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5 March 2007

### **S U M M O N S**

**MEETING:** Regulatory Board  
**DATE:** Tuesday, 13 March 2007  
**TIME:** 6.00pm  
**PLACE:** Council Chamber, Town Hall, Gosport  
**Democratic Services contact:** Joe Martin

**BOROUGH SOLICITOR**

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#### **MEMBERS OF THE BOARD**

Councillor Davis (Chairman)  
Councillor Train (Vice Chairman)

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

The Mayor (Councillor Mrs Cully) (ex officio)  
Chairman of Policy & 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 bomb alert (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.**

**IMPORTANT NOTICE:**

- **The Summons, Agenda and accompanying Reports can be provided in large print, on tape, in Braille or in other languages on request**
- 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:** 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.

## AGENDA

RECOMMENDED  
MINUTE  
FORMAT

### PART A ITEMS

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 FEBRUARY 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 9 March 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 9 March 2007).*

6. REPORTS OF THE DEVELOPMENT SERVICES MANAGER

*Schedule of planning applications with recommendations.  
(grey sheets – pages 1 –40/1)*

PART II  
Pat Aird  
Head of  
Development Control  
Contact Officer  
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 FEBRUARY 2007**

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

It was reported that, in accordance with Standing Order 2.3.6, notice had been received that Councillors Burgess and Carr would replace Councillors Taylor and Chegwyn respectively for the duration of this meeting.

#### **164 APOLOGIES**

Apologies for inability to attend the meeting were received from the Mayor (Councillor Mrs Cully), Councillor Chegwyn and Councillor Taylor.

#### **165 DECLARATIONS OF INTEREST**

There were no declarations of interest.

#### **166 MINUTES**

RESOLVED: That subject to it being noted that Councillor Burgess and not Councillor Langdon had attended the meeting as a substitute for Councillor Ward, the Minutes of the Regulatory Board meeting held on 15 January 2007 be approved and signed by the Chairman as a true and correct record.

#### **167 DEPUTATIONS**

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

- Item 1 – K11600/4 – 40 Crescent Road, Gosport
- Item 5 – K9951/2 – 99 High Street, Lee on the Solent

#### **168 PUBLIC QUESTIONS**

No public questions had been received.

## PART II

### **169 DEVELOPMENT CONTROL PERFORMANCE 01.10.06 – 31.12.06**

Members considered the report of the Development Services Manager (a copy of which is attached in the Minute Book as Appendix 'A') which set out the background to the Best Value Performance Indicators related to speed of determining planning and other applications; performance against other government and local targets in relation to applications and appeals; and performance in resolving complaints relating to possible breaches of planning control.

RESOLVED: That the Manager's report on Development Control Performance from 01/10/06 – 31/12/06 be noted.

### **170 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 'B').

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

#### **171 K11600/4 - ERECTION OF TWO STOREY REAR EXTENSION INCLUDING FIRST FLOOR BALCONY, ROOF TO FORM PORCH ON SIDE AND DETACHED GARAGE TO FRONT (CONSERVATION AREA) (as amplified by email dated 7.12.06 and amended by plans received 19.12.06) 40 Crescent Road Gosport Hampshire PO12 2DN**

It was confirmed that Councillors Allen, Burgess, Carter, Davis, Foster and Train, as well as members of the public, had attended a site visit earlier in the day. Issues noted during the visit included the position of the proposed garage, the rear elevation of the property and the position of the proposed balcony and the distance to and height of the hedge on the eastern boundary between the property and Bramley Gardens. It was noted that approval had already been given for the felling of the pine tree as it was considered to have a dangerous lean, although this was not relevant to the current planning application. Members visited the gardens of numbers 1 and 3 Bramley Gardens. The height and maturity of the hedges were noted as was the relationship between the gardens and the proposed windows in the development site. The Chairman thanked all those who attended the site meeting.

Members acknowledged residents' concern that there should be no detrimental impact on the conservation area but considered that the height of the boundary hedge gave sufficient shelter to the surrounding gardens.

Rear Admiral John Hervey was invited to address the Board. The issues he raised included: the felling of the pine tree; damage to the hedge during building works; the size of the proposed development in relation to the plot; the siting of the garage to the front of the property; and potential conflict and nuisance caused by contractors vehicles, especially during the times that parents drop off and pick up their children from Marycourt School.

Mr James Fairhall, the applicant, was invited to address the Board. He confirmed that he had moved to the premises last year but had lived locally for 8 years. He understood the need to preserve and enhance the conservation area and the proposed development plans had been drawn up in consultation with the Conservation Officer.

In answer to a Member's question, Mr Fairhall confirmed that they had taken the advice of a tree surgeon concerning the felling of the pine tree. His wife was keen to plant another, smaller tree in its place and he was willing to give a commitment that this would be done.

In answer to Members' questions concerning nuisance from contractors vehicles and normal hours of working, it was confirmed by officers that this was not a matter for planning law. Other legislation was in existence that more effectively dealt with statutory nuisance and these could be considered at a later date if it was considered necessary.

It was also confirmed that, because the property was situated in a conservation area, notice had had to be given to the Council for work to be carried out on the pine tree. The Council's Arboricultural Officer had examined the tree and advised that it was leaning at an angle of 20-25% and should not be allowed to reach maturity. It was therefore not appropriate to make a Tree Preservation Order and the owners were at liberty to fell the tree.

RESOLVED: That planning application K11600/4 – 40 Crescent 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 is acceptable in this location. It is of an appropriate design, will preserve the character and appearance of the Conservation Area and will not have any detrimental impact on the street scene, amenities of adjoining residents or highway safety. As such the proposal complies with Policies R/DP1, R/DP7, R/BH1 and R/T11 of the Gosport Borough Local Plan Review.

**172 K16932/2 - ERECTION OF 1NO. ONE BEDROOMED AND 1NO. TWO BEDROOMED RESIDENTIAL UNITS (24 ELMHURST RD) AND PART DEMOLITION OF EXISTING STORE TO PROVIDE ASSOCIATED AMENITY SPACE (REAR OF 20 & 22 PERCY ROAD) (CONSERVATION AREA)  
Land At 24 Elmhurst Road Gosport Hampshire PO12 1PG**

Members were advised that two further letters of objection had been received. One letter raised issues relating to the conversion of the storage building which was not part of this application; parking problems in the locality but referring to 3 flats and not 2 which were the

subject of this application; and the use of the alleyway which was already used as part of the builder's yard operation.

The other letter from a resident to the north of the application site raised issues of possible disturbance to foundations and access to the side of the property for maintenance; loss of privacy to the bedroom window in the side elevation, loss of light to the kitchen and 2 side bedroom windows and increased electricity costs. The resident also considered the proposed building should be set further back in the plot.

The officer advised that issues of disturbance to foundations and access were private legal issues. A condition has been imposed restricting the windows at first and second floor level in the northern elevation of the new block to fixed frame design and glazed with obscure glass. There would be some loss of light but this was balanced by the benefit of removing the builder's yard from the residential area and the removal of the barn which would have a positive impact on the outlook from and light to properties in the surrounding area. Consideration had been given to setting the building further back but this would have resulted in a greater impact on the rear gardens of numbers 22 and 26 Elmhurst Road. Moreover, the staggered layout was important to the design as it followed the curve in the road. Setting the building further back would have a detrimental impact on the character and appearance of the Conservation Area.

Members considered the necessity of a site visit but following advice from the Borough Solicitor on the planning history of this site and the criteria for site visits, it was decided that a site visit was not required.

Following questions from Members, it was confirmed that the plans submitted were drawn to metric scale and therefore did indicate the height of the proposed building and also that the footpath would remain open and unrestricted by the development.

RESOLVED: That planning application K16932/2 – Land at 24 Elmhurst Road, Gosport be approved subject to a Section 106 agreement relating to 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 acceptable in this accessible location and will enhance the character and appearance of the Stoke Road Conservation Area. The development will not be harmful to the amenities of adjoining or prospective occupiers, or parking or traffic conditions in the locality and makes adequate provision is made for outdoor playing space. As such, the development complies with Policies R/DP1, R/DP6, R/DP7, R/BH1, R/H4, R/T10, R/T11, R/ENV5, R/ENV10 and R/OS8 of the Gosport Borough Local Plan Review.

**173 K15100/11 - ERECTION OF BUILDING FOR MIXED EMPLOYMENT USES (CLASS B1, B2, B8) WITH ASSOCIATED PARKING (as amplified by letter dated 26.01.07 and amended by plan received 30.01.07)  
Fareham Reach 166 Fareham Road Gosport Hampshire PO13 0FW**

Members welcomed the opportunity for employment resulting from this development.

RESOLVED: That planning application K15100/11 – Fareham Reach, 166 Fareham 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 proposed siting, design and external appearance of this development is acceptable in this location and the increased opportunity for employment is beneficial to the local economy. As such the proposal complies with Policies R/DP1, R/DP6, R/T3, R/T11, R/EMP3, R/EMP5 and R/EMP7 of the Gosport Borough Local Plan Review.

**175 K13789/24 - CHANGE OF USE FROM JOINERY WORKSHOP TO CHANDLERY SHOP INCLUDING INSTALLATION OF SHOP FRONT TO PART OF FRONT ELEVATION (as amplified by letter dated 29.01.07 and amended by plans received 30.01.07)  
Unit G F 13 Endeavour Quay Mumby Road Gosport**

Members considered there was a need for marine related facilities in this area and the proposal for a chandlery shop was appropriate.

RESOLVED: That planning application K13789/24 – Unit G F 13 Endeavour Quay, Mumby 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 proposed chandlery use is acceptable in this location. The proposed external alterations will complement the design of the existing building and there will be no detrimental impact on traffic or parking conditions in the locality. As such, the development complies with Policies R/DP1, R/DP4, R/DP7, R/S9, R/CH1, R/ENV1 and R/T11 of the Gosport Borough Local Plan Review.

**176 K9951/2 - CHANGE OF USE FROM RETAIL SHOP TO (CLASS A1) TO ESTATE AGENTS OFFICE (CLASS A2)  
99 High Street Lee-On-The-Solent Hampshire PO13 9BU**

Members were advised that two further letters of objection and a 73 signature petition had been received. Issues cited were the loss of retail provision and the growth of office space. It was confirmed that Local Plan Policy R/S3 allows for the change of use between Class A1 and A2 uses without constraint within the Principal and District Centres.

Mr Jack Wilcock was invited to address the Board. He stated his concern at the loss of retail facilities in Lee on the Solent. There was a need to attract tourism to the area as well as the provision of good local facilities for residents. There were already a number of estate agents in the locality and there was a need to attract other types of business.

