

Please ask for: Lisa Young

Direct dial:

(023) 9254 5651

Fax:

(023) 9254 5587

E-mail:

lisa.young@gosport.gov.uk

29 November 2010

S U M M O N S

MEETING: Regulatory Board
DATE: 7 December 2010
TIME: 6.00pm
PLACE: Council Chamber
Democratic Services contact: Lisa Young

LINDA EDWARDS
BOROUGH SOLICITOR

MEMBERS OF THE BOARD

Councillor CR Carter (Chairman)
Councillor Edwards (Vice Chairman)

Councillor Ms Ballard	Councillor Ronayne
Councillor Henshaw	Councillor Scard
Councillor Hylands	Councillor Miss West
Councillor Langdon	Councillor Wright

The Mayor (Councillor Allen) (ex officio)
Chairman of the P and O Board (Councillor Hook) (ex officio)

FIRE PRECAUTIONS

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

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

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

IMPORTANT NOTICE:

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

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

NOTE:

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

AGENDA

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 9 NOVEMBER 2010.

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, 3 December 2010. 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, 3 December 2010).

6. REPORTS OF THE BOROUGH SOLICITOR

*Schedule of planning applications with recommendations.
(grey sheets – pages 1 –57/1)*

PART II
Contact Officer:
Debbie Gore
Ext 5455

7. ANY OTHER ITEMS

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

GOSPORT BOROUGH COUNCIL – REGULATORY BOARD

7th December 2010

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.

INDEX				
<u>Item</u>	<u>Page No</u>	<u>Appl. No.</u>	<u>Address</u>	<u>Recommendation</u>
01.	3-7	K9393/7	Land To The Rear Of 63-65 High Street Lee-on-the-Solent Hampshire PO13 9BU	Grant Permission
02.	8-10	K16086/2	7 Ellachie Mews Gosport Hampshire PO12 2DR	Grant Permission
03.	11-14	K13063/3	Small Talk Preschool Ltd 47 Gosport Road Lee-On-The-Solent Hampshire PO13 9EJ	Grant Permission
04.	15-19	K17864/1	Land Adjacent To The Wych Way Inn 163 Wych Lane Gosport Hampshire PO13 0NW	Grant Permission
05.	20-22	K17855	20 Wellington Drive Lee-On-The-Solent Hampshire PO13 8FZ	Grant Permission
06.	23-29	K5799/2	Magennis Hall Magennis Close Gosport Hampshire PO13 9XL	Grant Permission
07.	30-35	K17863	Land Adjoining Stokes Bay Road Gosport Hampshire	Grant Permission
08.	36-39	K6624/11	104 Fareham Road Gosport Hampshire PO13 0AL	Grant Temporary Consent
09.	40-42	K17873	230 Brockhurst Road Gosport Hampshire PO12 3BD	Grant Permission
10.	43-46	K3618/9	152 - 154 High Street Lee-On-The-Solent Hampshire PO13 9DD	Grant Permission
11.	47-51	K17880	Land At Rear Of 90a - 92 Fareham Road Gosport Hampshire PO13 0AG	Refuse
12.	52-55	K8888/3	Disinfestation Centre Unit 29 Toronto Place Gosport Hampshire PO12 4UZ	Grant Permission
13.	56-57	K10020/5	Gloucester House Holly Street Gosport Hampshire PO12 1RP	Grant Permission

ITEM NUMBER: 01.
APPLICATION NUMBER: K9393/7
APPLICANT: Mr R Haimes
DATE REGISTERED: 29.06.2010

DEMOLITION OF STORE AND ERECTION OF CLASS B1(A) OFFICE UNIT (as amended by plans received 31.08.10)
Land To The Rear Of 63-65 High Street Lee-on-the-Solent Hampshire PO13 9BU

The Site and the proposal

This application was considered by the Regulatory Board on 9 November 2010 when Members resolved to defer the item for a site visit.

The application site is located within the Urban Area Boundary and the Lee-on-the-Solent District Shopping Centre on the south west side of the High Street. The site currently contains a large single storey brick and block storage building under a pitched roof approximately 3 metres high built up to the side boundaries of the site. The building is in poor physical and structural condition. The site is accessed from the rear service road and via a pedestrian link from the High Street passing along the side of numbers 63-65. There is a recessed element to the rear of the building which provides a single parking space on the site positioned immediately adjacent to the rear service road. The frontage property, 63-65 High Street, contains a Chinese restaurant on the ground floor with a maisonette above. It is constructed in red brick under a tiled gabled roof and has a large dormer window on the rear elevation containing patio doors leading out onto a narrow balcony.

To the north west of the site, 67-69 High Street, is a two storey building comprising a Chinese take away on the ground floor with residential accommodation above. This building has a single storey element on its side elevation adjoining the pedestrian access to the application site. There are no windows in the side elevation to this property. To the rear of the property there is a large concrete hardstand and a garage. To the south east of the site, 59-61 High Street, is an attached two storey building with a gabled roof comprising a shop on the ground floor, Phil's Sausages, with residential accommodation above. This property has two roof lights in its rear facing roof slope. There is a garage with gabled ends and a pitched roof at the rear of the property accessed from the rear service road. To the rear of the commercial properties located beyond those immediately adjacent to the application site there are a number of relatively large outbuildings with gabled roofs.

At the rear of the application site, to the south west of the rear service road, there are a number of garages serving the residential properties fronting Marine Parade East. Number 15 Marine Parade East is a two storey detached house with a hipped roof containing a single window in its first floor rear elevation situated approximately 17 metres away from the application site boundary. It has a double garage set back approximately 3 metres from the rear service road. Numbers 12 and 13 Marine Parade East are flats located in a two storey attached building with a hipped roof situated approximately 21 metres away from the application site boundary. This building has a kitchen and bedroom window at first floor level and a small roof light facing the application site. These flats are served by a double garage. Numbers 10 and 11 Marine Parade East are flats located in a two storey attached building with a gabled end at the rear and dormer windows to the side roof slopes. This building contains two windows serving a kitchen and another room at first floor level with a further window at the top of the gable in the roof. These windows are situated approximately 21 metres away from the application site boundary. There is a block of three garages at the rear of this property accessed from the service road.

It is proposed to demolish the existing storage building and erect a single commercial unit consisting of 136 square metres of Class B1 (a) office floorspace accommodated on the ground floor and within the roof space of the building. The business would look to employ one full time and one part time member of staff. The building is to be constructed in red face brick under a plain tiled pitched roof approximately 6.8 metres high. The building will be positioned approximately 1.5 metres to the rear of the frontage property and have a ground floor footprint approximately 10.5

metres long by 7 metres wide situated adjacent to the south east boundary and positioned approximately 800mm from the north west boundary wall. The first floor will project out over the ground floor by approximately 2.5 metres towards the rear service road and be supported by brick piers at the corners. The roof will have a hipped end where it faces the existing commercial property with a ridge running the length of the building to a gable on the elevation facing the service road. There is to be a feature window in the gabled end elevation and two roof lights in each of the side roof slopes. The roof lights will be positioned with their lowest part 1.7 metres above the internal floor level. At ground floor level there will be two windows in the end elevation facing the service road with an entrance door and two windows in the north west side elevation adjoining the pedestrian access to the site. The ground floor part of the building has been recessed in order to be able to accommodate two car parking spaces on the site 4.9 metres long with 5.5 metres space behind to the far side of the adopted rear service road. The parking area and access is to be surfaced in block paving. One parking space will be for the existing property 63-65 High Street the other for the proposed unit. A cycle store is to be provided on the site along with two Sheffield style cycle hoops for use by visitors. Refuse storage areas are also identified for the restaurant and the proposed office.

Relevant Planning History

K9393/2 - erection of front and rear dormer windows and change of use of first floor coffee lounge/loft to form maisonette - permitted 22.08.84

K9393/3 - construction of a second floor balcony and installation of patio doors - permitted 08.08.85

K9393/4 - change of use of retail shop (Class A1) to tea room (Class A3) and indoor market - permitted 21.08.96

K9393/5 - variation of condition - relief of condition 4 to consent K9393/4 to allow use of tea room as restaurant (Class A3)

K9393/6 - demolition of store and erection of a one bedroom live work unit - withdrawn 02.06.10 to allow the applicant to give further consideration to the proposal and delete the residential element and increase the depth and size of the car parking spaces

Relevant Policies

Gosport Borough Local Plan Review, 2006:

R/DP1

General Standards of Development within the Urban Area

R/DP3

Provision of Infrastructure, Services and Facilities

R/S5

Non 'Class A' Uses in Shopping Centres at Ground Floor

R/EMP6

Development for Employment Uses within Urban Areas

R/T4

Off-site Transport Infrastructure

R/T11

Access and Parking

Consultations

Economic Prosperity

Existing use of area for storage does not provide any direct employment and this proposal offers the potential for both a more visually attractive building and employment creation. Office use accords well with its High Street location and the provision of car and cycle parking space will increase its attractiveness to potential occupiers.

Local Highway Authority

No objection. Two parking spaces provided

of adequate size. The site is accessible with public car park and bus services within easy reach. Cycle parking provided to standard. Transport infrastructure contribution required due to the extra trip generation of the proposed use.

Response to Public Advertisement

8 letters of objection

Issues raised:-

- loss of light
- loss of privacy
- overshadowing
- scale of building
- inadequate on site parking
- concerned that visitors to office would park on private hardstandings to nearby residential properties
- opposed to residential developments adjoining rear service road
- building could change to residential use
- could set precedent for further buildings in rear service road
- fire engines and emergency vehicles struggle to use service road

Principal Issues

1. The proposal does not incorporate a residential use and any application for such a change of use would need to be considered on its merits in the light of relevant policies at the time. Similarly, any future proposals for further development onto the service road would have to be considered in the light of relevant policies at the time. The service road is adopted public highway and is capable of use by the emergency services. Should there be an obstruction of the highway, this would be a matter for the Police to deal with. Should people park on private land then this would be a private matter for the parties to resolve. Therefore the main issues in this case are the acceptability and impact of such a use on the vitality and viability of the Lee-on-the-Solent District Shopping Centre, the acceptability of the design of the building, the impact on the visual amenities of the area and the amenities of nearby residents and the provision of car and cycle parking, refuse storage facilities and transport infrastructure.

2. As the site is situated to the rear of an existing restaurant and currently contains an underutilized store, and no existing Class A use will be lost to the development, the proposal will have no detrimental impact on the vitality and viability of the Lee-on-the-Solent District Shopping Centre. Due to the building being located at the rear of the High Street and the proposed use being appropriate and acceptable in such a location the proposal complies with the aims and objectives of Policy R/S5 of the Gosport Borough Local Plan Review. Moreover, the introduction of a commercial use in this location will generate additional employment opportunities and therefore is likely to enhance the vitality and viability of the Lee-on-the-Solent District Shopping Centre. As such, it complies with Policy R/EMP6 of the Gosport Borough Local Plan Review.

3. The design of the building has been carefully considered utilizing materials to reflect the character of the existing frontage building. The roof has been designed to take into account the proximity of the neighbouring properties so as to minimise its impact. It will be a marked improvement in visual terms compared to the existing building and is of an appropriate and acceptable scale and design for this location. It will improve the visual amenities of the area. As such the development complies with Policy R/DP1 of the Gosport Borough Local Plan Review.

4. Due to the location and scale of the building relative to neighbouring properties, the fact that the roof will slope away from the side boundaries and the existing property located on the site there will be no significant loss of light to or overshadowing of neighbouring properties. The building is for office use and as such will not contain habitable rooms. The roof lights in the side elevations are

positioned at a height so that it will not be possible to look out of them into the neighbouring sites. Given the distances to the rear elevations of the dwellings fronting Marine Parade East and the intervening garages there will be no loss of privacy. As such the proposal complies with Policy R/DP1 of the Gosport Borough Local Plan Review and will not have a detrimental impact on the amenities of adjoining residents.

5. The application site is located in a District Shopping Centre with good links to public transport and is close to a large public car park. In addition, two car parking spaces will be provided on the site which is considered adequate in such a location. The spaces are set well into the site so that it will be possible to manoeuvre in and out of the spaces without having to encroach on the private hardstanding areas located on the opposite side of the service road. Cycle parking facilities are to be provided to the relevant standard. Provision is made for the storage of refuse for the new office and for the existing restaurant. The restaurant will continue to be serviced from the rear of the site. The development will not therefore have a negative impact on the servicing arrangements of any adjoining uses. As such the proposal complies with Policies R/DP1 and R/T11 of the Gosport Borough Local Plan Review.

6. The erection of an office building on the site compared to the existing store will increase trip generation to and from the site. The applicant has confirmed a willingness to enter into a planning obligation under Section 106 with Hampshire County Council for the payment of a sum towards transport infrastructure, in accordance with Policies R/DP3 and R/T4 of the Gosport Borough Local Plan Review. Arrangements to make this contribution will be secured by condition.

RECOMMENDATION: Grant Permission

Reasons for granting permission:

1. Having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the proposed building and use are acceptable in this location. The development will generate additional employment opportunities and will enhance the vitality and viability of the Lee-on-the-Solent District Shopping Centre. It is of an acceptable design and will improve the visual amenities of the area. It will not have a detrimental impact on the amenities of nearby residents or adjoining uses or traffic or parking conditions in the locality. Adequate provision is made for car and cycle parking, refuse storage and transport infrastructure. As such, the proposal complies with Policies R/DP1, R/DP3, R/S5, R/EMP6, R/T4 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. No development shall commence until arrangements have been put in place to secure a contribution towards transport infrastructure, services and facilities in compliance with Policies R/DP3 and R/T4 of the Gosport Borough Local Plan Review.

Reason - To ensure a contribution is made towards transport infrastructure, services and facilities in compliance with Policies R/DP3 and R/T4 of the Gosport Borough Local Plan Review.

3. The development hereby permitted shall be carried out in accordance with the following approved plans:

- Location Plan, - 02A, - 01E and - 03D.

Reason - To ensure that the development is completed satisfactorily in all respects and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

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

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

5. Before the development hereby permitted is first brought into use the areas for the parking of vehicles shall be provided and the areas shall be surfaced and subsequently retained and kept available at all times for these purposes in accordance with a scheme to be agreed in writing by the Local Planning Authority.

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

6. 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, in writing, 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.

7. Before the development is first brought into use the facilities hereby approved for the storage of refuse for removal from the premises shall be provided 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.

ITEM NUMBER: 02.
APPLICATION NUMBER: K16086/2
APPLICANT: Mr Ross Wincott
DATE REGISTERED: 02.11.2010

**APPLICATION TO REMOVE CONDITION 9 OF K16086/1 RELATING TO OBSCURE
GLAZING OF WINDOW ON THE NORTH WEST ELEVATION (CONSERVATION AREA)
7 Ellachie Mews Gosport Hampshire PO12 2DR**

The Site and the proposal

The application site is located at the end of Ellachie Mews and has boundaries with St Peter's Cottage, 1-4 Ellachie Road, the Institute of Naval Medicine and Monckton Cottage. St Peter's Cottage is a two storey property which forms the southern boundary. The properties on Ellachie Road, to the west, are three storeys high and have rear gardens approximately 30 metres in length. No.7 Ellachie Mews, the subject of this application, is located on the north west side of the site with Monckton Cottage to the east, both of which are served by an access onto Ellachie Mews. The site is located within the Anglesey Conservation Area.

This application seeks to remove condition 9 of the original planning permission (K16086/1) for the construction of the dwelling. Condition 9 requires the two-storey high window serving the hall, stairs and landing area, sited centrally on the west elevation, to be obscure glazed. The window has been installed with clear glass and the applicant is seeking to retain it in that condition.

