:

(a) a desk top study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated Land Research Report Nos. 2 and 3 BS1175:2001; and unless otherwise agreed in writing by the Local Planning Authority,

(b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175:2001 - Investigation of Potentially Contaminated Sites - Code of Practice; and, unless otherwise agreed in writing by the Local Planning Authority.

(c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.

Reason - To prevent pollution of the water environment and in the interests of the safety and amenity of future site occupants in compliance with Policy R/ENV5 of the Gosport Borough Local Plan Review.

4. The development hereby permitted shall not be occupied/brought into use until there has been submitted to the Local Planning Authority verification by the competent person approved under the provisions of condition 3(c) that any remediation scheme required and approved under the provision of condition 3(c) has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Unless otherwise agreed in writing by the Local Planning Authority such verification shall comprise:

- a) as built drawings of the implemented scheme
- b) photographs of the remediation works in progress
- c) certificates demonstrating that imported and/or material left in situ is free of contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition 3(c).

Reason - To prevent pollution of the water environment and in the interests of the safety and amenity of future site occupants in compliance with Policy R/ENV5 of the Gosport Borough Local Plan Review.

5. The offices hereby permitted shall be used solely for purposes related to the provision of health and community facilities within the Borough and for no other purposes whatsoever.

Reason – The site is allocated for health and community facilities under Policy R/CF4 and on the Proposals Map of the Gosport Borough Local Plan Review and no evidence has been submitted to demonstrate that it is no longer required for these facilities.

6. Before the development hereby permitted is first brought into use the approved cycle storage facilities shall be provided and thereafter retained.

Reason - In order to ensure that adequate cycle storage is provided in compliance with Policy R/T11 of the Gosport Borough Local Plan Review.

7. The development hereby permitted shall not be brought into use until the turning space shown on the approved plan shall have been constructed to enable vehicles to enter and leave the site in a forward gear and this shall be maintained and be kept available for that purpose at all times.

Reason - In the interests of highway safety, and to comply with Policies R/DP1, R/T10 and R/T11 of the Gosport Borough Local Plan Review.

8. The development hereby permitted shall not be brought into use until the areas shown on the approved plan for pedestrian access and the parking of vehicles shall have been made available, surfaced and marked out, and these areas shall be retained for that purpose at all times.

Reason - In the interests of highway safety and to ensure adequate access and parking is provided and retained, and to comply with Policy R/T11 of the Gosport Borough Local Plan Review.

9. No development shall take place until details of drainage works have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details. Prior to the submission of those details, an assessment shall be carried out into the potential for disposing of surface water by means of a sustainable drainage system (SuDS) in accordance with the principles of sustainable drainage systems set out in Appendix E of PPG 25, and the results of the assessment provided to the Local Planning Authority. Where a SuDS scheme is to be implemented, the submitted details shall:

- (i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- (ii) Specify the responsibilities of each party for the implementation of the SuDS scheme, together with a timetable for that implementation; and
- (iii) Provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The scheme shall be implemented, maintained and managed in accordance with the approved details.

Reason - In the interests of the safety and amenity of future occupants, to prevent pollution of the water environment and to reduce the risk of erosion, flooding and ecological damage in compliance with Policies R/DP1, R/ENV2, R/ENV4 and R/ENV5 of the Gosport Borough Local Plan Review.

10. The approved facilities for the storage of refuse for removal from the premises shall be provided before the development is first brought into use and thereafter retained and maintained.

Reason - In order to protect the amenities of the area, and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

11. A survey of the site shall be undertaken and a plan prepared to a scale of not less than 1:500 showing :-

- (a) existing and intended final ground levels and proposed excavations;
- (b) exact location, quality, species and spread of all trees on the site and indicating those to be felled during building operations;
- (c) all natural features such as hedgerows, and large shrubs and the treatment proposed.

The plan shall be submitted to, and approved by, the Local Planning Authority before any felling or other alteration of the existing condition of the site takes place.

Reason - To ensure the enhancement of the development by the retention of natural features, and to comply with Policies R/DP1 and R/DP6 of the Gosport Borough Local Plan Review.

12. The trees and hedges on the site which are to be retained shall be protected during building operations by strict compliance with the Local Planning Authority's "Code of Practice relating to the Protection of Trees on Building Sites" (copy enclosed).

Reason - To ensure the enhancement of the development by the retention of natural features, and to comply with Policies R/DP1 and R/DP8 of the Gosport Borough Local Plan Review.

13. No development shall take place until full details of the hard landscaping works have been submitted to and approved by the Local Planning Authority and these works shall be carried out as approved.

Reason - In the interests of amenity and the appearance of the locality, and to comply with Policies R/DP1 and R/DP6 of the Gosport Borough Local Plan Review.

14. No development shall take place until full details of the soft landscaping works have been submitted to and approved by the Local Planning Authority and these works shall be carried out as approved. These details should include planting plans showing the number, density, height and species of all plants, and a scheme for the future maintenance.

Reason - In the interests of amenity and the appearance of the locality, and to comply with Policies R/DP1 and R/DP6 of the Gosport Borough Local Plan Review.

15. The approved landscaping scheme for the nursing home shall be completed within the next planting season following the first occupation, and any trees or plants which die are removed or become seriously damaged or diseased during the first five years, shall be replaced with others of identical species (or as may otherwise be agreed in writing with the Local Planning Authority) during the next planting season.

Reason - In the interests of amenity and the appearance of the locality, and to comply with Policies R/DP1 and R/DP6 of the Gosport Borough Local Plan Review.

16. The approved landscaping scheme for the offices shall be completed within the next planting season following the first occupation, and any trees or plants which die are removed or become seriously damaged or diseased during the first five years, shall be replaced with others of identical species (or as may otherwise be agreed in writing with the Local Planning Authority) during the next planting season.

Reason - In the interests of amenity and the appearance of the locality, and to comply with Policies R/DP1 and R/DP6 of the Gosport Borough Local Plan Review.

ITEM NUMBER: 04.
APPLICATION NUMBER: K9913/63
APPLICANT: Secretary Of State For Defence
DATE REGISTERED: 02.10.2007

**ERECTION OF BOATSHED (AMENDED DESIGN TO K9913/61) (CONSERVATION AREA)
(as amplified by Flood Risk assessment received 2.11.07, Ground Condition
Assessment Report received 14.11.07) and photomontages received 9.11.07)
Fort Blockhouse Dolphin Way Gosport Hampshire PO12 2AB**

The Site and the proposal

The application site is located within the Joint Services Adventurous Sail Training Centre which operates from the old HMS Hornet base in Haslar on the south eastern tip of the Gosport peninsula in the area known now as Fort Blockhouse. It is within the Urban Area Boundary, the Coastal Zone and a conservation area. The site is shared with the Hornet Sailing Club. With the exception of the Gatehouse the buildings on site are adaptations of old war time blocks and temporary huts. These are now not fit for their current use.

The existing boatshed fronts onto the marina with a car park to the rear and comprises an asbestos cement sheeted pitched roof supported on a structural steel skeleton. It has open sides and a footprint of approximately 900 square metres with the remains of rail tracks set into the concrete floor.

The application is for a replacement boat shed in the same general location as the existing. It will be an enclosed building measuring 58.8 x 36.6 metres with a red brickwork plinth on which will be erected the main structure clad with silver grey panels. The roof is to have a curved profile with a maximum height of 11.2 metres. It is to be aligned on a northeast – southwest axis with the doors opening onto the quayside on the northeast side. Boat storage/workshop facilities are proposed on the marina side and offices and stores at the rear with a small mezzanine to provide additional storage space and plant rooms. It will consolidate the storage of boat maintenance equipment scattered around the site. The larger working area will allow for the maintenance of yachts on site which are currently serviced on the opposite side of Haslar Road so that it will no longer be necessary to transport yachts across the road.

A Ground Condition Assessment Report, Design and Access Statement and Flood Risk Assessment have been submitted with the application.

Relevant Planning History

K9913/61 Erection of offices, classrooms and stores permitted 4.10.06.