Mrs Chambers, on behalf of SBK Stubbington Ltd., was invited to address the Board. She explained that their estate agency was a family run business. They currently had premises in Stubbington where they had endeavoured to become a part of the community, including taking part in local charitable events. They planned to develop the business in Lee on the Solent in a similar way, becoming a part of the community. She considered that customers visiting their premises would become aware of other shops and businesses in the area which would help to promote local trade and their company website included information on local businesses and traders for the benefit of their customers.

RESOLVED: That planning application K9951/2 – 99 High Street, 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. Having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, it is considered that the proposed Class A2 office use would not be harmful to the retail function of Lee-on-the-Solent District Centre or the amenities of any nearby occupiers, or traffic or parking conditions in the locality. As such, the development complies with Policies R/DP1 and R/S3 of the Gosport Borough Local Plan Review.

**177 K15249/9 - DEMOLITION OF 6 NO. SHELL FILLING ROOMS AND ASSOCIATED STRUCTURES AND CONSTRUCTION OF 9 NO. DWELLINGS WITH ASSOCIATED ACCESS, LANDSCAPING, PARKING AND ANCILLARY STRUCTURES (CONSERVATION AREA) (as amended by plans received 02.02.07)**  
**Shell Filling Rooms Priddys Hard Heritage Way Gosport Hampshire**

Members were advised that consideration of this report would be deferred to the March meeting of the Board.

**178 ANY OTHER BUSINESS**

i. **Gosport Youth Council**

The Chairman suggested that officers discuss with the Gosport Youth Council the possibility of two of their members attending future meetings of the Regulatory Board in order to keep the Youth Council informed of planning issues in the Borough. Members welcomed this proposal and the Borough Solicitor agreed to take the matter forward with Policy Officer responsible for liaising with the Youth Council.

ii. **Planning Appeal Decisions**

Members were advised of the outcome of two Planning Appeal Decisions:

- (i) the Council's decision to refuse a Part 24 planning consultation K17060 for a 12 metre high monopole telecommunications mast and equipment cabinets was upheld; and
- (ii) the decision by the Council to refuse planning application K17160 was overturned by the Inspector. It was confirmed that this appeal was determined by way of written representations and that there would be no costs to the Council.

The meeting commenced at 6.00pm and concluded at 6.55pm

CHAIRMAN

**GOSPORT BOROUGH COUNCIL – REGULATORY BOARD**

**13th March 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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02.	09	K5799/1	Magennis Hall Magennis Close Gosport Hampshire	Grant Permission
03.	11	K15249/9	Shell Filling Rooms Priddys Hard Heritage Way Gosport Hampshire	Grant Permission
04.	21	K5776/1	10 Stokesway Stoke Road Gosport Hampshire PO12 1PE	Grant Permission
05.	24	K14129/25	Haslar Marina Haslar Road Gosport Hampshire	Grant Permission
06.	28	K7872/9	63 Gosport Road Lee-On-The- Solent Hampshire PO13 9EJ	Grant Permission
07.	32	K16770/10	Priddy's Hard Heritage Green Priddy's Hard Heritage Way Gosport Hampshire	Grant Listed Building Consent
08.	35	K3769/1	Land At The Mead Gosport Hampshire	Grant Permission
09.	37	K17308	4 - 52 St Vincent Road Gosport Hampshire PO12 4QN	Grant Permission
10.	39	K16605/1	7 Montgomery Road Gosport Hampshire PO13 0UZ	Grant Permission

**ITEM NUMBER: 01.**  
**APPLICATION NUMBER: K4919/9**  
**APPLICANT: Principal Estates Ltd**  
**DATE REGISTERED: 05.02.2007**

**OUTLINE - ERECTION OF A CONVENIENCE STORE (CLASS A1) WITH 5NO. FLATS ABOVE, ALTERATIONS TO ACCESS TO CLASSIFIED ROAD (B.3333) AND ASSOCIATED PARKING (as amplified by letter dated 23.02.07)**  
**Finsburys Garage Privett Road Gosport Hampshire PO12 2SU**

### ***The Site and the proposal***

The application site is located to the south west of Privett roundabout on the junction of Gomer Lane with Privett Road. To the north of the site and west of Military Road is an area of existing open space, part of HMS Sultan. To the east of Military Road is the Cocked Hat Public House set well back from the roundabout with a landscaped car park in front. To the east of Gomer Lane there are houses of differing designs with open plan front gardens. Immediately to the south of the application site there are two detached houses, 6 Gomer Lane and 7 Nasmith Close. To the south of these properties there are is a mixture of detached and semi-detached housing.

The site is currently in use as a car sales operation with a sales office and ancillary car repairs and MOT station. It contains a single storey building with a flat roof set back within the site adjacent to the north side elevation of 6 Gomer Lane. There is a large canopy roof that extends over the centre part of the site - a remnant from the previous use as a petrol filling station. The existing car sales area is screened from the east and around the corner of the site by a 1 metre high picket fence and post and chain fence with low level landscaping behind. The southern boundary to the site comprises a mixture of walls and fencing between 2.5 and 1.8 metres in height. To the south of this boundary there are a number of mature trees and shrubs located in the adjoining gardens. Number 7 Nasmith Close has no windows in its first floor north facing side elevation but two bedroom windows in the east elevation. Number 6 Gomer Lane has two obscure glazed bathroom and WC windows in its north facing side elevation located approximately 4 metres from the application site boundary and two bedroom windows in the west elevation.

The proposal is an outline application for the erection of a 371.6 square metre convenience store with five flats above, 3 x 2 bed and 2 x 1 bed. The matters to be considered at this stage are access, appearance, layout and scale. The end user of the convenience store is to be the Co-op who will operate from 7am to 11pm seven days a week employing a total of 33 people. The existing entrance located nearest to Privett roundabout is to remain but the entrance at the western corner of the site is to be closed and repositioned approximately 10 metres nearer to the roundabout. The building is to be two storey approximately 30 metres long and 14 metres wide situated 1.5 metres from the southern site boundary. It has a varied pitched roof design with eaves at 11.2 metres and a ridge height of 17 metres. On the east elevation there is a semi-circular single storey entrance lobby that projects forward of the main building which provides access to the staircase serving the first floor flats. There are to be two obscure glazed windows in the first floor south elevation and a terrace area, screened by a 1.65 metre high parapet wall, from which access is gained to 4 of the flats. At the west end of this terrace there is an external emergency fire escape staircase. The west elevation contains bedroom and living room windows with a roller shutter door at ground floor level to service the retail unit. The north elevation has a central gabled element containing double entrance doors to the retail unit with large display windows to either side. The first floor contains the primary windows to the flats and four sets of double doors to balconies serving three of the flats. The balconies are to have glazing under the balustrades. The building is to be finished in a mixture of facing brick, render and boarding under a composite standing seam roof. A total of 15 car parking spaces are to be provided to serve the whole development. Two semi-enclosed cycle stores will each accommodate 4 cycles and 10 cycle hoops. A bin store adjacent to the entrance on the east elevation will serve the flats on the southern site boundary. A further bin store will be provided to the west of the building near the southern boundary adjacent to the cycle store. Soft landscaping is

indicated along the eastern and southern boundaries to the site but the details are not for consideration at this outline stage of the application.

### **Relevant Planning History**

K.4919/8 - change of use from petrol filling station, workshop and car sales to car sales, MOT station and repairs approved 16 January 2002.

### **Relevant Policies**

Gosport Borough Local Plan Review, 2006:

- RDP1  
General Standards of Development within the Urban Area
- RS2  
Location of Additional Shopping & Leisure Floorspace
- RH4  
Housing Densities
- RT2  
New Development
- RT3  
Internal Layout of Sites
- RT11  
Access and Parking
- RENV5  
Contaminated Land
- RENV10  
Noise Pollution
- ROS8  
Recreational Space for New Residential Developments

### **Consultations**

Traffic Management

The allocation of parking between shoppers, residents and staff is not identified. There is no provision for visitors or the disabled.

The low level of car parking proposed is inconsistent with probable demand having considered the level of parking and activity observed at Queens Parade in Privett Road. It is likely to result in parking on Privett Road and Gomer Lane in the vicinity of the site which will interfere with the free flow of traffic and the safety of other road users.

The proximity of the eastern access combined with the significant increase in use above the current use presents undue risks to safety.

The access and internal parking layout does not provide sufficient manoeuvring space for the safe and convenient use of the parking places and will likely prejudice the safe use of the access.

The application does not demonstrate that adequate provision is made for goods vehicles to manoeuvre, load and unload in a safe and convenient manner and without undue interference with other users.

Cycle parking for residents is not sufficiently secure. No long stay covered secure parking is identified for staff.

Streetscene (Waste & Cleansing)

Bin storage areas of adequate size, flush threshold to bin stores required for collection purposes. A trade waste agreement required for convenience store.

Building Control

Fire service access satisfactory.

Environmental Health (Pollution & Environment)

No details of procedures/structures to be applied to mediate noise nuisance from early morning deliveries. With the exception of newspapers, for which special provision would have to be made, all other deliveries to the site should be restricted to 7.00 to 22.00 hours. Location of employee welfare facilities not identified. Similar premises support bakery units, but without further details it is not possible to comment on other sources of potential nuisance such as smells and extraction equipment.

Southern Water

A formal application for connection to the public sewer will need to be made to Southern Water should planning approval be granted and a condition should be imposed requiring details of the proposed means of surface water disposal to be submitted and agreed.

Environment Agency

Object because the level of possible risk of pollution to controlled waters has not been assessed: no assurance provided by applicant that the risks of pollution are understood, as a desk study, conceptual model and assessment of risk have not been provided as required by PPS23 and no mitigation measures proposed. Any contamination present at the site could pose a risk to the minor aquifer underlying the site.

### ***Response to Public Advertisement***

271 letters of objection

Issues raised: traffic issues including road safety for vehicles and pedestrians with increased manoeuvring; environmental impact of increased traffic, especially of large delivery lorries; inadequate on site parking likely to cause parking on Privett Road and in Gomer Lane causing congestion and increasing the chance of Road Traffic Collisions; detrimental impact on existing

neighbourhood shops especially local independents; likely impact on the viability of the Co-op store at Bury Cross; shops in Broadsands Drive have closed and the site has been developed for housing due to lack of viability; the effect the appearance of a convenience store will have in this residential area; unacceptable opening hours; likely unacceptable levels of noise, litter and anti-social behaviour; contrary to Policy R/S2 of the Gosport Borough Local Plan Review in not demonstrating the need for additional provision in an 'out of centre site', and the sequential approach to site selection as defined in Planning Policy Statement 6 has not been properly carried out; application site description refers to being in Privett Road and not Gomer Lane; no objection in principle to residential development of the site.

