

**Town Hall, High Street,  
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5 April 2007

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

**MEETING:** Regulatory Board  
**DATE:** Tuesday, 17 April 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 MARCH 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 13 April 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 13 April 2007).*

6. REPORTS OF THE DEVELOPMENT SERVICES MANAGER

*Schedule of planning applications with recommendations.  
(grey sheets – pages 1 –34/1)*

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 MARCH 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 (P), Davis (P), Foster (P), Hicks (P), Smith (P), Taylor (P), Train (P) and Ward (P).

**179 APOLOGIES**

Apologies for inability to attend the meeting were received from the Mayor (Councillor Mrs Cully) and The Chairman of the Policy and Organisation Board (Councillor Cully).

**180 DECLARATIONS OF INTEREST**

There were no declarations of interest.

**181 MINUTES**

RESOLVED: That the Minutes of the Regulatory Board meeting held on 13 February 2007 be approved and signed by the Chairman as a true and correct record.

**182 DEPUTATIONS**

It was reported that a deputation had been received on the following application:

- Item 1 – K4919/9 – Finsburys Garage, Gosport

**183 PUBLIC QUESTIONS**

No public questions had been received.

**PART II**

**184 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 'A').

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

**185 K4919/9 - 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**

Members were informed that an additional 13 letters of objection had been received which brought the total number to 284, along with a total of 13 letters which could not be taken into consideration as the writers had not included their addresses. New issues raised in the additional letters included, the impact on privacy at 6 Gomer Lane and 7 Nasmith Road; the effect that the scale of the development would have on neighbours; impact on the health of residents as the development would discourage walking to Queens Parade; and the restriction of access to the external stopcock at 7 Nasmith Road. Members noted that due to an error on the drawings the ridge height of the pitched roof referred to in paragraph 3 of the report of the Development Services Manager should have read 9.2m rather than 17m. Due to an error on the website relating to the date by which representations could be made, an amended recommendation was circulated.

On behalf of a deputation against the proposal, Mr Bowers (6 Gomer Lane) addressed the Board. Included in the issues raised by Mr Bowers was the increase in size of the development; the possibility of attracting anti-social behaviour; that the last convenience store in the immediate area had closed and there had been no increase in demand since; that no retail studies had been done; the negative impact on Queen's Parade trade; road safety around the development; the hindrance to the passage of emergency vehicles, and the inadequate turning circle provision for lorries. Mr Bowers circulated a map of the area which illustrated greenfield space and the Queen's Parade catchment area in order to show that there was no demand for the convenience store. Mr Bowers closed by stating that residents were not opposed to the concept of development on this site, and would in fact welcome a more suitable development as an improvement to the area.

Councillor Gill, representing Privett Ward, presented his objections to the Board. Councillor Gill fully supported the stance of Mr Bowers and the surrounding residents and felt that the report of the Development Services Manager set out the case for refusal well. Councillor Gill reiterated that Nasmith Road would be badly affected by the proposed development.

**RESOLVED:** That planning application K4919/9 – Finsburys Garage, Privett Road, Gosport

- 1 be refused for the following reasons:
  - i 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.

- ii 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.
  - iii 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.
  - iv 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.
  - v 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.
  - vi 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.
  - vii 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
  - viii 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.
  - ix 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.
- 2 That the Regulatory Board further agrees to delegate authority to the Head of Development Control in consultation with the Borough Solicitor to,
- i Consider any further representations received in response to the information on the website up to 23 March 2007

- ii To issue the notice of refusal after that date with the reasons for refusal set out in the report together with any further reasons to address any planning issues raised in the further responses referred to in (i) above
- iii Enter into Section 106 obligations to secure the provision of outdoor playing space
- iv Include an additional reason for refusal, set out below, in the event that satisfactory obligations referred to in (iii) above are not secured by 27 March 2007

**Additional reason for refusal**

The proposal does not make adequate provision for outdoor playing space contrary to Policy R/OS8 of the Gosport Borough Local Plan Review.

**186 K5799/1 - CHANGE OF USE OF COMMUNITY HALL TO HOUSING ASSOCIATION OFFICE  
Magennis Hall Magennis Close Gosport Hampshire**

Members agreed that the proposal was an excellent idea.

RESOLVED: That planning application K5799/1 – Magennis Hall, Magennis Close, 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 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.

**187 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 and 26.02.07 and amended Flood Risk Assessment received 09.02.07)  
Shell Filling Rooms Priddys Hard Heritage Way Gosport Hampshire**

Members noted that three minor oak trees were to be removed rather than two, as had been written in the report of the Development Services Manager. It was clarified by officers that the term 'minor' referred to young specimens which were not expected to reach full maturity .

RESOLVED: That planning application K15249/9 – Shell Filling Rooms, Priddys Hard, Heritage Way, 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 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

**188 K5776/1 - 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**

RESOLVED: That planning application K5776/1 – 10 Stokesway, Stoke 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, 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.

**189 K14129/25 - ERECTION OF 47M HIGH YACHT MAST WITH ASSOCIATED LANDSCAPE WORKS AND PAYSTATION MACHINE**  
**Haslar Marina Haslar Road Gosport Hampshire**

Members were informed that a letter of observation had been received which referred to an article in the local newspaper. Officers advised that Natural England had responded with no objection and provided clarification on the design of the mast. The Borough Solicitor advised that future maintenance was the responsibility of the landowner

RESOLVED: That planning application K14129/25 – Haslar Marina, Haslar Road, Gosport be approved subject to the conditions set out in the report of the Development Services Manager, for the following reason.

- i. That having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations the proposal 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.

**190 K7872/9 - 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**

RESOLVED: That planning application K7872/9 – 63 Gosport Road, Lee-On-The-Solent be approved subject to a Section 106 agreement relating to the payment of a commuted sum towards the provision and/or improvement of outdoor playing space and subject to the conditions set out in the report of the Development Services Manager, for the following reason.

- i That having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the 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.

**191 K16770/10 - 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 Area Priddy's Hard Heritage Way Gosport Hampshire**

RESOLVED: That planning application K16770/10 - Priddy's Hard Heritage Area, Priddy's Hard, Heritage Way, Gosport be approved subject to no direction from the Secretary of State to call in the application and subject to the conditions set out in the report of the Development Services Manager, for the following reason.

- i That 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.

**192 K3769/1 - REGULATION 3 - ERECTION OF REPLACEMENT FENCING WITH 1.8 METRE HIGH BOW TOP RAILINGS  
Land At The Mead Gosport Hampshire**

RESOLVED: That planning application K3769/1 – Land at the Mead, 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 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.

**193 K17308 - REGULATION 3 APPLICATION - CONVERSION OF FLAT ROOF TO TILED PITCHED ROOF (as amended by plans received 26.01.07)  
4 - 52 St Vincent Road Gosport Hampshire PO12 4QN**

RESOLVED: That planning application K17308 – 4-52 St Vincent 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 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.

**194 K16605/1 - ERECTION OF A TWO STOREY REAR EXTENSION (amplified by letter received 26 February 2007)  
7 Montgomery Road Gosport Hampshire PO13 0UZ**

RESOLVED: That planning application K16605/1 – 7 Montgomery 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 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.

The meeting commenced at 6.00pm and concluded at 6.35pm

CHAIRMAN



## **GOSPORT BOROUGH COUNCIL – REGULATORY BOARD**

**17th April 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.

<b>INDEX</b>				
<b><u>Item</u></b>	<b><u>Page No</u></b>	<b><u>Appl. No.</u></b>	<b><u>Address</u></b>	<b><u>Recommendation</u></b>
01.	3	K16420/6	32 Forton Road Gosport Hampshire PO12 4TH	Grant Permission
02.	9	K6126/1	27 Marine Parade West Lee-On-The-Solent Hampshire PO13 9LW	Grant Permission
03.	12	K17203/1	Land To The Rear Of 12 Burney Road Gosport	Grant Permission
04.	16	K14030/4	65 Bury Crescent Gosport Hampshire PO12 3TZ	Refuse
05.	19	K8699/1	1 Little Green Gosport Hampshire PO12 2EU	Grant Permission
06.	22	K17312/1	Land To South Of Junction Of Brune Lane And Shoot Lane Lee On The Solent Hampshire PO13 9PB	Grant Permission
07.	24	K13789/26	Unit 20 Mumby Road Industrial Estate Gosport Marina Mumby Road Gosport Hampshire	Grant Permission
08.	29	K12995/16	Fort Monckton Fort Road Gosport PO12 2AT	Grant Permission
09.	31	K14129/26	Haslar Marina Haslar Road Gosport Hampshire	Grant Permission