Relevant Planning History

K16086/1 - Erection of detached dwelling - permitted 18.08.04

Condition 9 states:

"The windows on the north west elevation outlined in green on the approved plan shall be glazed with obscure glass and shall be retained in that condition.

Reason - To preserve the amenity of the adjoining property, and to comply with Policies BE1 and BE3 of the Gosport Borough Local Plan."

ENF/031/08 - Non-compliance with condition 9 of application K.16086/1 - received 01.05.08

Relevant Policies

Gosport Borough Local Plan Review, 2006:

R/DP1

General Standards of Development within the Urban Area

R/BH1

Development in Conservation Areas

R/T11

Access and Parking

R/OS8

Recreational Space for New Residential Developments

Consultations

The Gosport Society	No objection.
Building Control	No comment.
Local Highway Authority	No objection. The highway is not affected.

Response to Public Advertisement

2 letters of objection

Issues raised:-

- nothing has changed since the condition was imposed by the Committee in approving the dwelling
- the window is only a few feet from the garden of 3 Ellachie Road and occupies a vantage point 12-15 feet in height
- the three paned, large upper hall window (virtually ceiling to floor) in the middle of the wall lines up with the centre of the garden (of No.3) overlooking its lawn
- privacy screens erected by the occupants of no.3 have failed to address the issue of privacy due to the height and position of the window
- willing to compromise if just the upper floor window was obscure glazed
- exasperated that the condition remains unenforced some years after the building was erected

Principal Issues

1. The principle of erecting the house, the level of parking and other issues associated with the new dwelling, were considered acceptable in this location and approved under application K16086/1. A contribution towards open space was also paid on commencement of the construction of the dwelling. Whilst in the event this application is approved it would constitute a new full permission for development, this application is specifically seeking the removal of condition 9 attached to the original permission. The main issue in this case is therefore the effect of not having obscure glazing in the two storey high window in the north-west elevation and the impact on the living conditions of the adjacent residential properties in Ellachie Road.

2. The original application for the dwelling was reported to the Regulatory Board on 25 May 2004. It was noted within the Officer report at the time that there were a number of windows proposed facing onto the gardens of Ellachie Road, however, the dwellings were some 30 metres from the proposed side elevation and this separation distance exceeded the residential design guidelines contained within the Local Plan Review by more than 9 metres. The window itself serves non-habitable living areas and although views are possible when persons are using the stairs and upper landing area, it overlooks the end of the neighbours' gardens, rather than the more private areas directly adjacent to the house. It was concluded in the report that this and the other proposed windows on this elevation would not result in a harmful loss of privacy. The Minutes of the meeting confirm that a deputation was made by Dr North of 3 Ellachie Road expressing concern regarding privacy and that the applicant, Mr Collins, who is no longer the owner of the property, was invited to address the Board. In response to the concerns raised regarding privacy, the Chairman asked if the applicant would agree to the imposition of a condition requiring this window to be obscure glazed, and following his agreement, planning permission was granted subject to the additional condition 9.

3. The material planning considerations and the residential separation distance guidelines in the Local Plan Review have not changed since the granting of planning permission K16086/2. Having regard to the separation distances, which exceed the guidelines by approximately 9 metres, it is considered that the removal of the condition and with it the requirement to obscure glaze the window, would not have a harmful impact on the privacy of the neighbouring properties and the proposal accords with Policy R/DP1 of the Gosport Borough Local Plan Review.

4. In the event that planning permission is granted, it is appropriate to renew and update all of the conditions attached to the original permission. As the property has been built, the only conditions that remain of relevance are those that require continued compliance. Therefore it is considered appropriate to impose amended versions of conditions 5, 7 and 8 previously attached to planning permission K16086/1, relating to the retention of car parking, the obscure glazing of the first floor window in the southeast elevation (a bathroom window facing onto Monckton Cottage) and retention of the cycle storage. The other conditions attached to the original permission have either been satisfied, or new legislation relating to permitted development now provides additional controls to protect privacy and the conditions are no longer required.

5. The length of time it has taken to deal with this matter is extremely unfortunate but enforcement powers are discretionary and due to staffing shortages over the last few years, priority has had to be given to the determination of planning applications, being the main, statutory function of the Local Planning Authority. Regrettably, this has resulted in unavoidable delays in investigating and dealing with breaches of planning control. Contact has been made with the current owner in order to secure compliance with the condition, however, these attempts have been unsuccessful and the applicant has exercised their right to seek removal of the condition.

RECOMMENDATION: Grant Permission

Reasons for granting permission:

1. Having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the proposal is acceptable in this location and as such complies with Policies Plan and Policies R/DP1, R/BH1, R/T11 and R/OS8 of the Gosport Borough Local Plan Review.

Subject to the following conditions:-

1. The existing parking areas, approved under application K16086/1, 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.

2. The obscure glazed window at first floor level on the southeast elevation shall be retained in that condition.

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

3. The existing cycle storage facilities, approved under application K16086/1, shall be retained at all times.

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

ITEM NUMBER: 03.
APPLICATION NUMBER: K13063/3
APPLICANT: Mr Neil Harding
DATE REGISTERED: 25.08.2010

VARIATION OF CONDITIONS 2 AND 3 OF CONSENT K13063/2 TO VARY HOURS OF OPENING AND CARE FOR UP TO 30 CHILDREN (as amplified by letter received 5.11.10)

Small Talk Preschool Ltd 47 Gosport Road Lee-On-The-Solent Hampshire PO13 9EJ

The Site and the proposal

The application property is a two storey detached house located on the southern side of Gosport Road. The ground floor of the property is used exclusively by a preschool and comprises three activity rooms, a staff room, staff dining room, toilets and a storage area. The first floor of the premises is a self contained residential unit. The property has a large single storey pitched roof extension on the rear elevation with a set of double doors providing access to the back garden. Attached to the southern elevation of this addition is a flat roofed single storey store. This addition is located on the eastern side of the site, on the boundary with number 45, and extends the entire length of the rear garden. The garden is approximately 11 metres long and is enclosed on the western side by a 1.8 metre high close boarded fence. The rear boundary comprises a 1.8 metre high red brick wall, with a wooden gate providing access to a service road. A secondary access into the garden is available via a pathway at the side of the dwelling. There is a small paved area at the front of the site, where cycle parking facilities have been provided. There are no parking restrictions on the adjoining highway.

The adjoining dwelling to the west, number 49, is a two storey detached dwelling. It has a lean-to conservatory on the rear elevation and a wooden shed adjacent to the shared boundary with the application site. To the east of the application site is number 45, another two storey detached dwelling. The property has a small lean-to conservatory on the rear elevation with a detached garage at the southern end of the rear garden.

The property was originally granted temporary consent to be used as a playgroup, caring for up to 12 children, in 1988 and then 16 children in 1990. In 2009, planning permission was granted under K13063/2 to extend the existing childcare service to up to 22 children. This consent is the subject of two restrictive planning conditions. Condition 2 of the consent stipulates that no more than 22 children may be minded at the premises at any one time. Condition 3 restricts the opening hours so that the service may only operate between the hours of 0900-1530 on Monday-Friday and at no time whatsoever during Local Education Authority school holidays or on weekends and Bank Holidays. It is not proposed to employ any additional staff.

This application is to vary condition 2 to increase the number of children that may be cared for at the site from 22 to 30. The applicant also proposes to extend the opening hours, currently controlled by condition 3, to 0830-1630, Monday-Friday, during term time and to offer a 'Holiday Club' service, operating between 0800-1700, Monday-Friday during school holidays. The pre-school will not be open at weekends. The amended opening hours are required in order to allow for more flexible arrival and departure times.

Information provided by the applicant indicates that many of the clientele will be locally based and will therefore arrive at the site on foot and that the varied opening times will allow arrivals and departures to be staggered throughout the day, rather than at peak times. The applicant has indicated that the use of the garden will continue to be limited to 8 children at any one time, during specific periods of the day. The Holiday Club service also offers outings and trips, whereby children are taken off-site for the day.

Relevant Planning History

K13063 - use of residential property as playgroup for up to 12 children - permitted 26.08.88

K13063/1 - continued use of residential property as playgroup for 16 children - permitted 02.08.90

K13063/2 - extension to existing childminding service to cater for up to 22 children and erection of boundary fencing & replacement of rear ground floor window with door - permitted 23.06.09

Relevant Policies

Planning Policy Statement 4 (PPS4) : Planning for Sustainable Economic Growth

Gosport Borough Local Plan Review, 2006:

R/DP1

General Standards of Development within the Urban Area

R/CF5

Development of Childcare and Day Care Facilities

R/T11

Access and Parking

R/ENV10

Noise Pollution

Consultations

Environmental Health (Commercial)	Update to be provided.
Environmental Health (Pollution & Environment)	No objection. There have been no complaints lodged with regard to noise or disturbance.
Local Highway Authority	No objection.
OFSTED	No comment.

Response to Public Advertisement

4 letters of objection;

Issues raised:-

- the proposal will create parking problems in Gosport Road
- inappropriate parking in the locality obstructs the driveways of local residents
- traffic congestion will make access for emergency and refuse vehicles difficult
- clientele of the preschool walk in the road
- double yellow lines are required outside of the preschool to restrict on road parking
- vehicular parking on the pavement is causing the front wall at number 56 to lean
- problems selling adjacent properties due to proximity to preschool
- the preschool is inappropriate use in the residential area
- the nursery is blocking the local drains of number 45

Principal Issues

1. Potential damage to neighbouring properties, domestic drain blockages, and future property sales are private legal issues and not matters that the Local Planning Authority can take into account when determining an application for planning permission. The principle of using the site as a pre-school has already been established. The main issues for consideration in this case therefore are the impact of increasing the number of children at the pre-school and extending the hours and days of operation on the amenities of adjoining residents and highway safety conditions.

2. The existing pre-school is already well established and has been operating from the premises since 1990. It has been caring for up to 22 children since 2009. The preschool provides an important service to the local community, and the applicant has provided information to show that there is an increasing local demand for childcare facilities, particularly during school holidays, when parents often have to continue working. The proposed development will therefore enhance the service available to residents of the Borough, and the long term viability of an important and well established local community facility. Notwithstanding this, as the site is located in a residential location, the proposal should not have a negative impact on the living conditions of neighbouring occupiers. The proposal to increase the numbers of children at the site from 22-30 represents an increase of 36%. On weekdays, the preschool would open 30 minutes earlier and close 1 hour later when compared to the current arrangement. During school holidays, the pre-school would open at 0800 and close at 1700. Although it would operate over extended hours, throughout the year, the pre-school would not be open outside of normal working hours, when residents are most likely to be at home. Furthermore, the amended opening times will allow for staggered arrivals and departures and this will reduce periods of peak activity associated with the site. The rear garden is also well enclosed and the applicant has indicated that its use will continue to be restricted to only 8 children at a time, and this can be controlled by condition. Subject to this condition, I do not consider that the proposal would result in an unacceptable level of noise disturbance to adjacent occupiers. In considering all of the above points, I do not consider that the proposal represents a significant intensification of the use of the site, or that it will result in harmful disturbance to adjoining occupiers. In order to preserve the amenity of adjoining occupiers, conditions are also proposed which will control the operating hours of the business and the maximum number of children that can be minded at the property at any one time. Subject to the above conditions, the proposal is acceptable and will not harm the residential amenity of adjacent occupiers, in accordance with Policies R/DP1, R/CF5 and R/ENV10 of the Gosport Borough Local Plan Review.

3. The site is in an accessible location, close to the Lee-on-the-Solent District Centre and a number of bus stops. Approximately half the clientele will arrive at the site by foot, and this is a typical feature of many childcare establishments. It is unlikely that increasing the number of children attending the site by 8 will result in a significant increase in the number of vehicular trips to and from the site, particularly as no new staff are required. In addition to this, the amended opening hours will allow for staggered arrival and collection times and this will reduce the likelihood of traffic congestion in the local road network. Notwithstanding this, there are no parking restrictions along Gosport Road and adequate on road parking is available to allow parents to drop off and collect children in a safe and convenient manner. Vehicles will therefore be able to visit the site without compromising the safety of other users of the public highway. Adequate and conveniently located bicycle parking facilities are available at the front of the site and this will help to promote alternative modes of transport to the car. In light of the above, I do not consider that the proposed development will have a negative impact on the traffic conditions of the locality, or highway and pedestrian safety. It is not considered necessary to require new road markings on the adjacent highway, which would reduce the amount of on-street parking available for both local residents and users of the pre-school. The proposal therefore accords 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 increase in the number of children and revised opening hours will not have a detrimental impact on the amenities of the occupiers of the adjoining dwellings, traffic conditions in the locality, or highway and pedestrian safety. The proposal therefore complies with Policies R/DP1, R/CF5, 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 be carried out in accordance with the following approved plans:

240/349/1, Plan 1 and Plan 2

Reason - To ensure that the development is completed satisfactorily in all respects and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

3. Not more than 30 children shall be minded at the property at any one time.

Reason - To protect the residential amenities of the occupiers of the neighbouring properties and to comply with Policies R/DP1, R/CF5 and R/ENV10 of the Gosport Borough Local Plan Review.

4. The property shall not be used for childminding purposes other than on the ground floor and in the garden and only between the hours of 8.30am and 4.30pm on Monday to Friday during term time and 8am and 5pm during Local Education Authority school holidays and at no time whatsoever on Saturdays, Sundays and Bank Holidays.

Reason - To maintain the residential character of the area and protect the amenities of the occupiers of the neighbouring properties and to comply with Policies R/DP1, R/CF5 and R/ENV10 of the Gosport Borough Local Plan Review.

5. Notwithstanding condition 4 above, not more than 8 children shall be permitted to use the rear garden of the premises for recreational purposes at any one time.

Reason - To protect the residential amenities of the occupiers of the neighbouring properties and to comply with Policies R/DP1, R/CF5 and R/ENV10 of the Gosport Borough Local Plan Review.

ITEM NUMBER: 04.
APPLICATION NUMBER: K17864/1
APPLICANT: Orchard Homes Ltd
DATE REGISTERED: 20.09.2010

ERECTION OF TWO-STOREY TERRACE OF 5NO.THREE BEDROOM HOUSES WITH ASSOCIATED CYCLE AND REFUSE STORES, CAR PARKING AND LANDSCAPING (as amended by plans received 19.11.10 and 26.11.10)
Land Adjacent To The Wych Way Inn 163 Wych Lane Gosport Hampshire PO13 0NW

The Site and the proposal

The application site is the northernmost part of the former car park of the Wych Way Inn Public House which has recently been converted to a convenience store (Co-operative), which is serviced from the Brewers Lane frontage. The Co-op is a 2-storey brick building which has a steep pitched roof with dormer windows. Its rear elevation forms the southern boundary of the application site. To the north (beyond a highway verge) and east of the site is Bridgemary School, which has a mix of vegetation to its boundary. To the west and on the opposite side of Wych Lane are two-storey houses with brick to the ground floor and coloured renders to the first floor.

The application is for the construction of a terrace of 5 houses. The terrace would be set back from the highway by more than 9 metres at its southern point with each of the properties stepping towards the road by a further 1.8 metres. The properties would be constructed using a mix of render panels and brick with a similar design. They are designed with gable roofs facing onto Wych Lane. Each would have a rear garden accessed from the parking area to the south via a gate. The main parking area consists of 6 spaces. 2 further spaces are situated within the front garden of the southernmost plot. All of the spaces are accessed from the shared entrance to the Co-op car parking area from Wych Lane. Refuse stores are indicated to the front of each property, with cycle stores located within the rear gardens.

Amended plans have been received showing minor alterations to the elevations of the buildings so that they are not all identical. These include timber box windows and detailing under the windows. They also clarify the use of materials and the recessing of the grey window frames. The car parking layout has also been amended to enable improved manoeuvrability to allow cars to enter and leave in a forward gear.

