

Please ask for: Lisa Young

Direct dial:

(023) 9254 5651

Fax:

(023) 9254 5587

E-mail:

lisa.young@gosport.gov.uk

1 November 2010

S U M M O N S

MEETING: Regulatory Board
DATE: 9 November 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 5 OCTOBER 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, 5 November 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, 5 November 2010).

6. HISTORIC BUILDINGS GRANT OFFER – BURY HOUSE, BURY ROAD, GOSPORT.

To advise the Board of an application for grant aid under Section 57 of the Planning (Listed Buildings and Conservation Areas) Act 1990 for the restoration of sash windows and timber doors.

PART II
Contact Officer
Alexandra
Rowse
Ext 5414

7. 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

8. ANY OTHER ITEMS

Regulatory Board
9 November 2010

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

Board/Committee:	REGULATORY BOARD
Date of Meeting:	9 NOVEMBER 2010
Title:	HISTORIC BUILDINGS GRANT OFFER – BURY HOUSE, BURY ROAD, GOSPORT
Author:	BOROUGH SOLICITOR
Status:	FOR APPROVAL

Purpose

To advise the Board of an application for grant aid under Section 57 of the Planning (Listed Buildings and Conservation Areas) Act 1990 for the restoration of sash windows and timber doors.

Recommendation

The Board approves a grant offer of £2, 142.07 (or 15% of the final cost, whichever is the lesser sum) for the restoration of sash windows and timber doors at Bury House, Bury Road.

1.0 Background

- 1.1 The Historic Buildings Grant budget is a discretionary budget towards which owners of historic buildings may apply for grant assistance for repair or restoration works. Eligible properties include Listed Buildings, historic buildings in Conservation Areas and Locally Listed Buildings. The level of potential grant assistance varies depending on the status of the building. A Grade II Listed Building, such as Bury House, would be eligible for a grant of up to 15% of the total cost of repair and restoration works.
- 1.2 An application has been made by the owner of Bury House for grant assistance towards the cost of restoring 25 sash windows and four sets of timber French doors.
- 1.3 Bury House is a Grade II Listed Building within the Bury Road Conservation Area. Built in 1720, it is Gosport's finest example of an early 18th Century building. Built of three storeys (and basement) this detached house retains many interesting features: including internal panelling and other original fittings, as well as a notably fine façade typical of the late 'Queen Anne' style still prevalent in the 1720s. Although extended twice, the prominence of the building with its many sash windows makes this a notable landmark on Bury Road and prominent in the Conservation Area.

2.0 Report

- 2.1 The works comprise the restoration of 25 sash windows and four sets of timber French doors. Based on eligible items the lowest quotation submitted for these works is £14,280.45 (including VAT).

- 2.2 The restoration of sash windows and timber French doors would be eligible for grant assistance as the works would ensure that the special character of the Listed Building and its contribution to the Bury Road Conservation Area is preserved.
- 2.3 The current application is for general restoration of a Listed Building. Consequently, the proposed works would be eligible for a grant of 15%.
- 2.4 Based on the figures detailed in paragraph 2.1, this would result in a grant of £2,142.07.

3.0 Risk Assessment

- 3.1 There are sufficient funds within the current Historic Buildings Grant budget to support this application.

4.0 Conclusion

- 4.1 That the application is approved as the proposed works would be eligible for grant assistance through the Historic Buildings Grant and would contribute towards maintaining the special character of the Grade II Listed Bury House and the Bury Road Conservation Area.

Financial implications:	None.
Legal implications:	None.
Service Improvement Plan:	The service plays a key role in the restoration of the historic environment which positively contributes to the preservation of the special character of Gosport.
Corporate Plan:	The works contribute to the conservation and enhancement of a Listed Building and the Bury Road Conservation Area: part of Gosport's unique character.
Risk assessment:	No risks have been identified.
Background papers:	None.
Appendices/enclosures:	Location plan.
Report author/Lead Officer:	Alexandra Rowse, Conservation & Design Officer

GOSPORT BOROUGH COUNCIL – REGULATORY BOARD

9th November 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.