**ITEM NUMBER: 01.**  
**APPLICATION NUMBER: K16420/6**  
**APPLICANT: Birchwood Commercial Limited**  
**DATE REGISTERED: 14.02.2007**

**RETENTION OF EXISTING WORKS AND FURTHER WORKS FOR THE ERECTION OF 1NO HOT FOOD TAKEAWAY, 1NO RETAIL UNIT AND 29 FLATS WITH ASSOCIATED SERVICING, PARKING AND AMENITY SPACE, TO INCLUDE EXTERNAL FIRE ESCAPE STAIRCASE, AMENDED LANDSCAPE SCHEME, REVISED ROOF FORM AND DOOR AND WINDOW DETAILS AND DWELLING MIX (AMENDED SCHEME TO K16420/4 AND K16420/5) (as amended by email dated 2.3.07 and plans received 4.4.07)**  
**32 Forton Road Gosport Hampshire PO12 4TH**

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

The application site is located on the northern side of Forton Road, at the junction with Parham Road, and is adjacent to the west boundary of the Oil Fuel Depot. Parham Road to the north is characterised generally by two storey Victorian properties. Number 2 Parham Road, located immediately to the north of the site, is a detached two storey residential dwelling and has no windows facing onto the application site. To the west is Forton Lodge, a three and four storey residential development of 24 two bedroomed flats. Forton Road Neighbourhood Shopping Centre lies opposite the site and contains a variety of commercial uses at ground floor level with mainly residential use above.

Planning permission has been granted for the erection of one hot food takeaway, one retail unit and 29 flats on the site under outline application K.16420/4 and details pursuant application K.16420/5 and works have commenced on site. However, the scheme has been amended as follows:-

- a change in the dwelling mix from 16no. 1 bed and 13no. 2 bed dwellings, to 12no. 1 bed and 17no. 2 bed flats
- amendments to the design of the lift shaft on the north elevation
- minor detailing changes and relocation of window and door openings
- erection of external fire escape staircase on the east elevation
- erection of brick parapet wall at roof level
- alterations to boundary railings and landscape planting (to accommodate amended access points to the refuse and cycle stores)

Therefore this application, retrospective in part, is for the proposed changes to the scheme and all outstanding conditional details.

Under details pursuant permission reference K.16420/3 the existing northern boundary wall was to be retained for the duration of the building works to protect the amenities of the neighbouring properties. This was removed by the demolition contractor in error and the developer has subsequently implemented the 2.14 metre high wall approved for the northern boundary under K.16420/5. Retention of this structure has been indicated on the submitted plans. Amended plans have also been submitted to address the requirements for long and short stay cycle parking for the residential and commercial elements of the scheme.

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

K.16420 - Outline application for the erection of 22 flats and associated parking. Withdrawn 27.01.06

K.16420/1 - Outline application for the erection of 2no retail units and 26no flats with associated car parking. Withdrawn 25.07.05 to enable further negotiations relating to design and access/servicing issues.

K.16420/2 - Outline application - erection of 2no retail units and 29no. flats with associated servicing, parking and amenity space. Approved 21.12.05.

K.16420/3 - Details Pursuant to Outline Planning Permission K.16420/2 - Residential/Retail development - proposed landscape scheme. Approved 17.5.06.

K.16420/4 - Outline application - erection of 1no. hot food takeaway, 1no. retail unit and 29 flats with associated servicing parking and amenity space - amended scheme to K.16420/2. Approved 25.5.06.

K.16420/5 - Details Pursuant to Outline Planning Permission K.16420/4 - Residential/retail/hotfood takeaway development - proposed landscape scheme. Approved 14.10.07.

### **Relevant Policies**

Gosport Borough Local Plan Review, 2006:

- RENV2
- River and Groundwater Protection
- RDP1
- General Standards of Development within the Urban Area
- RDP3
- Provision of Infrastructure, Services and Facilities
- RDP6
- Landscape Design
- RENV5
- Contaminated Land
- RENV10
- Noise Pollution
- RCF6
- Provision of Educational Facilities
- RH5
- Affordable Housing
- ROS8
- Recreational Space for New Residential Developments
- RT2
- New Development
- RT3
- Internal Layout of Sites
- RT10
- Traffic Management
- RT11
- Access and Parking

### **Consultations**

Traffic Management

No objection. The change to the mix of dwellings results in a maximum car parking provision of 23 within an accessible location. The level proposed accords with the principles of maximum car parking standards.

Long stay cycle parking of 64 exceeds minimum requirement of 48 for residential units. The minimum visitor cycle parking requirement is 29.

The minimum long term cycle parking requirement for the commercial units is 4 spaces.

Previous comments in relation to the provision of a TRO to prevent parking/loading at the junction of Parham Road and Forton Road, railings and pram ramps are still applicable.

	Any alterations to the adopted highway will require consent from Hampshire Highways and all required measures should be in place before the development is brought into use.
Streetscene (Waste & Cleansing)	Adequate storage space provided. Collection required via flush threshold with dropped kerb access to highway.
Building Control	The dry riser inlet position should be visible from the fire appliance. At present it is at the rear of the building which is unacceptable.
Housing Strategic Services	The agreed affordable housing component for this scheme is 12 units.
Environmental Health (Pollution & Environment)	No objection, subject to implementation of approved land remediation scheme.
Environmental Health (Commercial)	Details of refuse collection and extraction system requested from developer.
County Education Officer	This is not an area with a shortage of school places so a developer contribution towards education facilities is not required.
Southern Water	Southern Water can provide foul sewage and surface water disposal for this development. A formal application for connection will be required. Request informative attached to decision notice.
Environment Agency	No objection in principle. Require conditions relating to implementation of remediation scheme and surface water drainage.

***Response to Public Advertisement***

Nil

***Principal Issues***

1. The principle of the development has been accepted under the previous planning permissions and cannot be reviewed under this application. Implementation of the previously approved ground remediation scheme and measures to secure satisfactory access to the site and discourage casual parking by shoppers and delivery vehicles and ensure pedestrian safety will be dealt with by planning condition, as will the retention of the implemented northern boundary wall/fence and the submission, approval and implementation of details of the extraction flue for the A5 hot food takeaway. The developer has confirmed a willingness to enter into a new Section 106 Agreement to secure the implementation of the affordable housing element of the scheme and carry forward the benefit of the previous commuted sums paid, plus an additional commuted sum towards open space provision to reflect the proposed change to the dwelling mix. The only issues for consideration in this case are therefore whether the amended dwelling mix would have any impact on car parking or highway safety conditions, and the impact of the proposed external alterations on the amenities of neighbouring occupiers and the appearance of the area.

2. The amended lift shaft will not be visible from ground level in Forton Road or Parham Road and the changes to the window and door openings are minor in nature and will not detract from the overall appearance of the building or impact on the amenities of neighbouring residents. The brick parapet wall will be visible when travelling north west along Forton Road, but it is required to accommodate the required internal ceiling heights and as it has a hipped finish to match the existing roof and is set back 4.7 metres from the main east elevation of the building so it will not be overly prominent in the streetscene. The external staircase will largely be screened by the existing wall to the oil fuel depot and will be painted black to match the window balustrades and boundary railings. It is proposed to attach a condition requiring that these features be painted black and retained in that condition thereafter.

3. The amendments to the boundary railings and soft planting are landscape schemes are minor in nature and will not detract from the overall quality of the original approved scheme. Implementation of the landscaping will be controlled by planning condition.

4. The proposed change in the dwelling mix results in only 4 additional bedrooms within the scheme and will make more efficient use of the space within the building. Within the context of the current maximum car parking standards and given the accessible location of the site close to the town centre, it is considered that the amended scheme would not generate a significant amount of pedestrian or vehicular traffic over and above that of the previously approved scheme and a refusal on highway grounds could not be substantiated in this instance. The amended cycle parking and moped parking and refuse arrangements are acceptable and it is proposed to deal with the provision and retention of these facilities by planning condition.

**RECOMMENDATION: Grant Permission**

Subject to Section 106 agreement relating to

1. affordable housing
2. the payment of a commuted sum towards the provision and/or improvement of outdoor playing space
3. a traffic regulation order

**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 would not adversely affect the character or visual amenities of the area, or the amenities of existing or prospective occupiers, or parking or highway safety conditions in the locality. The development also makes adequate provision for outdoor playing space and affordable housing. As such, the development complies with Policies R/DP1, R/DP3, R/DP6, R/H5, R/OS8, R/T2, R/T3, R/T10, R/T11, R/CF6, R/ENV2, R/ENV5, and R/ENV10 of the Gosport Borough Local Plan Review.