Relevant Planning History

K17864 - Erection of a part two/part three-storey building to form 4no.three bedroom houses, two-storey building to form 4no.one bedroom flats with associated cycle and refuse stores, car parking and landscaping - pending consideration.

Relevant Policies

Gosport Borough Local Plan Review, 2006:

- R/OS8
Recreational Space for New Residential Developments
- R/DP1
General Standards of Development within the Urban Area
- R/T4
Off-site Transport Infrastructure
- R/T11
Access and Parking
- R/H4
Housing Densities

R/DP3
Provision of Infrastructure, Services and Facilities

Consultations

Building Control	The access for the Fire Brigade is acceptable.
Crime Prevention & Design	No significant comments to make. Any side access should have a lockable gate and the cycle stores should be secure. Doors and windows should be to the appropriate standard. Car parking areas should be lit and preferably overlooked. The use of alternative surfacing on access road and car park is encouraged to indicate boundaries of private areas. Encourage the developer to implement the Secure by Design standard.
Local Highway Authority	The access off of Wych Lane is satisfactory. The level of parking is acceptable in this location. No objection to layout on amended plan. There is likely to be a desire to park in front of properties facing onto Wych Lane therefore to maintain highway safety a financial contribution towards a TRO to provide double yellow lines should be sought. A financial contribution towards highway infrastructure is also required. Long and short stay cycle parking should be provided.

Response to Public Advertisement

Nil

Principal Issues

1. The application site is located within the Urban Area boundary and within an area which is predominantly residential in nature. There is no control over the retention of this land as a car park associated with the Co-op and the parking retained for the shop use accords with the parking standards. Consequently, the principle of a residential development on this site is acceptable. The main issues in this case are whether the proposed development would result in an appropriate form and design of development in this location, have an unacceptable impact on the amenities of nearby and prospective occupiers and make appropriate provision of car and cycle parking, refuse storage facilities and open space.

2. The properties opposite are brick and render and the proposals seek to reflect their appearance in an alternative way. Each property would have a rendered panel at first floor level, with either timber cladding, or a box window to add additional interest. The staggered nature of the buildings would add further visual interest within the street frontage. The use of materials, which are of a similar nature to the buildings opposite, and adding additional elements of timber cladding and grey windows and tiles would respect the character of existing development within the locality, whilst not seeking to replicate it. The gabled roofs seek to reflect elements of the existing Co-op building, whilst remaining subservient to it, in its prominent corner location. Overall the design is considered to be acceptable and in accordance with Policy R/DP1.

3. The proposed houses back onto Bridgemary School, which is well screened by the existing vegetation. The closest residential properties are those opposite within Wych Lane and across the public highway. There would be no impact in terms of loss of privacy, outlook, or light from this relationship.

4. The site is located adjacent to the newly converted Co-op and close to the shops and library within Brewers Lane and is reasonably accessible. A total of 8 parking spaces are to be provided for the 5 units. The Residential Parking Supplementary Advice Note indicates that the average number of cars per household within the Peel Common Ward is 1.19, indicating the level of demand for parking would be low. Therefore the level of car parking is considered to be acceptable in this case. The proposal indicates a difference in surfacing between the private parking area and the more publicly accessible Co-op parking and this will assist in deterring parking within these spaces by non-residents. The cycle and refuse storage is acceptable for this proposals, however, in order to provide adequate security measures, conditions relating to the rear access having a lockable gate and an appropriate lighting scheme for the car parking area are necessary in this case. The Highway Authority have raised concerns regarding the desire of occupants to park in front of the properties and have recommended that a Traffic Regulation Order (TRO) be prepared to paint double yellow lines along this section of the highway to address this issue. The applicant has agreed to fund this process and works. Therefore the proposals are in accordance with Policy R/T11 of the Gosport Borough Local Plan Review.

5. The applicant has also confirmed a willingness to enter a planning obligation under Section 106 relating to the payment of commuted sums towards the provision and/or improvement of outdoor playing space, transport improvements and the provision of the TRO, in accordance with Policies R/OS8, R/DP3 and R/T4 of the Gosport Borough Local Plan Review. 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.
2. The payment of a commuted sum towards transport infrastructure, services and facilities.
3. The payment of a commuted sum towards 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 development as proposed is acceptable in this location and will not have a significant impact on the amenities of adjoining or future occupiers or the visual amenities of the area or highway safety and adequate provision is made for car parking, off site transport infrastructure, cycle parking, refuse storage, and open space. As such it complies with Policies R/DP1, R/H4, R/T4, R/T11, and R/OS8 of the Gosport Borough Local Plan Review.

Subject to the following conditions:-

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: NP05 A, NP04 A, NP03 B, NP02 B, NP01, NP00, subject to the requirements of conditions 4 and 5.

Reason - To ensure that the development is completed satisfactorily in all respects and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

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

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

4. Notwithstanding the submitted plans, before first occupation of any of the houses, the hard landscaping works shall be implemented in accordance with a scheme to be submitted to and approved, in writing, by the Local Planning Authority. These shall include details of all boundary treatment and external surfacing materials.

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

5. Notwithstanding the submitted plans, before first occupation of any of the houses, full details of the soft landscaping works shall be submitted to and approved, in writing, by the Local Planning Authority. These details should include full planting plans detailing numbers, species and size and maintenance arrangements.

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

6. The landscaping scheme approved under condition 5 above, shall be completed within the next planting season following the first occupation of building, 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 Policy R/DP1 of the Gosport Borough Local Plan Review.

7. Before first occupation of any of the houses a lockable gate shall be installed to the rear accessway, as identified on the approved plans, in accordance with a detailed scheme to be submitted to and approved, in writing, by the Local Planning Authority. The gate shall thereafter be retained in that condition.

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

8. Before first occupation of any of the houses, an external lighting scheme for the car parking area shall be installed in accordance with a scheme to be submitted to, and approved by, the Local Planning Authority. The lighting shall thereafter be retained in accordance with the approved details.

Reason - Such details have yet to be submitted and to provide adequate lighting to the car park in the interests of security, and to comply with Policies R/DP1 of the Gosport Borough Local Plan Review.

9. Before first occupation of any of the houses, the areas shown on the approved plan for parking of vehicles shall be 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.

10. The area hatched green on the approved plan shall not be used for any purpose other than as a vehicle access/manoeuvring area.

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

11. Before first occupation of any of the houses the approved facilities for the storage of cycles shall be provided and thereafter retained.

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

12. Before the first occupation of any of the houses the approved facilities for the storage of refuse and its removal from the site shall be provided 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.

ITEM NUMBER: 05.
APPLICATION NUMBER: K17855
APPLICANT: Mr Cleaven Faulkner
DATE REGISTERED: 26.08.2010

CHANGE OF USE OF AMENITY LAND TO PRIVATE GARDEN & ERECTION OF 2 METRE HIGH FENCE (as amended by plans received 5.11.10)
20 Wellington Drive Lee-On-The-Solent Hampshire PO13 8FZ

The Site and the proposal

The application site is located at the eastern end of the Wellington Drive cul de sac. Number 20 is a two storey, red brick property, with a tiled hipped roof. There is a paved driveway at the front of the dwelling, capable of accommodating at least two cars. The rear garden is approximately 12 metres long and is bordered on all sides by 2 metre high wooden fencing. The fencing on the eastern side of the garden forms part of the acoustic barrier approved for the Cherque Farm relief road under application K15000/4. To the east of the acoustic fence is a landscape strip of varying widths which comprises a variety of trees and shrubs. The landscaping is currently under the ownership of Persimmon Homes, with the intention that it will shortly be transferred to the Borough Council. Beyond the landscaping is a large grass verge and a cycle path, currently owned by Persimmon Homes, but shortly to be transferred to Hampshire County Council under a legal agreement.

The proposal is to extend the rear garden at number 20 into the landscaped area on the eastern side of the plot. A replacement 2 metre high boundary fence would be erected to enclose the new amenity space. The applicant has submitted amended plans showing a reduction in the area of land proposed to be enclosed so that space is available for replacement planting. The new fence would be sited no more than 3.5 metres further east than its current position.

Relevant Planning History

K15000/1 - outline application for erection of 1050 dwellings with ancillary development, open space and landscaping and construction of road linking Broom Way and Privett Road - permitted 14.09.99
K15000/3 - details pursuant to K15000/1 - erection of 1050 dwellings with associated access roads, car parking and open space - permitted 10.11.00
K15000/4 - details pursuant to K.15000/1 - construction of Gosport-Fareham link road between Broom Way and Privett Road - permitted 11.10.01. Condition 5 of the consent requires the implementation and retention of the acoustic barrier fronting the Cherque Farm relief road.

Relevant Policies

Gosport Borough Local Plan Review, 2006:

- R/DP1
- General Standards of Development within the Urban Area
- R/ENV10
- Noise Pollution
- R/T11
- Access and Parking

Consultations

HCC Transport Development Control Section	No objection. Realigning the fencing will not prejudice the effectiveness of the acoustic barrier.
Streetscene (Parks & Horticulture)	No objection.

Response to Public Advertisement

2 letters of objection;

Issues raised:-

- if the extended garden were to be used for parking, the proposal would breach property covenants
- an approval would set a precedent for similar developments, which would reduce the landscaped areas on the eastern side of Cherque Farm, to the detriment of visual amenity
- the realignment of the fence and removal of landscaping would be detrimental to visual and residential amenity, and the interests of nature conservation
- the proposal will be detrimental to the users of the cycle path

Principal Issues

1. Each planning application must be considered on its own merits and against the relevant policies of the Gosport Borough Local Plan Review. Property covenants are a private legal matter and cannot therefore be taken into account by the Local Planning Authority in the determination of planning applications. The proposed development makes provision for replacement landscaping. The development will not therefore harm the nature conservation interests of the site. The main issues in this case therefore are the impact of the proposal on the visual amenity of the locality, the amenities of adjacent occupiers and the safety of the users of the adjacent cycle path.

2. The existing boundary fence already juts out as it passes the eastern elevation of number 20. As such, the proposed realignment will be less perceptible here than such a change elsewhere within the estate, where the rear boundaries are aligned with one another. Notwithstanding this, the fence has been set back a sufficient distance to ensure that an appropriate area of replacement planting can be provided. The retention of a suitable landscape strip will help to ensure that the development does not appear over prominent or visually intrusive. The large grass verge to the east of the site will be unaffected by the proposal and in light of the above, I do not consider that the development will have a negative impact on the visual amenity of the locality. A condition is proposed to control the details of the size and densities of the replacement planting, its phasing and timing and the provision for its establishment and maintenance over the first five years. Subject to this condition, the proposal is acceptable and complies with Policy R/DP1 of the Gosport Borough Local Plan Review.

3. The minor re-alignment of the boundary fence will not prejudice the overall effectiveness of the acoustic barrier and the proposal will not therefore have a detrimental impact on the amenities of occupiers of number 20, or any other nearby occupiers in terms of noise disturbance. The provision of replacement planting will also help to dissipate noise associated with traffic movements on the Cherque Farm relief road and the proposal therefore complies with Policies R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review.

4. The siting of the fence is such that it will not interfere with the visibility of highway users and the proposal will not therefore have a detrimental impact on highway or pedestrian safety, in accordance with Policy R/T11 of the 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 garden extension as proposed is acceptable in this location. It will not have a detrimental impact on the visual amenity of the locality, the amenities of adjoining occupiers, or highway and pedestrian safety. As such, the proposal complies with Policies R/DP1, 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 be carried out in accordance with the following approved plans:

Plan 1, Plan 2, Plan 3 and Plan 4

Reason - To ensure that the development is completed satisfactorily in all respects and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

3. No development shall take place until full details of the soft landscaping works have been submitted to and approved, in writing, by the Local Planning Authority. These details should include size and densities of shrubs, phasing and timing of planting and provision for its establishment and maintenance.

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

4. The approved soft landscaping scheme shall be completed within the next planting season following the implementation of the planning permission 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 Policy R/DP1 of the Gosport Borough Local Plan Review.

5. The development hereby permitted shall not be brought into use until the boundary fence has been constructed in accordance with the approved details shown on plan 2 received on 26.08.10. The boundary fence shall be retained in accordance with the approved details thereafter.

Reason - To ensure satisfactory visual relationship of the new development to the existing and to preserve the amenities of adjoining occupiers, and to comply with Policies R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review.

ITEM NUMBER: 06.
APPLICATION NUMBER: K5799/2
APPLICANT: Angela Simpson
DATE REGISTERED: 20.08.2010

DEMOLITION OF EXISTING HALL AND ERECTION OF 2NO. THREE BEDROOM DWELLINGS AND 1NO. TWO BEDROOM BUNGALOW WITH ASSOCIATED CAR AND CYCLE PARKING, LANDSCAPING AND REFUSE AREAS
Magennis Hall Magennis Close Gosport Hampshire PO13 9XL

The Site and the proposal

The application site is located to the west of Grange Road, within a residential area previously developed and occupied as Naval married quarters, and within 500 metres of the Wildgrounds, a Site of Special Scientific Interest (SSSI). Magennis Hall was originally erected as an estate shop by the Ministry of Defence (MOD). However, its use evolved into a local community hall prior to the release of this land by the MOD. The hall has been vacant since 2006. The decline in its use has been a result of the creation of new facilities in the Youth Services building and the SureStart centre at Siskin School. Other activities have migrated to the Community Centre on Nimrod Drive. Planning permission was granted in 2007 to change the use of the hall to a Housing Association office. However, this consent has not been implemented.

Magennis Hall is a single storey building, constructed from concrete blockwork and timber cladding. The remainder of the site is laid to concrete and is used as a car park. At the western end of the site, is an unmaintained, raised flower bed. There is also a single tree, positioned adjacent to the northern boundary. The application site is bordered on its northern, southern and western sides by residential plots. Immediately to the south of the site, are the rear gardens of numbers 6-12a Magennis Close. Numbers 6-9 occupy a terrace of 4 two storey dwellings constructed from red brick with tiled pitched roofs. Number 10-12a is a two storey semi detached, red brick building, containing ground and first floor flats. The ridge line of the properties runs from west-east. The rear elevations each contain one obscure glazed and one clear glazed first floor window, with windows and patio doors at ground floor level. The rear gardens are approximately 8-9 metres long and are bordered by 1.8 metre high close boarded fences. A single lane access road separates the terrace from the semi detached flats. It runs between the windowless side elevations of numbers 9 and 10, and provides the only access into the site. It is 3.8 metres wide and is bordered on both sides by a thin strip of landscaping.

Immediately to the west of the site, is number 86 Magennis Close. This is a two storey end of terrace dwelling with a flat felt roof. It contains no windows in the side elevation facing onto the application site. To the north of the site, are numbers 43, 44, 60, 61 and 62 Magennis Close, two storey, flat roof dwellings, faced with horizontal timber and UPVC cladding. The dwellings have first floor windows in their southern elevations, facing onto the application site. To the east of the site, is a car parking area and an electricity sub-station.

The application is for the demolition of the community hall and the erection of 2no. three bedroom semi detached dwellings and 1no. two bedroom detached bungalow. The proposed semi detached dwellings will be orientated with the ridge tile running north-south. The southernmost property will have a pitched roof with the gable fronting the rear gardens of numbers 10 and 11 Magennis Close. The northern half of the pair will have a hipped roof. The dwellings will be 4.9 metres high to the eaves rising to 7.9 metres to the ridge. The properties have been sited with a slight stagger, so that the northernmost dwelling is set forward of the southern dwelling by 1.3 metres. Both of the properties will contain a projecting, first floor box window on the front elevation, clad in weatherboarding, with roof canopies over the front entrance doors. The properties are to be constructed with brick lower halves and rendered uppers, and both will contain ground and first floor windows in the front and rear elevations. There will be no first floor windows in the side elevations. Patio doors in the rear elevation will provide access onto the proposed rear gardens. The garden for the northernmost property will be approximately 10 metres long, while the garden for the

southernmost property will measure approximately 8.5 metres in length. Each garden will contain a shed for the secure storage of bicycles and a designated area for the storage of refuse bins. The existing raised flower bed will be removed in order to accommodate the development. The side elevation of the northernmost dwelling will be sited 10.5 metres from the southern (front) elevation of the two storey dwellings to the north. The rear elevations of the proposed dwellings will be sited approximately 10.5 metres from the side elevation of number 86 to the west. The side elevation of the southernmost dwelling will be sited approximately 10.5 metres from the rear elevations of numbers 10 and 11 Magennis Close to the south.