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<u>Item</u>	<u>Page No</u>	<u>Appl. No.</u>	<u>Address</u>	<u>Recommendation</u>
01.	03-07	K68/3	13 Milvil Road Lee-On-The-Solent Hampshire PO13 9LU	Refuse
02.	08-10	K17040/1	63 Crescent Road Gosport Hampshire PO12 2DN	Grant Permission
03.	11-13	K17232/2	28 Palmerston Way Gosport Hampshire PO12 2LZ	Grant Permission
04.	14-18	K9393/7	Land To The Rear Of 63-65 High Street Lee-on-the-Solent Hampshire PO13 9BU	Grant Permission
05.	19-22	K17839	31A Brockhurst Road Gosport Hampshire PO12 3AP	Grant Permission
06.	23-27	K17160/1	Land To Rear Of 121-127 Stoke Road Gosport Hampshire PO12 1LR	Grant Permission
07.	28-34	K17566/3	Pier House 1 Marine Parade East Lee-On-The-Solent Hampshire PO13 9FP	Grant Permission
08.	35-41	K17862	Former Royal Engineers Depot Weevil Lane Gosport Hampshire	Grant Permission
09.	42-45	K12020/2	Unit 2 Toronto Place Gosport Hampshire PO12 4UZ	Grant Permission
10.	46-49	K9548/10	Land Adjacent To 21 The Avenue Gosport Hampshire	Grant Outline Consent
11.	50-51	K17869	58 Carless Close Gosport Hampshire PO13 9PN	Grant Permission
12.	52-57	K9913/70	Royal Navy Submarine Museum Haslar Road Gosport Hampshire	Grant Permission

ITEM NUMBER: 01.
APPLICATION NUMBER: K68/3
APPLICANT: Mrs A Whitting
DATE REGISTERED: 18.06.2010

DEMOLITION OF EXISTING NURSERY SCHOOL BUILDING AND ERECTION OF 1NO. FOUR BEDROOM DETACHED CHALET BUNGALOW WITH ASSOCIATED PARKING AND AMENITY SPACE (as amplified by Ecological Report received 13.08.10)
13 Milvil Road Lee-On-The-Solent Hampshire PO13 9LU

The Site and the proposal

The application site is a rectangular plot measuring approximately 75 x 16 metres, located on the western side of Milvil Road, approximately 300 metres from the Lee-on-the-Solent District Shopping Centre. Number 13 Milvil Road is a two storey, hipped roofed dwelling set back approximately 5 metres from the road. Immediately to the rear of the dwelling, and positioned towards the northern boundary, is a single storey detached building occupied by 'Little Cherubs Nursery'. The building is approximately 16 metres long and 7 metres wide and has been constructed from timber, with a corrugated pitched roof. The nursery cares for up to 30no. children and employs 3no. full time and 1no. part time member of staff. It is open 8am-6pm, Monday-Friday. There is a driveway on the northern side of the property, used by both the dwellinghouse and the nursery, and this extends approximately 3 metres beyond the rear elevation of number 13.

The rear garden is bordered by wooden fencing and a number of trees, hedges and shrubs. The garden is currently subdivided to provide play areas for the day nursery and a private area of amenity space for the occupiers of number 13. The majority of the garden is laid to lawn, with the remainder comprising predominantly gravel surfacing. The garden contains 4no. sheds and a greenhouse.

The surrounding area is characterised by a variety of dwelling types, including two storey dwellings and bungalows. The neighbouring property to the north, number 15, is a two storey dwelling with ground and first floor windows in the side elevation facing onto the application site. There is a conservatory on the rear elevation. The rear garden runs parallel to the application site. To the south of the application site, the properties fronting Victoria Square comprise two storey dwellings and bungalows, some of which have rear dormer windows. The rear elevations of these properties are sited approximately 20 metres from the application site. Immediately to the west of the application site is number 12 Kings Road, a detached bungalow approved in 2002 under reference K.736/2. The bungalow was built to replace a 1930s property and utilised the existing access from Kings Road. The dwelling is sited to the rear of the properties fronting both Kings Road and Nottingham Place and does not have a frontage with an adjoining road.