**Subject to the following conditions:-**

1. No part of the development hereby approved shall be occupied until satisfactory means of access to the site has been provided, in accordance with the approved site layout drawing reference 0650/PO1 - Rev B.

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

2. The development shall be implemented in accordance with the schedule of materials hereby approved.

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

3. Details of the method of ventilation/filtration for the Class A5 hot food takeaway shall be submitted to, and approved by, the Local Planning Authority within 1 month from the date of the planning permission. The system shall thereafter be installed before the unit is first brought into use and shall be maintained thereafter in accordance with the details approved.

Reason - To protect the amenities of surrounding properties, and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

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

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

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

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

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

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

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), no walls, fences or other means of enclosure, including gates, shall be erected on the site 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 in the interests of highway safety and to comply with Policies R/DP1 and R/T11 of the Gosport Borough Local Plan Review.

9. The ground contamination remediation measures, as contained within the Site Investigation approved under planning permission K.16420/2, shall be completed before the development hereby approved is first occupied.

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.

10. The balustrading, external fire escape staircase and boundary railings shown on the approved plans shall be painted black within one month from the date of their respective installation and shall be retained in that condition thereafter.

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

11. The brickwork boundary wall and close boarded fencing erected on the northern boundary facing No.2 Parham Road shall be retained at all times.

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

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12. The upstand kerb to prevent vehicles overrunning and damaging the northern boundary wall, shown on plan LLD142/07, shall be implemented between points 'A' -'A' on the approved layout drawings before the development is first brought into use and thereafter retained.

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

13. No soakaway shall be constructed in contaminated land.

Reason - To prevent pollution of the water environment and to comply with Policy R/ENV2 and R/ENV5 of the Gosport Borough Local Plan Review.

14. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an addendum to the approved site investigation. This addendum must detail how this unsuspected contamination shall be dealt with.

Reason - To protect the minor aquifer beneath the site and the surface waters to the east of the site and to comply with Policies R/ENV2 and R/ENV5 of the Gosport Borough Local Plan. There may be areas of the site, which cannot be fully characterised by a site investigation and unexpected contamination may be identified.

15. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant risk to controlled waters.

Reason - To protect the minor aquifer beneath the site and the surface waters to the north of the site as SUDS can increase the potential for pollution of located in contaminated ground and to comply with Policies R/ENV2 and R/ENV5 of the Gosport Borough Local Plan Review.

**ITEM NUMBER: 02.**  
**APPLICATION NUMBER: K6126/1**  
**APPLICANT: Mr N Fay**  
**DATE REGISTERED: 14.03.2007**

**ERECTION OF 2no. FLATS (as amended by plans received 03.04.07)**  
**27 Marine Parade West Lee-On-The-Solent Hampshire PO13 9LW**

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

The application site lies to the landward side of Marine Parade West and is within the Urban Area boundary and the Marine Parade Area of Special Character. The existing property comprises a detached bungalow, with a loft room and a balcony on the seaward side. A detached garage is sited within the rear garden with access taken across a driveway from the frontage. The front garden of the property has a large open hardstanding providing car parking with access from the Marine Parade frontage.

To the south east side of the site is the 3 storey block of Panorama Court with car ports and open car parking to the rear of the building. The only windows on the side elevation facing the application site serve a bathroom and toilet on each floor. These windows have top fanlight opening frames and are obscure glazed.

On the north west side of the site is a pitched roof bungalow at 28 Marine Parade West. Whilst the main windows to the habitable rooms of this bungalow face towards The Solent, the main entrance glazed porch is on the side of the building, together with windows to the kitchen and a bathroom.

To the rear of the site is a vehicular service and the rear gardens of two storey residential dwellings in Montserrat Road.

The proposed development involves the demolition of the existing bungalow and garage and the erection of a two storey, pitched roof building to form two residential flats. An integral double garage is incorporated within the rear of the building with two additional parking spaces in the rear garden and vehicle access from the rear service road. The front garden is shown to be laid out to include a car parking area utilising the existing access onto Marine Parade West.

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

GOB.2760 - Erection of bungalow - Granted 22.01.58  
GOB.6126 - Extension to existing look-out balcony - Granted 19.04.69

### ***Relevant Policies***

Gosport Borough Local Plan Review, 2006:

- RDP1
- General Standards of Development within the Urban Area
- RDP10
- Marine Parade Area of Special Character
- RH4
- Housing Densities
- ROS8
- Recreational Space for New Residential Developments
- RT11
- Access and Parking

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**Consultations**

Traffic Management

Vehicle access satisfactory - car parking exceeds maximum provision but is not unacceptable for flats of proposed size. Cycle parking facilities required.

**Response to Public Advertisement**

1 letter of observation

Issues raised - no objection to amended plans.

**Principal Issues**

1. As the site is within the urban area the principle of residential redevelopment is acceptable. The doubling of dwelling units on the site raises the density to 33 dwellings per hectare which is within the acceptable range sought by Policy R/H4. The main issues within this case are therefore the impact of the proposal on the Marine Parade Area of Special Character, the residential amenities of prospective and adjoining occupiers, parking and traffic conditions in the area and the requirements for outdoor playing space.

2. The proposed two storey building is of a domestic scale and considered to respect the design guidelines of the Area of Special Character which seeks to encourage a high standard of design and appropriate scale and form to enhance both the building's immediate context and the area's special character. The height of the proposed building, including its pitched roof, fits in well between the 3 storey Panorama Court and the bungalow of 28 Marine Parade West, both of which are themselves pitched roof buildings. The front building line is 9.5 metres from the front boundary and 3.5 metres behind the building line of Panorama Court. The siting of the proposed dwelling is central to the plot with 1.7 metre separation to both of the side boundaries. The external construction materials are red brickwork under a grey slate style roof, with glazed panels to the first floor balconies.

3. With two exceptions, the primary windows to habitable rooms within the proposed flats face to the front and rear of the site. The exceptions are two bedroom windows on the south east side elevation, facing the flank wall of Panorama Court which only has obscure glazed bathroom/toilet windows. Consequently there is no overlooking or privacy conflict on this side. On the north west side, there are 4 proposed windows, either to non-habitable rooms or secondary windows to habitable rooms, all of which are to be obscure glazed and fixed frames, save for top opening fanlights. This will ensure the retention of privacy to the glazed main entrance porch and kitchen window on the side of 28 Marine Parade West. The rear balcony sides onto a blank wall to the side of 28 Marine Parade West again ensuring no loss of privacy. To the rear of the proposed building the separation distance to the two storey dwellings in Montserrat Road is a minimum of 30.5 metres, and therefore complies with the building design guideline of 21 metres within Appendix B of the Local Plan.

4. The proposed car parking comprises an integral double garage and two parking spaces to the rear of the site and a 2 space car parking area in the front garden with access from the frontage. This level of provision marginally exceeds the maximum standard of 4 spaces but in consideration of the size of the flats and the current level of parking at the site, is not so excessive as to be unacceptable. Secure long stay cycle parking could be provided with the integral garages and details of short stay provision are to be secured by planning condition.

5. The proposal includes a rear garden which would have an area of 88.5 sq.metres once the leylandii hedge on the rear boundary has been felled. This level of private amenity space provision is acceptable for the two flats. As with other seafront developments, the front balconies provide panoramic views across The Solent further enhancing the amenities of the flats. 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. Without this contribution the proposal would be unacceptable and contrary to policy R/OS8 of the Gosport Borough Local Plan Review.

**RECOMMENDATION: Grant Permission**

Subject to Section 106 agreement relating to

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

**Reasons for granting permission:**

1. Having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the proposal is acceptable in this location in land use and design terms, will be in keeping with the character and appearance of the Marine Parade Area of Special Character and will not be harmful to the amenities of existing and prospective occupiers. As such the development complies with Policies R/DP1, R/DP10, R/H4, R/T11 and R/OS7 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. 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.

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

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

4. The windows at ground and first floor level in the north west elevation of the new block of two flats, hereby approved, shall be of fixed frame design, with the exception of the top opening fanlights as shown on the approved drawing, and glazed with obscure glass and retained in that condition thereafter.