A further 12 letters were received but did not contain the addresses of the writers and cannot therefore be taken into consideration in determining this application.

### ***Principal Issues***

1. The main issues in this case are whether this type of mixed use development is acceptable in this location in land use terms, the impact on existing defined shopping centres and whether there is an identified retail need, the acceptability of the design of the building and impact on the visual amenities of the area, the impact on the amenities of nearby residents including noise generation, the impact of traffic movements and parking provision and servicing on highway safety, the extent of any land contamination, and provision of refuse storage facilities and open space.
2. 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 and other relevant policies of the Gosport Borough Local Plan Review. The proposal would result in a residential density of approximately 42 dwellings per hectare which is within the 30 to 50 dwellings per hectare range of Policy R/H4 of the Gosport Borough Local Plan Review. The site is not within an identified shopping centre. However the applicant has not undertaken a sequential test or provided information relating either to the retail need, or the impact on the vitality and viability of existing centres that is required by Policy R/S2 of the Gosport Borough Local Plan and Planning Policy Statement 6: 'Planning for Town Centres'. Consequently the retail element of this proposal is unacceptable as without evidence to the contrary it has to be considered detrimental to established defined centres in the area, in particular Queens Parade which is located approximately 250 metres to the east of the application site in Privett Road.
3. Turning to the design, the north east corner of the building lacks the necessary visual interest for this prominent corner location. Moreover, the west elevation, which is highly visible when travelling east along Privett Road, has all the characteristics of a rear service area. The site is in a residential area and the chosen roof material and overall form of the building and its mass does not relate well to the adjacent detached dwellings. As such the proposal will be detrimental to the visual amenities of the area contrary to Policy R/DP1 of the Gosport Borough Local Plan Review.
4. The proposed building will project 15 metres past the rear elevation of 6 Gomer Lane and at a height of 17 metres to the ridge will have an unacceptable impact on the outlook from neighbouring properties. It will be possible for occupiers of the flats to look over the 1.65 metre high parapet wall around the first floor rear terrace and residents will be able to use the external fire escape as a means of access to their properties. As a consequence there will be possible noise nuisance and an unacceptable degree of overlooking of the rear garden and bedroom windows in the west elevation of 6 Gomer Lane. In the absence of any mitigation measures noise associated with deliveries and noise and odours from plant or extraction/ventilation equipment could result in a nuisance to neighbouring residents. As such the proposal would be detrimental to the residential amenities of the area and contrary to Policies R/DP1(iv) and R/ENV10 of the Gosport Borough Local Plan Review.
5. The submitted plans indicate 15 parking spaces but do not provide details of how the parking will be allocated between the residential units and the retail element. In this location it is reasonable to assume there will be a demand of one space per flat, with two additional spaces for visitors. This would leave only 8 spaces for the use of the shop staff and customers. The proposed store is of a

similar size to the nearby Co-op at Queens Parade, which has a car park of 33 spaces shared with 6 other smaller uses. Casual observation indicates that the Co-op is responsible for at least 50% of the parking demand, possibly much more. The car park is well used and has been observed at near capacity on a weekday, and at capacity on Saturday mornings. This indicates that a parking provision of, the very least, 15 spaces would be necessary to avoid parking over spilling onto the streets. This is a very rough indicative figure and more robust analysis is needed to confirm practical parking provisions. The Access Statement submitted as part of the application highlights the location advantages of the store for the driver. It clearly has good potential to attract local people and passing trade from traffic travelling both north to south and east to west. The lack of off street parking provision is likely to result in parking on Privett Road and Gomer Lane, where it will interfere with the safety of others road users and the flow of traffic in the vicinity of a busy roundabout. There are two accesses proposed to the site which both appear to be available for entry and egress. There is an existing access to the east situated only 18m from the roundabout. This is not presently in use by the current car sales/garage services, but was used as an entry by the former petrol station. This appears to be the primary access to the store. Because of the proximity to the roundabout vehicles signalling to turn left or right into the site will be indistinguishable from vehicles turning off the roundabout or turning right into Gomer Lane. The proposed store is likely to generate considerably higher traffic movements than the current use and the turning movements necessary to access the site present an exceptional risk of collisions and tail end shunts on this heavily trafficked road. For purposes of comparison, the access to the Total petrol station is 40m from The Avenue. The Privett Road access to the Cocked Hat Public House is 25m from the roundabout. The latter is likely to experience far lower turning movements than the application site. Servicing is required by articulated vehicles and other lorries. The applicant acknowledges the need for vehicles to enter and leave in a forward direction but does not demonstrate that this is possible. The parking of goods vehicles for unloading also requires the use of two of the proposed parking spaces, compounding the problems identified above. In the absence of those spaces the vehicles may encroach upon that part of the access lying in the public highway and interfere with the safety and convenience of other users. The need to accommodate large vehicles has led to a proposal to relocate the existing western access and to widen it to 14m. This could cause some confusion as to the paths vehicles are expected to take in relation to each other. This is not ideal for the safety of pedestrians. Of the limited number of spaces provided, spaces 10, 14 and 15 would be inconvenient to access. Egress from 13 is also relatively restricted. The inadequate number of parking spaces, combined with the difficulties of access, and the proximity to Privett Road is likely to lead to congestion within the parking area. This in turn will inhibit the free flow of traffic into the site which could further increase the risk of collisions on Privett Road. In summary the proposal is unacceptable in terms of its parking provision, internal layout and servicing and will have a detrimental impact on highway safety. As such the development does not comply with Policies R/DP1(vi), R/T2(ii), R/T3(v) and R/T11 of the Gosport Borough Local Plan Review.

6. The cycle stores shown on the plans are not considered suitable for long-stay parking in association with the residential units. They do not provide an enclosed store giving weather protection and only the front wheels of the bicycles can be secured. Without doors the security of bicycles stored within is compromised and it is unlikely that they will be attractive for long-stay cycle parking. Short stay cycle parking must be provided to at least the minimum levels outlined in the Hampshire Parking Strategy and Standards. The plans would appear to indicate Sheffield style stands which are an acceptable solution as they allow the frame of the bicycle to be secured. However the hoops shown adjacent to car parking spaces 11-15 would appear to be inaccessible when cars are utilising the spaces. The proposal therefore does not provide cycle parking to the minimum acceptable level contrary to Policy R/T11 of the Gosport Borough Local Plan Review.

7. The Environment Agency has raised an objection to the proposal as submitted because there is insufficient information to demonstrate that the risk of pollution to controlled waters is acceptable. As such the proposal does not comply with the requirements of Planning Policy Statement 23: 'Planning and Pollution Control' or Policy R/ENV5 of the Gosport Borough Local Plan Review.

8. The applicant has confirmed a willingness to enter into 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 five flats. Without this obligation the proposal is unacceptable.

### **RECOMMENDATION: Refuse**

#### **For the following reasons:-**

1. The site is not located within a defined shopping centre but a sequential test has not been undertaken and insufficient information has been submitted in terms of a needs assessment for the proposed convenience store and its impact on existing defined shopping centres. In the absence of this information it is considered that the proposal will have a detrimental impact on the vitality and viability of the existing shopping centres in the area. As such the proposal is contrary to Planning Policy Statement 6 'Planning for Town Centres' and Policy R/S2 of the Gosport Borough Local Plan Review.
2. The design and external appearance of the building is inappropriate in this prominent location and would be detrimental to the visual amenities of the area contrary to Policy R/DP1 of the Gosport Borough Local Plan Review.
3. The proposed development by reason of its detailed design, including the provision of a terrace and external fire escape, and excessive building mass would adversely affect the outlook from and privacy available to occupiers of the adjoining residential properties contrary to Policy R/DP1 of the Gosport Borough Local Plan Review.
4. The level of parking provision is significantly less than the maximum provision and is considered to be wholly inadequate to meet the likely demand. This is likely to result in parking on Privett Road and Gomer Lane in the vicinity of the site which will interfere with the free flow of traffic and the safety of other road users contrary to Policies R/DP1(vi), R/T2(ii), R/T3(v) and R/T11 of the Gosport Borough Local Plan Review.
5. The development will result in increased use of the existing access and this together with the repositioned access would cause undue interference with the safety and convenience of the users of the adjoining highway adjacent to a roundabout located on this busy classified (B.3333) traffic route contrary to Policies R/DP1(vi) and R/T2(iii) of the Gosport Borough Local Plan Review.
6. The access and internal parking layout does not provide sufficient manoeuvring space for the safe and convenient use of the parking spaces and will likely prejudice the safe use of the access points contrary to Policies R/DP1(vi) and R/T3(v) of the Gosport Borough Local Plan Review.
7. The proposal does not demonstrate that adequate provision is made for goods vehicles to manoeuvre, load and unload in a safe and convenient manner and without undue interference with other users contrary to Policies R/DP1(vi) and R/T3(v) of the Gosport Borough Local Plan Review.
8. Inadequate and inappropriate provision is made within the proposed development for secure long term and short term cycle parking facilities contrary to Policy R/T11 of the Gosport Borough Local Plan Review.
9. No information has been submitted to demonstrate that the risk of pollution to controlled waters is acceptable. No assurance is given that the risks of pollution are understood as no desk study, conceptual model and assessment of risk have been provided to enable the issue to be addressed through appropriate measures. As such the proposal is contrary to Planning Policy Statement 23 'Planning and Pollution Control' and Policy R/ENV5 of the Gosport Borough Local Plan Review.

**ITEM NUMBER: 02.**  
**APPLICATION NUMBER: K5799/1**  
**APPLICANT: Portsmouth Housing Association**  
**DATE REGISTERED: 24.01.2007**

**CHANGE OF USE OF COMMUNITY HALL TO HOUSING ASSOCIATION OFFICE**  
**Magennis Hall Magennis Close Gosport Hampshire**

***The Site and the proposal***

The site lies in the centre of the residential area previously developed and occupied as a Naval married quarters (Rowner 1) off Grange Road. Although the building was originally erected as an estate shop by the Ministry of Defence, its use evolved into a local community hall prior to release of the land by the MOD. The single storey building currently stands empty and has not been used for community activities for over a year.

The proposal is to convert the internal accommodation for use as an office and resource centre by Portsmouth Housing Association. External alterations include the introduction of windows into all elevations and amendment to access doorways.