K9913/62 Conservation Area Consent application for the demolition of the boat shed, offices, classrooms and stores granted 4.10.06

Relevant Policies

Gosport Borough Local Plan Review, 2006:

R/BH1

Development in Conservation Areas

R/BH2

Demolition in Conservation Areas

R/BH8

Archaeology and Ancient Monuments

R/DP1

General Standards of Development within the Urban Area
R/DP6
Landscape Design
R/ENV1
Floodplains and Tidal Areas
R/ENV2
River and Groundwater Protection
R/ENV5
Contaminated Land
R/MOD1
Development of Existing Establishments
R/OS10
Protection of Areas of International Conservation Importance
R/OS11
Protection of Areas of National Nature Conservation Importance

Consultations

Environmental Health (Commercial)	No adverse comments
Traffic Management	No change in intensity of usage or car parking provision.
Building Control	No comments received
Environmental Health (Pollution & Environment)	No adverse comments
County Archaeologist	Desk based assessment required before development commences to identify a programme of work that needs to be implemented - can be secured by condition.
Environment Agency (Hants & IOW)	No objection - subject to conditions to mitigate risk to controlled waters
Natural England	No objection
The Gosport Society	No objection
Southern Water	No objection

Response to Public Advertisement

Nil

Principal Issues

1. The proposal is for the re-provision of facilities to serve the existing Ministry of Defence establishment. The intensity and type of use will not change. Therefore the development is acceptable in principle. The Environment Agency has confirmed that on the basis of the Flood Risk Assessment submitted with the application they have no objection on the grounds of flood risk. Measures to mitigate against potential contamination from previous uses and any impact on nature conservation interests are to be secured by condition. The main issues are the archaeological and historic implications of demolishing the boat shed and the impact of the new buildings on views which are worthy of protection and on the character and appearance of the area, having regard to the site's location within the Conservation Area and the Coastal Zone.

2. A Report on the Assessment of Significance of the Boat Shed submitted with the previous proposal for a replacement (K.9913/61 and /62) demonstrated that the boat shed that stood on the site during World War II was later substantially altered and further research indicates that there are numerous other examples of this form of building construction dating from the mid 19th century. Discussions with veterans who served at HMS Hornet during the war and local military historians confirms that the significance of HMS Hornet was its administration role during the war and the boat shed itself has no particular historical significance. For these reasons the demolition of the boat shed is acceptable. However, the archaeological potential of the site in other respects is unknown. Although there are unlikely to be significant archaeological deposits, a condition requiring the implementation of an agreed programme of archaeological work prior to work commencing will ensure that any unforeseen archaeological implications are dealt with appropriately.

3. The new boat shed will be no higher than the existing and the design respects the layout of the site. It is a streamlined re-interpretation of the military utility building without overstatement or being obtrusive. It will enhance the appearance of the conservation area and improve views into the site.

RECOMMENDATION: Grant Permission

Reasons for granting permission:

1. The development is for the reprovision of existing MOD facilities which will preserve and enhance the conservation area and through appropriate mitigation measures will not have an adverse impact on water quality, controlled waters or human health, or on any features of archaeological importance. It does not pose an increased risk to people and property as a result of flooding or a hazard to highway safety. As such the development complies with Policies R/MOD1, R/BH1, R/BH2, R/BH8, R/OS10, R/OS11, R/ENV1, R/ENV2, R/ENV5, R/ENV1 and R/T11.

Subject to the following conditions:-

1. The development hereby permitted must be begun within a period of three years beginning with the date on which this permission is granted.

Reason - To comply with Section 91 of the Town and Country Planning Act, 1990 (as amended).

2. No development shall take place on the site until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, including the full recording of the existing boathouse, submitted to and approved by the Local Planning Authority in writing.

Reason - To ensure that any archaeological evidence is investigated and recorded and to comply with Policy R/BH8 of the Gosport Borough Local Plan Review.

3. If during development contamination not previously identified is found to be present at the site then no further development shall take place until an addendum to the Method Statement shall have been submitted to and approved by the Local Planning Authority in writing. This addendum to the Method Statement shall state how the unsuspected contamination shall be dealt with. The development shall thereafter be carried out in accordance with the approved Method Statement and addendum.

Reason - To prevent pollution of the water environment and in the interests of the safety and amenity of future site occupants in compliance with Policy R/ENV5 of the Gosport Borough Local Plan Review.

4. No infiltration of surface water drainage into the ground shall take place without the approval of the Local Planning Authority in writing.

Reason - To prevent pollution of the water environment and in the interests of the safety and amenity of future site occupants in compliance with Policy R/ENV5 of the Gosport Borough Local Plan Review.

5. No piling or any penetrative method of constructing the foundations shall be carried out without the prior approval of the Local Planning Authority in writing.

Reason - To prevent pollution of the water environment and in the interests of the safety and amenity of future site occupants in compliance with Policy R/ENV5 of the Gosport Borough Local Plan Review.

6. No development shall commence until details of the surface water drainage have been submitted to and approved by the Local Planning Authority in writing. Such details shall include provision for all surface water drainage (but not roof water) from parking areas and areas of hard-standing to be passed through an oil separator designed to have the capacity and details compatible with the site being drained. The development shall thereafter be implemented in accordance with the approved details.

Reason - To prevent pollution of the water environment and in the interests of the safety and amenity of future site occupants in compliance with Policy R/ENV5 of the Gosport Borough Local Plan Review.

7. Foul drainage from the development must connect to the public sewer.

Reason - To prevent pollution of the water environment and in the interests of the safety and amenity of future site occupants in compliance with Policy R/ENV5 of the Gosport Borough Local Plan Review.

8. Details, including samples, of all external facing and roofing materials shall be submitted to, and approved by, the Local Planning Authority before works above slab level are commenced. The development shall thereafter be implemented in accordance with the approved details.

Reason - To ensure that the external appearance of the development is satisfactory, and to comply with Policies R/MOD1, R/BH1 and R/DP1 of the Gosport Borough Local Plan Review.

ITEM NUMBER: 05.
APPLICATION NUMBER: K12430/5
APPLICANT: Mr M R Biggs
DATE REGISTERED: 29.07.2005

ERECTION OF TWO/THREE STOREY BLOCK OF 5NO. FLATS WITH CAR PARKING (as amplified by letter and ecology report received 22.08.05, Flood Risk Assessment received 23.10.07, letters dated 19.01.06, 27.11.06, 6.12.06 and 24.5.07 and plans received 20.01.06, 29.11.06 and 30.5.07)
Dolman Hall Old Road Gosport Hampshire

The Site and the proposal

The application site comprises a narrow margin of open, predominantly grassed, land between the carriageway of Old Road and Workhouse Lake. It is within the Urban Area Boundary, the defined Coastal Zone and an area of medium to high flood risk. The adjacent Lake is a designated Ramsar Site, Special Protection Area and Site of Special Scientific Interest. The existing sea defence has eroded and debris has slumped forward onto the foreshore. There are two concrete slipways on the site that provide access from Old Road to the foreshore and Lake. To the east is a children's play area. To the north is a terrace of two storey late Victorian terraced houses with rear gardens that back onto Old Road. The rear elevations of these properties contain windows at ground and first floor level that face onto the application site. The former Robin Hood public house located on the corner of Mayfield Road and Old Road has recently been converted into 5no flats and is now known as Robin Hood Quay. This building also has ground, first and second floor windows to habitable rooms in its rear elevation. On the north west boundary of the site is a 1.8metre high wall, beyond which are the rear gardens of 1b and 1c Mayfield Road, a pair of semi-detached houses.