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

5. 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, other than those shown on the approved drawing, shall be constructed in the north west elevation of the building 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 property and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

**ITEM NUMBER: 03.**  
**APPLICATION NUMBER: K17203/1**  
**APPLICANT: Mr & Mrs A Peach**  
**DATE REGISTERED: 05.01.2007**

**ERECTION OF A TWO BEDROOMED DETACHED CHALET BUNGALOW WITH INTEGRAL GARAGE (as amplified by letters dated 30.01.07 and 09.02.07)  
Land To The Rear Of 12 Burney Road Gosport**

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

The application site is located on the northern side of Burney Road within an established residential area fronting a 3.5 metre wide concrete surfaced adopted service road, an extension to Bury Hall Lane, with a 1 metre wide footpath along its northern side. Located to the north of the service road are Privett Gardens and the grounds to Gomer Junior School. Jellicoe Avenue is located approximately 300 metres to the east of the site and Gomer Lane a similar distance to the west. These roads are accessed via footpaths leading through the Privett housing estate. Bus services are available on both these roads.

The application site is approximately 9 metres wide and 18 metres long comprising the northern part of the rear garden serving 12 Burney Road. This property has a 4.5 metre deep partially walled front garden containing a gravel surfaced parking area. A drop kerb has recently been installed by Hampshire Highways to enable on site parking to the front of the property. It is an extended detached bungalow with a hipped roof at the front and gable at the rear. The first floor has a set of double doors with Juliet balcony railings. The rear garden is bounded by 1.5 and 1.8 metre high fencing to either side. At the northern end of the application site adjoining the service road there are a pair of old timber double gates fixed shut. Behind these there is a timber shed and small greenhouse in the east and west corners of the site. The boundary to 14 on the west side comprises a 2 metre high block built wall. There is a garage set back 3 metres from the service road. The boundary to 10 is a 1.5 metre high fence with dense rose bushes to a height of 2 metres behind.

Numbers 2 to 14 Burney Road are detached bungalows of different designs with rear gardens approximately 30 metres deep. 18 and 20 are a pair of semi detached houses sited further back within their plots. There are three gable roofed bungalows located to the west of the application site, 20a Burney Road and 96 and 96a Bury Hall Lane, with frontages to and sole means of access from the service road.

It is proposed to erect a two bedroom detached chalet bungalow with a set back integral garage on the site. The second bedroom will be located in the roof space with velux roof lights in the west and east sides of the main roof. It is to be constructed in brickwork with a tiled gabled roof with subservient elements to the front and rear. The frontage is to be set back 800mm from the service road behind a 1 metre high brick boundary wall topped by shaped railings. The front door is to be located on the side of the projecting frontage element adjacent to the garage which is set back 2.3 metres from the boundary to the service road. The bungalow will be built adjacent to the side boundary with number 10 and 1 metre away from the boundary with number 14. This gap will leave side pedestrian access to the fenced rear garden area. Given the articulation to the rear of the property the garden will be between 7.5 and 11 metres deep.

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

K.16461/1 - alterations to existing roof including gable build up and erection of two storey rear extension approved 14 April 2004.

K.17203 - erection of a one bedroomed detached bungalow with integral garage on the current application site approved 13 November 2006.

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## **Relevant Policies**

Gosport Borough Local Plan Review, 2006:

RDP1

General Standards of Development within the Urban Area

RH4

Housing Densities

RT3

Internal Layout of Sites

RT11

Access and Parking

ROS8

Recreational Space for New Residential Developments

## **Consultations**

Streetscene (Waste & Cleansing)	sufficient room to store 2 x 240 litre wheeled bins, refuse collection vehicle does not use rear access therefore bins will have to be taken to a collection point at either end of the access road
Traffic Management	no objection - subject to the provision of separate cycle storage facilities to comply with minimum Hampshire Parking Strategy and Standards and conditioning the use of the garage
Building Control	fire appliance unable to turn in this part of Bury Hall Lane therefore will need to fit sprinkler system to satisfy Building Regulations

## **Response to Public Advertisement**

1 letter of objection and petition of objection containing 14 signatures

Issues raised: loss of light, outlook and privacy; concern at increase in height of dwelling; the additional bedroom gives further scope for more occupants and hence more vehicles to congest the rear access; velux windows will view out over neighbouring gardens however design is such that they would be unobtrusive; addition is fairly minor however require assurance that any future applications or amendments will be prohibited if they have any further impact on surrounding residents.

## **Principal Issues**

1. The application site is located within the urban area boundary and consequently the principle of residential development is acceptable provided that the details accord with the criteria outlined in Policy R/DP1 of the Gosport Borough Local Plan Review. In addition the acceptability of a bungalow in this location has been established by the granting of planning consent K.17203 in November 2006 by the Regulatory Board. The footprint of this proposal is the same as that previously approved. The only difference between the approval and current proposal is an increase in the main ridge height by 625mm and the incorporation of flush fitting velux windows in the side roof slopes to serve the proposed first floor bedroom and an internal staircase. The width of the access road is not affected by the proposal and should it be obstructed this would be a matter for the Police to resolve. The implementation of normal permitted development rights would not be detrimental to the amenities of neighbours. Should any future proposals for additions or alterations to the property require planning consent a separate planning application would need to be submitted for formal

consideration which would be advertised for public comment in the normal way. Therefore the main issues in this case are the acceptability of the design of the bungalow, the impact on the character of the area, the amenities of nearby and prospective residents and the provision of car and cycle parking, refuse storage facilities and open space.

2. The existing density of the bungalows 2 - 14 Burney Road is 22 dwellings per hectare and the introduction of an addition bungalow within the garden of 12 will increase the density of the plot to 44 dwellings per hectare. This falls within the recommended density range of between 30 and 50 dwellings per hectare and as such complies with Policy R/H4 of the Gosport Borough Local Plan Review. There are three other bungalows accessed from this service road and the design of this bungalow with its gabled roof form and articulation is appropriate. It will reflect the appearance of other bungalows in the area and not be out of character. The subservient roof form on the front and rear part of the building and the use of materials common to the area will ensure it is not over prominent and an acceptable design in the overall street scene.

3. Given the minor increase in the height of the roof and the scale and orientation of the building there will be no detrimental impact in terms of loss of light to the occupiers of properties located in Burney Road. In view of the orientation and design and given the fact that the property will be 17 metres away from 12 Burney Road there is no conflict with design guidance contained in the Gosport Borough Local Plan Review regarding mutual overlooking between windows to habitable rooms and therefore no resultant loss of light or privacy. The velux windows in the side roof slopes will only look over the bottom ends of the rear gardens to neighbouring properties. As such the development will not be detrimental to the amenities of adjoining residents or future occupiers.

4. The existing dwelling will retain a rear garden of approximately 10 metres depth and the new bungalow will have its own private garden area. I am satisfied the sub-divided garden will provide a satisfactory level of useable private amenity space for residents with adequate storage facilities for refuse.

5. The existing property, 12 Burney Road, has parking space for one car at the front of the property accessed from a recently installed drop kerb. A parking space is to be provided for the bungalow in the form of an integral garage and this level of provision complies with maximum parking standards. It is however appropriate given the location of the property to restrict the use of the integral garage to the storage of a vehicle to ensure the development is not detrimental to highway safety. Separate cycle storage facilities must be provided and this could be in the form of a shed to the rear of the dwelling, with a wall fixed hoop to the front of the bungalow for visitor cycle storage. A condition is proposed requiring this provision to be made. As such the proposal complies with Policies R/T3 and R/T11 of the Gosport Borough Local Plan Review.

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

**RECOMMENDATION: Grant Permission**

Subject to Section 106 agreement relating to

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

**Reasons for granting permission:**

1. Having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the development as proposed is acceptable in this location. It is of an appropriate design and will not have any detrimental impact on the visual amenities of the area, adjoining and prospective residents or highway safety. As such the proposal

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complies with Policies R/DP1, R/H4, R/T3, 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. Details, including samples of all external facing and roofing materials shall be submitted to, and approved by, the Local Planning Authority before works above slab level are commenced. The development shall thereafter be implemented in accordance with the approved details.

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

3. Details of all boundary treatment including any gate, shall be submitted to, and approved by, the Local Planning Authority before works related to that part of the development is commenced. The development shall thereafter be implemented in accordance with the approved details.

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

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

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

5. The integral garage shall be used only for the accommodation of a private vehicle, and for no other purpose whatsoever.

Reason - In the interests of highway safety and to ensure adequate car parking is provided and retained, and to comply with Policies R/T3 and R/T11 of the Gosport Borough Local Plan Review.