***Relevant Planning History***

GOB 5799 Erection of lock-up retail shop building - No objection raised 16.06.67

***Relevant Policies***

Gosport Borough Local Plan Review, 2006:

- RCF2  
Protection of Existing Health and Community Facilities
- RDP1  
General Standards of Development within the Urban Area
- RT11  
Access and Parking

***Consultations***

Traffic Management	existing car park acceptable level of provision for office use - cycle parking details should be provided.
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***Response to Public Advertisement***

Nil

***Principal Issues***

1. The main considerations in this case are the loss of an existing community facility to office accommodation and the potential effects resulting from the introduction of new windows.
2. The building has not been used for community activities, other than carnival storage, for about 15 months. This decline in use has been a result of the creation of new facilities in the Youth Services building and the SureStart centre on the Siskin School campus. Other activities have migrated to the Community Centre on Nimrod Drive. Under these circumstances the proposed use will not be in conflict with Policy R/CF2 which seeks to ensure adequate and appropriate facilities

are available in the locality. The proposed use by the Housing Association is considered to be an appropriate alternative use that is supportive of the local community.

3. To the east, south and north the building looks into its 1.8 metre high fenced compound and car parking area. To the north the building faces the fenced rear gardens of nearby residential properties. As the building is single storey in height none of the new ground floor windows will result in overlooking or loss of privacy to any of the surrounding residential properties.

4. The existing car park area is not marked out and no details of cycle parking facilities have been provided within the application. It is proposed to require the submission and implementation of these details through use of a planning condition.

**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 proposed use is acceptable in this location and the alterations to the building will not result in overlooking of, or loss of privacy within, surrounding dwellings. As such the development complies with Policies R/DP1 and R/CF2 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. The development hereby permitted shall not be brought into use until the areas for the parking of vehicles shall have been provided, and the areas shall be marked out and subsequently retained, and kept available at all times for this purposes in accordance with a scheme to be agreed in writing by the Local Planning Authority.

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.

3. 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 to be 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.

**ITEM NUMBER: 03.**  
**APPLICATION NUMBER: K15249/9**  
**APPLICANT: Bayview Developments Bournemouth Ltd**  
**DATE REGISTERED: 10.01.2007**

**DEMOLITION OF 6 NO. SHELL FILLING ROOMS AND ASSOCIATED STRUCTURES AND CONSTRUCTION OF 9 NO. DWELLINGS WITH ASSOCIATED ACCESS, LANDSCAPING, PARKING AND ANCILLARY STRUCTURES (CONSERVATION AREA)(as amended by plans received 02.02.07 and 26.02.07 and amended Flood Risk Assessment received 09.02.07)**  
**Shell Filling Rooms Priddys Hard Heritage Way Gosport Hampshire**

### ***The Site and the proposal***

The site is located in the south west corner of Priddy's Hard within the Priddys Hard Conservation Area. To the south is Forton Lake, an SPA/Ramsar site. Immediately to the north and west is a site of Local Nature Conservation Importance which separates the site from the housing development to the north west, and the ramparts, a Scheduled Ancient Monument, and its associated 'cordon sanitaire', to the north east, which bound the Priddys Hard Heritage Area where mixed use development has recently been permitted.

There is a concrete road way supported in some places on concrete beams which runs east-west through the site and on up to the Millenium Bridge via the residential element of the Priddy's Hard Heritage Area development and past the Shell Printing Room Building 341 which is at the entrance to the application site. Mid-way along its length within the application site this roadway forks off to the north and loops back onto Heritage Way. There is sheet piling and a concrete retaining wall at the edge of Forton Lake with a 2.5 m high chain link fence along most of the southern boundary apart from a short length of brick wall 3.4 m high at the eastern end of the site.

Six former shell filling rooms, only 4 of which are still standing, were set into the southern side of a large brick-lined earth embankment which returns to the east and west. This northern traverse is bounded to the north by a moat. To the south of these rooms is another earth embankment with a brick retaining wall on its northern side. This southern traverse slopes down towards Forton Lake. Between this embankment and the shore is a relatively level area where the former shell emptying rooms stand. At the eastern end of this level area is the surviving Trotyl Melting Room. A Trotyl Melting Room at the western end was demolished several years ago. These buildings are important from a historic perspective. There are also a number of other ancillary buildings on the site.

Planning permission K15249/5 was granted two years ago to refurbish and convert the existing Shell Filling Rooms to residential use and rebuild on the foot prints of the former Shell Filling Rooms, the Shell Emptying Room and the Trotyl Melting Rooms to create a total of 9 residential units with associated vehicle and cycle parking and refuse storage facilities. However, after further contamination surveys it is now clear that the contamination of the buildings that remain cannot be mitigated. The proposal has therefore been revised and is now for the complete demolition by burning of all the remaining buildings and the construction of 9 new dwellings, replicating as far as possible the buildings to be demolished. The southern traverse is to be reduced in height to 2 metres at the centre to improve the aspect from the 6 new dwellings to be sited on the original footprint of the former Shell Filling Rooms and a communal garden is to be formed in front of it. Access is to be through the residential element of the Priddy's Hard Heritage Site redevelopment via the spur road from Heritage Way. It is proposed to demolish part of Building 341, currently in the ownership of the Council, to provide a vehicular access that will meet Highway standards. Two minor oak trees are to be removed. A Tree Schedule, Flood Risk Assessment, Ecological Survey and Impact Assessment, a Site Investigation Report relating to contamination, and a Method Statement for the Decontamination of Explosives Buildings by Burning have been submitted with the application.

### **Relevant Planning History**

K15249 Change of use to use in connection with urban farm withdrawn 14.04.99

K15249/1 Conservation Area Consent for demolition of Shell Filling Rooms, Blast Walls and associated structures withdrawn 26.11.03

K15249/3 Conversion of existing and new build to form 9 residential units withdrawn 09.05.05

K15249/4 Conservation Area Consent for demolition of Trotyl Melting Room etc refused 09.05.05

K15249/5 Conversion of existing buildings to form 5no. dwellings and erection of 4 new dwellings with associated landscaping, parking, flood defences and access road permitted 22.08.05

K15249/6 Conservation Area Consent for demolition of Trotyl Melting Room etc granted 01.11.05

K15249/7 Demolition of 6 no. existing shell filling and emptying rooms with associated structures and construction of 9 no. new dwellings with associated landscaping, parking, ancillary buildings, flood defences and new access road and repositioning of existing fence and works to sea defences withdrawn 28.06.06

K15249/8 Conservation Area Consent for demolition of 6no. existing shell filling and emptying rooms etc withdrawn 10.07.06

K15249/10 Conservation Area Consent application for the demolition of the buildings is currently pending consideration

### **Relevant Policies**

Gosport Borough Local Plan Review, 2006:

RBH2

Demolition in Conservation Areas

RDP8

Protection of Trees

R/ENV9

Safeguarded Areas

ROS13

Protection of Habitats Supporting Protected Species

RT10

Traffic Management

RT3

Internal Layout of Sites

RBH1

Development in Conservation Areas

RBH8

Archaeology and Ancient Monuments

RCH1

Development within the Coastal Zone

RCH2

Pedestrian Access Along the Coast

RDP1

General Standards of Development within the Urban Area

RDP3

Provision of Infrastructure, Services and Facilities

RDP4

Mixed-use Developments

RDP6

Landscape Design

RENV1

Floodplains and Tidal Areas

RENV2

River and Groundwater Protection

RENV4

Treatment of Foul Sewage and Disposal of Surface Water

RENV5  
Contaminated Land  
RH4  
Housing Densities  
ROS8  
Recreational Space for New Residential Developments  
ROS10  
Protection of Areas of International Conservation Importance  
ROS11  
Protection of Areas of National Nature Conservation Importance  
ROS12  
Locally Designated Areas of Nature Conservation Importance  
ROS14  
Biodiversity Action Plans  
RT11  
Access and Parking

**Consultations**

Defence Estates	No objection.
English Heritage	No comments - refer to SoS.
Natural England	No objection subject to conditions requiring method statement for burning, contamination investigation and mitigation, timing of works to avoid disturbance to overwintering birds, planting and maintenance of prickly hedge adj to flood wall. Appropriate assessment not required.
County Archaeologist	No objection subject to conditions relating to watching brief and recording.
Environmental Health (Pollution & Environment)	No objection but scope for more investigative work.
Traffic Management	No objection subject to conditions requiring signage and lighting on access, details of cycle storage, measures to keep turning area clear and operation of sliding gate.
Building Control	Fire access satisfactory.
Streetscene (Contracts)	Storage facilities adequate.
Environment Agency	No objection in principle subject to conditions relating to maintainance of flood defences and contamination remediation as residential permission has already been granted and this scheme represents a significant improvement in terms of flood risk mitigation.
The Gosport Society	No objection.

## **Response to Public Advertisement**

1 letter of objection to Conservation Area Application K15249/9.

Issues raised: contamination report should be carefully checked to be certain demolition is the only option and what impact this has for residential development

### **Principal Issues**

1. The site is within the urban area boundary and designated for residential use under Policy R/DP4, but it is in a sensitive area both historically and from a nature conservation perspective. The main issues are therefore the impact of the proposal on the character and appearance of the Conservation Area, whether the density is appropriate having regard to the conservation issues, provision to be made for access, parking, refuse and cycle storage, amenity and open space, measures proposed to mitigate against contamination and flood risk and the effect on wildlife in the area.
2. The buildings are currently in a semi derelict state and neither enhance nor preserve the character and appearance of the conservation area. The site investigation report demonstrates the site is irredeemably contaminated and the buildings cannot be used without presenting a danger to health and safety to the potential occupiers and a condition requiring archaeological recording prior to works commencing will result in a detailed record of the historic significance of the buildings. The new road will facilitate public access to the area, particularly the ramparts, to promote further appreciation of this historic setting. The new build is of the same scale and massing and in the same locations as the historic buildings. As such the proposed development retains the historic pattern of development in the area. Conditions relating to the materials, windows and doors, and other architectural details, and further details of the proposed landscaping, will ensure the buildings relate well to the existing character and appearance of the area. The proposal therefore complies with Policies R/BH1, R/BH2, R/BH8, R/CH1, R/CH2, R/DP1 and R/DP6. Any additional buildings or buildings of a greater height would be unacceptable in this location. As such the proposal meets the special circumstances criteria to comply with Policy R/H4.
3. Natural England have confirmed that an Appropriate Assessment is not required as on the basis of the information and mitigation measures within the ecological report submitted with the application and subject to appropriate conditions the proposal is unlikely to have a significant overall impact on the interest features of Portsmouth Harbour SPA/Ramsar Site. The existing embankments will prevent silhouetting against the skyline and the proposed flood wall will screen the movements of people and their dogs and vehicles moving along the access road. Moreover, the location of the properties is away from the foreshore. The Ecological Phasing Plan submitted together with a contamination remediation strategy and method statement for demolition/construction prevent disturbance to over-wintering birds and mitigate against any potential harm to nature conservation interests during the construction phase. A condition requiring the submission, approval and implementation of a management plan for the part of the local nature reserve within the site will enhance its protection. The proposal therefore complies with Policies R/OS10, R/OS11, R/OS12, R/OS13 and R/OS14.
4. In compliance with Policy R/ENV1 the Flood Risk Assessment submitted with the application demonstrates that the proposed dwellings will be adequately protected by the existing embankments and a new flood defence wall tied into these will protect against wave action. Conditions will ensure these measures are retained and maintained.
5. Parking (both vehicular and for cycles), access and refuse storage facilities are considered satisfactory subject to appropriate conditions in compliance with Policies R/DP3, R/T3, R/T10 and R/T11.
6. A communal garden is proposed for residents and the applicant has agreed to enter into a Section 106 Agreement relating to the payment of a commuted sum towards the provision of

outdoor playing space. Without such provision the proposal would be contrary to Policy R/OS8 of the Gosport Borough Local Plan Review and therefore recommended for refusal.