The proposed bungalow will be sited on the eastern side of the site and has a tiled, hipped roof. It will be 2.5 metres high to the eaves, rising to 4.9 metres at the ridge. Like the proposed semi detached dwellings, the ridge will be orientated north-south. The southern end of the front elevation will contain a projecting pitched roof car port set onto supporting brick piers. The bungalow will contain windows in all elevations and will be constructed using a combination of brickwork, render and weatherboard cladding. A garden is provided on its eastern side, measuring approximately 14.5 metres x 4.5 metres. It will contain a shed for the storage of bicycles and a bin storage area. The side elevations of the bungalow will be sited approximately 5.5 metres from the front elevation of the properties to the north and approximately 11.5 metres from the rear elevations of the properties to the south. There will be a separation distance of approximately 14 metres between the front elevations of the proposed two storey dwellings and the front elevation of the proposed bungalow. The space between the dwellings will be paved and marked out to provide four car parking spaces, together with areas of soft landscaping. The proposed spaces will be accessed from the existing access. Short stay cycle parking facilities have been provided to the south of the semi detached dwellings.

The plans show that a number of new trees will be planted on the western, northern and eastern boundaries. The existing tree on the northern side of the site is to be removed. The existing close boarded fencing around the perimeter of the site will be retained.

Relevant Planning History

K5799 - erection of lock up shop - no objection raised 16.06.67
K6121 - erection of temporary building for use a community centre - no objection raised 8.4.68
K6150 - erection of temporary building - no objection raised 15.03.74
K5799/1 - change of use of community hall to Housing Association office - 13.03.07

Relevant Policies

Planning Policy Statement 25 (PPS25) : Development and Flood Risk

Gosport Borough Local Plan Review, 2006:

- R/DP1
- General Standards of Development within the Urban Area
- R/H4
- Housing Densities
- R/CF2
- Protection of Existing Health and Community Facilities
- R/T11
- Access and Parking
- R/ENV2
- River and Groundwater Protection
- R/ENV4
- Treatment of Foul Sewage and Disposal of Surface Water
- R/DP3
- Provision of Infrastructure, Services and Facilities
- R/T4
- Off-site Transport Infrastructure
- R/OS8

Recreational Space for New Residential Developments
R/OS13
Protection of Habitats Supporting Protected Species

Consultations

Building Control	No objection. Access for Fire Brigade is acceptable.
Streetscene (Waste & Cleansing)	No objection. Adequate storage space is shown for the collection and storage of refuse bins.
Local Highway Authority	No objection. The existing access into the site is acceptable. Transport Contributions are required.

Response to Public Advertisement

1 letter of objection;

Issues raised:-

- the loss of the community facility will be detrimental to local residents
- with the comprehensive redevelopment of Rowner, there is no need for additional houses
- the concerns of residents are not taken into account in the decision making process

Principal Issues

1. Planning applications must be considered on their individual merits and against the relevant policies of the Gosport Borough Local Plan Review. All letters of representation are available to Members of the Regulatory Board and are taken into account when determining planning applications. The site is located within the Urban Area where the principle of residential development is acceptable provided that the details accord with the relevant Policies of the Gosport Borough Local Plan Review. The main issues in this case therefore are the acceptability of the proposal in terms of design and density, the loss of the existing community facility and the impact of the development on the character and visual amenity of the locality and the amenities of adjoining and prospective occupiers and whether appropriate provisions have been made for access, car parking, bicycle storage, refuse and open space.

2. The community hall has not been used since 2006 and is showing signs of disrepair. The nearby Nimrod Centre, which is within walking distance of the application site, provides an alternative community facility for local residents. In combination with the facilities offered at the SureStart centre, there will be no net loss of community facilities for local residents and the proposal therefore accords with Policy R/CF2 of the Gosport Borough Local Plan Review.

3. The proposed development will result in a residential density of 37 dwellings per hectare (dph) which is within the density range of 30-50 dph as set out within Policy R/H4 of the Gosport Borough Local Plan Review. The proposed semi detached dwellings and bungalow have simple designs which reflect the appearance of the adjacent properties to the south in Magennis Close. The use of small front canopies, brick courses, weatherboard cladding and bay windows add detail and visual interest to the front elevations. Although the proposed gardens for the semi detached dwellings are slightly smaller than the residential guideline dimensions set out within Appendix B of the Gosport Borough Local Plan Review, they provide useable areas of amenity space and are characteristic of adjacent plots. They are therefore acceptable in this location. The garden for the proposed bungalow is small. However, subject to a condition removing the permitted development rights relating to rear extensions/additions and freestanding buildings it will provide a functional and useable area of amenity space for prospective occupants. The proposed development will result in

the removal of a small tree at the northern end of the site. However, the Council's Arboricultural Officer has confirmed that the tree is not worthy of retention as it does not make a significant contribution to the character or visual amenity of the locality. Notwithstanding this, new trees will be planted on the site boundaries together with areas of soft landscaping, the details of which shall be secured by condition. This will more than compensate for the loss of the tree and raised flower bed and will enhance the overall appearance of the development. The site is currently underused and is showing signs of neglect. The proposed development will therefore bring a redundant site back into use, and in doing so, enhance the visual amenity of the locality. The proposal accords with Policies R/DP1 and R/H4 of the Gosport Borough Local Plan Review.

4. Due to the separation distance between the opposing elevations of the existing and proposed dwellings, the boundary treatment at the site, the orientation of the properties, the use of hipped roofs, and the position of the proposed and existing windows, the proposed development will not have a harmful impact on the living conditions of existing or prospective occupiers in terms of loss of light, outlook or privacy. However, in order to preserve the amenities of the occupiers of the adjacent dwellings it is proposed to remove the permitted development rights relating to roof alterations and additions to the properties. The comings and goings associated with the proposed dwellings are unlikely to be significantly different to those that would be expected from the former community hall use. Under the circumstances, the use of the access and proposed parking/turning area, whether in vehicle or on foot, is unlikely to result in an unacceptable level of disturbance to adjacent occupiers. Subject to the above condition, the development therefore complies with Policy R/DP1 of the Gosport Borough Local Plan Review.

5. The proposal will provide four car parking spaces, and a single space within the car port of the proposed bungalow. According to census information, car ownership within the Grange ward averages 0.93 cars per household, the third lowest in the Borough. As such, the provision of five parking spaces for three dwellings is likely to be sufficient to meet the demand for both resident and visitor parking. It is unlikely therefore that the development will result in overspill parking in the local road network, to the detriment of local amenity. The vehicular movements associated with three dwellings are unlikely to be significantly different from those associated with the former community hall, and the proposal is unlikely therefore to alter the traffic characteristics of the locality or result in increased traffic congestion in the local road network. The proposed parking spaces can be accessed in a safe and convenient manner and sufficient space is available to allow vehicles to turn, so as to exit the site in a forward gear. The development will use the existing access, and this has sufficient width to allow for safe and convenient entry and egress. Adequate visibility will be retained between vehicles exiting the site and all other users of the public highway and the development will not therefore have a negative impact on highway or pedestrian safety. Appropriate provisions have been made for visitor and long stay bicycle parking and for bin storage, and a convenient bin collection point is shown at the southern end of the driveway. Subject to conditions to control the implementation of the proposed parking arrangements and refuse storage/collection facilities, the proposed development is acceptable. It will not be detrimental to highway or pedestrian safety and therefore accords with Policy R/T11 of the Gosport Borough Local Plan Review.

6. The site is located approximately 400 metres from The Wildgrounds Site of Special Scientific Interest (SSSI). The proposed development will have no direct impact on the ecology or intrinsic nature conservation value of this site, in accordance with Policy R/OS11 of the Gosport Borough Local Plan Review.

7. The site is prone to localised instances of flooding, as a direct result of rainfall. For this type of development it is appropriate therefore to require an assessment to be carried out into the potential for disposing waste water by means of a sustainable drainage system (SuDS) in accordance with the principles of sustainable drainage systems set out in Planning Policy Statement 25: Development and Flood Risk, and Policies R/ENV2 and R/ENV4 and of the Local Plan Review, and this can be controlled by condition.

8. The applicant has confirmed a willingness to enter into a planning obligation to secure the payment of commuted sums towards open space and highway/infrastructure improvements.

Without this obligation, the proposal is unacceptable and contrary to Policies R/DP3, R/T4 and 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.
2. The payment of a commuted sum towards transport infrastructure, services and facilities.

Reasons for granting permission:

1. Having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the development as proposed is acceptable in this location. It is of an appropriate design and density and due to its siting and orientation will not harm the character of the area, the visual amenity of the locality, the amenities of existing or prospective residents, highway safety or the interests of nature conservation. The proposal will not result in a net loss of local community facilities and adequate provision has been made for access, car parking, cycle parking, refuse storage and collection, drainage, open space and highway and infrastructure improvements. As such, the development complies with Planning Policy Statement 25 (PPS25) and Policies R/DP1, R/CF2, R/DP3, R/T4, R/T11, R/ENV2, R/ENV4 R/OS8, and R/OS11 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 be carried out in accordance with the following approved plans:

27846-PL13, 09709, 27846-PL10 Rev A, 27846-PL11 Rev B, 27846-PL12 Rev A

Reason - To ensure that the development is completed satisfactorily in all respects and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

3. Before development is commenced, details, including samples and colours, of all external facing and roofing materials, shall be submitted to and approved, in writing, by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

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

4. Before development is commenced, full details of the hard landscaping works shall be submitted to and approved, in writing, by the Local Planning Authority. These details shall include hard surfacing materials, lighting to the car parking area and boundary treatments, including gates. The approved details shall be carried before the development is first occupied and thereafter retained.

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

5. Before development is commenced, details of the proposed cycle parking facilities shall be submitted to and approved, in writing, by the Local Planning Authority. The approved cycle parking facilities shall be provided in accordance with the approved details before the development hereby permitted 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. Before development is commenced, details of the soft landscaping works shall be submitted to and approved, in writing, by the Local Planning Authority. 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, the proposed number/densities, planting for the site frontage and an implementation programme.

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

7. The approved soft landscaping scheme shall be completed within six months from the completion of the buildings, 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 Policy R/DP1 of the Gosport Borough Local Plan Review.

8. Before development is commenced, details of drainage works shall be submitted to and approved, in writing, by the Local Planning Authority. Prior to the submission of those details, an assessment shall be carried out into the potential for disposing of surface water by means of a sustainable drainage system (SuDS) in accordance with the principles of sustainable drainage systems set out in Appendix E of PPS 25, and the results of the assessment provided to the Local Planning Authority. Where a SuDS scheme is to be implemented, the submitted details shall:

(i) Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and

(ii) Specify the responsibilities of each party for the implementation of the SuDS scheme, together with a timetable for that implementation; and

(iii) Provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

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

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

9. The development hereby permitted shall not be first occupied until the areas shown on the approved plan for the parking of vehicles have been made available, surfaced and marked 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 is provided and retained, and to comply with Policy R/T11 of the Gosport Borough Local Plan Review.

10. The development hereby permitted shall not be first occupied until the areas shown on the approved plan for the storage and collection of refuse have been made available and these areas shall be retained for that purpose at all times.

Reason - In order to protect the amenities of the area and to ensure that adequate refuse storage is provided, and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), no alteration, building or structure permitted by Classes A or E of Schedule 2, Part 1, shall be installed or erected at the houses and bungalow hereby approved, without the prior consent, in writing, of the Local Planning Authority.

Reason - In order to ensure a suitably sized garden is retained for the occupants of this dwelling and to accord with Policy R/DP1 of the Gosport Borough Local Plan Review.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), no alteration or addition to the roof permitted by Class B of Schedule 2, Part 1, shall be permitted on the houses or bungalow hereby approved, without the prior consent, in writing, of the Local Planning Authority.
Reason - To preserve the amenities of the occupiers of the neighbouring properties, and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

ITEM NUMBER: 07.
APPLICATION NUMBER: K17863
APPLICANT: Hampshire Highways
DATE REGISTERED: 09.09.2010

**CONVERSION OF EXISTING FOOTPATH TO FORM 3METRE WIDE SHARED CYCLEWAY ALONG STOKES BAY ROAD FROM GOMER LANE TO ANGLESEY ROAD, CONSTRUCTION OF 2NO. PEDESTRIAN REFUGES AND ENLARGEMENT OF 1NO. REFUGE, REMOVAL OF 30NO. LIGHTING COLUMNS AND INSTALLATION OF 28NO. REPLACEMENTS, ADDITIONS AND ALTERATIONS TO EXISTING EARTH MOUNDS AND OTHER ASSOCIATED LANDSCAPING (CONSERVATION AREA IN PART)
Land Adjoining Stokes Bay Road Gosport Hampshire**

The Site and the proposal

The application site is located outside the Urban Area Boundary, within the Coastal Zone and part of the site at the eastern end is within the Anglesey Conservation Area. The proposed Stokes Bay Cycle Track extends from Bay House School along Stokes Bay Road to Anglesey Road. It will comprise a shared use path formed largely by widening the existing footpaths into the adjacent public open space and modifying the existing landscaping mounds to suit. The track is to be funded by Sustrans who have been commissioned by the Department for Transport through Cycling England to work with Local Authorities to develop new, or improved, cycle links to school. The proposal will contribute to the development of the national and local cycle networks and complete the coastal route between Gosport and Lee-on-the-Solent, National Cycle network Route 2. The route has an overall length of approximately 1.8 km and links Gomer Lane and Browndown Road to Jellicoe Avenue and Anglesey Road, which are residential distributor roads serving the Bay House School eastern catchment area. The proposal will incorporate new and improved cycle/pedestrian crossing facilities at three locations on Stokes Bay Road to improve access to the beach, toilets, cafes and other leisure and sports facilities.

It is proposed to construct 1.3 km of shared use footpath and cycle track from the Gomer Lane entrance to Bay House School to Jellicoe Avenue. This will be achieved predominantly by widening the existing 1.8 metre wide footpath to 3 metres on the north side of Stokes Bay Road into the adjacent public open space. The route passes an existing copse lying between the Mobile Home Park and Stokes Bay Road. This comprises a number of Evergreen Oaks and other species. The space available for the track is restricted in this area and in order to retain as many trees as possible the track will be reduced in width over a distance of approximately 20 metres. Where the cycle track crosses the entrance to the Council car park located in front of the Mobile Home Park, a red surface will be provided to highlight the crossing point. Flush ramps and tactile paving will be provided here and at all other road crossings. On the bend at the western end of Stokes Bay Road a refuge for cycles and pedestrians will be provided opposite the toilets near No. 2 Battery. The road will also be widened on the inner bend by up to 2.5 metres. New cycle parking will be provided adjacent to the toilets in the form of 4 stainless steel Sheffield stands. The existing bus shelter and Council sign will be relocated to maintain adequate visibility around the bend to the crossing point. From the car park to the tennis courts, along the north side of the road, there are landscaped mounds between the footpath and open space. These will be excavated as necessary to widen the footpath by 1.2 metres. The mounds will be reshaped up to a height of 1.2 metres. The leading face will have a steeper face of up to 1 in 1 with the trailing slope being flatter, and no steeper than 1 in 2.5. The mounds will be re-soiled and seeded as required.