**ITEM NUMBER: 04.**  
**APPLICATION NUMBER: K14030/4**  
**APPLICANT: Mr K White**  
**DATE REGISTERED: 26.02.2007**

**CHANGE OF USE AND EXTENSION OF EXISTING GARAGE TO FORM DWELLING  
WITH CAR PARKING (as amended by letter dated 26.3.07)  
65 Bury Crescent Gosport Hampshire PO12 3TZ**

***The Site and the proposal***

The application site is adjacent to the turning head at the northern end of Bury Crescent, a cul-de-sac characterised by two storey, bay fronted, and mainly semi-detached dwellings. Number 65 Bury Crescent has been extended at single storey level to the side and rear. On the side elevation at ground floor level is a kitchen window and patio doors. At first floor level is a clear glazed landing window. There is a driveway to the side of the property which leads to a large concrete block garage/workshop, the subject of this application, and a hardstand in the rear garden. The remaining rear garden is laid to lawn with ponds and domestic shrubs. The garage/workshop has a 4.1 metre high tiled, pitched roof and is located on the boundary with number 63 Bury Crescent. Number 63, to the south, has a conservatory to the rear and a driveway leading to a detached single garage that is level with the front elevation of the existing garage/workshop at number 65. There is an obscure glazed landing window at first floor level in the side elevation. On the remaining boundary between the two properties is a 2 metre high block and brick wall. Both 63 and 65 Bury Crescent have double gates at the entrance to their driveways. Beyond the 2 metre high block and brick wall on the western boundary is Leesland Junior School playing field. There is a public footpath, Daisy Lane, to the north of the site, again beyond a 2 metre high block and brick wall.

The proposal is to block up the existing vehicle door and convert the garage/workshop to a one-bedroomed dwelling. To facilitate this a 3 metre deep single storey extension with a tiled, monopitch roof is to be constructed at the rear of the building incorporating a window in its northern elevation. Red brickwork is to be used for the elevation fronting no.63 Bury Crescent but the remaining walls of the extension and the north, east and west elevations of the existing structure are to be rendered and painted to match no.65. 1.5 metre high close boarded fencing is to be used to define the garden space for the new property. The existing planting along the northern edge of the driveway is to be reinforced with additional planting and trellis. The existing ground and first windows in the south elevation of no.65 are to be obscure glazed. It is proposed to extend the existing hardstand area using pea gravel to provide an enlarged area for parking and turning for 4 vehicles for use by both the existing and proposed dwellings. The plans also indicate cycle parking and refuse storage provision for both the existing and proposed dwellings.

***Relevant Planning History***

K.14030 - Erection of single storey rear/side extension. Approved 19.08.92.  
K.14030/1 - Erection of conservatory and increase height of garden walls to 2.5 metres. Refused 18.08.99.  
K.14030/2 - Erection of conservatory and increase height of garden walls to 2.25 and 2.5 metres. Refused 22.06.00. Appeal dismissed 05.01.01.  
K.14030/3 - Change of use and extension of existing garage to form dwelling with car parking. Refused 9.5.06. Appeal dismissed 23.11.06.

***Relevant Policies***

Gosport Borough Local Plan Review, 2006:  
RDP1  
General Standards of Development within the Urban Area  
RH4

Housing Densities  
ROS8  
Recreational Space for New Residential Developments  
RT10  
Traffic Management  
RT11  
Access and Parking  
RDP7  
Additions, Extensions and Alterations  
RENV10  
Noise Pollution

### **Consultations**

Traffic Management	No objection. Both long and short stay cycle parking and car parking provided for the existing and proposed dwelling in accordance with relevant standards.
Streetscene (Waste & Cleansing)	Adequate storage space for bins. Bins to be placed adjacent to public highway for collection.
Building Control	No response.

### **Response to Public Advertisement**

2 letters and 1 petition of objection received (23 signatures)

Issues raised: existing small turning head is congested and dangerous as it serves all traffic in Bury Crescent, with 8 houses (with as many as 17 vehicles parked in the driveways) taking direct access from it, with two occupants requiring several visits per day by care staff; dwelling will generate extra traffic movements; abuse of existing parking restrictions in turning head; additional residential unit and additional use of gravel drive will generate additional noise and smells; noise disturbance to new dwelling from existing garage at no.63; if allowed, the proposal will set a precedent; resubmission of application; dwelling should be constructed away from the building line; dwelling would be out of character with area.

### **Principal Issues**

1. The site is 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. In reaching the decision on the previous planning appeal, the Inspector agreed that the principle of residential development was acceptable and commented that given the scale of the development for one additional dwelling the additional level of traffic using the road would not prejudice highway safety. The development satisfies the relevant maximum car parking and minimum cycle parking standards and refuse requirements for both the existing and proposed dwellings and the developer has made provision for satisfying the requirements for outdoor playing space provision. The main issues in this case are therefore the effects of the proposal on the character and appearance of the area and on the living conditions of neighbouring and prospective occupiers within the context of the previous appeal decision relating to the site.

2. Government guidance and the development plan policies make it clear that more efficient use of land should not compromise the quality of the environment or character of the locality. As noted by the planning Inspector in the previous appeal the existing garage can be seen from the street and although it is larger and taller than some of the other garages in the road it is still currently viewed as an ancillary structure. The amended scheme differs from the previously refused in that the height of

the building is not being increased, no new windows are proposed at first floor level and the boundary treatment between the two plots is to be reinforced. However, the proposed alterations and conversion to a self-contained residential dwelling, including the blocking up of the garage door and the proposed boundary treatments to both the new and existing properties would result in the building still appearing as a separate dwelling. The proposal does not respect the design, form, or setting of the existing dwellings in the area and would appear cramped and incongruous compared with the more uniform pattern and scale of development within Bury Crescent. As such, the development would have a detrimental impact on the character and appearance of the area, contrary to Policy R/DP1 of the Local Plan Review.

3. The proposal has been designed to minimise the number of windows facing adjoining properties and protect the amenities of the occupiers of no.65. However, pedestrian and vehicle activity associated with the new dwelling and driveway, combined with existing activity at numbers 63 and 65 Bury Crescent, in such close proximity to each other, would result in an unacceptable living environment for existing and prospective occupiers in terms of loss of mutual privacy and increased noise disturbance. In particular, users of the narrow shared pea gravel driveway would walk and drive very closely to the main entrances and windows of both number 65 and the new dwelling. Whilst the ground and first floor windows in the side elevation of no.65 are to be obscure glazed, these windows, and the windows in the new dwelling, are likely to be open during the summer months and therefore occupiers would be extremely conscious of the comings and goings, to the detriment to their privacy and quiet enjoyment of their properties, contrary to Policies R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review.

**RECOMMENDATION: Refuse**

**Subject to the following conditions:-**

1. The proposed development, by reason of its location and design, would appear incongruous in the streetscene, compared with the more uniform pattern and scale of development in Bury Crescent, and, as such, would be detrimental of the character and appearance of the area contrary to Policy R/DP1 of the Gosport Borough Local Plan Review.

2. Having regard to the resulting relationship between the proposed dwelling and the neighbouring residential properties, the proposed development by reason of its location and design would be detrimental to the privacy and living conditions of nos. 63 and 65 Bury Crescent and the amenities of the occupiers of the prospective dwelling, contrary to Policy R/DP1 of the Gosport Borough Local Plan Review.

**ITEM NUMBER: 05.**  
**APPLICATION NUMBER: K8699/1**  
**APPLICANT: Mr & Mrs McLaren**  
**DATE REGISTERED: 08.12.2006**

**ERECTION OF FIRST FLOOR SIDE EXTENSION AND SINGLE STOREY REAR EXTENSIONS (ADJOINING CONSERVATION AREA) (as amplified/amended by letter dated 22.12.06)**

**1 Little Green Gosport Hampshire PO12 2EU**

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

The application site is located on the north side of Little Green at its junction with Anglesey Road to the west of Green Lane on the boundary with the Alverstoke Conservation Area. The property is located at the eastern end of a staggered terrace comprising four two storey houses. It was built in the mid 1960's and is constructed in red brick under a brown tiled gabled roof in a Neo-Georgian style. It has a flat roofed single storey element on the north facing rear elevation located adjacent to the boundary fence with the attached property 2 Little Green. There is a set back single storey flat roofed extension on the east side elevation that links to a brick boundary wall at the side of the property containing a wrought iron gate that provides access to the rear garden. The old boundary wall on the eastern boundary extends around from the front of the property rising from 1 metre to 2.5 metres in height stepping down to 1.7 metres along the rear garden boundary where it adjoins Green Lane. The wall forms part of the boundary to the Alverstoke Conservation Area. The property is situated in a substantial corner plot and backs onto the rear garden serving 8 Little Green which is screened by a fence between 1.5 and 1.8 metres in height and a line of shrubs and semi-mature trees. Beyond Green Lane there is a 1.8 metre high brick boundary wall to the side garden serving 54 Anglesey Road. The two storey side elevation to this property contains no windows and is situated 30 metres away at an oblique angle to the application property. Due to the corner location and staggered design of this part of the estate there are no other houses located immediately to the front of the property on the southern side of Little Green.