7. The three trees to be felled do not have the potential to develop into good specimens as one is growing hard up against an existing building, and the other two are against the fence on the south boundary with a drop to the shoreline where rooting may be poor. Their loss will be mitigated by new planting as part of the landscaping proposed to be required by condition.

8. A site investigation report and Method Statement for Demolition by Burning and conditions to require a Contamination Remediation Method Statement and secure the implementation of this and the submitted Demolition by Burning Method Statement and control drainage construction will ensure there is no risk of pollution or to human health to comply with Policies R/ENV2, R/ENV3, R/ENV4 and R/ENV5.

**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 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the development is acceptable in principle in this location and by maintaining the historic layout, scale and massing, will ensure that the character and appearance of the conservation area is preserved and enhanced. A satisfactory flood risk assessment has been undertaken and mitigation measures will be implemented to prevent any adverse impact on archaeological and nature conservation interests or risk from contamination. The access and parking is adequate and provision has been made for amenity space on site and outdoor playing space within the Borough as a whole. As such the proposal complies with Policies R/DP1, R/DP3, R/DP4, R/DP6, R/DP8, R/T3, R/T10, R/T11, R/CH1, R/CH2, R/BH1, R/BH2, R/BH8, R/H4, R/OS8, R/OS10, R/OS11, R/OS12, R/OS13, R/OS14, R/ENV1, R/ENV2, R/ENV4, R/ENV5, and R/ENV9 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 whatsoever pursuant to this permission shall take place other than in accordance with the ecological phasing plan as set out in Appendix V of the approved Ecological Survey and Impact Assessment received 10 January 2007.

Reason - To prevent construction activities from causing adverse disturbance to bird populations in Forton Lake and other protected species on site and to comply with Policies R/OS10, R/OS11, R/OS12, R/OS13 and R/OS14 of the Gosport Borough Local Plan Review.

3. No development shall be commenced until provision has been made for the long term retention and maintenance of the flood defences and road access hereby approved.

Reason - To ensure that the access and structural integrity of the flood defences are maintained in compliance with Policies R/T11 and R/ENV1 of the Gosport Borough Local Plan Review.

4. No development shall commence until a scheme to deal with the risks associated with contamination of the site has been submitted to and approved by the Local Planning Authority in writing. Such a scheme shall include

a) A Desk study identifying

- \* All previous uses
- \* Potential contaminants associated with those uses
- \* A conceptual model of the site including sources, pathways and receptor
- \* Potentially unacceptable risks arising from contamination of the site

b) A Site Investigation Scheme based on the Desk Study to provide information for an assessment of the risk to all receptors that may be affected including those off site

c) The results of the Site Investigation and risk assessments and a Method Statement based on the Site Investigation results giving full details of the remediation proposed and how they are to be undertaken and including proposals for future maintenance and monitoring and 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.

5. The development hereby permitted shall not be occupied until there has been submitted to the Local Planning Authority verification by the competent person approved under the provisions of condition 4 that the remediation scheme required and approved under the provision of condition 4 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 4.

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. The trees on the site which are to be retained shall be protected during the construction period in accordance with BS 5837.1991.

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

7. Details of measures to be taken to prevent mud from vehicles leaving the site during construction works being deposited on the public highway shall be submitted to the Local Planning Authority for approval and no works pursuant to this permission shall commence until the approved measures have been implemented in accordance with the approved details.

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

8. No works above slab level shall commence until a landscaping scheme has been submitted to and approved by the Local Planning Authority. The scheme shall include proposed finished levels, elevations showing the design of all fences and walls and all methods of boundary treatment, details and samples of hard surfacing materials, planting plans showing schedules of plants noting species, plant sizes and proposed number/densities and implementation and maintenance programmes with written specifications of cultivation and other operations associated with plant and grass establishment, details of street furniture including bollards, details of any signage, and details of all external lighting.

Reason - In order to preserve and enhance the character and appearance of the conservation area and to comply with Policies R/BH1, R/DP1 and R/DP6 of the Gosport Borough Local Plan Review.

9. The hard and soft landscaping shall be completed in accordance with the details submitted and approved under condition 8 of this permission before any of the dwellings hereby permitted are first occupied and any trees or plants which die or 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 order to preserve and enhance the character and appearance of the conservation areas and the historic buildings and to comply with Policies R/BH1, R/DP1 and R/DP6 of the Gosport Borough Local Plan Review

10. Details of the steel frame canopy for unit 9 shall be submitted to and approved by the Local Planning Authority before that part of the development is commenced and the frame shall be completed in accordance with the approved details and thereafter maintained as such.

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

11. Details of the hinged timber doors to units 1-6, and of typical other doors, windows and any other openings on all units including horizontal and vertical sections at a scale of 1:20 shall be submitted to and approved in writing by the Local Planning Authority before works relating 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 ensure the appearance of the buildings preserve and enhance the character and appearance of the Conservation Area in compliance with Policies R/BH1 and R/DP1 of the Gosport Borough Local Plan Review.

12. Details including samples of all external facing and roofing materials for the proposed buildings including bricks, cast stone cills, natural slates, powder coated window and door frames and timber cladding (including colour) shall be submitted to and approved in writing by the Local Planning Authority before work above slab level is commenced. The development shall thereafter be implemented in accordance with the approved details.

Reason - Such details have yet to be submitted and to ensure the appearance of the buildings preserves and enhances the character and appearance of the Conservation Area in compliance with Policies R/BH1 and R/DP1 of the Gosport Borough Local Plan Review.

13. An historic and ecological study of the area hatched green on the approved plans shall be undertaken and used to develop a Management Plan to be submitted to the Local Planning Authority for approval. The Management Plan shall include details of the mitigation measures to be undertaken to protect badgers, slow worms, lizards and any other protected species from the impact of the development and shall include details of the barrier to prevent access. None of the units hereby permitted shall be occupied until the Management Plan has been approved in writing by the Local Planning Authority and implemented in accordance with the approved details.

Reason - To ensure that the ecology of the area is protected and to comply with Policies R/BH1, R/BH8, R/OS12, R/OS13 and R/OS14 of the Gosport Borough Local Plan Review.

14. No development shall take place until details of all drainage works within the site 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/ENV1, R/ENV2, R/ENV4 and R/ENV5 of the Gosport Borough Local Plan Review.

15. No Soakaway shall be constructed in contaminated ground.

Reason - To prevent pollution of the groundwater and to comply with Policy R/ENV2 of the Gosport Borough local Plan Review.

16. Before development commences details of the proposed alterations to the south transverse wall including elevations and a typical section at a scale of 1:20 clearly illustrating the method of re-forming the coping and proposed steps shall be submitted to and approved by the Local Planning Authority in writing.

Reason - Such details have yet to be submitted and to preserve and enhance the character and appearance of the Conservation Area and to comply with Policy R/BH1 of the Gosport Borough Local Plan Review.

17. Before that part of the development commences details of the proposed method of fixing the new build elements to the north traverse wall around units 1-6 and details of the proposed new drainage channels including a section detail at a scale of 1:5 shall be submitted to and approved by the Local Planning Authority in writing.

Reason - Such details have yet to be submitted and to preserve and enhance the character and appearance of the Conservation Area and to comply with Policy R/BH1 of the Gosport Borough Local Plan Review.

18. 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 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.

19. Prior to, and during demolition the existing buildings on the site shall be recorded to Level III standard as defined in the 2006 English Heritage Document Understanding Historic Buildings – A Guide to Good Recording Practice.

Reason - To ensure that the historic significance of the buildings is recorded and to comply with Policy R/BH8 of the Gosport Borough Local Plan Review.

20. 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.

21. The development hereby permitted shall not be brought into use until the access road including turning and passing spaces shown on the approved plan shall have been constructed and it shall thereafter be maintained and turning spaces and passing places be kept available for that purpose at all times in accordance with a management plan submitted to and approved in writing by the Local Planning Authority.

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.

22. 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.

23. Facilities for the storage of refuse for removal from the premises shall be provided in accordance with a scheme to be submitted to, and approved by, the Local Planning Authority before the development is first brought into use and thereafter retained and maintained.

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

24. Details of the method of operation of the proposed sliding gate shall be submitted to and approved by the local Planning Authority in writing before development is first brought into use and the gate shall thereafter be retained and maintained in accordance with the approved details.

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

25. No works whatsoever including demolition or decontamination by burning shall commence until a scheme for the method of working has been submitted to and approved by the Local Planning Authority in writing. Such scheme shall:

a) Identify potential sources of pollution during the demolition, decontamination by burning and construction process

b) Identify all environmental receptors in the locality

c) Set out measures both to prevent pollution occurring and to deal with any incident that may occur.

d) Set out measures to prevent disturbance to birds using the foreshore by restricting demolition, decontamination by burning and major construction works between 2 hours either side of high tide when birds are not on the foreshore.

e) Be implemented in full in accordance with the approved details.

Reason - To prevent pollution of the water environment and in the interests of nature conservation interests in compliance with Policies R/OS10, R/OS11, R/OS12, R/OS13, R/OS14 and R/ENV5 of the Gosport Borough Local Plan Review.

Reason - To prevent demolition activities from causing adverse impact on the environment, amenity or human health in compliance with Policies R/DP1, R/ENV2, R/ENV5, and R/ENV12 of the Gosport Borough Local Plan Review.

26. A scheme for lighting and signing the access road shall be submitted to and approved by the Local Planning Authority in writing and thereafter implemented in accordance with the approved details before the development is first brought into use.

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

27. If during development contamination not previously identified is found to be present on the site then no further development shall be carried out other than with the written agreement of the Local Planning Authority until there has been submitted and approved by the Local Planning Authority in writing an amendment to the Method Statement required by condition 4 of this permission detailing how the unsuspected contamination shall be dealt with.