The application is for the demolition of the existing nursery building and the erection of a detached, four bedroom dwelling in the rear garden. The dwelling will be 12.4 metres wide, 8.3 metres deep, 2.4 metres high to the eaves, rising to 7.4 metres high with the slope of the pitched roof. The ridge will be orientated north-south. The front roofslope will contain 3no. pitched roof dormer windows with 4no. dormers on the rear roofslope. The front elevation of the dwelling will contain an entrance door and two ground floor windows. There will be three sets of double doors and a small ground floor, obscure glazed bathroom window in the rear elevation while the southern elevation will contain 4no. ground floor windows and a door and 1no. first floor bedroom window. There will be no windows in the northern elevation of the dwelling. The erection of the dwelling would require the removal of Bamboo plants located centrally within the site.

The proposed dwelling is to be sited 1.5 metres off the southern boundary, 2.2 metres off the northern boundary and approximately 15 metres off the western boundary. There will be a separation distance of approximately 17.5 metres between the rear elevation of the proposed dwelling and the opposing rear elevation of number 12 Kings Road and approximately 22.5 metres between the side elevation of the proposed dwelling and the rear elevations of the properties to the

south in Victoria Square. The separation distance between the proposed front elevation and the opposing rear elevation of number 13 Milvil Road will be approximately 40 metres.

The dwelling will have a pitched roof double garage, attached to its front elevation by a short link extension. The garage will be sited adjacent to the southern boundary and will include solar panels on its southern roof slope. A second double garage will be positioned 3.6 metres further east and will be made available for use by the existing dwelling. Both the garages will contain 2no. garage doors in their northern elevations. The construction of the easternmost garage will necessitate the removal of a Willow tree. Access to the garages will be afforded by widening the dropped kerb at the front of the site and extending the existing driveway on the northern side of the plot. A turning area is provided in front of the garages. Both the proposed and retained dwellings will be provided with separate areas of amenity space. The garden for the proposed dwelling will be positioned to the rear of the property and will be approximately 15 metres long. The proposed rear garden for number 13 will measure approximately 20 x 13 metres.

Provision has been made for long and short stay bicycle parking and for the storage of refuse bins. The application is supported by an Ecological Survey.

Relevant Planning History

K68 - schoolroom extension - temporary consent granted 27.10.83

K68/1 - retention and continued use of classroom extension and WC - permitted 01.02.94

K68/2 - erection of single storey extension and window insertions to existing school building - permitted 11.07.01

Relevant Policies

Planning Policy Statement 3 (PPS 3) : Housing

Planning Policy Statement 25 (PPS 25) : 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/OS8

Recreational Space for New Residential Developments

R/ENV2

River and Groundwater Protection

R/ENV4

Treatment of Foul Sewage and Disposal of Surface Water

R/ENV14

Energy Conservation

R/ENV15

Renewable Energy

Consultations

Building Control

The travel distance for the Fire Brigade is excessive. However, this may be overcome by installing a sprinkler system throughout the property.

Streetscene (Parks & Horticulture)

No objection. None of the trees are worthy of

retention.

Streetscene (Waste & Cleansing)

The property would require 1 x 240 litre domestic bin and 1 x 240 litre recycling bin.

Local Highway Authority

No objection. Parking and access are acceptable. As the number of multi modal trips associated with the proposed dwelling will be less than would be expected from the existing nursery at the site, there is no requirement for the applicant to contribute to highway/infrastructure improvements.

Natural England

No objection.

Response to Public Advertisement

6 letters of objection

Issues raised:-

- the proposal represents an overdevelopment of the plot
- the development will detract from the character and appearance of the locality
- the development constitutes 'garden grabbing' and is contrary to Planning Policy Statement 3 (PPS3)
- loss of privacy to adjoining dwellings
- the use of the garages, parking area and driveway will be detrimental to neighbouring occupiers, through noise disturbance, fumes and smells
- the proximity of the proposed driveway to the side door at number 15 is a safety concern
- the new access would reduce the security of the adjacent dwellings
- the development will increase traffic congestion and on-street parking
- the local roads are already used as 'rat-runs'
- the site is located on a dangerous bend in the road, which is made worse by on-street parking
- double yellow lines are required outside of the application site
- the use of the driveway will conflict with the use of the access to Queens Close
- the trees that will be lost preserve the privacy between neighbouring properties and provide an important habitat for wildlife, including bats
- the development will contribute to flooding