It is proposed to erect a first floor side extension above the existing single storey side extension to the property in matching brick with a gabled roof tiled to match the main house. At the rear of the side extension it is proposed to erect a 3 metre deep single storey rear extension that will be the same depth as the existing single storey element on this north elevation. This extension is also to be constructed in matching brickwork. The extensions will provide additional space to the dining area and two further bedrooms at first floor level.

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

K.8699 - erection of extension to include garden lounge and cloakroom approved 13 June 1975.

### ***Relevant Policies***

Gosport Borough Local Plan Review, 2006:

RDP1

General Standards of Development within the Urban Area

RDP7

Additions, Extensions and Alterations

RBH1

Development in Conservation Areas

RT11

Access and Parking

### ***Consultations***

Nil

## **Response to Public Advertisement**

### 18 letters of objection

Issues raised: concern that the proposal involves an unspecified change of use; a 6 bedroom property is too large for the area and will result in increased activity; 1 bathroom for 6 bedrooms is inconsistent with modern amenities; applicants have 4 cars at present, including a business van that are parked inconsiderately obstructing the footpath and road; increased parking requirement; extension will change the look and unbalance the design at the entrance to the estate and destroy its character; impact on privacy; impact on existing foul drainage system; materials should match along with window design detail - difficulty in obtaining matching bricks; lack of information in public notice and obscure positioning of notice; property deeds state 'not to use premises for any purpose other than a private dwelling house...'; no objection to extensions but windows should have 'Georgian bars' to ensure in keeping with the area; existing bathroom window has been replaced without 'Georgian bars'; the application should be accompanied by a full design and access statement.

### **Principal Issues**

1. The agent for the applicant has confirmed that the proposal is simply to provide additional living accommodation to the existing single dwelling. Should in the future there be a material change of use to the property then a separate planning application would need to be submitted for formal consideration. Covenants that may exist within the property deeds are private legal matters between the parties involved and not a consideration for the Local Planning Authority. Any obstruction of the highway and footpath is a matter for the Police to resolve. Drainage matters will be dealt with under the Building Regulations. The bathroom window that has been replaced did not require planning consent. The description given to the application adequately describes the proposal and the application was advertised in accordance with adopted policy in that those neighbours with an adjoining boundary were consulted by way of a letter. In addition and in exception to normal practice a site notice was erected in Green Lane and a further notice in Little Green. As the area of the application site covered by the red line is not located within the Alverstoke Conservation Area there is no requirement to submit a Design and Access Statement with this application. Therefore the main issues in this case are the acceptability of the design of the extensions, the impact on the character and appearance of the adjoining Conservation Area and street scene, the amenities of adjoining residents and highway safety.

2. The extensions are acceptable in terms of their location within the plot. The rear extension has a similar footprint to the existing rear element with a matching flat roof and will be screened to a large extent by the old boundary wall. It will therefore have little effect on the street scene when viewed from Green Lane. The side extension will not extend any further eastwards into the garden towards the boundary wall and is to be set back in relation to the front of the main building above the existing extension thereby reiterating and emphasising the staggered frontage that characterises this part of Little Green. This set back assists in reducing the mass of the building and with a lower roof line to the main body of the house serves to add interest to the design. As such the extensions will not have a detrimental impact on the overall street scene or the character of the adjoining Alverstoke Conservation Area. Conditioning the materials to be used and the detailed window design will ensure the external appearance of the dwelling is appropriate.

3. Given the location and scale of the extensions and adjoining boundary treatment and the orientation of the properties there will be no loss of light to neighbouring properties. The fact that there are no properties located directly in line with the bedroom windows located in the south and north elevations of the first floor side extension means there will be no loss of privacy or unacceptable overlooking of properties located in Little Green. Similarly the secondary bedroom windows in the east elevation will only face Anglesey Road and there will be no unacceptable overlooking or loss of privacy. As such the proposal complies with Policies R/DP1 and R/DP7 of the Gosport Borough Local Plan Review and will not be detrimental to the amenities of adjoining residents.

4. The property has an existing integral garage and a driveway suitable to accommodate a further 2 cars resulting in a current on site parking provision of 3 spaces. The number of bedrooms is to increase from four to six as a result of this development. The maximum permissible car parking limit for a property with four or more bedroom units is 3 spaces therefore addition parking provision does not need to be provided as a result of this development. The proposal therefore complies with Policy R/T11 of the Gosport Borough Local Plan Review.

### **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 character and appearance of the adjoining Conservation Area, 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.

#### **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. Elevation drawings at a scale of 1:20 showing details of all new windows and doors, including glazing bars shall be submitted to and approved in writing by the Local Planning Authority before works related to that part of the development is commenced. The development shall thereafter be implemented in accordance with the approved details.

Reason - Such details have yet to be submitted and to 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.



2. Policy R/OS1 seeks to protect areas outside of the urban area from inappropriate development, and provides a general presumption against development proposals. One of the exceptions to this constraint is where development is essential to the operational requirements of public and essential services. The radio coverage mapping provided with the submission demonstrates that the existing T-Mobile service in the north Rowner area needs to be upgraded by provision of an additional installation. A site search for alternative locations considered 13 possibilities, each of which was either technically/environmentally unsuitable or not made available by the land owners. The proposed location satisfies both the technical and environmental requirements and is therefore considered to be the most suitable choice, in accordance with Policy R/ENV13.

3. The visual context of the site is provided by the extensive area of trees adjacent to the tee and fairway of hole no.10 on the golf course. These trees are of diverse deciduous species, varying in height between 12 and 15 metres. The design of the mast to simulate a dead elm tree, together with the shrouded antenna, will effectively camouflage the mast from views taken beyond the golf course. Apart from the group of trees within which the mast is proposed to be sited, there are two further bands of trees separating the installation from the residential properties on St Nicholas Avenue. Given the proposed location of the mast, the surrounding trees and a separation distance of 130 metres to the nearest residential property, it is considered that the affect on visual amenity will be negligible.

4. In support of this application for 'prior approval' a health and safety compliance certificate (ICNIRP certification) has been provided to show that these matters need not be considered by the Local Planning Authority.

### **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 siting and appearance of the development as proposed is acceptable in this location and as such complies with Policies R/OS1 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).

**ITEM NUMBER: 07.**  
**APPLICATION NUMBER: K13789/26**  
**APPLICANT: Premier Marinas Ltd (Gosport)**  
**DATE REGISTERED: 08.03.2007**

**ERECTION OF REPLACEMENT CAFE WITH ASSOCIATED TIMBER DECKING, BIN AND CYCLE STORES, REVISED CAR PARK LAYOUT AND RE-ROUTING TO THE MILLENNIUM WALKWAY (as amended by email dated 30.03.07)**  
**Unit 20 Mumby Road Industrial Estate Gosport Marina Mumby Road Gosport Hampshire**

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

The application site is located to the north of Mumby Road adjacent to The Quarterdeck, a development of 46 flats, adjoining Gosport Marina. To the east of this is a four storey building called Charles House. To the west of The Quarterdeck, within the car park serving the marina, there are a number of temporary portakabins utilized by Premier Marinas Ltd. as office, changing and ancillary facilities with a café for marina users. There is planning consent to move the marina operation and berth holder facilities into Charles House but the conversion works will not be complete until the end of April 2007.

At present a temporary café facility is contained within two portakabins with a limited sitting out area immediately adjacent to the sea defences and on the original line of the planned Millennium Walkway. It is proposed to remove the existing portakabins when the move into Charles House is completed later this year. The application is for a replacement building to function as a café for marina users.