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.

28. No piling or any other foundation design using penetrative methods shall take place pursuant to this permission otherwise than in accordance with a scheme submitted to and approved by 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.

29. No infiltration of surface water drainage shall take place other than in accordance with a detailed scheme submitted to and approved by 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.

30. Any decontamination burn and demolition works and major construction works shall be undertaken outside of the over wintering period of 1 October and 31 March and between either side of high tide when birds are not on the foreshore.

Reason - To prevent disturbance to over wintering birds in compliance with Policies R/OS10 and R/OS11 of the Gosport Borough Local Plan Review.

31. A hedge of a suitable species, thickness and height and in such a location to prevent dogs accessing the foreshore as agreed in writing with the Local Planning Authority shall be planted adjacent to the Flood Wall before the development is first brought into use and shall thereafter be retained and maintained in accordance with a maintenance scheme submitted to and approved by the Local Planning Authority in writing before development commences.

Reason – To prevent disturbance to birds using the foreshore and to comply with policies R/OS10, R/OS11, R/OS12, R/OS13 and R/OS14 of the Gosport Borough Local Plan Review.

**ITEM NUMBER: 04.**  
**APPLICATION NUMBER: K5776/1**  
**APPLICANT: Mrs F Noble**  
**DATE REGISTERED: 17.01.2007**

**CHANGE OF USE FROM FINANCIAL AND PROFESSIONAL SERVICES (CLASS A2) TO  
A WOMEN'S HEALTH AND FITNESS CENTRE (CLASS D2)  
10 Stokesway Stoke Road Gosport Hampshire PO12 1PE**

***The Site and the proposal***

The application site is located on the north side of Stoke Road within the Stoke Road District Shopping Centre. The premises have been vacant for over a year and are located at the western end of Stokesway, a purpose designed two storey flat roofed shopping parade constructed in the mid 1960s with flats and offices above, on the corner with Stoke Gardens. To the rear of the premises there is a private tarmac surfaced access road which also serves The Garden Keep a four storey block of flats with garaging at ground floor level. To the west, on the other side of Stoke Gardens, there is a Solicitor's office and Dental Practice. Bed World and Waitrose are located opposite on the southern side of Stoke Road. To the east immediately adjoining the site is Phone Trader, an estate agents and a camera shop. The premises comprise a ground floor office/reception area with a large display window on the corner of the building with a staircase leading to approximately 200 square metres of first floor office accommodation.

The proposal is to change the use of the premises from financial and professional services (Class A2) to a Women's Health and Fitness Centre (Class D2). The applicant is wishing to operate a 'Curves' franchise specifically designed for women offering a 30 minute exercise programme using 8 hydraulic resistance machines and weight management counselling. There will be no alterations to the existing ground floor display window but first floor windows onto Stoke Road will be obscured by the use of 'Curves' transfers. These are opaque to allow full light in, but to provide privacy for members during their exercises. Should consent be granted for this change of use a separate application for Advertisement Consent will be submitted.

There will be a reception/social area at ground floor level. The first floor is to include a registration area, retail display area, changing rooms, customer and staff toilets and exercise circuit area with a stretch and cool down area. In addition there will be a staff room, manager's office and small kitchen area. Initial opening hours will be 9.00-13.00 on Monday to Saturday with an equivalent of 2-3 full time staff. This is likely to increase to 19.00 hours with a staff of 5 catering for between 25 and 30 members at any one time.

***Relevant Planning History***

K.5776 - erection of shop front with formation of solicitors office at ground floor approved 28 April 1967.

***Relevant Policies***

Gosport Borough Local Plan Review, 2006:

- RDP1
- General Standards of Development within the Urban Area
- RS3
- Principal & District Shopping Centres
- RS5
- Non 'Class A' Uses in Shopping Centres at Ground Floor
- RS7
- Use of Upper Floors
- RT11

## Access and Parking

### **Consultations**

#### Traffic Management

No objection. Under the principles of maximum car parking standards an objection to a lack of car parking at the site could not be sustained. The limitations of the site are recognised, no suitable space for cycle parking.

#### Building Control

Fire service access is satisfactory, access into the building and internal arrangements should accommodate disabled users in accordance with Part M of the Building Regulations.

#### Economic Prosperity

Alternative sites have been investigated to find a suitable Town Centre site without success. A location in Stoke Road, as an edge-of-centre site, appears to offer the most appropriate and sustainable location for this type of use.

Whilst the change of use would result in a reduction of the number of potential jobs available on this site, it would bring back into use premises that have been vacant for more than 12 months.

The provision of a health and fitness centre does extend the choice available to local residents and workers in the Town area and the expected increase in footfall should benefit surrounding businesses. It may also improve the attractiveness of the area to new businesses and aid recruitment and retention of staff by increasing the range of amenities available to local workers.

Taking all the above factors into account, I support this application.

### **Response to Public Advertisement**

nil

### **Principal Issues**

1. The main issues in this case are whether such a change of use is acceptable in land use terms, the impact on the amenities of nearby occupiers and traffic/parking conditions in the locality.
2. As there will be no significant change to the external appearance of the premises there will be a very limited impact on the appearance of this part of Stoke Road. The application site is located in the Stoke Road District Shopping Centre and as such Policy R/S3 is applicable. A total of 31.4% of the frontage is currently occupied by non A1 and A2 uses with this changing to 32.2% as a result of this proposal. This is less than the recommended 33% permissible and as such the proposal

complies with Policy R/S3 of the Gosport Borough Local Plan Review. Such a facility will bring into use vacant premises that are located in the main at first floor level and therefore unattractive to the retail market. The location of the site on a main road and bus route is such that it is readily accessible to local residents and convenient to use for those employed on sites situated in the immediate area. The expected increase in footfall should also be of benefit to surrounding businesses. The use is therefore considered to be acceptable and not harmful to the vitality or viability of the Stoke Road District Shopping Centre and complies with Policy R/S5 of the Gosport Borough Local Plan Review. A condition is suggested requiring the ground floor display window to be used for the display of goods and services for sale.

3. Whilst there is a flat located immediately adjacent at first floor level I do not consider the use will be detrimental to nearby occupiers and as such the proposal complies with Policy R/S7 of the Gosport Borough Local Plan Review.

4. The car parking requirement for the proposed circuit area would equate to a maximum provision of 11 car parking spaces where the existing office use equates to 8. The site is within a shopping centre and has no parking provision and is incapable of providing any suitable cycle parking. However there are existing public car parks and on-street parking areas within a short distance of the site. The site is located in a highly accessible location with 8+ busses per hour. Under the principles of maximum car parking standards an objection under Policy R/T11 of the Gosport Borough Local Plan Review could not be sustained as a reason for refusal.

### **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, it is considered that the proposed use would not be harmful to the retail function of the Stoke Road District Shopping Centre, or the amenities of any nearby occupiers, or traffic and parking conditions in the locality. As such, the development complies with Policies R/DP1, R/S3, R/S5, R/S7 and R/T11 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. The ground floor display window shall be used at all times for the display of goods and services for sale.

Reason - To ensure continuity of retail frontage is retained, and to comply with Policies R/DP1, R/S3 and R/S5 of the Gosport Borough Local Plan Review.

**ITEM NUMBER: 05.**  
**APPLICATION NUMBER: K14129/25**  
**APPLICANT: Dean & Reddyhoff Limited**  
**DATE REGISTERED: 12.02.2007**

**ERECTION OF 47M HIGH YACHT MAST WITH ASSOCIATED LANDSCAPE WORKS  
AND PAYSTATION MACHINE**  
**Haslar Marina Haslar Road Gosport Hampshire**

***The Site and the proposal***

Haslar Marina car park is located on the western side of Haslar Road, to the south east of the main GBC car park. It is split into two main areas: the southern part used predominantly by berthholders and the northern part used during the week by the public. There is also an open boat storage compound located centrally within the car park that is enclosed by a 2 metre high diagonal boarded wooden fence. A public walkway runs along the outer edge of the car park adjacent to Haslar Lake.

It is proposed to erect a refurbished mast from the Valsheda yacht within the existing northern car parking area, immediately to the north east of the existing boat storage compound. The mast will have a VHF aerial, anemometer and red aircraft light at the top and will have a maximum overall height of 47metres. It is proposed that black traffic bollards will be used to keep vehicles and pedestrians away from the 16mm diameter stainless steel supporting wires. The mast will be set within a boat shaped block paved area which will also accommodate a pay station machine enclosed within a three sided powder coated aluminium framed shelter with laminated glass windows. The inside of the shelter will be lit at night and will contain security cameras. The mast is currently within the car park where it will remain during the refurbishment process. It is proposed that the mast will be erected over a weekend during which time the car park will be closed to the public.

The application site does not fall within an MOD or aviation safeguarding area, however, the applicant has consulted with Defence Estates, Daedalus Airfield, Search and Rescue and the Civil Aviation Authority prior to submission of the application who have confirmed that the mast would not constitute an aviation obstruction. However, Search and Rescue have requested a single red light on top of the mast and this has been incorporated in the proposals.

The original application also included the resurfacing of the car park, erection of perimeter fencing, realignment and resurfacing of the perimeter footpath and associated planting but these works were deleted from the application by the agent. These works will be the subject of a separate application for planning permission which will also include proposals to stabilise the bank on the edge of Haslar Creek.

***Relevant Planning History***

Nil

***Relevant Policies***

Gosport Borough Local Plan Review, 2006:

- RCH1  
Development within the Coastal Zone
- RDP1  
General Standards of Development within the Urban Area
- ROS11  
Protection of Areas of National Nature Conservation Importance
- ROS1  
Development Outside of the Urban Area

ROS10  
Protection of Areas of International Conservation Importance  
RT11  
Access and Parking  
RBH8  
Archaeology and Ancient Monuments  
RENV1  
Floodplains and Tidal Areas  
RENV11  
Minimising Light Pollution  
ROS3  
Urban Gaps

### **Consultations**

Traffic Management	The mast will temporarily reduce the number of spaces within the car park but it is understood that the overall level of car parking will remain unaltered within the forthcoming amended scheme. The rigging for the mast will limit headroom on the internal access road therefore details of the proposed measures to warn motorists of the height restriction, or measures to prevent high vehicles coming into conflict with the structure should be controlled by planning condition.
Natural England	No response, but no objection to the mast at pre-application stage.
Environment Agency	No response, but no objection to the mast at pre-application stage.

### **Response to Public Advertisement**

1 letter of representation received

Issues raised: public advertisement does not reflect the extent of proposed works; conditions required regarding on-going maintenance for the mast to prevent it falling down or being damaged, provision of adequate anti-lightning precautions, surface water drainage for the car park areas and to prevent the mast being used for telecommunications, radio or other purposes.