The proposal is to rebuild the existing sea wall, relocate the existing western slipway to adjoin the slipway on the eastern boundary and erect 5no two bedroomed flats. The design of the building reflects the form of a boat. It is two stories high at its eastern end increasing to three storeys, and a maximum height of 9.6metres, at its western end. The northern elevation contains porthole shaped bedroom windows at ground, first and second floor level. The external elevations are a mixture of wooden cladding and render. Each flat is provided with a balcony. Access to the building is from a newly constructed pavement adjoining the carriageway. Five car parking spaces are provided to the east of the building, accessed directly from Old Road. A purpose built store for 10no cycles is to be provided at the rear of 1c Mayfield Road, together with 5no short stay stands and a refuse store. The remaining land is to be landscaped.

The application is supported by an Ecology Report and Flood Risk Assessment. Amended plans have been received showing revised car parking, refuse and cycle storage arrangements and indicating the provision of bollards to prevent vehicles overrunning the sea wall. Clarification has also been provided on the extent of the applicant site.

Relevant Planning History

K.12430 - Erection of two/three storey block of 12no flats with car parking. Refused 20.8.86. Reasons for refusal refer to overdevelopment, affect on residential amenity and highway safety.
K.12430/1- Erection of one/three storey block of 11no flats with car parking. Approved 15.1.87. Planning permission expired 15.1.92.
K.12430/2 - Erection of one/three storey block of 13no flats and 20no parking spaces. Refused 26.8.88. Reasons for refusal refer to affect on residential amenity.
K.12430/3 - Erection of a three storey block of 11no flats with car parking. Refused 22.7.96. Reasons for refusal refer to overdevelopment, affect on residential amenity and highway safety.
K.12430/4 - Erection of two storey block of 11no. flats with associated car parking on adjacent play area. Refused 26.6.96. Reasons for refusal refer to overdevelopment, loss of play space, affect on residential amenity and highway safety. Appeal dismissed 24.2.97.

Relevant Policies

Gosport Borough Local Plan Review, 2006:

- R/ENV12
Air Quality
- R/CH1
Development within the Coastal Zone
- R/CH2
Pedestrian Access Along the Coast
- R/CH6
Slipways
- R/DP1
General Standards of Development within the Urban Area
- R/DP3
Provision of Infrastructure, Services and Facilities
- R/DP6
Landscape Design
- R/H4
Housing Densities
- R/T2
New Development
- R/T3
Internal Layout of Sites
- R/T4
Off-site Transport Infrastructure
- R/T10
Traffic Management
- R/T11
Access and Parking
- R/OS8
Recreational Space for New Residential Developments
- R/OS10
Protection of Areas of International Conservation Importance
- R/OS11
Protection of Areas of National Nature Conservation Importance
- R/ENV1
Floodplains and Tidal Areas
- R/ENV2
River and Groundwater Protection
- R/ENV5
Contaminated Land
- R/ENV10
Noise Pollution
- R/ENV11
Minimising Light Pollution

Consultations

Building Control	No objection. Fire access satisfactory.
Head Of Leisure & Recreation Development	Proposal would improve appearance of area. Proposal should not impact on adjacent play area and car parking provision.
Crown Estate Office	No objection.
DEFRA	No response.

Queen's Harbour Master	No objection.
Southern Water	No objection.
DTLR	No objection.
Environment Agency (Hants & IOW)	No objection in principle. However, for the development to be acceptable the applicant must enter into a legal agreement to ensure that the sea defence will be maintained during the lifetime of the development and must consider the impact of sea level rise. The Flood Risk Assessment neither provides sufficient information to demonstrate that safe access and escape is available from the development nor provides evidence that a sequential test has been properly carried out. The prior written consent of the Agency is required for any proposed works within 15 metres of a line drawn on the landward side of any sea defence. The Agency has concerns over the structural stability of the sea defence on which the development is to be built and a full structural report of the sea defence and how the development will impact on the stability of this is required.
Traffic Management	Maximum allowable car parking provision of 10 spaces. Under the principles of PPG13 and maximum standards an objection to a reduced level of car parking cannot be sustained. Short stay cycle parking acceptable. Long stay cycle store is of appropriate dimensions to accommodate the required 10 spaces. However, the positioning and size of the doors will need further consideration to ensure the central rack is accessible. Car parking bays should be deeper for loading and to provide a safety margin, and should be lower than the adjacent landscaped area (set within a kerb) to prevent overrunning near the waters edge. No visitor parking provided therefore TRO required to prevent parking on bend and near proposed parking bays that would further restrict visibility and access. Any alterations to the existing dropped crossings or the provision of new must be discussed with Hampshire Highways.
Natural England	Appropriate Assessment not required provided condition attached preventing percussive piling or works with heavy machinery occurring within the waterfowl over-wintering period. Notwithstanding this, insufficient information has been submitted to make an assessment of the proposed

relocation of the existing slipway. Natural England would need to reassess the full details of the current and proposed slipway. The SSSI is unlikely to be adversely affected provided the mitigation outlined in the Ecology Report is made a condition of any planning permission granted and further conditions are attached to control the design of the coastal protection works, to ensure the restoration of the site to its former condition, to prevent storage of equipment, materials or machinery within the SSSI and to advise those involved of the status and legal obligations attached to the designation and where the boundary of the protected area is. The applicant should be made aware that the current Shoreline Management Plan is under review through the Shoreline Management Plan Two for the North Solent area.

Streetscene (Waste & Cleansing)

Bin requirements 1 x 1100 litre recycling
1 x 1100 litre domestic
Bin store shown of inadequate size to contain required bins. Dropped kerb access and flush threshold required to facilitate collection.

Portsmouth, Fareham and Gosport
Architects Panel

Concern expressed about lack of detail on the prominent southern elevation and its overall mass. However, concluded overall that design and siting of this building was appropriate to its setting and would add quality and vitality to a somewhat ordinary built environment. The nautical theme and varied cladding treatments would be especially suitable for the location.

Response to Public Advertisement

44 letters of objection to original plans

Issues raised: overdevelopment; density; development out of keeping with its surroundings; height of flats; loss of light; loss of privacy; loss of views; location of refuse store; inadequate car parking; limited visibility; increased traffic congestion; danger to vehicles, cycles and pedestrians; access for waste disposal vehicles; obstruction of existing garages and accesses; impact on wildlife; possible pollution of Lake; loss of amenity space; previous planning applications refused; access to Creek and foreshore; inadequate publicity for proposal; ownership of slipways; site measurements/reclamation; encroachment onto 1B Mayfield Road; possible vandalism; affect on property values; pressure on water and sewer systems and health issues; disruption during building works; possible damage to property; land should be made into open space.

9 letters of objection to amended plans

No new issues raised except querying accuracy of Ecology Report.

Principal Issues

1. The applicant has submitted a Unilateral Undertaking relating to the payment of commuted sums towards outdoor playing space, as required under Policy R/OS8, and a Traffic Regulation Order to prevent parking on the bend and near to the proposed parking bays. Access to the long stay cycle store could be dealt with by planning condition. The application site and slipways are in private ownership, therefore the Local Planning Authority cannot require the retention of the land for use as open amenity space or insist that access to the foreshore is maintained. The proposal was advertised in accordance with the Council's arrangements for publicity for planning applications and the agent has confirmed the accuracy of the site measurements and submitted drawings for planning purposes. The main issues in this case are therefore whether the principle, density and design of the development are acceptable and the impacts of the proposals on the character and appearance of the area and the Coastal Zone, the amenities of neighbouring residents, parking and traffic conditions in the locality, the provision to be made for bicycle and refuse storage, the impact on the interests of nature conservation and whether the risk of land contamination and flooding have been properly considered and addressed.

2. As the site is within the urban area boundary the principle of residential development is acceptable provided it accords with the criteria of Policy R/DP1. The density of the proposal is extremely high at over 115 dwellings per hectare and falls significantly outside of the general range of 30 to 50 dwellings stated within Policy R/H4 of the Local Plan. Whilst the site is close to the Stoke Road District Shopping Centre and is in an accessible area where higher density development may be acceptable, the high density of this scheme has been achieved by providing a minimal amount of usable on site amenity space and by maximizing the height of the building. Whilst two bedroomed properties may not require the same amenity space provision as family accommodation, PPS3 makes it clear that the provision of private outdoor space is a matter to consider when assessing design quality. The resulting density, mass and layout of the building is out of keeping with the established form and pattern of development in the area and provides minimal private amenity space for prospective occupiers. This indicates that the proposal is an overdevelopment of the site and represents town cramming, contrary to Policies R/H4 and R/DP1 of the Gosport Borough Local Plan Review.