It is proposed to erect a single storey L shaped building for a café with associated toilet facilities and a timber decked sitting out area. The building will be approximately 13 metres long and between 10 and 6 metres wide and set back 8.6 metres from the quayside, behind the frontage building line to The Quarterdeck. The decking will extend along the north east and south east elevations of the building 5 metres away from the quayside. The decking will be located over 19 metres away from the side elevation to The Quarterdeck beyond a section of the car park. The building is to be constructed in blue stained timber under a asphalt shingles low hipped roof. The doors and windows will be white painted timber. The building will contain a ventilation/extract system. There will be a ramp to the main entrance door. To the north west end of the building there is to be a covered staff cycle store with six spaces and a timber enclosed bin storage area. Ten Sheffield style cycle stands are to be provided adjacent to the entrance to the building for use by visitors. The café will open between 8am and 11pm Monday to Saturday closing at 10pm on Sunday, and may operate with reduced hours outside of the main sailing season. The facility will employ 4 people and have a total of 84 seats, 36 inside the building and 48 on the decking area. The removal of the existing buildings will enable the existing car park to be extended and surfaced to match the existing providing approximately 30 more spaces than at present with adequate turning space for service vehicles. In addition a 100 metre long missing section of the Millennium Walkway is to be constructed along the top of the quayside in a matching resin bound surface with grey angled brick edgings.

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

K.13789/16 - Siting of marquee for temporary cafe use and portakabins for temporary office/storage accommodation and construction of temporary car park, temporary consent granted 11 July 2002, expired 31 July 2004.

K.13789/19 – renewal of temporary consent for the siting of portakabins for temporary café/office/storage accommodation and temporary car park, temporary consent granted 10 December 2004, expired 31 December 2006.

K.13789/23 – change of use from offices and chandlery to offices and berth holder facilities for the marina (ground and first floor) and external alterations at Charles House, Gosport Marina, Mumby Road, approved 12 October 2006.

K.13789/25 - renewal of temporary consent for the siting of portakabins for temporary café/office/storage accommodation and temporary car park, temporary consent granted 12 February 2007 for a limited period expiring on 31 December 2007.

**Relevant Policies**

Gosport Borough Local Plan Review, 2006:

- RDP1  
General Standards of Development within the Urban Area
- RDP4  
Mixed-use Developments
- RCH1  
Development within the Coastal Zone
- RCH2  
Pedestrian Access Along the Coast
- ROS10  
Protection of Areas of International Conservation Importance
- ROS11  
Protection of Areas of National Nature Conservation Importance
- RENV1  
Floodplains and Tidal Areas
- RENV2  
River and Groundwater Protection
- RENV10  
Noise Pollution
- RT11  
Access and Parking

**Consultations**

Traffic Management	no objection - the proposals will enable the Millennium Walkway to be reinstated, the car parking layout will be completed on the removal of the portakabins, cycle parking is shown for both staff and customers which is at an appropriate level for the development
Streetscene (Waste & Cleansing)	trade waste agreement will be required
Building Control	fire service access satisfactory
Environmental Health (Commercial)	no objection - the specification for the extraction system should ensure adequate ventilation but must be installed, serviced and maintained in accordance with the manufacturers instructions, noise nuisance should be minimal but the specified attenuator must be fixed if the specified 35 dB at 2 metres cannot be met after installation
Environment Agency	a flood risk assessment has been submitted with the application and there is no objection to the proposal in principle, however, a condition should be imposed requesting the

submission of a work method statement, identifying all potential pollutants and pollution prevention methods that will be employed to mitigate against this risk

Parker-Torrington

no objection - this development will result in a missing section of the Millennium Walkway being completed thereby improving the Walkway, all materials will need to match those used elsewhere on the Millennium Walkway

Natural England

no objection - the proposal does not require appropriate assessment; condition requiring the works are carried out in accordance with the Environment Agency Pollution Prevention Guidelines

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

1 letter of support

Issues raised: proposal will provide better cafe/restaurant facilities; current portakabin facilities inadequate; will provide a future asset for Gosport

### ***Principal Issues***

1. The main issues in this case are the acceptability of such a use in this location, the appropriateness of the design of the building, the impact on the amenities of adjoining residents, nature conservation, pollution of controlled waters, traffic/parking conditions in the locality, and pedestrian access along the coast.
2. The application site is located within the Urban Area Boundary and the Coastal Zone Policy Area and Coldharbour, an area designated for mixed use development under Policy R/DP4 of the Gosport Borough Local Plan Review where the waterfront location provides opportunities for marine and commercial related employment uses. The proposed use of the site as a café for marina visitors would be both employment generating and marine based and as such is appropriate in this location and complies with Policies R/DP1, R/DP4 and R/CH1 of the Gosport Borough Local Plan Review.
3. The building is of modest scale and will provide a feature of interest in the area utilizing a design and materials appropriate to this waterside location. The position of the building is such that it will not be detrimental to the amenities of adjoining residents. Conditions are proposed to restrict the hours of operation and to control noise emitted from the ventilation system to protect the amenities of adjoining residents. Therefore the proposal complies with Policies R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review.
4. The Environment Agency and Natural England have both confirmed that they have no objection in principle provided a condition is imposed regarding the submission of a work method statement relating to pollution prevention. Subject to such a condition the proposal complies with Policies R/ENV1, R/ENV2, R/OS10 and R/OS11 of the Gosport Borough Local Plan Review.
5. There is adequate car parking provision, servicing arrangements, and long and short stay cycle storage and as such the proposal complies with Policy R/T11 of the Gosport Borough Local Plan Review.

6. This development will provide a missing section of the Millennium Walkway in a matching design which will improve public access along the coast and therefore complies with Policy R/CH2 of the Gosport Borough Local Plan Review.

### **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 is acceptable in this location and will enhance the existing marina facility. The building is of an appropriate design and will not be detrimental to the visual amenities of the area or the amenities of adjoining residents. The development will not be harmful to nature conservation interests, result in the pollution of controlled waters or adversely affect traffic/parking conditions in the locality. It will result in the completion of a section of the Millennium Walkway. As such the proposal complies with Policies R/DP1, R/DP4, R/CH1, R/CH2, R/OS10, R/OS11, R/ENV1, R/ENV2, R/ENV10 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 development hereby permitted shall not be commenced until a scheme for the method of work and construction in relation to pollution prevention and mitigation measures has been submitted to, and approved by, the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

Reason - To prevent pollution of the water environment, and to comply with Policies R/ENV1, R/ENV2, R/OS10 and R/OS11 of the Gosport Borough Local Plan Review.

3. Details, including samples of the materials to be used for the construction of the Millennium Walkway, shall be submitted to, and approved by, the Local Planning Authority before works related to that part of the development is commenced. The development shall thereafter be implemented in accordance with the approved details within two months of the completion of the building.

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.

4. The areas shown on the approved plan for the parking, loading and unloading of vehicles shall be made available, surfaced and marked out, within two months of the completion of the building, and these areas shall be retained for that purpose at all times.

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

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

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

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

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

7. The level of noise emitted from the ventilation/extract system shall not exceed 35 dB at a distance of 2 metres from the building.

Reason - To secure the reduction in the level of noise emanating from the building and to protect the amenities of the occupiers of nearby premises, and to comply with Policies R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review.

8. The use hereby permitted shall not be open to customers outside the times of 8 am to 11 pm Monday to Saturday and 8 am to 10 pm on Sunday.

Reason - In order to protect the amenities of the area and to comply with Policies R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review.

**ITEM NUMBER: 08.**  
**APPLICATION NUMBER: K12995/16**  
**APPLICANT: No.1 Military Training Establishment**  
**DATE REGISTERED: 22.02.2007**

**ERECTION OF REPLACEMENT TRAINING SCHOOL BUILDING (ANCIENT MONUMENT)**  
**Fort Monckton Fort Road Gosport PO12 2AT**

***The Site and the proposal***

Fort Monckton is a moated fortification at the southern-most point of the Gosport peninsula. The establishment is occupied by a Government department and operated under the name of No.1 Military Training Establishment. The site is outside of the defined urban area in the Gosport Borough Local Plan and identified as an existing MOD establishment.

An existing two storey, flat roofed, training building, erected during the 1960s is in a poor state of physical repair and a replacement two storey, pitched roof building is now proposed. The new building is to be sited in the same part of the fort and approximately on the same footprint as the existing school.

***Relevant Planning History***

Nil

***Relevant Policies***

Gosport Borough Local Plan Review, 2006:

- RDP1  
General Standards of Development within the Urban Area
- ROS1  
Development Outside of the Urban Area
- RMOD1  
Development of Existing Establishments
- RBH8  
Archaeology and Ancient Monuments

***Consultations***

Traffic Management	No objection.
English Heritage	No comment received.
The Gosport Society	No objection to this proposal.