Principal Issues

1. Due to the length of the driveway, the travel distance for the Fire Brigade is excessive. However, this issue can be addressed through the implementation of a sprinkler system within the proposed dwelling and will be dealt with under the Building Regulations. The site is located within the Urban Area where the principle of residential development is acceptable provided that the details accord with Planning Policy Statement 3 (PPS3) and Policy R/DP1 of the Gosport Borough Local Plan Review. The site is not within a Flood Zone and therefore a Flood Risk Assessment is not required. The incidents of flooding referred to by objectors would appear to result directly from rainfall. For this type of development it would be appropriate 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 of the Local Plan Review. The provision for surface water and foul drainage for the development could therefore be controlled by planning condition. Although the proposal will result in the loss of a Willow tree and Bamboo plants at the centre of the site, the Council's Arboricultural Officer has confirmed that they are not worthy of retention. The Ecological Report concludes that there is no evidence of bat activity and having regard to Natural England's Standing Advice on protected species, the development

would not harm the nature conservation interests of the site, in accordance with Policy R/OS13 of the Gosport Borough Local Plan Review. Although the proposed development would provide access into the rear of the site, this exists at present, and as the existing boundary treatments are to be retained, the proposal would not reduce the security of neighbouring properties. 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 on the character and visual amenity of the locality and the amenities of adjoining and prospective occupiers and whether appropriate provision has been made for access, car parking, bicycle and refuse storage and open space.

2. Due to its age, the applicant has indicated that the existing nursery building has poor energy efficiency and requires a high level of maintenance. As the nursery is located within a residential area, and in close proximity to a number of dwellinghouses, a replacement facility on the site is considered neither practical, nor desirable. According to the Government's Direct Gov website, there are 10no. other nurseries within 1 mile of the site, excluding the recently opened Hopscotch Nursery at 13 High Street which has permission to care for up to 85 children. It seems likely, therefore, that adequate and alternative child care facilities are available within close proximity to the site to meet the demands of local residents. The loss of the existing nursery is therefore acceptable and accords with Policy R/CF2 of the Gosport Borough Local Plan Review.

3. The proposed development will result in a residential density of 25 dwellings per hectare (dph). Whilst this is lower than the guideline density range of 30-50 dph set out within Policy R/H4 of the Gosport Borough Local Plan Review, it is reflective of adjacent plots and is therefore acceptable in this location.

4. The proposal will incorporate a number of features designed to promote energy efficiency, reduce water consumption and make best use of renewable energy. The development therefore complies with the aims and objectives of Policies R/ENV14 and R/ENV15 of the Gosport Borough Local Plan Review.

5. The site is located in an accessible location, approximately 300 metres from Lee-on-the-Solent High Street. Notwithstanding this, the development provides both the proposed and existing dwelling with space to park 2no. vehicles. Car ownership within the Lee West ward averages 1.25 cars per household. As such, the development is unlikely to result in overspill parking in the local road network, including on the nearby bend in the road, to the detriment of local amenity and highway safety. It is not therefore considered necessary to restrict on road parking at the front of the site through the provision of double yellow lines. The vehicular movements associated with a four bedroom dwelling are likely to be significantly less than those associated with the existing nursery and, as such, the proposal is unlikely to have a harmful impact on the traffic characteristics of the locality. Adequate turning space is available in front of the proposed garages to allow vehicles to manoeuvre so as to exit the site in a forward gear and the low hedging, widened dropped kerb and splayed entrance, would ensure that there is adequate intervisibility between vehicles exiting the shared driveway and all other users of the public highway. As the entrance to the drive is located over 10 metres from the access to Queens Close, its continued use will not compromise the safety of vehicles turning into/out of this cul de sac. Although the side door at number 15 is positioned within a metre of the proposed driveway, it is located on the other side of the existing fence/hedging which is to be retained. There is no reason therefore, why the use of the drive would be detrimental to the safety of the adjacent occupiers. Adequate facilities are shown for bicycle parking and for the storage and collection of refuse bins. The development therefore accords with Policies R/DP1 and R/T11 of the Local Plan Review.

6. The separation distance between opposing windows exceeds the guideline figures as set out in Appendix B of the Gosport Borough Local Plan Review and due to the site boundaries, the orientation of the properties and the siting of the proposed dwelling relative to the neighbouring houses, I do not consider that the development would have an unacceptable impact on the amenities of existing or prospective occupiers in terms of loss of light, outlook or privacy.