3. Moreover, Old Road, Mayfield Road and the surrounding area are characterized by mainly two storey traditional residential development. The proposal needs to be considered in this immediate context and in the more broader open setting of Workhouse Lake. The design of the building is totally alien to the traditional form of development in the locality and given its height and the limited opportunity for planting to soften its setting, would draw undue attention to itself and form an incongruous feature in this prominent location. As such the proposal would have a harmful affect on the character and appearance of the area and on seaward and landward views across Workhouse Lake, contrary to Policies R/DP1 and R/CH1 of the Gosport Borough Local Plan Review.

4. The separation distance between the three storey element of the development and the rear elevation of Robin Hood Quay is 13 metres, which falls significantly below the 28 metre residential guideline figure contained within Appendix B of the Gosport Borough Local Plan Review. The separation distance between the two storey element of the development and the rear elevations of 1 and 3 Mayfield Road only exceeds the residential guideline figure by 0.5metres. Even if the third floor windows in the northern elevation were to be of fixed frame and obscure glazed design, the separation distance would still fall below the guideline figure of 15m in the Local Plan. In considering this relationship and the overall height and mass of the building and its location immediately to the south of the existing dwellings, the proposal would result in unsatisfactory living conditions for the occupiers of Robin Hood Quay and prospective occupiers of the development and, to a lesser extent, the occupiers of 1 and 3 Mayfield Road, in terms of light and privacy, contrary to Policy R/DP1 of the Gosport Borough Local Plan. The building would also dominate the outlook from the rear elevations of the existing properties. In addition, the proposal does not make satisfactory provision for refuse storage and this is likely to lead to rubbish being left loose within the store or elsewhere on the site. This would have a detrimental impact on the appearance of the

locality and result in an unsatisfactory residential environment for existing and prospective residents, contrary to Policy R/DP1 of the Gosport Borough Local Plan.

5. The level of cycle parking meets the minimum standards and under the principles of the maximum car parking standards the level of car parking proposed is acceptable in this accessible location. However, the car parking bays are of an insufficient depth to provide a safe margin between the parked cars and passing traffic and cycles. The applicant has therefore failed to demonstrate that there is sufficient space within the development to provide adequate and safe pedestrian and vehicle access or access and parking for people with disabilities. As such the development is unacceptable and contrary to Policies R/T2, R/T3, R/T10, R/T11 and R/DP1 of the Gosport Borough Local Plan Review.

6. The Ecology Report concludes that the site itself has little nature conservation value and that the limited additional activity generated by the development would not have a harmful affect on the adjacent Ramsar Site/SSSI/SPA. However, insufficient information has been submitted to properly assess the implications of the replacement sea wall and relocation of the existing slipway on the adjacent protected area. The proposal is therefore in conflict with Policies R/OS10, R/OS11, R/OS13 and R/CH6 of the Gosport Borough Local Plan review.

7. A contamination report has not been submitted in support of the application and the risks from contamination have not been fully identified and assessed. Therefore the site's suitability for residential development and the possible impacts on the SSSI/SPA/Ramsar Site are currently unknown. As such the proposal is contrary to Policies R/DP1, R/ENV5, R/OS10, R/OS11 and R/OS13 of the Gosport Borough Local Plan Review.

8. The Flood Risk Assessment neither provides sufficient information to demonstrate that safe access and escape is available from the development, nor provides evidence that a sequential test has been carried out. As such the risk of flooding has not been properly considered, contrary to Policies R/ENV1, R/DP1 and R/CH1 of the Gosport Borough Local Plan Review.

9. The other issues raised in response to the public advertisement relating to land ownership, existing water and sewer systems and health issues, disruption during building works, possible damage to property and affect on property values are not matters that the Local Planning Authority can take into account when determining this application for planning permission.

RECOMMENDATION: Refuse

For the following reasons:-

1. The proposal, by reason of its design, layout, mass and density would be out of keeping with the established form and pattern of development in the area and would provide minimal private amenity space for occupiers. As such the proposal represents an overdevelopment of the land available and town cramming, contrary to Policies R/DP1 and R/H4 of the Gosport Borough Local Plan Review.

2. Having regard to the prominent location of the site, the proposal by reason of its design, height and overall mass would have a detrimental affect on the character and appearance of the area and the Coastal Zone. As such the proposal is contrary to Policies R/DP1 and R/CH1 of the Gosport Borough Local Plan Review.

3. Having regard to its orientation and its relationship to the adjoining development the proposal, by reason of its design, height and overall mass would result in an unsatisfactory living environment for existing and prospective residents in terms of light, outlook and privacy, contrary to Policies R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review.

4. The proposal does not make satisfactory provision for refuse storage, contrary to Policy R/DP1 of the Gosport Borough Local Plan Review.

5. The proposal does not make satisfactory provision for pedestrian or vehicle access, or access for people with disabilities, contrary to Policies R/DP1, R/T2, R/T3, R/T10 and R/T11 of the Gosport Borough Local Plan Review.

6. Insufficient information has been submitted on the proposed replacement sea wall and the relocation of the existing slipway to identify and assess the possible impacts on the SSSI, SPA and Ramsar Site. As such, the proposal is contrary to Policies R/OS10, R/OS11, R/OS13 and R/CH6 of the Gosport Borough Local Plan Review.

7. The possible risks from contamination have not been fully identified and assessed and therefore the suitability of the site for residential development and possible impact on the SSSI/SPA/Ramsar Site are currently unknown. As such, the proposal is contrary to Policies R/DP1, R/ENV5, R/OS10, R/OS11 and R/OS13 of the Gosport Borough Local Plan Review.

8. Insufficient information has been submitted to fully consider the risk to and from the development of flooding, contrary to Policies R/ENV1, R/DP1 and R/CH1 of the Gosport Borough Local Plan Review.

ITEM NUMBER: 06.
APPLICATION NUMBER: K7208/3
APPLICANT: Mr J Norris
DATE REGISTERED: 20.11.2006

ERECTION OF ADDITIONAL STOREY (2ND FLOOR) TO FORM RESIDENTIAL FLAT, SINGLE STOREY REAR EXTENSION TO SHOP AND ERECTION OF THREE STOREY DETACHED BUILDING AT REAR TO FORM 2NO FLATS (as amended by plans received 12.07.07 and 20.09.07)
145-147 High Street Lee On The Solent

The Site and the proposal

The application site is located on the south west side of High Street within the Lee-on-the-Solent Town Centre District Shopping Centre close to the junction with Pier Street to the east. The existing property is a rendered two storey building with a parapet roof and single storey projecting element to the rear. There is a yard to the rear of the property which contains a concrete sectional garage used for storage purposes. It is bounded by a 1.8 metre high close boarded fence. The ground floor of the premises is a shop in use as an off licence called The Local and has a traditional shop front to the High Street. Along the southern side to the building there is a 4.5 to 6 metre wide un-adopted private access/service road that serves the shops, most with flats above both in Pier Street and Marine Parade West. There is a door in the side elevation of the application property which provides access via an internal staircase to a self contained one bedroom first floor flat. This flat has a bedroom window in the recessed part of the rear elevation with the main rooms facing High Street.

To the west is a long terrace of three storey parapet roofed properties with shop/commercial units at ground floor level with maisonettes and flats above. The adjoining building has feature bay windows serving its main rooms at first and second floor level in its rendered front elevation which also contains brick banding. To the rear of the building there are windows which overlook the service yard and a number of garages. Some of the flats above neighbouring properties to the west have rear external stair cases accessed from the adjoining garage court. The retail units fronting Pier Street are also within three storey buildings with flats above. Immediately to the east of the private access way is a two storey flat roofed building in use as a dry cleaners. The first floor side elevation contains a single window located towards the front of the building viewing towards the existing side elevation of the application building. The existing maisonettes and flats located in this area overlook the service area and garages and do not have use of any private amenity space. The properties located in High Street opposite the application site tend to be two storey in height with dormer windows in the roof.