In order to encourage cycling to school, a new direct access to the school's southern gate is proposed. This will be a shared use footpath and cycle track, 80 metres long arcing across the public open space from Stokes Bay Road past the eastern corner of the Mobile Home Park. It will be 2.5 metres wide increasing to 3 metres in width where it adjoins the car park and on to the school gate. The gradient into the school grounds will be reduced for ease of access. From the western end of the tennis courts to the Mini Golf site there are no existing landscape mounds. Here the footpath will be widened to 3 metres, and the adjacent ground re-graded, soiled and seeded to

suit. In the triangular area adjacent to the promenade to the east of the Alverbank East car park a grassed landscaped mound is provisionally proposed to be created with any surplus material. To create the cycletrack from the access to the Mini Golf towards Jellicoe Avenue, the existing low stone wall will be removed and new low mounds in the order of 3.5 metres wide and 500-700 mm high will be provided to tie in with the existing mounds in this area. The footway on the corner of Jellicoe Avenue will be widened to 3.5 metres and the area to the rear will be grassed and landscaped to improve visibility. An on street cycle lane and revised markings in the centre of Jellicoe Avenue will be provided to highlight access to the cycle track, and reduce vehicle entry speeds from Stokes Bay Road. There will be supporting cycle direction signs. The existing refuge is to be enlarged to a standard more appropriate for cycles and to enable them to cross the road to continue eastwards on the south side of Stokes Bay Road. This will require the widening of Stokes Bay Road on the south side adjoining the access to the car park, Sailing Club and Pebble Beach. A further 425 metres of shared use footpath and cycle track will be provided to the Anglesey Road roundabout. It will be 2.5 metres wide and the verge will be re-graded and grassed as required. The existing refuge before the roundabout will be relocated slightly further east and enlarged to improve cycle and pedestrian access to Anglesey Road. Approximately 40 metres of on road cycle lane will be provided from the refuge into Anglesey Road to highlight the presence of cyclists.

The existing street lighting, comprising 6 metre columns, in Gomer Lane and Stokes Bay Road is to be renewed as part of the current Hampshire County Council PFI contract. A total of 30 lighting columns will be removed within the application site boundary to be replaced by 28, 8 metre columns. The columns will be post top polymer coated tubular steel with Philips iridium lanterns and 90 w Cosmo lamps. The standard of lighting being upgraded to that appropriate for a cycle track.

The application is supported by a Heritage Statement, a Tree Survey of the copse near Gomer Lane roundabout and a Lighting Report.

Relevant Planning History

Nil

Relevant Policies

Gosport Borough Local Plan Review, 2006:

- R/DP1
General Standards of Development within the Urban Area
- R/BH1
Development in Conservation Areas
- R/BH8
Archaeology and Ancient Monuments
- R/T9
Cycleways and Footpaths
- R/CH1
Development within the Coastal Zone
- R/OS1
Development Outside of the Urban Area
- R/OS4
Protection of Existing Open Space
- R/OS11
Protection of Areas of National Nature Conservation Importance
- R/OS12
Locally Designated Areas of Nature Conservation Importance
- R/OS13
Protection of Habitats Supporting Protected Species
- R/OS14
Biodiversity Action Plans

R/ENV11
Minimising Light Pollution

Consultations

The Gosport Society	No objection.
Natural England	We support the proposal to provide a cycle track in the location proposed. Stokes Bay Road is adjacent to a site identified as being of major importance for Brent Geese. This proposal is unlikely to have a significant effect on the interest features of the nearby SPA/Ramsar site and therefore does not require Appropriate Assessment in accordance with the Habitat Regulations. The nearby SSSI is also unlikely to be adversely affected by the proposal. The works proposed are not likely to be overly disturbing and therefore can go ahead during the bird over-wintering period.
Environment Agency (Hants & IOW)	No objection.
HCC Landscape, Planning & Heritage	Agrees with Heritage Statement that the areas of archaeological impact are limited to those areas identified in the Heritage Statement. Condition should be imposed requiring an Archaeological Watching Brief.
HCC Lighting	No objection, the street lighting design has been approved as shown on Drawing No. SEC5998-03 Rev A.
Leisure & Recreation Development	Fully support the proposal.
Streetscene (Parks & Horticulture)	No objection to the removal of the suppressed trees with the retention of the mature tree as detailed in the submitted Tree Survey Report.
Local Highway Authority	No objection. The scheme has been purpose designed to improve pedestrian and cycle use and access in the area in a convenient and safe manner.

Response to Public Advertisement

2 letters of objection

Issues raised:-

- cycleway will only serve a small stretch of road
- pointless under current financial position
- refuges are too narrow and will increase risk crossing the road and not reduce it
- stop wasting money spend it elsewhere in Gosport where it is needed
- better to have a Pelican crossing which will stop traffic and increase safety
- the need for cyclists to cross the road near Jellicoe Avenue will increase the risk to them, suggest a cyclist/pedestrian controlled traffic light crossing

4 letters of support

Issues raised:-

- applaud the proposal
- a very good idea long overdue
- wish the Council to consider additional traffic calming measures, refuges, speed humps and prominent 30 mph road signs along Stokes Bay Road
- wish to see the hedgerow along Stokes Bay Road trimmed to improve views from Elgar Close

3 letters of observation

Issues raised:-

- consideration should be given to protecting Chamomile colonies that exist in areas of grassland along the route
- the triangular area of grassland lying to the south of Stokes Bay Road and east of the Alverbank east car park should not be modified due to its ecological importance
- advise against re-seeding of regraded areas as will grow back naturally
- there are more direct routes to enable safer commuting to school
- leisure cyclists will probably continue to use the sea front path
- is the cost truly justified
- more refuges should be used to slow traffic down

Principal Issues

1. The application site is located outside the Urban Area Boundary, thereby falling under the requirements of Policy R/OS1 of the Gosport Borough Local Plan Review which does permit development that enhances appropriate recreational uses. The development will encourage walking and cycling to Bay House School and will also provide an attractive cycle route for leisure and commuting in a pleasant environment and benefit the wider community by enhancing access to Stokes Bay and its leisure facilities. In these circumstances the development would be acceptable under the provisions of the policy. Where developments are considered acceptable under this policy they should also accord with the criteria contained in Policy R/DP1 of the Gosport Borough Local plan Review. The financial implications of the proposal are not a material consideration for the Local Planning Authority. However, it is worthy of note that the scheme funding was secured through a successful bid by the Borough Council to Sustrans for Links to School funding. The scheme is being delivered in partnership with Hampshire County Council, who will undertake the detailed design and construction. Hampshire County Council has completed a formal Memorandum of Understanding with Sustrans to secure the funding and delivery of the scheme. The hedgerow on the southern side of Stokes Bay Road opposite the junction with Elgar Close will not be affected by the proposal, however, the Borough Council do trim the hedge under its regular landscape management program. The consideration of additional traffic calming measures such as further refuges, speed humps, cyclist/pedestrian controlled traffic light crossings is a matter for the Local Highway Authority. The main issues to be considered are therefore the impact on the character of the area, whether the proposal will preserve or enhance the character and appearance of the Conservation Area, the archaeological interests of the site, the interests of nature conservation and the impact on the amenities of adjoining residents.

2. The chosen route for the cycle track seeks to minimise the impacts upon the open space, which is of historical significance due to the presence of the Stokes Bay Lines, a complex system of moats, ramparts and five batteries. It provides a better view of the sea, affords more direct access to the beach and facilities, requires no independent lighting scheme and affords better personal security. It will also extend the footpath and cycle track network and connect to other cycle tracks. The associated landscaping proposals are appropriate and reflect the existing character of the area. As such, it will not have a detrimental impact on the character of the area and complies with Policies R/DP1 and R/T9 of the Gosport Borough Local Plan Review.

3. As the footpath and cycle track approaches the south west corner of the Anglesey Conservation Area, at its junction with Jellicoe Avenue, it moves to the southern side of the road and only extends into the Conservation Area at the Anglesey Road roundabout. The only alterations within the

Conservation Area will be the relocation of the refuge when approaching the roundabout and the introduction of markings for the on road cycle lane in Anglesey Road up to its junction with Crescent Road. This minor level of works will have a limited impact on the Conservation Area and as such will preserve its character and appearance in compliance with Policy R/BH1 of the Gosport Borough Local Plan Review. The submitted Heritage Statement identifies three relatively small areas of archaeological impact. This impact on the archaeology of the site can be mitigated by a condition requiring a programme of archaeological work in accordance with a written scheme of investigation to comply with Policy R/BH8 of the Gosport Borough Local Plan Review.

4. The proposed works to affected trees are considered to be acceptable. In terms of ecological sensitivity, consultation with Natural England confirms that the development is unlikely to harm any of the nearby nature designations. They are satisfied that the works will be undertaken and follow best practice methods for reducing unnecessary noise so as not to adversely affect Brent Geese when feeding in the area during the over-wintering period. The applicant is aware of the interesting flora in parts of the application site and care has been taken to avoid impact on the major area of Chamomile positioned to the north of the application site. There are no protected plant species present in the affected areas of the proposed development. However, the need for appropriate seeding methods and appropriate treatment to the triangular area of grassland lying to the south of Stokes Bay Road and to the east of the Alverbank east car park can be mitigated by condition. It is therefore considered that the development is acceptable in terms of its impact on nature conservation. The proposal therefore accords with Policies R/CH1, R/OS1, R/OS4, R/OS11, R/OS12, R/OS13 and R/OS14 of the Gosport Borough Local Plan Review.

5. The scheme has been designed with safety in mind, and the wider refuges and associated widening of the road where necessary will not have a detrimental impact on the safety of users. Given the relationship of the development to the nearest residential properties and the fact that the method of lighting has been purpose designed there will be no detrimental impact in terms of light pollution. The development therefore complies with Policies R/DP1 and R/ENV11 and will not have a harmful impact on the amenities of adjoining residents.

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 is acceptable in this location. It will improve pedestrian and cycling facilities in the area. It will not have a detrimental impact on the character of the area and will preserve the character and appearance of the Anglesey Conservation Area. Necessary archaeological works are to be undertaken. The development will not have an adverse impact on the interests of nature conservation or the amenities of adjoining residents. As such the development complies with Policies R/DP1, R/BH1, R/BH8, R/T9, R/CH1, R/OS1, R/OS4, R/OS11, R/OS12, R/OS13, R/OS14 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. The development hereby permitted shall be carried out in accordance with the following approved plans:

- Site Location Plan 1, - Site Location Plan 2, - Site Location Plan 3, - Site Location Plan 4, - Drawing No. SB1, - Drawing No. SEC 5998-03 Revision A, - Drawing No. SB 002, - Drawing No. SB 003 Revision A, - Drawing No. SB 006 Revision A, - Drawing No. SB 007, - Drawing No. SB 008 and - Drawing No. SB 009.

Reason - To ensure that the development is completed satisfactorily in all respects and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

3. No development shall take place on the site until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation submitted to and approved by the Local Planning Authority in writing. The development shall thereafter be carried out in accordance with the approved scheme.

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

4. In accordance with the details of the application, no works to the trees the subject of this permission shall take place other than those detailed in the submitted Tree Survey Of Copse Near Gomer Lane Roundabout dated 19 August 2010.

Reason - To maintain, as far as possible, the appearance of the area, and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

5. Prior to any works commencing on the construction of the provisional grassed landscape mound shown on Drawing No. SB 009, a detailed scheme of mitigation showing the detailed earthwork design, the existing plant species to be lifted and retained and additional proposed seeding shall be submitted to and approved, in writing, by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason - To ensure that scarce and important plant species of ecological importance are not harmed, and to comply with Policies R/DP1 and R/OS14 of the Gosport Borough Local Plan Review.

6. Full details of all new shrub planting on the corner of Stokes Bay Road with Jellicoe Avenue, shall be submitted to and approved, in writing, by the Local Planning Authority before works related to that part of the development are commenced. The development shall thereafter be carried out in accordance with the approved details.

Reason - Such details have yet to be submitted and in the interests of visual amenity, and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

ITEM NUMBER: 08.
APPLICATION NUMBER: K6624/11
APPLICANT: Mr William Galloway
DATE REGISTERED: 20.10.2010

CHANGE OF USE OF DISUSED OFFICE TO HAIRDRESSING/BEAUTY SALON (CLASS A1)
104 Fareham Road Gosport Hampshire PO13 0AL

The Site and the proposal

The application site is located on the east side of Fareham Road within Venture Industrial Park which is an existing employment area protected by the Gosport Borough Local Plan Review. A steel fabrication company is located to the south, a factory stands to north, and the Coach House public house to the south west. Access is taken from the south west corner of the site where there is a dropped kerb, the width of two cars. There is a large, concrete car park to the west side of the building and a grass verge approximately 2m wide separating this from Fareham Road. The company produces cold stores and the main building on the site has a large, two storey frontage with a factory extending to the rear. The two storey element of the building has a flat roof and a series of windows in all elevations at first floor level. This provides office space which is currently unused. This space is accessed via double doors on the south west corner of the building. The applicant confirms that the first floor office space has been surplus to requirements since the site was purchased in 1996 and has stood vacant throughout this period. The factory extends eastwards from this and is a corrugated metal building with a series of pitches over the roof running west to east.

It is proposed to change the use of the unused, first floor office space to provide a mixed use, hairdressers/beauty salon. Access would be via the established access to the south west corner of the building and car parking would be provided to the west side of the building. It is proposed to allocate 20 parking spaces to the new mixed use with the remainder used by the existing factory. The applicant states that the use would provide 16 full/part time jobs and operate Monday to Saturday.

Relevant Planning History

Nil

Relevant Policies

Planning Policy Statement 4 (PPS4) : Planning for Sustainable Economic Growth

Gosport Borough Local Plan Review, 2006:

R/DP1

General Standards of Development within the Urban Area

R/T11

Access and Parking

R/S2

Location of Additional Shopping & Leisure Floorspace

R/ENV10

Noise Pollution

R/EMP3

Protection of Existing Employment Sites from Inappropriate Development

R/EMP5

Extension of Existing Employment Uses and Redevelopment of Redundant Employment Sites

R/EMP7

Low Employment Generating Uses

Consultations

Building Control	No objection. Fire detection required within the building.
Environmental Health (Commercial)	No objection.
Local Highway Authority	No objection. Car parking falls short of maximum standard, however, this is acceptable given accessibility of the site. No Transport Contribution will apply if the use is temporary.
Economic Prosperity	There are a number of points that require further consideration by the applicant. These include providing further evidence of the premises having been marketed, market research to support the need or demand for this use in this location, improved sequential test.

Response to Public Advertisement

Nil

Principal Issues

1. The main issues to be considered in this instance are the appropriateness of the proposed A1 use within this defined employment site, the appropriateness of the location for this use, the effect on adjoining uses and residential amenity and adequacy of car parking.
2. Employment has historically been regarded as falling within the B Use Classes and, therefore, whilst in its current use it serves this purpose, it has been vacant since 1996 and has not contributed to employment in the Borough during this time. PPS4, which dates from 2009, applies a more flexible approach to employment, terming it as economic development and stating that, in addition to the B Classes, main town centre uses can be included in the definition of economic development provided those uses supply employment opportunities or generate economic output. As such, whilst the application proposes the loss of employment floorspace as it has historically been termed, it does facilitate economic development in line with current national planning policy. Policies R/EMP3, R/EMP5 and R/EMP7 of the Gosport Borough Local Plan Review also acknowledge the importance of employment generating uses and require that the use of land is maximised for that purpose. A fundamental aim of these policies is to generate additional jobs for Gosport residents, thereby reducing the need for residents to commute out of the Borough. The proposal will provide 16 additional jobs. It is therefore considered that the proposal will bring currently vacant space back into use and it supports the economic development aims and objectives of PPS4 including the provision of additional jobs, and is therefore acceptable, in principle, in this respect.
3. PPS4 and Policy R/S2 of the Gosport Borough Local Plan Review require applicants to undertake a sequential test when considering the siting of main town centre uses, such as hairdressers and beauty salons. This requires applicants to consider all town centre locations for availability, suitability and viability, followed by edge of centre locations, before siting this type of development on an out of centre site, such as 104 Fareham Road. This seeks to support the main economic development function of town centres as well as hubs of community activity. The information supporting the application considers one town centre location, discounting it on account of its size and access arrangements. The proposal therefore technically fails the sequential test as it does not

consider a broad enough range of sites; there are a number of sites currently available in the Town Centre that could and should be considered.