### **Principal Issues**

1. The application site is outside of the Urban Area Boundary and falls within an Urban Gap and the Coastal Zone, as defined by the Gosport Borough Local Plan Review. The site is also immediately adjacent to Haslar Lake, which is a designated Site of Special Scientific Interest, Special Protection Area and Ramsar site. Given that the mast is in keeping with the existing marine oriented use of the site, the principle of the proposal is acceptable within the context of Policy R/OS1 of the Local Plan Review. However, this exception to the normal constraint for development outside of the Urban Area Boundary requires the proposal to meet the normal development control criteria set out in Policy R/DP1 of the Local Plan Review. The public advertisement was correct in referring only to the proposed erection of the mast as the other works referred to in the Design and Access Statement were deleted from the application. The landowner would be responsible for on-going maintenance and lightening measures for the structure and installation of any telecommunication equipment would be the subject of a separate application for planning permission. The main issues in this case are therefore the potential light spillage generated and the

resultant effects on the occupiers of nearby dwellings in Rampart Row and Trinity Green, and the impacts on the nature conservation interests of Haslar Lake, the existing floodplain, the visual and physical character of the Urban Gap, Bastion No.1 Scheduled Ancient Monument, the wider character and appearance of the coast and highway and pedestrian safety conditions in the locality.

2. The steel mast was salvaged from the Valsheda, a yacht built in Gosport in the 1930s. The concept of recycling a local historic yacht mast in a marina setting is welcomed and will provide a valuable feature of interest within an otherwise stark car park setting. An information board explaining the history of the mast (who built and owned it for example) would provide additional educational interest and it is proposed to request details of any such installation by planning condition. Given the slender design of the mast, the low level of the shelter and other associated works, the proposals will not diminish the Urban Gap visually or physically, or be detrimental to landward or seaward views or the overall character or appearance of the locality. Whilst this is a very open area that once served as the open field of fire between the ramparts and Haslar, the structure is sufficiently distant from Bastion No.1 not to directly impact on its setting.

3. The red aircraft light will be 47 metres above the ground and is required on safety grounds. The internal lighting within the shelter is necessary for the safety of pedestrians and will be over 50 metres from the foreshore and over 80 metres from the nearest residential properties in Trinity Green and Rampart Row. As such the proposals will not be harmful to over-wintering birds or the amenities of the occupiers of nearby properties. It is proposed to attach conditions to the planning permission requiring details of the lighting and preventing any works involving the use of heavy machinery taking place during the bird over wintering period to protect the interests of nature conservation and the amenities of nearby occupiers.

4. The proposal would result in the temporary loss of approximately 26 car parking spaces within the site, however, this is not significant when compared within the overall number of spaces that will remain (230 plus) and is not unacceptable given the maximum car parking standards and that following the resurfacing works the subject of a separate application, the overall level of parking will be unaltered. The rigging for the mast will limit headroom on the existing internal access road and therefore details of the proposed measures to warn pedestrians and motorists of the height restriction and/or to prevent high vehicles conflicting with the structure, including details of the proposed traffic bollards, will be controlled by planning condition.

5. Hardsurfacing of the car park was approved under the original planning permission for the marina and the proposed block paving will not have any additional affect on the existing floodplain over and above that of the original approved works. The surface water drainage for the car parking area as a whole will be dealt with under the separate application.

### **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 proposal will not diminish the Haslar Lake Urban Gap visually or physically, and will not be detrimental to landward or seaward views or the character and appearance of the area, or the interests of nature conservation, or the amenities of nearby residents, or the setting of Bastion No.1 Scheduled Ancient Monument or pedestrian and highway conditions in the locality and will not impede the flow of water or increase the number of people or properties at risk of flooding, or reduce the capacity of the floodplain to store water. As such, the development complies with Policies R/DP1, R/BH8, R/T11, R/CH1, R/OS1, R/OS3, R/OS10, R/OS11 R/ENV1 and R/ENV11 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. Details of the proposed measures to make pedestrians and motorists aware of the height restriction caused by the mast rigging and/or to prevent high vehicles conflicting with the structure, including the traffic bollards, shall be submitted to, and approved by, the Local Planning Authority before the mast, the subject of this permission, is erected. The approved measures shall be implemented in accordance with the approved details before the area is reopened to normal traffic and shall be retained thereafter.

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

3. Details of the proposed lighting shall be submitted to, and approved in writing by, the Local Planning Authority before installation and the works shall be carried out in accordance with approved details.

Reason - In order to protect the amenities of the area, and to comply with Policy R/ENV11 of the Gosport Borough Local Plan Review.

4. Details of any associated information board to be erected shall be submitted to, and approved in writing by, the Local Planning Authority before installation and the works shall be carried out in accordance with approved details.

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

5. No demolition or construction works involving the use of heavy machinery shall take place during the waterfowl over wintering period, being from 1 October until 31 March.

Reason - To avoid disturbance to over wintering migratory waterfowl along the Portsmouth Harbour SPA/SSSI and to comply with Policies R/OS10 and R/OS11 of the Gosport Borough Local Plan Review.

**ITEM NUMBER: 06.**  
**APPLICATION NUMBER: K7872/9**  
**APPLICANT: T Blogg**  
**DATE REGISTERED: 31.01.2007**

**CONVERSION OF DWELLING AND ANNEX TO FORM 1 NO. DWELLING HOUSE AND 2 NO. FLATS (as amended by plans received 1 March 2007)**  
**63 Gosport Road Lee-On-The-Solent Hampshire PO13 9EJ**

### ***The Site and the proposal***

The application site is located on the southern side of Gosport Road on the corner with Elmore Road. There is a service road to the rear of the property which serves the properties in both Gosport Road and Seymour Road. The property is within 100 metres of the Lee-on-the-Solent District Centre. The area is characterised by a mixture of two storey terrace, semi-detached and detached dwellings, with relatively small gardens.

The property was previously a shop with a two storey dwelling attached to the side and further residential accommodation above the shop. In 1997 the shop was converted into an annex attached to the original dwelling. There is an existing flat roofed garage attached to the rear of the property and a detached garage accessed via the rear service road. At present there is one additional car parking space in the front of the detached garage. There is a 1.8 metre fence between the application site and the property to the east.

It is proposed to convert the original shop and flat above into two flats and retain the dwelling house. Access to the two flats will be from Elmore Road and they will have separate accesses. Access to the two bedroomed dwelling house will be from Gosport Road as existing. The proposal also includes a small extension which will be attached to the garage and will provide secure cycle storage for the ground floor flat and the dwelling house. Cycle storage for the first floor flat will be provided in the downstairs lobby area. The only other alterations to the exterior of the building are, a front door in the western elevation of the ground floor flat and a set of french doors in the second bedroom of the ground floor flat (in the eastern elevation). There will also be a 1.8 metre close boarded fence between the two storey dwelling and the ground floor flat and a juliette balcony in front of the french doors on the southern elevation of the building (to prevent the flat roof of the existing garage being used as a balcony). The existing detached garage will be removed to provide an additional two car parking spaces. Access to the car parking spaces will be from the rear service road and Elmore Road. In total there will be four car parking spaces (the original space, the two new spaces and the attached garage). To the rear of the properties, adjacent to car parking area, will be a bin store. This will provide space for two 240 litre bins for each dwelling, one for domestic waste and other for recycling waste. The two storey dwelling house retains a small garden area which measures 5.2 metres in length and 4.4 metres in width. The ground floor flat has a small courtyard garden which measures 4.2 metres in length and 2 metres in width. The first floor flat will have no outside amenity space.

### ***Relevant Planning History***

K.7872/7 - Change of use and conversion of retail shop to a dwelling house - Approved - 20.05.1997

K.7872/8 - Conversion of dwelling and annex to form 1 no. dwelling house and 2 no. flats - Withdrawn

### ***Relevant Policies***

Gosport Borough Local Plan Review, 2006:  
RDP1

General Standards of Development within the Urban Area

RH4

Housing Densities

RH7

Conversion and Sub-division of Properties to Provide Residential Accommodation or Residential Institutions

RT11

Access and Parking

ROS8

Recreational Space for New Residential Developments

**Consultations**

Traffic Management

The car parking level on site complies with maximum car parking standards. Long stay cycle provision acceptable. No objection, subject to provision of visitor cycle parking

Streetscene (Waste & Cleansing)

No objection

**Response to Public Advertisement**

One letter of objection received

Issues raised: car parking

**Principal Issues**

1. The site is located within the existing urban area boundary as defined by the Gosport Borough Local Plan Review. Consequently the principle of residential development at this site is acceptable, provided it accords with the criteria of Policy R/DP1 of the Gosport Borough Local Plan Review. 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 two new flats. Without this obligation the proposal is unacceptable. The main issues in this case are therefore the acceptability of the design of the alterations, the density and impact on the character of the area, the impact on the residential amenities of neighbouring properties, and the provision of amenity space, car and cycle parking, and refuse storage facilities.

2. Whilst the development will result in a density of approximately 100 dwellings per hectare the overall density of the immediate area is 89 dwellings per hectare. The site is within 100 metres of the Lee-on-the-Solent District Centre, where higher densities are considered acceptable, under the provisions of Policy R/H4 of the Gosport Borough Local Plan Review.

3. Given the minor alterations to the external appearance of the building, and as there is only a very limited increase in the footprint of the building the proposal will not have a detrimental impact on the design of the building or the overall character of the area.

4. The proposal includes a small single storey extension to the rear of the garage to provide cycle storage. Due to its limited size and height it will not have a detrimental impact on the amenities of adjoining residents. The french doors in the eastern elevation of the ground floor flat will not overlook the garden of the dwelling house as they are screened by a 1.8 metre fence. There are no additional first floor windows, therefore the relationship to the adjoining properties will not change and the existing which overlook the garden will be obscure glazed. As such the development will not be detrimental to the amenities of existing or future residents in terms of loss of light, outlook or privacy.

5. The provision for parking (both vehicular and for cycles), amenity space and refuse storage facilities are considered satisfactory subject to appropriate conditions in compliance with Policies R/DP1, and R/T11.

**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 development as proposed is acceptable in this location. It is of an appropriate design and density and will not have a detrimental impact the character of the area or on the amenities of neighbouring residents and makes provision for car and cycle parking and refuse storage. As such, the proposal complies with Policies R/DP1, R/H4, R/H7, 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. The materials to be used to construct the cycle store shall match in type, colour and texture, those on the existing dwelling unless otherwise agreed in writing with the Local Planning Authority.

Reason - To ensure satisfactory visual relationship of the new development to the existing, and to comply with Policies R/DP1 and R/DP7 of the Gosport Borough Local Plan Review.