***Response to Public Advertisement***

Nil

***Principal Issues***

1. Although the proposal is outside of the Urban Area boundary it is accepted that the development is essential to the operational requirements of the establishment and therefore satisfies the main exception criterion of Policy R/OS1 of the Local Plan. The fort is a scheduled Ancient Monument for which separate consent is necessary from the Department for Culture, Media and Sport. Pre-application consultations have been undertaken with English Heritage to ensure that, for planning

purposes, the proposed development will not harm this nationally important site and the proposal is therefore in accordance with Policy R/BH5. The main planning issues to be addressed in this case are the general standards for development provided within Policy R/DP1 and in particular the potential affect on the character and amenity of the surrounding area.

2. The site is separated from the closest public view point on Fort Road by a considerable distance over land which is occupied by the Stokes Bay golf course. Although the detailed elevational drawings of existing and proposed buildings allow comparison of the development with the 1960s building, the application helpfully includes a photo montage which more clearly demonstrates the improvements within the proposal. These include more balance in terms of building proportion and layout, and improvement in the quality of external materials. The proposed building is therefore not considered to be harmful to the Ancient Monument or to local amenities and the wider character 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 development as proposed is acceptable in terms of its setting outside of the Urban Area Boundary and effect on the surrounding area and as such complies with Policies R/OS1, R/BH8 and R/MOD1 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, including samples, of all external facing and roofing materials shall be submitted to, and approved by, the Local Planning Authority before works above slab level are commenced. The development shall thereafter be implemented in accordance with the approved details.

Reason - To ensure that the external appearance of the building is satisfactory, and to comply with Policy R/OS1 of the Gosport Borough Local Plan Review.

**ITEM NUMBER: 09.**  
**APPLICATION NUMBER: K14129/26**  
**APPLICANT: Dean & Reddyhoff Ltd**  
**DATE REGISTERED: 06.03.2007**

**IMPLEMENTATION OF BANK STABILISATION SCHEME, RESURFACING OF EXISTING CAR PARK, ERECTION OF REPLACEMENT BOUNDARY FENCING REALIGNMENT AND RESURFACING OF PERIMETER FOOTPATH TO INCLUDE LIGHTING AND NEW LANDSCAPE PLANTING**

**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 is used predominantly by berthholders and the northern part is 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 (mainly unsurfaced) runs along the outer edge of the car park adjacent to Haslar Lake.

Planning permission for Haslar Marina was granted in October 1987. Part of the approved reclamation works in the north west corner of the site and new sea wall fronting Haslar Creek have never been completed due to the need to relocate two small outfalls. The application is for a revised scheme to stabilise the eroding bank using rock filled wire mattresses (gabions), complete the tarmac resurfacing of northern part of the car park, working around the existing flower beds and drainage, remove the existing chainlink fencing and replace it with soft wood and galvanised steel fencing to match the existing on site, resurface in tarmac the existing perimeter footpath linking Haslar Road to the Cockle Pond (which follows an amended route to that which was originally approved due to the reclamation not having been completed) and carry out landscape planting in between the new fencing and the resurfaced footpath.

***Relevant Planning History***

K.11343/1 - Construction of marina, erection of pier and toilet blocks and reclamation of land for parking and ancillary buildings. Approved 21.10.87.  
K.11343/3 - Revised public slipway location, car park layout/surface levels, construction of boundary railings, fence and ancillary structures. Approved 1.3.95.  
K.14129/10-Construction of open boat storage compound. Approved 19.3.98.  
K.14129/22 - Erection of 11no. 6.5 metre high lighting columns and additional bulkhead lighting along outer public walkway. Approved 19.1.06.  
K.14129/25 - Erection of 47m high mast with associated landscape works and paystation machine. Approved 14.3.07.

***Relevant Policies***

Gosport Borough Local Plan Review, 2006:

- RCH1  
Development within the Coastal Zone
- RCH2  
Pedestrian Access Along the Coast
- ROS1  
Development Outside of the Urban Area
- ROS3  
Urban Gaps
- ROS10  
Protection of Areas of International Conservation Importance

ROS11  
Protection of Areas of National Nature Conservation Importance  
RT3  
Internal Layout of Sites  
RT11  
Access and Parking  
RENV1  
Floodplains and Tidal Areas  
RENV2  
River and Groundwater Protection  
RENV11  
Minimising Light Pollution  
RDP6  
Landscape Design

**Consultations**

Natural England	An Appropriate Assessment is not required. Conditions are required that no works occur within the waterfowl overwintering period and landscape planting species and dressings for gabions are to be agreed.
Traffic Management	The revised car parking layout is a more efficient. The surfacing works to the footpath should be to an appropriate standard for public access.
Streetscene (Parks & Horticulture)	Planting of 7 Pinus appropriate choice of species.
Legal Services	Land is subject to a GBC lease and legal agreement relating to the construction the car park, footpath and slipway. Notice needs to be served on Council as landowner.
Crown Estate Office	No comment.
DEFRA	No response.
Queen's Harbour Master	No objection.
Environment Agency	No objection. Request informative relating to requirement for Environment Agency consent.
Southern Water	No comment on application.
Property Services	The original development was carried out to the satisfaction of the Council. Clause 3.11 of the lease dated 19.4.06 prohibits the erection of any buildings or structures on the Premises.
Leisure & Recreation Development	These works should improve the general appearance of the site.

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## **Response to Public Advertisement**

Nil

### **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 proposals are 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 main issues in this case are therefore the impacts on the nature conservation interests of Haslar Lake, the existing floodplain, the visual and physical character of the Urban Gap, the wider character and appearance of the coast, and highway and pedestrian safety conditions in the locality.

2. The rock filled gabions will provide a shallow slope facing Haslar Lake and be covered at the lower levels by intertidal mud. Above this will be various plant dressings, details of which are to be agreed with Natural England. Implementation of the approved plant dressings will be dealt with by planning condition. Given the overall low level of the works, the proposed additional landscape planting and the use of appropriate matching fencing materials, the proposals will not diminish the Urban Gap visually or physically, and will have a positive impact on landward and seaward views and the overall character and appearance of the locality. It is proposed to attach a condition to the planning permission preventing any works involving heavy machinery taking place during the overwintering period and, as such, I am satisfied that the proposals will not be harmful to overwintering birds.

3. The footpath follows a slightly different route to that originally approved in the north west corner of the site because the approved reclamation works have never been completed. However, it still links Haslar Road with the Cockle Pond as intended and gives access to the coast for all members of the public. It is proposed to attach a condition to the planning permission to ensure that the footpath is kept open and made available at all times.

4. The overall number of 492 car parking spaces is the same as that originally approved and legal agreements related to the original permission requiring their retention are still extant. The hardsurfacing for the car park and surface water drainage arrangements were approved under the original planning permission for the marina and the current proposal will not have any additional effect on the existing floodplain or drainage conditions.

### **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. Furthermore the proposal will improve highway and pedestrian safety conditions and access to the coast. As such, the development complies with Policies R/T3, R/T11, R/CH1, R/CH2, R/DP6, R/OS1, R/OS3, R/OS10, R/OS11, R/ENV1, R/ENV2 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. No development shall take place until full details of the soft landscaping works, including the dressings to be used on the gabions, have been submitted to and approved by the Local Planning Authority and these works shall be carried out as approved. These details should include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed number/densities where appropriate and an implementation programme.

Reason - In the interests of amenity and the appearance of the locality, and to comply with Policies R/OS1 and R/DP6 of the Gosport Borough Local Plan Review.

3. The approved landscape scheme and the plant dressing for the gabions shall be completed within six months from the completion of the footpath and the bank stabilisation works respectively, and any trees or plants which die are removed or become seriously damaged or diseased during the first five years, shall be replaced with others of identical species (or as may otherwise be agreed in writing with the Local Planning Authority) during the next planting season and within the time constraints set out within condition 4 below.

Reason - In the interests of nature conservation and the appearance of the locality, and to comply with Policies R/OS1, R/DP6, R/OS10 and R/OS11 of the Gosport Borough Local Plan Review.

4. 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.

5. The surfacing works for the footpath to be carried out between points 'A'-'A' on the approved plan shall be completed within 6 months from the completion of the bank stabilisation works, within the constraints of condition 4 above, and the footpath shall thereafter remain open and available for use at all times.

Reason - In the interests of highway safety and the visual appearance of the area and to comply with Policies R/OS1 and R/T3 of the Gosport Borough Local Plan Review.