The proposal is to demolish the garage located in the rear yard of the site and erect a single storey infill extension to the same depth as the existing single storey element to the building to provide a further storage room for the retained ground floor off licence. A second floor is to be added to the front of the property above the existing first floor flat to create a two bedroom flat. This would be accessed from the existing side door via an extended partially glazed stairwell. The rear and west elevation would have no windows. The main roof is to be a parapet to the same height as the adjoining building and the extension will be finished in matching white render. The front elevation is to contain two windows of the same proportions as those on the existing first floor and the design is to incorporate a panel of face brickwork with projecting band courses to match the existing adjoining properties. It is also proposed to erect a separate three storey building at the rear of the site on the cleared yard with two car parking spaces and bin/cycle storage at ground floor entry level. The first and second floors are to contain two self contained two bedroom flats. The new building is to be constructed in render with brick banding to match in style those fronting the High Street but it will be approximately 1 metre lower than the frontage building due to lower ceiling/storey heights. The front south east elevation is to contain the entrance door and have bay windows at first and second floor level to the main rooms on the recessed element to the building. The side south west elevation is to contain a bedroom window at first and second floor level. There will be no windows in the rear north

west elevation. The two kitchen windows to be located in the side north east elevation facing back towards the existing building are to be obscure glazed and only have top opening lights. These windows will be 10 metres away from the bedroom windows located in the frontage building. The servicing arrangements for the existing shop and flat will remain as at present. Between the frontage building and the new building there will be a bin area for the shop and space for 4 bins for the existing first floor flat and new second floor flat. The ground floor of the new building will contain a car port accessed from the service road capable of accommodating two cars. It will also have three secure lockable cycle stores to cater for the three new flats. There will also be a further storage area for 4 bins for the flats above. Three Sheffield style cycle hoops are to be provided for use by visitors.

Relevant Planning History

K.7208/1 - erection of garage at rear approved 23 May 1977.

Relevant Policies

Gosport Borough Local Plan Review, 2006:

R/DP1

General Standards of Development within the Urban Area

R/DP7

Additions, Extensions and Alterations

R/S3

Principal & District Shopping Centres

R/S6

Residential Development at Ground Floor within Defined Shopping Centres

R/S7

Use of Upper Floors

R/H4

Housing Densities

R/T11

Access and Parking

R/OS8

Recreational Space for New Residential Developments

Consultations

Traffic Management

No objection to amended proposal - access to the site is via a private access road, the existing garage used for storage for the ground floor shop will be re-provided through the extension at the rear. It is considered servicing is likely to remain as at present. Not including the shop, the residential element including the existing flat would be allowed up to a maximum of 7 car parking spaces. The plans show two on site car parking spaces to be provided within a carport with adequate width and manoeuvring space. Under the provision of maximum car parking standards the level of car parking is acceptable. Long stay and short stay cycle parking provision is provided for the new flats in accordance with minimum standards.

Response to Public Advertisement

5 letters of objection

Issues Raised: premises do not have parking facilities at the rear at present and park illegally on the private 'right of way' access road; delivery lorries block this access road; additional flats will increase parking problems; if parking problems escalate civil action will be taken by the proprietor of Cols Cars; land at the rear of the site should be cleared and used for parking existing vehicles; loss of light and outlook from existing nearby flat; loss of privacy; overdevelopment; poor appearance; access should be kept clear during construction.

Principal Issues

1. The application site is located within the urban area boundary and consequently the principle of residential development is acceptable provided that the details accord with the criteria outlined in Policy R/DP1 of the Gosport Borough Local Plan Review. The proposal will not impact on the existing servicing arrangements to the retained commercial premises fronting the High Street and an additional single storey store is to be provided and will support the functioning of this existing retail unit. As such the proposal complies with Policies R/S3 and R/S6 of the Gosport Borough Local Plan Review. Any obstruction of the un-adopted access road adjoining the site is a private legal matter between the parties involved. Therefore the main issues in this case are the acceptability of the proposed additional residential units and design of the extensions and new building, the impact on the amenities of nearby and prospective residents, the provision of car and cycle parking, refuse storage facilities and open space.
2. Whilst the development will result in a density of 196 dwellings per hectare the scheme will not affect the long term viability of the existing retail unit and will make use of an underutilized area of land to the rear not fronting onto the shopping street. Given the site location within the Lee-on-the-Solent Town Centre District Shopping Centre this density is regarded as being acceptable and complies with Policy R/H4 of the Gosport Borough Local Plan Review. The design of the second floor flat relates well to the adjoined building in terms of its architectural style and will continue the three storey height of this terrace fronting the High Street. Furthermore the building at the rear picks up on the architectural detailing of the frontage building with the incorporation of bay windows to the upper floors and a mixture of render and brick banding. The scheme continues the design theme around the corner adjoining the access road and will improve the visual amenities of the area and is therefore appropriate and acceptable in this location.
3. The area is characterized by three storey buildings with residential accommodation on the upper floors. The scale and orientation of the new building is such that it will not have any significant impact in terms of loss of light to neighbouring occupiers. The relationship to neighbouring properties and detailed design in terms of window positioning is such that there will be no unacceptable overlooking or loss of privacy and as such the development will not be detrimental to the amenities of adjoining residents. A condition is proposed requiring the obscure glazed kitchen windows located in the north east side elevation of the new building to be retained in that condition to ensure the continued protection of the privacy of occupiers of the flats in the frontage building.
4. Whilst there is no on site amenity space this is a common feature for this type of flatted development within a Town Centre location. Adequate storage facilities for refuse are to be provided to the required capacity standards for the existing and proposed units.
5. Although there will only be two car parking spaces for use of the occupiers of the two flats in the new building this is considered acceptable in an accessible location. Under maximum car parking standards a lack of car parking cannot be sustained as a reason for refusal. There is secure long stay cycle provision for 6 cycles within three stores which complies with minimum standards for this development. In addition there will be 3 visitor cycle stands and as such the proposal therefore complies with Policy R/T11 of the Gosport Borough Local Plan Review.

6. The applicant has confirmed a willingness to enter a planning obligation under Section 106 relating to the payment of a commuted sum towards the provision and/or improvement of outdoor playing space, in accordance with Policy R/OS8 of the Gosport Borough Local Plan Review for the 3 additional flats. Without this obligation the proposal is unacceptable.

RECOMMENDATION: Grant Permission

Subject to Section 106 agreement relating to

1. The payment of a commuted sum towards the provision and/or improvement of outdoor playing space.

Reasons for granting permission:

1. Having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the proposal is at an acceptable density and will assist in providing a variety of residential accommodation to meet the housing needs of the Borough within an accessible Town Centre location. It will not be detrimental to the viability of the existing retail unit. Due to the appropriate design of the proposal it will improve the visual amenities of the area and will not have a detrimental impact on the amenities of neighbouring or prospective occupiers. Adequate provision is made for open space, car parking and cycle and refuse storage. As such the development complies with Policies R/DP1, R/DP7, R/S3, R/S6, R/S7, R/H4, R/T11 and R/OS8 of the Gosport Borough Local Plan Review.

Subject to the following conditions:-

1. The development hereby permitted must be begun within a period of three years beginning with the date on which this permission granted.

Reason - To comply with Section 91 of the Town and Country Planning Act, 1990 (as amended).

2. Details, including samples of all external facing and roofing materials shall be submitted to, and approved by, the Local Planning Authority before works above slab level are commenced. The development shall thereafter be implemented in accordance with the approved details.

Reason - To ensure that the external appearance of the development is satisfactory, and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

3. The development hereby permitted shall not be brought into use until the areas shown on the approved plan for the parking of vehicles shall have been made available, surfaced, and marked out, and these areas shall be retained for that purpose at all times.