7. However, the proposed driveway will pass along the entire length of the proposed garden at number 13 and along approximately 25 metres of the rear garden at number 15. Vehicular and

pedestrian traffic will also pass between the side elevations of these dwellings, both of which contain ground floor windows. Although the existing nursery generates a certain level of disturbance, it is only open from 8am-6pm on Monday-Friday and vehicles are only able to access the front of the site. The proposed driveway could be used at all hours and due to its relationship to the adjacent dwellings, its use, whether in a vehicle or on foot, will have a detrimental impact on the amenities and living environment of neighbouring occupiers by way of fumes and noise disturbance. The proposal is therefore contrary to Policy R/DP1 of the Gosport Borough Local Plan Review.

8. In addition, the area is characterised by a diverse range of dwellings set on relatively large rectangular plots. With the exception of number 12 (which was a replacement dwelling where access and the principle of residential development had already been established), the consistent theme in Milvil Road, and the adjoining Victoria Place, Nottingham Place and Kings Road, is one of frontage development with open, spacious rear gardens. Unlike the surrounding development, the proposed scheme would not have a frontage with an adjoining road. Irrespective of its design and positioning therefore, the erection of a dwelling in the rear garden would not reflect the established pattern of development in the locality and would be uncharacteristic of the area. 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. The overall built footprint of the proposed development is approximately 30% greater than the existing built footprint at the site. The proposed driveway will create a large area of hard surfacing and the construction of the new dwelling will necessitate the removal of trees and vegetation, further reducing the biodiversity of the site. The proposed development is therefore considered to represent an inappropriate form of backland development that is contrary to the aims and objectives of the revised guidance within PPS3 and Policy R/DP1 of the Gosport Borough Local Plan Review.

9. Although 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, the legal agreement has not been progressed and the development is therefore contrary to Policy R/OS8 of the Gosport Borough Local Plan Review.

RECOMMENDATION: Refuse

For the following reasons:-

1. The proposed development, by reason of its layout and siting within the rear garden of number 13, would result in an undesirable form of backland development that is out of keeping with the established pattern of residential development in the locality and detrimental to the character of the area, contrary to Planning Policy Statement 3 (PPS3) and Policy R/DP1 of the Gosport Borough Local Plan Review.

2. The use of the proposed driveway by pedestrian and vehicular traffic, would result in an unacceptable disturbance to the occupiers of numbers 13 and 15 Milvil Road, contrary to Policy R/DP1 of the Gosport Borough Local Plan Review.

3. Adequate provision has not been made for outdoor playing space, nor the payment of a commuted sum in lieu of that provision, contrary to Policy R/OS8 of the Gosport Borough Local Plan Review.

Local Highway Authority

No objection. Car port over existing parking spaces with access off private access acceptable. It is possible to exit site in a forward direction.

Response to Public Advertisement

2 letters of objection

Issues raised:-

- loss of light and overshadowing of neighbouring garden
- too close to boundary fence
- location too obtrusive
- car port not in keeping with integral garages of surrounding houses
- impact on vehicle turning
- cars should park in different locations to receive shelter
- disturbance during building works
- requested applicant to amend design with roof sloping away from the boundary with Fort Cottage

Principal Issues

1. Whilst the proposed position of the car port may not be the optimum location to provide greatest shelter, this is a matter for the applicant, and not the Local Planning Authority, to consider. Some level of disturbance during building works is inevitable but this is a relatively minor development. Should any statutory noise nuisance occur then action could be taken under the Environmental Protection Act. The applicant has amended the proposal to reduce the impact on the occupiers of Fort Cottage. Therefore the main issues in this case are the acceptability of the design of the car port and the impact on the character and appearance of the Anglesey Conservation Area and the amenities of adjoining residents and highway safety.

2. The proposed car port is to be located in a discreet location and will not be visible from Crescent Road or Fort Road. The structure will be lightweight in appearance and constructed in natural materials and, as such, is considered to be of an appropriate and acceptable design in such a location. It will not be over prominent or harmful to the character or appearance of the Conservation Area. The development will preserve the character and appearance of the Conservation Area in compliance with Policies R/DP1 and R/BH1 of the Gosport Borough Local Plan Review.