4. PPS4 requires an impact assessment to be undertaken where main town centre uses are not in a town centre and consideration be given to, amongst other things, the impact of the proposal on the centre and local consumer choice. There are already a number of hair salons in the Town Centre and therefore, it is not considered that this particular use would draw trade away from this Centre. The proposal would benefit the population in the immediate vicinity therefore enhancing local consumer choice.

5. The application is also supported by an argument in favour of this use in this location citing factors such as the accessibility of the site, availability of car parking, the provision of jobs, and the location of the site close to an established residential area. Whilst PPS4 requires the sequential approach, and impact assessment to be undertaken, it does also promote flexibility in supporting applications that will generate economic development. This proposal occupies a small proportion of the overall employment site meaning a mix of uses can be effectively provided here without compromising the future economic sustainability of the Existing Employment Site. It is well positioned to be accessible from a range of transport options, provide employment and serve the local community.

6. The space is currently vacant and has been for a significant period and based on the Employment Land Review completed in March 2010, occupancy rates of older floor space, such as 104 Fareham Road, are dropping as it faces competition from newer floorspace. The current economic climate also suggests that vacancy rates may be higher than compared to when the economy is buoyant. Bringing this space back into use may also assist in retaining the existing occupiers of 104 Fareham Road, who have had a business presence in the Borough since 1996, on the site by bringing the space into use and generating an income as opposed to having vacant space at a cost to the site owner.

7. It is appropriate to apply a flexible approach in seeking to bring this type of space back into use and supporting existing businesses particularly in the current economic climate. It is therefore recommended that a temporary consent is appropriate in this instance to allow the space to be used whilst the economy recovers. The site could thereafter be returned to B1 use with better prospects of being used for this purpose. On the basis of a temporary consent it is therefore considered that the proposal complies with the aims and objectives of PPS4 and Policy R/S2 of the Gosport Borough Local Plan Review in terms of supporting economic development in the borough.

8. The proposal will assist in supporting the economic function and use of the site by generating an income for the current owners. There is a mix of surrounding uses, however, it is not considered that any of these will impact detrimentally on the proposed use and vice versa in terms of access, noise or activity. The residential properties opposite already experience a high degree of noise and disturbance from existing employment activities and the A32, however, in order to minimise any additional disturbance that may result from the proposed use, and in line with the application forms, the hours of working and number of staff working from the premises have been controlled by condition. The proposal therefore complies with Policy R/DP1 of the Gosport Borough Local Plan Review.

9. A satisfactory level of car parking is provided on the site for both the existing and proposed uses. The current car park on the site is significantly underused. This, together with the highly accessible location of the site that is well served by a range of transport modes, means that the proposal complies with Policy R/T11 of the Gosport Borough Local Plan Review. A Transport Contribution does not apply in this instance as it cannot be justified for a temporary consent.

RECOMMENDATION: Grant Temporary Consent

Reasons for granting permission:

1. Having due regard to the Provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the proposal would underpin the economic development of the borough and support the existing occupier on the site in the current economy. It would not detrimentally draw activity away from the Town and Local Centres and is well positioned to serve the local community. The proposed use sits comfortably with existing surrounding uses. Satisfactory levels of car parking can be provided and the site is highly accessible. The proposal therefore complies with the aims and objectives of PPS4 and Policy R/S2 of the Gosport Borough Local Plan Review, and complies with Policies R/DP1, R/EMP3, R/EMP5, R/EMP7, R/T11 and R/ENV10 of the Gosport Borough Local Plan Review.

Subject to the following conditions:-

1. The use hereby permitted shall be discontinued by 31 December 2013.
Reason - In the interests of supporting the economic function of the site and economic development in the Borough in the current economic climate and to comply with the aims and objectives of Planning Policy Statement (PPS) 4 and Policies R/EMP3, R/EMP5, and R/EMP7 of the Gosport Borough Local Plan Review.
2. The premises shall not be used for anything other than a mixed use hairdressers/beauty salon (including any other purpose within Class A1 of the Schedule to the Town and Country Planning (Use Classes Order) 2005, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).
Reason - To maximise the employment potential of the site and to comply with the aims and objectives of Planning Policy Statement 4 and Policies R/EMP3, R/EMP5 and R/EMP7 of the Gosport Borough Local Plan Review.
3. The car parking shown on the plan submitted on 20 October 2010 shall be retained at all times for that purpose.
Reason - In the interests of highway safety and to ensure adequate car parking is provided for existing and proposed uses, and to comply with Policy R/T11 of the Gosport Borough Local Plan Review.
4. The use hereby approved shall not operate except between the hours of 09:00 and 18:00 Monday to Wednesday, 09:00 and 20:00 Thursday and Friday, and 09:00 and 17:00 on Saturday's, and at no time on Sunday's or recognised Public Holidays.
Reason - To preserve the amenity of nearby residential properties and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.
5. At no time shall the number of staff operating from the premises exceed 16.
Reason - To preserve the amenity of nearby residential properties and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

ITEM NUMBER: 09.
APPLICATION NUMBER: K17873
APPLICANT: Mr H. Duke
DATE REGISTERED: 11.10.2010

**CHANGE OF USE OF LAND TO FORM EXTENDED EXTERNAL CAR DISPLAY AREA
AND CAR PARKING**
230 Brockhurst Road Gosport Hampshire PO12 3BD

The Site and the proposal

The site is located on the east side of Brockhurst Road and close to the roundabout at its junction with Elson Road. The land previously formed the residential property and curtilage known as 230 Brockhurst Road but the property has been demolished and the site cleared. To the east is the dwelling and rear garden of 11 Eastbrook Close, which is separated from the site by a 1.8m high close board fence and to the south is 228 Brockhurst Road, which shares its boundary with the length of the site. To the north is the Kia car showroom and external display area, which has vehicular access onto Brockhurst Road and is operated by the applicant.

The application is for the change of use of the land to a parking and car sales area associated with the adjacent site. The applicant has provided a layout plan which indicates customer parking and car display areas around the perimeter of the site, with no change to the existing access. Hard surfacing and boundary treatment would be in line with the existing, consisting of block paving along the frontage and gravel to the remainder with posts and chains along the frontage. The applicant indicates that the total number of display spaces would increase by 5 as part of the reconfiguration of the site, with the existing customer spaces being relocated.

Relevant Planning History

Nil

Relevant Policies

Gosport Borough Local Plan Review, 2006:

- R/DP1
- General Standards of Development within the Urban Area
- R/T4
- Off-site Transport Infrastructure
- R/T11
- Access and Parking
- R/EMP5
- Extension of Existing Employment Uses and Redevelopment of Redundant Employment Sites
- R/OS13
- Protection of Habitats Supporting Protected Species

Consultations

Local Highway Authority

The access remains the same and is considered to be acceptable. Based on an increase in 5 additional sales spaces this activity would generate a requirement for a contribution towards highway improvements.

Response to Public Advertisement

1 letter of representation

Issues raised:-

- no objection to proposal, however, side boundary of 11 Eastbrook Close is more exposed from a security perspective.

Principal Issues

1. The main issues are whether the extension of the business use is appropriate in this location and the impact on highway safety and the amenities of the occupiers of the neighbouring properties
2. The proposed use results in a minor extension of the existing adjacent car sales use and provides the opportunity to improve the internal layout and arrangements of the site. Following the demolition of the original property, which was in a poor condition, the re-use of the land for an appropriate purpose is considered to be in the best interests of the area, particularly in visual terms. The site is located next to a busy road, but in close proximity to residential properties. In this case the small increase in the overall activities on the site would not result in a significant intensification of the use and the use of this currently vacant land for car sales would not have a detrimental impact on the appearance of the area or the amenities of the occupiers of neighbouring properties and is acceptable and in compliance with Policy R/DP1.
3. The existing established access would remain unaltered by these proposals. The area for manoeuvring within the site would be increased as part of this application, with the relocation of sales/parking areas adjacent to the boundary with 228, which would be an improvement to the overall operation of the site and accessibility. The applicant has indicated that the number of vehicles anticipated to visit the site should not increase significantly and that the overall number of vehicles to be displayed on the site would only increase by 5. In order to ensure that the improved manoeuvrability is maintained, a condition is proposed requiring the area along the former boundary with 230, is to remain clear at all times. Having regard to the limited change in the number of vehicles and expected trips, and subject to the above condition, the proposal would not have a detrimental impact on highway safety in accordance with Policy R/T11.
4. The removal of the garden boundary wall to no.230 has resulted in a length of approximately 5 metres of 1.8 metre high boundary fence at 11 Eastbrook Close being exposed. Although this fence is now accessible from Brockhurst Road, it forms an appropriate and acceptable barrier and deterrent in terms of security and therefore this issue is not considered to be so significant as to warrant refusal of this application. Number 228 has had its side elevation rendered following the demolition of the adjacent property and this is considered to be an appropriate finish. In order to protect the house from accidental collision from vehicles manoeuvring into and out of the customer spaces it is considered appropriate to condition the requirement for a solid barrier/bollards along the length of the house, the details of which should be submitted for approval.
5. The site is located within 100 metres of known protected species. The site is not considered to provide habitat for such species and it is likely in this case that the species are to be found at Fort Brockhurst nearby. Therefore the proposal is considered to be in accordance with Policy R/OS13.
6. The applicant has also confirmed a willingness to enter a planning obligation under Section 106 relating to the payment of a commuted sum towards the provision of transport improvements, in accordance with Policy R/T4 of the Gosport Borough Local Plan Review. 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 transport infrastructure, services and facilities.

Reasons for granting permission:

1. Having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the use as proposed is acceptable in this location and would not have a detrimental impact on the amenities of the occupiers of adjacent properties, the visual amenities of the local area or highway safety conditions in the locality and as such complies with Policy R/DP1, R/T4, R/T11 and R/OS13 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 be carried out in accordance with the following approved plan: finecars-10-01

Reason - To ensure that the development is completed satisfactorily in all respects and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

3. The area hatched green on the approved plan shall not be used for any purpose other than as a vehicle access/manoeuvring area.

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

4. The areas shown on the approved plan for the parking of customer vehicles shall be marked out and made available prior to the first use of the display area hereby approved and shall thereafter be retained for that purpose.

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.

5. The works hereby approved shall not be commenced until details of measures to protect the wall of 228 Brockhurst Road, between points A-A, and the fence of 11 Eastbrook Close between points B-B, from vehicles overrunning the parking spaces, have been submitted to and approved, in writing, by the Local Planning Authority. The measures shall be installed in accordance with the approved details before first use of these spaces and thereafter retained.

Reason - To protect the amenities of the adjacent occupiers and the visual amenities of the area, and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

ITEM NUMBER: 10.
APPLICATION NUMBER: K3618/9
APPLICANT: Dr. Andrew Smales
DATE REGISTERED: 27.07.2010

ALTERATIONS TO GROUND FLOOR DENTAL SURGERY AND CHANGE OF USE FROM DENTAL SURGERY TO 1NO.TWO BEDROOM MAISONETTE ON FIRST FLOOR AND SECOND FLOORS, ERECTION OF FIRST FLOOR REAR EXTENSION AND EXTERNAL FIRE ESCAPE STAIRCASE AND INSTALLATION OF REPLACEMENT TIMBER SHOP FRONT (CONSERVATION AREA)

152 - 154 High Street Lee-On-The-Solent Hampshire PO13 9DD

The Site and the proposal

The application site is located on the north east side of High Street, within the Urban Area Boundary, the Lee-on-the-Solent Conservation Area and the Lee-on-the-Solent District Shopping Centre. The premises contain Kea Dental Health Centre and is three storey constructed in red brick under a slate roof containing front and rear dormer windows. It has an ornate timber shop front with a low brick stall riser but the other windows and doors are white upvc. As well as an angled door at the western end of the shop front there is also a recessed second door and side light that leads to a staircase accessing the upper floors. There is a projecting single storey pitched roofed element on the southern part of the rear elevation containing a staff room and WC and a further projecting single storey lean to element on the north part of the rear elevation containing a kitchen and WC. At the rear of the site there is a block paved parking area approximately 15 metres deep and 8 metres wide accessed via a concrete rear service road that extends along the back of the High Street and also serves the properties located to the rear fronting Grove Road. Immediately to the rear of the site there are garages and back gardens serving numbers 2 and 4 Grove Road and a 2 metre high block wall. Number 4 Grove Road is a bungalow set at an oblique angle to the rear of the application property and is approximately 35 metres away from the single storey elements. It has a conservatory on its rear elevation and two small roof lights in its rear roof slope. To the south east of this property there is a 1.8 metre high fence and landscaped car park serving the Lee-on-the-Solent Health Centre fronting Manor Way.

The application property forms part of a terrace of four properties of similar design to the north west of which lies Hove Court, a relatively modern three storey block of flats fronting High Street. Numbers 156-158 High Street, located immediately to the north west, contain a hairdressers at ground floor level with residential accommodation above. This property is the same design as the application property but has been altered at the rear. It has a two storey flat roofed element on the southern part of its rear elevation where it adjoins the single storey lean to element of the application property. To the north of this there is a flat roofed single storey extension with a guardrail and metal fire escape stair case. There is a concrete parking area to the rear of this property and no boundary treatment where it adjoins the application site. To its north western boundary there is a 2 metre high wall beyond which lies the car park serving Hove Court. Numbers 144-150 High Street, located to the south east of the application site, contain the Strawberry Workshop, again with residential accommodation on the upper floors. This property has a large single storey rear extension approximately 3 metres high extending along most of the boundary with the application site, with a section of 1.8 metre close boarded fencing up to the service road. There are no windows in the side elevation to this extension which has a very shallow corrugated pitched roof.

It is proposed to consolidate the operation of the dental practice onto the ground floor of the premises and convert the upper two floors into a self contained two bedroom maisonette. The number of employees of the dental practice will not change as a result of this proposal. It is proposed to remove the pitched roofs from the single storey rear parts to the building and erect a first floor flat roofed extension above the existing northern element and infill the gap to the south with a flat roof extension. A guardrail is to be added at first floor level and a new fire escape staircase provided to the upper floors running parallel to the rear of the building. There will be a

matching window in the rear elevation to the first floor extension which will be the same depth and adjoined to the two storey extension on the neighbouring property. The southern side elevation is to contain a kitchen window and partially glazed door. The window to the existing WC on the ground floor will not change. A window will be removed in the rear elevation to the southern part of the single storey element and be replaced by a door with side light to maintain access to the rear of the premises under the new staircase. The extension is to be constructed in matching materials with matching white upvc windows and doors. In addition, due to the poor condition of the existing timber shop front, it is proposed to replace it with one of identical design in timber.

At the rear of the site it is proposed to provide 5 car parking spaces and space has been allocated for a secure cycle store and the storage of 4 wheeled bins. In addition, there is also adequate space to enable visitor cycle parking facilities to be provided.