3. The development hereby permitted shall not be brought into use until area for the parking of vehicles has been provided, and the area shall be surfaced, and subsequently retained, and kept available at all times for these purposes in accordance with a scheme to be agreed in writing by the Local Planning Authority.

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

4. Before the development hereby permitted is brought into use the fencing shown on the approved plan shall be erected in accordance with the approved details and thereafter retained.

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

5. 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.

6. Details of the facilities to be provided for visitor cycle parking shall be submitted to, and approved in writing by the Local Planning Authority before occupation of the dwellings. These facilities shall be provided and thereafter retained in accordance with the approved details.

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. Details of the facilities to be provided for refuse storage shall be submitted to, and approved in writing by the Local Planning Authority before occupation of the dwellings. These facilities shall be provided and thereafter retained in accordance with the approved details.

Reason - In order to ensure that adequate refuse storage is provided in compliance with Policy R/DP1 of the Gosport Borough Local Plan Review.

**ITEM NUMBER: 07.**  
**APPLICATION NUMBER: K16770/10**  
**APPLICANT: Gosport Borough Council**  
**DATE REGISTERED: 25.01.2007**

**LISTED BUILDING CONSENT APPLICATION - MINOR WORKS TO E MAGAZINE TO FACILITATE CHANGE OF USE TO D2 (ASSEMBLY AND LEISURE) ( LISTED BUILDING IN CONSERVATION AREA )**

**Priddy's Hard Heritage Green Priddy's Hard Heritage Way Gosport Hampshire**

***The Site and the proposal***

The application site is located within the northwest section of the ramparts which encircle the Priddy's Hard Heritage Area. It is a Grade II\* Listed Building known as 'E' Magazine. It is built of red bricks in an English bond with a modern felted roof. Within it are 2 parallel barrel vaulted chambers with suspended wooden floors and timber chamber dividers. Access between the chambers is via arched openings. Access to the chambers is via 3 tunnels from the southeast. Originally the outer two are thought to have been for trams and the central one for pedestrians. The building was constructed in the late 19th century and used as a magazine until WWII when it became a refuge and since then has been unused. As a result of long periods of disuse the building has suffered from vandalism and was recently damaged in a fire.

It is proposed to use the building for assembly and leisure uses which fall within the general planning permission for mixed use granted under ref. K16770. This application is for the physical alterations necessary to facilitate the use which require Listed Building Consent. As the works are minor and do not materially affect the external appearance of the building they do not require planning permission.

The works include general repairs to the tunnels and to the fire damaged floor and timber screens. To maximise the useable floor space some of the screens in the southern chamber will be dismantled and used to reconstruct damaged or missing screens in the northern chamber. The remainder will be stored beneath the floor. It is also proposed to alter the openings in the west elevation to comply with the Building Regulations and provide a means of escape and new fire screens will be provided to existing openings. Metal gates are to be fitted to the eastern end of the tunnels.

***Relevant Planning History***

K16770 Mixed use development for 198 Residential Units, roads, parking, landscaping and leisure, commercial and community uses permitted 21.03.05.

***Relevant Policies***

Gosport Borough Local Plan Review, 2006:  
RBH3  
Development Affecting Listed Buildings

***Consultations***

English Heritage	no comment
The Gosport Society	no objection

***Response to Public Advertisement***

Nil

### ***Principal Issues***

1. The only issue in this case is the impact of the works on the character and appearance of this important Listed Building and how they will affect the historic fabric.
2. The works proposed are the minimum necessary to bring the building back into a sustainable use which will protect it in the long term from falling into disrepair or further vandalism. They are of a very minor nature and subject to conditions requiring further details of the windows, doors and materials, the method of working, and requiring recording of the screens prior to dismantling, reconstruction and storage, will not adversely affect the historic character and appearance of 'E' Magazine.
3. As the building is Grade II\* and in the ownership of the Council, under the provisions of the Listed Building and Conservation Areas Regulations 1990 it is a requirement to notify the Secretary of State if the Council are minded to grant Listed Building Consent.

### **RECOMMENDATION: Subject to no direction from the Secretary of State calling in the application Grant Listed Building Consent**

#### **Reasons for granting permission:**

1. Having regard to Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the works proposed are the minimum necessary to bring the building back into a sustainable use which will protect it in the long term from falling into disrepair or further vandalism. They are of a very minor nature and subject to conditions requiring further details of the windows, doors and materials, the method of working, and requiring recording of the screens prior to dismantling, reconstruction and storage, will not adversely affect the historic character and appearance of 'E' Magazine. As such the proposal complies with Policy R/BH3 of the Gosport Borough Local Plan Review.

#### **Subject to the following conditions:-**

1. The works 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 18 of the Planning (Listed Buildings and Conservation Area) Act, 1990 (as amended).

2. Details of the doors, and windows and any other openings including horizontal and vertical sections at a scale of 1:20 to demonstrate that they are accurate reproductions of the existing shall be submitted to and approved in writing by the Local Planning Authority before works relating 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 ensure the alterations retain the character and appearance of the Listed Building in compliance with Policy R/BH3 of the Gosport Borough Local Plan Review.

3. Details of the finish to the brickwork where the cills are to be dropped and the related mortar mix and method of re-pointing shall be submitted to and approved in writing by the Local Planning Authority before works relating 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 ensure the alterations retain the character and appearance of the Listed Building in compliance with Policy R/BH3 of the Gosport Borough Local Plan Review.

4. A Method Statement for the dismantling and reconstruction or storage of the existing timber screens shall be submitted to and approved in writing by the Local Planning Authority before works relating 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 ensure the works do not adversely affect the historic fabric of the Listed Building in compliance with Policy R/BH3 of the Gosport Borough Local Plan Review.

**ITEM NUMBER: 08.**  
**APPLICATION NUMBER: K3769/1**  
**APPLICANT: Gosport Borough Council**  
**DATE REGISTERED: 22.01.2007**

**REGULATION 3 - ERECTION OF REPLACEMENT FENCING WITH 1.8 METRE HIGH BOW TOP RAILINGS**  
**Land At The Mead Gosport Hampshire**

***The Site and the proposal***

The Mead is a small residential cul de sac comprising 10 bungalows set in an open plan frontage. Although the front gardens are small, there is a sizeable common area which is laid out as a grassed lawn with several trees. Along the southern boundary of the site is a 1.8 metre high close boarded fence providing enclosure of the lawn from the rear service road which is on the far side of the fence. The condition of the fence is poor with much of the close boarding having been lost and several whole panels are missing.

The proposal is to remove the existing fencing and implement a total replacement scheme of 1.8 metre high bow topped railings. The existing shrub hedging alongside a part of the boundary is to be reinforced with additional evergreen shrub planting.

***Relevant Planning History***

Nil.

***Relevant Policies***

Gosport Borough Local Plan Review, 2006:  
RDP1  
General Standards of Development within the Urban Area

***Consultations***

Nil

***Response to Public Advertisement***

Nil.

***Principal Issues***

1. The added security that the bow top railings will provide to The Mead is an obvious benefit to that community in terms of reducing the potential for crime and disorder. The main planning issue to be considered in this case is the appropriateness of the proposed bow top railings in terms of visual amenity.
2. The railings are a relatively maintenance free means of boundary enclosure that will not be as susceptible to damage, from whatever means, as the existing close board fencing. The improved appearance of the railings, together with the intended reinforcement of the existing shrub planting will generally improve the visual amenity of the area.

**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 proposed railings are acceptable and will not have a detrimental impact on visual amenity within the street scene of The Mead. As such, the proposal complies with Policy R/DP1 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).



**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 of an acceptable design and will improve the appearance of the building and the visual amenities of the area. As such, the proposal complies with Policies R/DP1 and R/DP7 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. The roof tiles to be used shall match in type, colour and texture, those on the existing adjacent two blocks of flats unless otherwise agreed in writing with the Local Planning Authority.

Reason - To ensure satisfactory visual relationship of the new development to the existing, and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

**ITEM NUMBER: 10.**  
**APPLICATION NUMBER: K16605/1**  
**APPLICANT: Mr & Mrs Thomas**  
**DATE REGISTERED: 30.01.2007**

**ERECTION OF A TWO STOREY REAR EXTENSION (amplified by letter received 26 February 2007)**  
**7 Montgomery Road Gosport Hampshire PO13 0UZ**

***The Site and the proposal***

The application site is located on the southern side of Montgomery Road. The property is a two storey dwelling house, constructed from buff bricks. It is tile hung at first floor and pebble dashed at ground floor level and has a grey tiled roof. The rear garden is bounded by a 1.8 metre fence on the north-eastern and the south-western boundaries and a 1.8 metre wall on the south-eastern boundary. The neighbouring property to the south-west has a rear conservatory located adjacent to the party boundary. The neighbouring property to the north-east has not been extended. There is a public footpath to the rear which runs between the application property and Bedenham Infant and Junior Schools.

The application is for a two storey hipped roof rear extension which will measure 3.2 metres in depth and 7 metres in width (almost the whole width of the plot). It will have an eaves height of 4.8 metres and a ridge height of 6.4 metres. There will be no windows in the south-western or north-eastern elevations.

***Relevant Planning History***

K.16605 - Erection of a front porch - Approved - 27.05.2004

***Relevant Policies***

Gosport Borough Local Plan Review, 2006:  
RDP1  
General Standards of Development within the Urban Area  
RDP7  
Additions, Extensions and Alterations

***Consultations***

Nil

***Response to Public Advertisement***

One letter of representation:  
Issues raised: no objections provided no overlooking

***Principal Issues***

1. The main issues in this case are the impact on the character of the area and on the amenities of the occupiers of the neighbouring properties.
2. The proposed extension will be constructed in matching buff bricks and will have a hipped subservient roof. The design is sympathetic to the existing dwelling and will not have adverse affect on the character and appearance of the area.

3. Due to the orientation of the properties, the limited depth of the extension and the hipped roof design, there will be no significant loss of light or outlook for the occupiers of the adjoining neighbouring properties. There will be no windows in the south-western or north-eastern elevations and therefore there will be no overlooking, over and above that which already exists.

**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. It is of an appropriate design and will not have a detrimental impact on the amenities of neighbouring residents. As such, the proposal complies with Policies R/DP1 and R/DP7 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. The materials to be used shall match in type, colour and texture, those on the existing dwelling unless otherwise agreed in writing with the Local Planning Authority.

Reason - To ensure satisfactory visual relationship of the new development to the existing, and to comply with Policies R/DP1 and R/DP7 of the Gosport Borough Local Plan Review.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), no windows shall be constructed in the first floor of the eastern and western elevations of the two storey extension 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 Local Plan Review.