Reason - In the interests of highway safety and to ensure adequate parking is provided and retained, and to comply with Policy R/T11 of the Gosport Borough Local Plan Review.

4. The approved facilities for the storage of cycles shall be provided before the development is first brought into use and thereafter retained.

Reason - In order to ensure that adequate cycle storage is provided in compliance with Policy R/T11 of the Gosport Borough Local Plan Review.

5. The facilities hereby approved for the storage of refuse for removal from the premises shall be provided before the development is first brought into use and thereafter retained.

Reason - In order to protect the amenities of the area, and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

6. The kitchen windows on the north east side elevation of the three storey detached new building shall only contain a top hung opening with a fixed pane below and be glazed with obscure glass and shall be retained in that condition.

Reason - To preserve the amenity of the adjoining property, and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

ITEM NUMBER: 07.
APPLICATION NUMBER: K14416/1
APPLICANT: Mrs C Elgie
DATE REGISTERED: 09.11.2007

ERECTION OF TWO PAIRS OF SEMI-DETACHED DWELLINGS (as amended by plans received 23.11.07)
Land Adjacent To 90 Green Crescent Gosport Hampshire

The Site and the proposal

The application site comprises land adjacent to numbers 88 and 90 on the north-west corner of Green Crescent. It is within the Urban Area Boundary and an established residential area characterised by two storey semi-detached and terraced dwellings. There are currently 6 rundown garages on it and it is bounded by a mixture of 1.8 metre fences and walls. There is one access between numbers 88 and 90 Green Crescent and one via the rear service road which has a pedestrian footpath running along the eastern boundary. The property to the east of the site, number 88 Green Crescent has a single storey side extension and two first floor windows, one to the landing and a high level window to the bathroom. The property to the south of the site, number 90 Green Crescent has three first floor windows in the side elevation. One is to a bedroom, one is to a bathroom, and one is a secondary bedroom window. Beyond are terrace properties with 15 metre long rear gardens. The properties to the west of the site are semi-detached dwellings and also have 15 metre long rear gardens.

The proposal is to demolish the existing garages and to erect two pairs of semi-detached dwellings. The dwellings will have hipped roofs and have no windows at first floor level in the side elevations. There will be small canopies over the front doors. The rear gardens will be approximately 9.6 metres long and 7.2 metres in width. The distance between the front elevation of the proposed dwellings and the side elevation of no.88 is 18 metres. The existing access to the site between nos. 88 and 90 will be retained with an additional piece of land from the front garden of no.90 to provide a 4 metre wide access to the site. There will be a private drive running in front of the dwellings with 8 car parking spaces running along the eastern and northern boundary with a turning area between spaces 5 and 6. There will be a 2 metre wall on the southern boundary, a 1.8 metre fence on the northern boundary and a 0.6 metre wall increasing to a 1.8 metre wall with fence inserts on the eastern boundary. The bin collection area will be located in the north-eastern corner of the site and screened by a 1.8 metre brick wall. In the rear garden of each dwelling there will be a shed to provide secure cycle parking. A loop will be provided at the rear of each dwelling for short term cycle parking.

Relevant Planning History

K.5420 Erection of 17 no. lock up garages permitted 29.04.66
K.14416 Erection of three terraced houses withdrawn 02.09.94

Relevant Policies

Gosport Borough Local Plan Review, 2006:

- R/DP1
- General Standards of Development within the Urban Area
- R/DP6
- Landscape Design
- R/H4
- Housing Densities
- R/T11
- Access and Parking
- R/OS8

Recreational Space for New Residential Developments

Consultations

Traffic Management	Eight car parking spaces meets current parking standards. Cycle provision in rear gardens is acceptable.
Streetscene (Waste & Cleansing)	Bin requirements: 1 x 240 recycling bin and 1 x 240 domestic bin per dwelling, adequate room on site, bins should be put out on collection area.
Building Control	Fire access satisfactory - no objection

Response to Public Advertisement

Nil.

Principal Issues

1. The application site is within the existing Urban Area Boundary and consequently the principle of residential development is acceptable provided that the details accord with the criteria outlined in Policy R/DP1 of the Gosport Borough Local Plan Review. The development would have an approximate density of 44 dwellings per hectare, which complies with Policy R/H4 of Gosport Borough Local Plan Review. The main issues in this case are therefore the design, the amenities of the occupiers of the neighbouring properties, the potential for contamination, and the provision to be made for car and cycle parking, amenity and open space and refuse storage.
2. The proposed dwellings are sympathetic in design to the existing dwellings in Green Crescent and fit in well with the character of the area. Details of the hard landscaping are to be secured by condition to ensure the final appearance of the development is satisfactory. The site is very overgrown and the garages are in a state of disrepair. This proposal will therefore improve the appearance of the area.
3. There is adequate separation between the rear elevation of the proposed dwellings and existing dwellings to the west which front Rowner Lane. Due to the length of the gardens of the properties to the north and the separation distance between the proposed dwellings and the boundary of no.88 it is considered that the proposal will not result in a loss of light to or outlook from these properties. Furthermore there are no first floor windows in the side elevations of the proposed dwellings and consequently no potential for overlooking. A condition to remove permitted development rights for windows in the north and south elevations at first floor level will ensure privacy is maintained. The existing boundary treatment on the western boundary will be retained and new boundary treatment will be provided on the north, south and eastern boundaries to further protect the amenities of the residents of the neighbouring properties.
4. As the site has been used for garages there is a small risk of land contamination. Conditions requiring the submission of a Desk Top Study and site investigation/mitigation if required will address this issue
5. The layout of the proposal provides 8 car parking spaces in total with a turning area. This meets maximum car parking standards for this type of development and complies with Policy R/T11. A condition relating to the surfacing and marking out of the car parking and turning will ensure parking is provided and retained. Details relating to the kerb arrangements to stop cars overrunning and damaging the boundary treatment will be conditioned. There is adequate secure cycle parking and short stay visitor cycle parking.

6. The size of the rear gardens is adequate and will provide a satisfactory level of amenity space for future occupiers and space for day to day storage of refuse bins. Each property will have space to put the bins out on the day of collection at the allocated area in the north-eastern corner of the site. The plans have been amended to allow space between the car parking spaces to provide access to this area.

7. The applicant has confirmed willingness to enter a planning obligation under section 106 relating to the payment of a commuted sum towards the provision and/or improvement of outdoor playing space. Without this provision the proposal would be contrary to Policy R/OS8 of the Gosport Borough Local Plan Review and should be refused.

RECOMMENDATION: Grant Permission

Subject to Section 106 agreement relating to

1. The payment of a commuted sum towards the provision and/or improvement of outdoor playing space.

Reasons for granting permission:

1. Having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase 2004 and all other material considerations, the proposal is at an acceptable density and will provide a sympathetic development in this area and will not have a detrimental impact on the amenities of neighbouring or prospective occupiers. Adequate provision is made for open space, car and cycle parking and refuse storage. As such the development complies with Policies R/DP1, R/DP6, R/H4, R/T11 and R/OS8 of the Gosport Borough Local Plan Review

Subject to the following conditions:-

1. The development hereby permitted must be begun within a period of three years beginning with the date on which this permission is granted.

Reason - To comply with Section 91 of the Town and Country Planning Act, 1990 (as amended).

2. No works pursuant to this permission shall commence until there has been submitted to and approved in writing by the Local Planning Authority:

(a) a desk top study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated Land Research Report Nos. 2 and 3 BS1175:2001; and unless otherwise agreed in writing by the Local Planning Authority,

(b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175:2001 - Investigation of Potentially Contaminated Sites - Code of Practice;

and, unless otherwise agreed in writing by the Local Planning Authority.

(c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.

Reason - To prevent pollution of the water environment and in the interests of the safety and amenity of future site occupants in compliance with Policy R/ENV5 of the Gosport Borough Local Plan Review.