Relevant Planning History

K3618/7 - change of use of ground floor from retail shop (Class A1) to dental surgery (Class D1) - permitted 22.07.97

K3618/8 - change of use of first and second floor offices to dental surgery (Class D1) and installation of windows - permitted 16.01.02

Relevant Policies

Gosport Borough Local Plan Review, 2006:

R/DP1

General Standards of Development within the Urban Area

R/DP3

Provision of Infrastructure, Services and Facilities

R/BH1

Development in Conservation Areas

R/H4

Housing Densities

R/S3

Principal & District Shopping Centres

R/S7

Use of Upper Floors

R/T4

Off-site Transport Infrastructure

R/T11

Access and Parking

R/OS8

Recreational Space for New Residential Developments

Consultations

The Gosport Society	No objection.
Building Control	Access for Fire Brigade satisfactory.
Streetscene (Waste & Cleansing)	Adequate storage space identified for wheeled bins. Access to rear of property for collection.
Local Highway Authority	No objection. Five parking spaces for surgery and flat use provided with access from rear service road. Adequate cycle storage provided. No financial contribution required for proposed lesser use.

Response to Public Advertisement

Nil

Principal Issues

1. The application site is located within the Urban Area Boundary where the principle of residential development is acceptable provided that the details accord with the criteria outlined in Policy R/DP1 of the Gosport Borough Local Plan Review. The main issues in this case are the acceptability of the design of the alterations and the principle of residential development within the defined shopping area, the acceptability of the density of the proposed scheme, whether the development will preserve or enhance the character and appearance of the Lee-on-the-Solent Conservation Area, the impact on the amenities and servicing arrangements of the existing, adjoining and prospective occupiers and the provision for car and cycle parking, refuse storage facilities, open space and transport infrastructure.
2. The existing ground floor use of the premises will not change and the replacement of the shop front with one in timber to match the original design is both appropriate and acceptable. The extensions at the rear of the premises are compatible with those on the adjoined property and are acceptable in design terms in such a discreet location. They are to be constructed in matching materials and will preserve the character and appearance of the Lee-on-the-Solent Conservation Area and as such the proposal complies with Policies R/DP1 and R/BH1 of the Gosport Borough Local Plan Review.
3. Residential accommodation above ground floor level is common in the immediate area and Shopping Centres generally. The residential accommodation will have its own independent access at the front and rear of the building. A new door in the original rear elevation will ensure separate and rear access to the dental practice is retained, to enable servicing from the front or rear to continue. The proposed development will not therefore result in inferior servicing arrangements for the premises, or any other adjacent properties and will not compromise the retail function of the Lee-on-the-Solent District Shopping Centre. The development therefore complies with Policies R/S3, R/S7 and R/H4 of the Gosport Borough Local Plan Review.
4. Due to the orientation of the property and the scale and location of the additions there will be no detrimental impact in terms of loss of light or privacy to neighbouring residents. Whilst there is no real amenity space on site, apart from the roof terrace, for use by residents, this is not unusual in such locations and is a consideration for future occupiers. Provision is made on the site for the storage of refuse. As such the development will not be detrimental to the amenities of adjoining or prospective occupiers in compliance with Policy R/DP1 of the Gosport Borough Local Plan Review.
5. The site is located in an accessible location and the five car parking spaces proposed are adequate for use by the dentist and residents of the proposed maisonette. Provision is made for secure cycle storage for the residents of the new maisonette and further provision can be made for visitor cycle parking to minimum standards. As such the proposal complies will Policy R/T11 of the Gosport Borough Local Plan Review.
6. The need for transport infrastructure contributions in accordance with Policies R/DP3 and R/T4 of the Gosport Borough Local Plan Review has been considered. However, the trip generation for the existing dental surgery is greater than that for the proposed two bedroom maisonette with retained surgery and as such no contributions are required. The provision of a residential unit on the site generates a requirement for outdoor playing space to meet the needs of prospective residents. 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 unit of accommodation. Without this obligation the proposal is unacceptable.

RECOMMENDATION: Grant Permission

Subject to Section 106 agreement relating to

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

Reasons for granting permission:

1. Having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the proposed development is acceptable in this location. Due to its appropriate design, density and layout, the development will preserve the character and appearance of the Lee-on-the-Solent Conservation Area and will not have a detrimental impact on the visual amenity of the locality or the amenities and servicing arrangements of existing, neighbouring or prospective occupiers. Adequate provision is made for car parking, cycle and refuse storage and open space. The development therefore complies with Policies R/DP1, R/DP3, R/BH1, R/H4, R/S3, R/S7, R/T4, R/T11 and R/OS8 of the Gosport Borough Local Plan Review.

Subject to the following conditions:-

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

- Drawing No. SIS 1079 a, - Drawing No. SIS 1079 b, - Drawing No. SIS 1079 c, - Drawing No. SIS 1079 d, - Drawing No. SIS 1079 e, - Drawing No. SIS 1079 f, - Drawing No. SIS 1079 g, - Drawing No. SIS 1079 h and - Drawing No. SIS 1079 i.

Reason - To ensure that the development is completed satisfactorily in all respects and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

3. The materials to be used shall match in type, colour and texture, those on the existing building unless otherwise agreed in writing with the Local Planning Authority.

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

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. Before the development hereby permitted is first brought into use, 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.

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.

ITEM NUMBER: 11.
APPLICATION NUMBER: K17880
APPLICANT: Rank Developement Ltd
DATE REGISTERED: 25.10.2010

**ERECTION OF 20 BED CARE HOME AND ASSOCIATED ACCESS, CAR PARKING,
CYCLE STORAGE AND LANDSCAPING**
Land At Rear Of 90a - 92 Fareham Road Gosport Hampshire PO13 0AG

The Site and the proposal

The application site is currently garden land situated to the rear of 90a and 92 Fareham Road which are on the east side of the highway. Number 90a is a detached, two storey brick dwelling with access and a driveway to its west side. It has been extended at the rear to provide a conservatory and the garden extends approximately 60m beyond this rear elevation. Beyond the southern boundary of number 90a, within the rear garden of number 90 is a large, single storey, brick built outbuilding. This has a tiled pitched roof and covers a floor area similar to that of the main dwelling.

Number 92 is a large, detached, two storey dwelling with a painted render exterior. It too, has been extended to the rear at single storey level and its garden extends beyond this to a similar depth as no. 90a. The boundary between to the two properties consists of a 2m high close boarded fence for approximately 35m from the rear of the properties where it then alters to a 2m high hedgerow. There are a number of trees in the rear garden of number 92 which are positioned to the east side and along the northern and eastern boundaries. There is a single storey outbuilding in the north eastern corner of the garden and an established drop kerb to the east side of this. There is also a detached, single storey garage on the northern boundary, situated closer to the house. This property takes pedestrian access from its west side and vehicular access, with established dropped kerb, from the north direct from Bedenham Lane which runs along the north side of this property. Bedenham Lane is an unadopted, cul-de-sac.

The northern boundary of number 92 consists of dense planting ranging between 3m and 4m in height. A grass verge of approximately 7m in width runs between this boundary and the highway. There are two trees on this highway verge approximately 5m in height. To the north, beyond Bedenham Lane, the southern side of a steel fabrication building is visible. This is a large single storey building located within Venture Business Park and is protected in the Gosport Borough Local Plan Review for employment purposes. To the east side of the site is Frater Gate Business Park which comprises a series of smaller, two storey units also allocated for employment purposes. The main access to these units is via Aerodrome Road, however, there are removable bollards across the eastern end of Bedenham Lane in order that it can provide a secondary, emergency access. All of the land in this area is flat.

The application proposes the construction of a 20 bedroom care home fronting Bedenham Lane. This would be a three storey building in excess of 9m in height and 24m long. It would have a symmetrical design with matching gables at either end containing single casement windows. A long stretch of pitched roof would run between these two gables with an unbroken ridgeline. There would be two, flat roofed dormer windows in the north elevation of the roof. A large chimney is proposed to the centre of the roof. The rear elevation would follow a similar pattern, however, would be broken by a two storey projecting section on to the south east corner of the building. It is proposed that the building would be constructed of facing brick work, with render details and plain tile hanging to the gables. The roof would also be covered by plain tiles. A brickwork string course would run through the centre of the main facade between ground and first floor levels, with sash style windows headed by brick gauged lintels and stone sills. The accommodation would comprise 20 bedrooms spread over three floors. This would be supplemented by a large dining room at ground floor adjacent to a lounge room and sun room. A further lounge would be provided at first floor. The main access with reception and office would be located on the east side of the building and there would be two staircases through the building; one on its west side and the second to the south east corner.

Basement accommodation would provide servicing for the care home including kitchen, laundry, plant and medical rooms.

The main access to the site would be via the established dropped kerb to the north east corner. 7 no. parking spaces would be provided to the east side of the building with visitor cycle parking. A bin store would be provided to the south west corner of the car park with long stay cycle parking being provided in a garden area running south from this beyond the rear boundary of number 90a Fareham Road. This garden space would measure 12m in length by approximately 6.5m in width. Garden space would also run along the south side of the main building and be intercepted by a number of retained trees.

The application is supported by an Arboricultural Impact Assessment, an Ecology report, and a Noise Impact Assessment.

Relevant Planning History

Nil

Relevant Policies

Planning Policy Statement 3 (PPS3) : Housing

Planning Policy Statement 9 (PPS9) : Biodiversity and Geological Conservation

Gosport Borough Local Plan Review, 2006:

R/DP1

General Standards of Development within the Urban Area

R/H8

Accommodation for the elderly

R/T11

Access and Parking

R/ENV10

Noise Pollution

R/DP3

Provision of Infrastructure, Services and Facilities

R/T2

New Development

R/T4

Off-site Transport Infrastructure

R/T10

Traffic Management

Consultations

Building Control	Access for fire brigade is satisfactory. Some internal changes required to satisfy means of escape.
Streetscene (Parks & Horticulture)	No objection. There are no trees worthy of retention. The Arboricultural Impact Assessment is an accurate reflection of the site conditions and trees.
Streetscene (Waste & Cleansing)	Trade waste collection for this facility would not be provided by Gosport Borough Council.
Local Highway Authority	Object to the proposal. As the site is in an accessible location there should be 8/9 spaces on site. The present provision for 7

spaces would therefore be insufficient. There is also inadequate space for a refuse vehicle to be able to turn. This could compromise road safety. A financial contribution for highway infrastructure should also be sought.

Environmental Health (Commercial)

The kitchen will need to be fitted within an exhaust system and extractor fan that is appropriately sized, and precautions to minimise noise, vibrations and smells taken. Air conditioning units shall also be fitted with the appropriate acoustic housing, silencing and system design.

Defence Estates

No objection.

Response to Public Advertisement

1 letter of objection

Issues raised:

- no objection in principle
- additional traffic on the A32 needs to be addressed
- Council Tax will increase as a result of this development

1 letter of support

Issues raised:

- careful consideration given to suitability of the site and design of the building
- access from Bedenham Lane is appropriate
- no impact on neighbours
- supports current shortage of this type of facility in the Borough
- will generate employment during and after construction
- good use of land

Principal Issues

1. It is possible that the impacts of additional traffic on the A32 could be addressed through the provision of a Transport, Infrastructure and Services Contribution and the improved provision of car parking and turning on site, and the increase in Council tax is not a material planning consideration. The site is located in the Urban Area where the principle of this type of development is accepted provided that the details accord with Planning Policy Statement 3 (PPS3) and Policy R/DP1 of the Gosport Borough Local Plan Review. The main issues for consideration are therefore the acceptability of this site for this type of development, the appropriateness of the design, the need for this type of development in the Borough balanced against the consideration of residential amenity for occupiers, the effects on neighbouring properties, the effects on trees, and highway issues.

2. Although this site stands in close proximity to both residential development and employment land, it is accessed from, and predominantly relates to, existing, adjacent residential development. It forms part of this streetscene and it is this character that the development should respect. The character of established residential development along this stretch of Fareham Road is medium sized dwellings set in relatively spacious plots with large gardens providing good separation with the business park to the east. The proposal would significantly interrupt this character creating an excessive built form in a backland position. The siting and presence of the building would be alien to the character and established pattern of development whereby larger, more dominant, buildings front Fareham Road. It would therefore have an inappropriate visual presence in the public domain. It is accepted that a large building has been erected to the rear of number 90 Fareham Road, however, this building was constructed under permitted development tolerances and is ancillary to

the use of the main dwellinghouse. It therefore falls outside of the control of the Local Planning Authority. Nevertheless, the proposed care home is significantly larger than this and would create an inappropriate built form and separate planning unit. Moreover, the Government has recently amended the definition of previously developed land within Appendix B of Planning Policy Statement 3: Housing (PPS3) to exclude private residential gardens and as such there is no, in principle, acceptance that this type of land should be utilised for this type of development particularly taking into account the cramped and congested arrangement of the proposal. The proposal would therefore be contrary to the aims and objectives of PPS3 and Policy R/DP1 of the Gosport Borough Local Plan Review.

3. The size, scale and mass of the building is completely out of keeping with that of the existing residential buildings. At over 9m in height it is taller than the existing residential properties in Fareham Road and the width of the frontage is excessive when compared to any other residential properties in the vicinity. The symmetry of the building and unbroken ridgeline provides an uninteresting façade and this emphasises the excessive width and height of the building. This is also emphasised by the proximity of the building to the highway, lack of space around it and therefore limited opportunity to adequately landscape, and therefore, soften the building. The design features on the building do not compliment one another; the character of the ornate fascia and brick string course conflicts with the rigidity of the central rendered feature and the Juliette balconies. The building does not therefore make a positive visual contribution to the public domain and is not of a high quality design. The proposal therefore conflicts with Policy R/DP1 of the Gosport Borough Local Plan Review.

4. Whilst there is a demonstrated need for this type of development in the Borough, consideration should be given to the suitability of siting in terms of the environment that is created for residents. Whilst it is accepted that this site is accessible from a transport perspective, there are limited amenities, such as shops and open space, in the vicinity to serve residents. There are no protected open spaces within easy walking distance and the nearest Local Centres are in Gregson Avenue and Brewers Lane which are, again, not within easy walking distance for elderly residents. The site is isolated particularly in terms of its access point and does not provide opportunity for residents to be integrated with society. The arrangement of limited garden space around the building in a cramped and congested manner means that no sense of openness or usability could be achieved, particularly taking into account the number of residents proposed. The poor quality of this space would be compounded by the employment allocations adjacent whereby noise and activity from these uses could be harmful to the amenity of residents. It is accepted that each room would have access to ensuite facilities and a range of indoor living/dining space would be provided, however, on balance, it is considered that a poor level of residential amenity would be achieved by this development, contrary to Policies R/DP1 and R/H8 of the Gosport Borough Local Plan Review.

5. The building would be situated in excess of 30m beyond the rear elevation of no. 92 Fareham Road. The building would be 10m tall with the roof closest to this property sloping away from the shared boundary. The width of the building as viewed from this neighbour will be 15m in total, however, this elevation would be staggered with a proportion of it being set a further 10m towards the east. There would only be roof lights in the section of roof closest to this neighbour with no windows in the main façade. There would be windows in the façade set furthest from this neighbour, however, the separation distances ensure that no harmful overlooking would result. In respect of number 90a Fareham Road, whilst there would be a series of windows overlooking the eastern part of this garden from the south elevation of the proposed care home, as this is effectively the secondary part of the garden serving this property with the primary amenity space being situated closest to the main house, on balance, this relationship would be acceptable. The building would be visible from the rear of number 90a, however, the separation from the rear elevation of over 25m ensures that the development will not have an overbearing impact. The position of the building means there will be no harmful overshadowing of any of the neighbouring properties. The proposal would create additional activity along the north side of number 92, however, its proximity to Fareham Road at present means that this additional activity would not impact on the amenity of this property in a harmful manner. The proposal therefore complies with Policy R/DP1 of the Gosport Borough Local Plan Review in this respect.

6. There a number of high quality trees on the site, particularly along the eastern boundary and within the main garden area. The Arboricultural Impact Assessment concludes that a number of the trees are of low grade and make a limited contribution to the public domain and could therefore be removed and replaced. The Tree Officer concurs with the conclusions reached in the report and does not consider there are any trees worthy of a Preservation Order on the site. The schedule for removal and replacement of some trees is acceptable and the tree protection arrangements proposed can be effectively implemented. The proposal therefore complies with Planning Policy Statement 9 and Policy R/DP1 of the Gosport Borough Local Plan Review in this respect.

7. The site would utilise an existing access to the north east corner which is acceptable, however, in terms of servicing the building, it has not been satisfactorily demonstrated that vehicles could safely turn on the site and enter the highway in a forward gear. It is accepted that the site is in an accessible location and therefore a reduction in car parking can be applied, however, the level of car parking provided does not meet this reduced standard. As such, in combination with the limited availability to turn on site the proposal could be detrimental to highway safety. A Transport, Services and Infrastructure Contribution also applies in this instance. No arrangement is in place to secure the required payment and without it the development would place unacceptable pressure on the highway network. The proposal would therefore be contrary to Policies R/DP3, R/T2, R/T3, R/T4 and R/T11.

RECOMMENDATION: Refuse

For the following reasons:-

1. The proposed development, by reason of its siting within the rear garden of numbers 90a and 92 Fareham Road, would result in an undesirable form of backland development that is out of keeping with the established pattern of development in the locality, detrimental to the character of the area and the established building hierarchy, contrary to Planning Policy Statement 3 (PPS3) and Policy R/DP1 of the Gosport Borough Local Plan Review.

2. By reason of its excessive bulk, scale, mass, height, width, unbroken ridgeline, design features of the facade, proximity of the building to the site boundaries, and limited opportunity to adequately landscape the building, the proposed building would be of a poor design quality and harmful to the appearance of the area contrary to Policy R/DP1 of the Gosport Borough Local Plan Review.

3. By reason of the combination of the cramped site arrangement together with the siting adjacent to an allocated employment site, its location away from amenities such as shopping and open space, the lack of opportunity for resident interaction and the poor quality of on site amenities, it is considered that the development is inappropriate in this location and would provide a poor quality of residential amenity for intended occupiers. The proposal would therefore be contrary to Policies R/DP1 and R/H8 of the Gosport Borough Local Plan Review.

4. It has not been satisfactorily demonstrated that service vehicles can turn safely on this site and enter the highway in a forward gear. Adequate provision has not been made on the site for car parking and, in combination, these factors could be detrimental to highway safety. The proposal is therefore contrary to Policies R/T2, R/T4, R/T10 and R/T11 of the Gosport Borough Local Plan Review.

5. Adequate provision has not been made for transport and highway improvements, nor the payment of a commuted sum in lieu of the provision, contrary to Policies R/DP3 and R/T4 of the Gosport Borough Local Plan Review.

ITEM NUMBER: 12.
APPLICATION NUMBER: K8888/3
APPLICANT: Motiv8
DATE REGISTERED: 26.10.2010

CHANGE OF USE FROM DISINFESTATION CENTRE TO YOUTH SUPPORT CENTRE (CLASS D1), INCLUDING EXTERNAL ALTERATIONS (as amplified by e-mail received 9.11.10)

Disinfestation Centre Unit 29 Toronto Place Gosport Hampshire PO12 4UZ

The Site and the proposal

The application site is located centrally within the Forton Industrial Estate and within a defined Employment Site as set out within the Gosport Borough Local Plan Review. It is enclosed by a 3 metre high palisade fence and contains a 137 square metre single storey brick building with a large concrete forecourt. The southern side of the site comprises a grassed area. Access to the site is from Toronto Place. Class B2 general industrial units adjoin the site to the north and east. Parking restrictions apply either side of the existing access and continue in an easterly direction along Toronto Place. There is a parking lay-by adjacent to the south eastern boundary of the site with space to park at least 7 cars and on-street parking is also available on the southern side of Toronto Place.

The premises were previously used as a base for the Council's two pest control officers, with internal office space and facilities for the storage of chemicals and machinery. The disinfestation centre has recently moved to the Council's Wilmott Lane Depot and the property is now surplus to the Council's requirements. Planning permission was granted under K8888/2 to change the use of the site from a disinfestation centre to general industrial under Use Class B2. However, this consent has not been implemented and the site has been vacant since 2006.

The applicant is a charitable organisation that works with young people. The charity received temporary consent under application K6354/9 to operate from a portable building at the rear of the Salvation Army buildings at The Crossways. This consent has recently expired and the applicant is seeking a more permanent establishment from which to operate.

The proposal is to use the vacant unit as a youth support centre (Class D1). The centre would be open from 0930-1800, Monday to Friday. Occasionally, the centre would need to stay open until 2100. The Centre would employ 5 staff who would be transferred directly from the existing Crossways site. The proposal also has the potential to create 2-3 additional employment opportunities, however, this is dependent on future funding. Clientele are generally between the ages of 13-16 years, and visits are generally made by way of appointment. Information provided by the applicant suggests that there would be a maximum of 25 people at the site at any one time, including staff. Due to their demographic, and as the charity serves a local catchment area, many of the clientele would arrive at the site by bicycle, public transport, or on foot. However, the charity also operates a mini-bus service which is used to collect/drop-off clientele.

The proposed change of use will necessitate internal and external alterations to the existing building. Internally, the building will be subdivided to provide office space, a media area, a kitchen, store and utility rooms, toilet facilities and an open area containing meeting tables. Externally, it is proposed to remove the four garage doors in the front (western) elevation and replace them with two sets of double doors and three windows, including roller shutters. A new canopy will be erected over the new entrance doors. The four existing windows in the northern elevation are to be retained, with one additional window added. The two doors in the eastern elevation are to be retained with two additional windows installed to provide light to the manager's office and kitchen. No windows or doors are proposed in the southern elevation.

On site parking will comprise a total of three spaces, including one disabled bay, and these will be positioned at the front of the building. Access to the spaces will remain via the double entrance

gates in the western boundary. A bicycle stand is shown on the southern side of the plot, and this is capable of accommodating 18 bicycles. The grassed area on the southern side of the site is to be concreted in order to provide a ball park.

Relevant Planning History

K8888 - building for use as a store - permitted 04.12.75

K8888/1 - Regulation 3 - erection of boundary wall and fencing - permitted 23.03.99

K8888/2 - Regulation 3 - change of use from disinfestation centre to general industrial establishment - permitted 21.07.06

Relevant Policies

Planning Policy Statement 4 (PPS4) : Planning for Sustainable Economic Growth

Gosport Borough Local Plan Review, 2006:

R/DP1

General Standards of Development within the Urban Area

R/EMP3

Protection of Existing Employment Sites from Inappropriate Development

R/EMP5

Extension of Existing Employment Uses and Redevelopment of Redundant Employment Sites

R/EMP7

Low Employment Generating Uses

R/CF1

New or Improved Community Health Facilities

R/T11

Access and Parking

Consultations

Building Control	Access for Fire Brigade acceptable.
Property Services	Support the application.
Economic Prosperity	Concern that the proposed D1 Use is not necessarily the most appropriate use within the Industrial Estate.
Local Highway Authority	No objection.

Response to Public Advertisement

Nil

Principal Issues

1. The main issues in this case are the appropriateness of the proposed Class D1 Use within this defined employment site, the acceptability of the external alterations and the impact of the proposal on adjacent users/occupiers, refuse arrangements, highway safety, parking, and access.
2. The proposed external alterations are minor in nature and will improve the overall appearance of the building, which is beginning to show signs of disrepair. The development is therefore acceptable in design terms and complies with Policy R/DP1 of the Gosport Borough Local Plan Review.
3. Employment generating development has historically been regarded as falling within the B Use Classes. Whilst in its current use, the site serves this purpose, the unit has been vacant since 2006 and has not therefore been contributing to employment generation within the Borough for a

considerable period of time. The revised PPS4, issued in 2009, applies a more flexible approach to employment generation, stating that, in addition to the B Classes, other uses may be included within the definition of economic development, especially where they provide employment opportunities and/or contribute to the local economy. Policies R/EMP3, R/EMP5 and R/EMP7 of the Gosport Borough Local Plan Review also acknowledge the importance of employment generating uses and require that the use of land is maximised for that purpose. A fundamental aim of these policies is to generate additional jobs for Gosport residents, thereby reducing the need for residents to commute out of the Borough.

4. The proposal will safeguard 5 existing jobs and will potentially generate 2-3 additional employment opportunities for residents of the Borough. The development will bring a vacant unit back into use, with an employment density that is comparable to adjacent uses. The site occupies a small proportion of a large industrial estate that is capable of accommodating a range of uses without compromising the future economic sustainability of the Existing Employment Site. Therefore, although the application will result in the loss of employment floorspace, as it has historically been termed, it helps to facilitate economic development, in line with the aims and objectives of PPS4 and will sustain and create employment. In addition, the proposal will allow an existing and well established local youth support charity to continue to provide an important and much needed service to young people in the Borough. The site is located in a highly accessible location, close to the A32, the main bus route, and links to the existing cycle network. The relocation of the youth support centre is therefore appropriate in this location. The opening times are similar to other establishments within the industrial estate and the proposal will not harm the everyday operations or amenities of adjoining users. It therefore complies with the aims and objectives of Planning Policy Statement 4 (PPS4) and Policies R/EMP3, R/EMP5, R/EMP7 and R/CF1 of the Local Plan Review. It is proposed to attach a planning condition to prevent the premises being used for other uses falling within Use Class D1, which may be inappropriate in a defined employment site and may have implications on traffic generation and highway safety.

5. The site is located over 40 metres from the nearest dwelling in Halliday Close and Toronto Place and Halliday Close have separate access points from Forton Road therefore traffic associated with the application site will not travel past those residential properties. In addition, there are other industrial premises operating between these properties and the application site and the proposed use is unlikely to generate additional disturbance for adjacent occupiers, over and above that which would be expected from the existing authorised industrial use at the site. As such, the proposal complies with Policy R/DP1 of the Gosport Borough Local Plan Review.

6. Given the demography of the charity's clientele, whereby many visitors arrive and depart from the site by bicycle or on foot, and the number of staff, the demand for vehicular parking will be low. The site is located in an accessible location, with good links to well serviced bus routes and the local cycle network. The provision of 18 bicycle parking spaces will help to encourage alternative modes of transport to the private car and the charity offer incentives to staff who participate in a green travel initiative. Under the circumstances, the development is unlikely to result in overspill parking in the local road network to the detriment of local amenity and highway and pedestrian safety. The proposed parking spaces can be accessed in a safe and convenient manner and there is adequate manoeuvring space within the site to allow vehicles to turn, so as to exit in a forward gear. Entry and egress will remain via the existing double gates in the western boundary, where there is adequate intervisibility between vehicles exiting the site and all other users of the public highway. Provision has not been made for refuse storage. However, there is sufficient space within the site to provide appropriate facilities, the details of which can be secured by condition. Conditions are also proposed which shall require the provision and subsequent retention of the proposed car and bicycle parking facilities. In light of the above, and subject to the above conditions, the proposed development 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 proposed use is acceptable in this location. It will bring a vacant unit back into use, help safeguard existing jobs, and provide additional employment opportunities for residents of the Borough. It will not be harmful to the economic vitality or viability of the Forton Road Industrial Estate, the visual amenity of the locality, or the amenities of neighbouring occupiers. Appropriate provisions have been made for vehicular and bicycle parking and refuse storage. As such, the proposal complies with Planning Policy Statement 4 and Policies R/DP1, R/EMP3, R/EMP5, R/EMP7, R/CF1 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 be carried out in accordance with the following approved plans:

10-65-PL01 and 10-65-PL02

Reason - To ensure that the development is completed satisfactorily in all respects and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

3. Before development is commenced, details, including samples, of the materials to be used for the proposed roller shutters and front entrance canopy, shall be submitted to and approved, in writing, by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

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

4. Before development is commenced, details of the proposed cycle parking facilities shall be submitted to and approved, in writing, by the Local Planning Authority. The approved cycle parking facilities shall be provided in accordance with the approved details before the development hereby permitted is first brought into use and thereafter retained.

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

5. Before the development hereby permitted is first brought into use, 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.

6. Before development is commenced, facilities for the storage of refuse for removal from the premises shall be provided in accordance with a scheme to be submitted to and approved, in writing, by the Local Planning Authority. The approved facilities shall be provided before the development hereby permitted 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 premises shall not be used for any purpose other than as a youth support centre (including any other purpose within Class D1 of the Schedule to the Town and Country Planning (Use Classes Order) 2005, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - To control the use of the site, parking, traffic conditions and the future employment generating potential of the Forton Road Industrial Estate, and to comply with Policies R/DP1, R/EMP3, R/EMP5 and R/EMP7 of the Gosport Borough Local Plan Review.

ITEM NUMBER: 13.
APPLICATION NUMBER: K10020/5
APPLICANT: Jamie Sainsbury
DATE REGISTERED: 03.11.2010

REGULATION 3 - INSTALLATION OF REPLACEMENT WINDOWS
Gloucester House Holly Street Gosport Hampshire PO12 1RP

The Site and the proposal

Gloucester House is a large two storey building comprising a combination of retirement homes and sheltered housing accommodation located on the western side of Holly Street. The building is constructed from red brick with a tiled pitched roof. The windows and doors are predominantly of dark brown stained timber construction. The property is surrounded by additional residential units to the north, east and west, and to the south are commercial premises which face onto Stoke Road. The western boundary of the application site is adjacent to the Peel Road Conservation Area and the southern boundary is adjacent to the Stoke Road Conservation Area.

It is proposed to replace the timber windows with UPVC units, with the exception of the existing windows located within the Mansard roofed areas. A total of 202 units are to be replaced. The windows are to be of white UPVC construction and the design will match the existing.

Relevant Planning History

Nil

Relevant Policies

Gosport Borough Local Plan Review, 2006:
R/DP1
General Standards of Development within the Urban Area

Consultations

Nil

Response to Public Advertisement

3 letters of support

Issues raised:-

- replacement doors and windows will improve facilities and are long overdue
- white PVCu is easier to maintain than existing wooden frames
- consideration should be given to windows with a swivel mechanism to aid external cleaning
- white exteriors will enhance resident accommodation and will match other properties in locality
- new windows and doors will help to keep flats warm in the event of heating failure

Principal Issues

1. The Council's Operational Services Department have confirmed that the windows are regularly cleaned externally by the Council, therefore there is no requirement for any swivel mechanisms to be installed. Furthermore, the windows are to be direct replacements within existing openings and as such there will be no loss of privacy to adjoining residents. Therefore the main issues in this case are the acceptability of the amended material and the impact on the appearance of the property, the setting of the adjacent Conservation Areas and the visual appearance of the locality.

2. The proposed windows are compatible with the modern design of the building and as such will not have a harmful impact on the appearance of the property. Other buildings within the immediate

vicinity also have UPVC window frames and this minor proposal will not harm the setting of the adjacent Conservation Areas or wider the appearance of the area, in accordance with Policy R/DP1 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 acceptable in design terms and will not have a harmful impact on the amenities of the occupiers of neighbouring properties, or the appearance of the property, or the wider visual amenities of the area or the setting of the adjacent Conservation Areas. As such, the proposal complies with Policy R/DP1 of the Gosport Borough Local Plan Review.

Subject to the following conditions:-

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

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

2. The works shall be carried out in accordance with the details set out within the letter dated 2.11.10 unless otherwise agreed, in writing, with the Local Planning Authority.

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