3. The development hereby permitted shall not be first occupied until there has been submitted to the Local Planning Authority verification by the competent person approved under the provisions of condition 2(c) that any remediation scheme required and approved under the provision of condition 2(c) has been implemented fully in accordance with the approved details (unless varied with the

written agreement of the Local Planning Authority in advance of implementation). Unless otherwise agreed in writing by the Local Planning Authority such verification shall comprise:

- a) as built drawings of the implemented scheme
- b) photographs of the remediation works in progress
- c) certificates demonstrating that imported and/or material left in situ is free of contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition 2(c).

Reason - To prevent pollution of the water environment and in the interests of the safety and amenity of future site occupants in compliance with Policy R/ENV5 of the Gosport Borough Local Plan Review.

4. Details, including samples of all external facing and roofing materials shall be submitted to, and approved by, the Local Planning Authority before works above slab level are commenced. The development shall thereafter be implemented in accordance with the approved details.

Reason - To ensure that the external appearance of the dwellings are satisfactory, and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

5. No development shall take place above slab level until full details of the hard landscaping works have been submitted to and approved by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours, hard surfacing materials and lighting.

Reason - In the interests of amenity and the appearance of the locality, and to comply with Policies R/DP1 and R/DP6 of the Gosport Borough Local Plan Review.

6. The approved hard landscaping scheme shall be implemented before the occupation of the first dwelling and shall be retained thereafter.

Reason - In the interests of amenity and the appearance of the locality, and to comply with Policies R/DP1 and R/DP6 of the Gosport Borough Local Plan Review.

7. The development hereby permitted shall not be brought into use until areas for the parking and turning of vehicles have been provided, and the areas shall be surfaced and marked out and subsequently retained, and kept available at all times for these purposes.

Reason - In the interests of highway safety and to ensure adequate car parking is provided and retained, and to comply with Policy R/T11 of the Gosport Borough Local Plan Review.

8. The approved facilities for the storage of cycles shall be provided before the development is first brought into use and thereafter retained.

Reason - In order to ensure that adequate cycle storage is provided in compliance with Policy R/T11 of the Gosport Borough Local Plan Review.

9. The facilities hereby approved for the storage of refuse for removal from the premises including the bin collection area shall be provided before the development is first brought into use and thereafter retained.

Reason - In order to protect the amenities of the area, and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

10. The boundary treatment hereby approved shall be provided before the first dwelling is occupied and thereafter retained.

Reason - In order to protect the amenities of the area, and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

11. Details of an upstanding kerb to prevent vehicles overrunning and damaging the northern boundary fence and eastern boundary wall, shall be submitted to and approved in writing by the Local Planning Authority and subsequently implemented in accordance with the approved scheme before the development is first brought into use and thereafter retained.

Reason - In the interests of the appearance of the development and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), no additional windows shall be constructed in the side elevations of the dwellings hereby permitted without the prior consent in writing of the Local Planning Authority.

Reason - In order to protect the amenity of the occupiers of the adjoining properties and to comply with Policy R/DP1 of the Gosport Borough Council Local Plan Review.

ITEM NUMBER: 08.
APPLICATION NUMBER: K17475
APPLICANT: Mr Mark Greenstreet
DATE REGISTERED: 15.11.2007

ERECTION OF 2NO. TWO BED DWELLINGS WITH AMENITY SPACE AND CYCLE PARKING (CONSERVATION AREA) (as amended by plan received 29.22.2007)
Land To The Rear Of 94-96 High Street Gosport Hampshire PO12 1DS

The Site and the proposal

The application site is located on the southern side of the High Street within the High Street Conservation Area and High Street Principle Shopping Area. It comprises an area of land to the rear of numbers 94 - 96 which is used as an informal car parking area independently of the properties to the north. Numbers 94 – 96 are occupied commercially at ground floor level by music shop Reflex and travel agency Thomas Cook. They are serviced from the front of the building without a requirement for rear access facilities.

The rear facades of the buildings in the vicinity are characterised by steeply pitched narrow gables and hipped roofs with large sash windows in the rear elevations. Numbers 91 - 94 are Grade 2 Listed.

The site is bordered to the south by a public highway and municipal car park, to the north by the 3 storey rear elevations of numbers 94 - 96, to the west by the rear yard of number 98 and to the east by a narrow pedestrian access way which passes under the upper two storey element of the adjacent building number 93. The pedestrian link is enclosed on its eastern side by red brick commercial buildings which vary in height between single, two and three storey level.

Numbers 91 - 93 to the east have had recent approval for the conversion/ extension of the upper floors and land to the rear to form 13 units of residential accommodation (Ref: K.17332/1). This development contains a number of ground and first floor windows in the western elevation facing the application site. Some windows serve habitable rooms.

It is proposed to erect 2 no. two bedroomed dwellings with associated amenity space. The two dwellings will have an overall height of 7.9 metres and a combined depth of 7.75 metres. The roof has been designed with a steep pitch and gable end at the north with a hipped element at its southern end. The applicant has indicated the use of stock bricks and clay roof tiles to reflect those found in the immediate locality while the use of brick arches and white painted sash windows is intended to be sympathetic to the character and appearance of the adjacent buildings.

Amended plans have been submitted to enhance the design of the proposal. A recessed bricked up window has been introduced in the southern elevation and the dimensions of 4 windows in the eastern elevation have been increased to match the size of the other windows in this elevation. A chimney has been added to the roof and the position of a door in the eastern elevation has been brought back from the edge of the two storey block.

Each dwelling will have its own courtyard garden, bordered by a 1.8 metre high brick wall and accessed via single pedestrian gates. Provisions have been made within each courtyard for the secure storage of two bicycles and for a single refuse bin.

1 metre high black painted wrought iron railings will be erected adjacent to the eastern elevation of the dwelling, parallel to the pedestrian walk way. The building itself will be set back 0.5 metres from the pedestrian path providing space for a single visitor cycle stand at the front of each property.

Two multi stemmed saplings are to be removed with two trees of medium stem and habitat planted by way of replacement.

The application is supported by a Flood Risk Assessment.

Relevant Planning History

91-93 High Street Gosport: K.17332 and /1 Planning and Listed Building Applications for conversion and extension of the upper floors and land to the rear to form 13 No. units of residential accommodation approved 16.08.07.

Relevant Policies

Gosport Borough Local Plan Review, 2006:

- R/T2
- New Development
- R/DP8
- Protection of Trees
- R/DP1
- General Standards of Development within the Urban Area
- R/BH1
- Development in Conservation Areas
- R/BH3
- Development Affecting Listed Buildings
- R/ENV1
- Floodplains and Tidal Areas
- R/ENV14
- Energy Conservation
- R/ENV15
- Renewable Energy
- R/OS8
- Recreational Space for New Residential Developments
- R/H4
- Housing Densities
- R/S6
- Residential Development at Ground Floor within Defined Shopping Centres
- R/S7
- Use of Upper Floors
- R/T11
- Access and Parking

Consultations

Traffic Management	No comments received
Streetscene (Parks & Horticulture)	No comments received
Streetscene (Waste & Cleansing)	1 x 240 litre recycling and 1 x 240 domestic bin required for each property. Bins require placing outside adjacent public highway for collection. Each property has only shown 1 bin per property. However, there is adequate space within the courtyard areas for 2 bins.
Building Control	Fire service access is satisfactory.

Applicant should check any Southern Water easements due to close proximity of public sewer.

Environmental Health (Pollution & Environment)

No comments received

The Gosport Society

No comments received

Response to Public Advertisement

Nil

Principal Issues

1. The site is located within the urban area where the principal of residential development is acceptable provided that the details accord with Policy R/DP1 of the Gosport Borough Council Local Plan Review. The main issues in this case therefore are the acceptability of the proposed development terms of density and design, the impact on the character and appearance of the Conservation Area, the setting of Listed Buildings, the amenities of the adjoining and prospective occupiers, the adequacy of servicing/ parking arrangements and the provision for cycle parking, refuse storage and open space.

2. The development will result in a density of approximately 117 dwellings per hectare which is considered acceptable in a Principle Shopping Centre where there are good links to public transport and a wide range of services. The site is currently poorly maintained and inefficiently used as an informal car parking area. It is not required for retail use and the erection of two new dwellings will not compromise the retail function of the town centre. The proposed development is independent of the shops to the north of the site and has its own separate access. It will not therefore have a detrimental impact on adjacent uses and as such the development complies with Policies R/H4, R/S6 and R/S7.

3. The design of the proposed dwellings with their steeply pitched narrow roofs is in keeping with the built form in the area while the inclusion of brick arches and white timber sash windows reflects the style of adjacent buildings. The use of both stock bricks and render helps to break up the mass of the building while the size and positioning of the windows in the eastern elevation provides rhythm, creating the look and feel of traditional semi detached cottages. The insertion of a chimney adds interest to the roof form and is reflective of the variety of rooflines found within the High Street. The introduction of a blank recessed ground floor window in the southern elevation has helped to achieve a balance in this elevation which previously lacked detail. The door at the northern end of the eastern elevation has been appropriately repositioned away from the edge of the two storey element. The inclusion of single storey elements on the western side of the dwellings adds interest to the overall design of the building while the 0.5 metre set back from the pedestrian walkway is sufficient to ensure the development does not appear overbearing for the users of this space. The development enhances the character and appearance of the Conservation Area and will not be detrimental to the historic and architectural setting of the adjacent Listed Buildings. As such, it complies with Policies R/DP1, R/BH1 and R/BH3 of the Gosport Borough Council Local Plan Review.

4. The orientation of the site, the design of the proposed dwellings and the height of the existing buildings in the vicinity is such that the proposed development will not result in a loss of light or outlook to adjoining occupiers. There is a conflict in regards to the separation distance between the first floor bedroom window in the eastern elevation of the proposed dwellings (serving bedroom 1 on the plans) and a first floor bedroom window in the western elevation of the recently approved residential scheme to the east of the application site (K.17332/1). However, this bedroom is served

by a second (south facing) window of equal dimensions, and therefore any potential problem of overlooking can be overcome by attaching a condition to obscure glaze and fix shut the first floor window in the eastern elevation. The rear gardens of the proposed dwellings are bordered by a 1.8 metre high brick wall which will secure an adequate level of privacy between the proposed dwellings as well as from members of the public using the highway to the south of the site. The development therefore complies with Policies R/DP1 and R/DP7 of the Gosport Borough Local Plan Review.

5. The shops immediately to the north of the site are serviced from the front of their premises and do not require rear access facilities. The proposed development will not therefore result in an inferior servicing arrangement for these premises and complies with Policy R/T2. Although the development would result in a loss of car parking facilities and makes no provision for additional car parking spaces, but the site is located in a high accessible town centre location with good links to public transport and a high availability of public car parking. Space has been identified within the site to provide a sufficient level of both secure and visitor cycle storage, compliant with Policy R/T11 of the Gosport Borough Local Plan Review.

6. The court yards provide adequate amenity space for future occupiers and there is sufficient space to accommodate 1 x 240 litre recycling bin and 1 x 240 domestic in accordance with Policy R/DP1 of the Gosport Borough Council Local Plan Review.

7. The trees to be removed are insignificant specimens that do not make a positive contribution to the character and appearance of the Conservation Area and are not worthy of Tree Preservation Orders. Two replacement trees are to be planted and therefore there is no conflict with Policy R/DP8 of the Gosport Borough Local Plan Review.

8. The applicant has submitted a required flood risk assessment and the development has been designed with a ground floor level above that likely to coincide with the predicted tidal flood level of 4.3 AOD. It therefore meets the criteria contained within Policy R/ENV1 in respect of development in Flood Zone 2.

9. The applicant has confirmed a willingness to enter a planning obligation under Section 106 relating to the payment of a commuted sum towards the provision and/ or improvement of outdoor playing space, in accordance with Policy R/OS8 of the Gosport Borough Local Plan Review for the additional two dwellings. Without this obligation the proposal is unacceptable.

RECOMMENDATION: Grant Permission

Subject to Section 106 agreement relating to

1. The payment of a commuted sum towards the provision and/or improvement of outdoor playing space.

Reasons for granting permission:

1. Having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the proposed development is acceptable in this location. Due to its appropriate design, density and layout, the proposed development will enhance the character and appearance of the Conservation Area. It will not have a detrimental impact on the setting of adjacent Listed Buildings or the amenities of neighbouring or prospective occupiers. Adequate provision is made for open space, cycle and refuse storage and flood risk. As such, the development complies with Policies R/DP1, R/BH1, R/BH3, R/H4, R/S6, R/S7, R/T2, R/T11, R/DP8, R/ENV1, R/ENV14, R/ENV15 and R/OS8 of the Gosport Borough Council Local Plan Review.

Subject to the following conditions:-

1. The development hereby permitted must be begun within a period of three years beginning with the date on which this permission is granted.

Reason - To comply with Section 91 of the Town and Country Planning Act, 1990 (as amended).

2. Samples of all external facing and roofing materials, including rendering shall be submitted to, and approved by, the Local Planning Authority before works above slab level are commenced and the development shall thereafter be constructed in accordance with the approved details.

Reason - To ensure that the external appearance of the buildings is satisfactory, and to comply with Policies R/DP1, R/BH1 and R/BH3 of the Gosport Borough Local Plan Review.

3. Details of all new windows and doors including horizontal and vertical sections at a scale of 1:5 and elevations at a scale of 1:10 shall be submitted to and approved in writing by the Local Planning Authority before work related to that part of the development is commenced. The development shall thereafter be implemented in accordance with the approved details.

Reason - Such details have yet to be submitted and to protect the amenities of the area, and to comply with Policies R/DP1, R/BH1 and R/BH3 of the Gosport Borough Local Plan Review.

4. Samples of the materials to be used in the construction of all boundary treatment including any gate, shall be submitted to and approved by, the Local Planning Authority before any works above ground level are commenced and the boundary treatments shall thereafter be implemented in accordance with the approved details.

Reason - In the interests of amenity, and to comply with Policies R/DP1, R/BH1 and R/BH3 of the Gosport Borough Local Plan Review.

5. Samples of the surface materials of the courtyards shall be submitted to, and approved by, the Local Planning Authority before any works to the courtyards are commenced, and the development shall thereafter be constructed in accordance with the approved details.

Reason - In the interests of amenity, and to comply with Policies R/DP1, R/BH1 and R/BH3 of the Gosport Borough Local Plan Review.

6. Details of the proposed secure cycle storage and visitor cycle facilities shall be submitted to, and approved by, the Local Planning Authority before work related to that part of the development is commenced. The development shall thereafter be implemented in accordance with the approved details.

Reason - Such details have yet to be submitted and in order to ensure that adequate cycle storage is provided in compliance with Policy R/T11 of the Gosport Borough Local Plan Review.

7. The approved facilities for the storage of refuse for removal from the premises including a bin collection area shall be provided before the development is first brought into use and thereafter retained.

Reason - In order to protect the amenities of the area, and to comply with Policy R/DP1 of the Gosport Borough Local Plan review.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or and Order revoking or re-enacting that Order), no additional windows shall be constructed in the eastern elevations of the dwellings hereby permitted without the prior consent in writing of the Local Planning Authority.

Reason - In order to protect the amenity of the occupiers of the adjoining properties and to comply with Policy R/DP1 of the Gosport Borough Council Local Plan Review.

9. Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), no development permitted by Schedule 2, Part 1, Classes A and E and Part 2, Class B shall be carried out without the prior consent in writing of the Local Planning Authority.

Reason - In order to protect the amenities of the area and to comply with Policies R/DP1, R/BH1 and R/BH3 of the Gosport Borough Local Plan Review.

10. The window serving bedroom 1 on the first floor of the east elevation shall be obscure glazed and fixed shut.

Reason – To protect the privacy of the occupiers of the adjacent residential property to comply with policies R/DP1 and R/DP7 of the Gosport Borough Local Plan Review.