3. Due to the location and scale of the car port relative to neighbouring properties, the fact that there is a timber shed located immediately to the north of the proposal and that the roof will slope away from the eastern boundary with Fort Cottage there will be no significant loss of light to or overshadowing of neighbouring properties. The location in relation to the boundary is no different to many other garden structures in the area and is acceptable. Rainwater from the car port roof will discharge into the existing drainage channels. The location is not considered to be obtrusive and the lightweight design reduces its visual impact compared to a solid brick garage. 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.

4. The existing level of on site car parking provision will not change as a result of this proposal. Access to the car port will remain the same as will the turning provision and visibility for vehicles exiting the driveway. The proposal therefore complies with Policy R/T11 of the Gosport Borough Local Plan and will not be detrimental to parking or traffic conditions in the locality.

RECOMMENDATION: Grant Permission

Reasons for granting permission:

1. Having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the development as proposed is acceptable in this

location. It is of an appropriate design and will preserve the character and appearance of the Anglesey Conservation Area. It will not have a harmful impact on the amenities of adjoining residents or highway safety. As such the proposal complies with Policies R/DP1, R/BH1 and R/T11 of the Gosport Borough Local Plan Review.

Subject to the following conditions:-

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

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

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

- Drawing No. 9018/20, - Drawing No. 9063/01 Rev. C and - Drawing No. 9063/02 Rev. C.

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.

ITEM NUMBER: 03.
APPLICATION NUMBER: K17232/2
APPLICANT: Mr Stephen Taylor
DATE REGISTERED: 24.05.2010

ERECTION OF A SINGLE CAR DETACHED CAR PORT
28 Palmerston Way Gosport Hampshire PO12 2LZ

The Site and the proposal

The application site is located on the north side of Palmerston Way, a cul-de-sac accessed from Jellicoe Avenue, in an established residential area characterised by relatively large detached houses of differing designs situated in substantial plots. The site is over 15 metres wide and 36 metres deep. This detached house was built in the early 1960s and has recently been extended. It is set back between 5.5 and 12.5 metres from the back edge of the pavement. It is constructed from brick and part render with tile hanging to the first floor front elevations and has a hipped roof with a gabled element at the front. There is a single storey integral garage with a hipped roof projecting forward of the property built along the boundary with number 30 Palmerston Way. There is a gravel driveway and turning area located in front and to the side of the garage, the front garden being bounded by a low brick wall with a recently planted 1.6 metre high hedge behind it. There is a 1.5 metre high wall along the boundary with 30 and 1.4 metre high hedge along the boundary in the front garden to 26. There are new 1.8 metre high conifer trees extending for approximately 6 metres back into the site along the eastern side boundary with a 4 metre high holly tree beyond. The properties on this side of the road have well landscaped front gardens incorporating large shrubs and semi-mature trees and different boundary treatments. The properties are set back between approximately 5 and 13 metres from the pavement. This character differs from the properties located on the south side of the road which have views over Stokes Bay but are characterised by short forecourt frontages to Palmerston Way containing parking areas and garages. Numbers 29 and 39 have prominent flat roofed garages and number 45 has an attached garage with a lean to roof extending out to the back edge of the pavement.

The properties to either side of the application site are set on a stagger. To the east, number 26 is located 1 metre from the boundary and over 12 metres back from the pavement. This property has a hipped roof, with a cat slide roof to the side elevation above its integral garage adjacent to the application site boundary. Located to the west, number 30 is set back approximately 5 metres from the pavement on a similar alignment to the attached garage on the application property and located 2 metres away from the brick boundary wall. It has a hipped roof with a front gabled projection. Along its western side elevation there is an attached single storey garage.

Following a previous application for a large garage on the site which was withdrawn due to concerns over its size and prominence, it is now proposed to erect a detached single car port to the front of the property. It will be 6 metres deep and 4 metres wide constructed from a timber frame on a 600 mm high brick plinth, with a low pitch fully hipped roof with a cat slide element to the eastern end elevation with timber panelling below. The other three sides will be open with the access in the western front elevation from the existing gravel driveway. It will be 3.3 metres high to the top of the short central ridge with an eaves height of 2.2 metres sloping down to 1.7 metres towards the eastern boundary. It will be positioned approximately 2.2 metres from the southern boundary wall and 1 metre from the eastern boundary. This will allow for car manoeuvring and further growth of the screen hedging to the eastern and southern sides. In addition, a Virginia creeper is to be planted at the south east corner of the structure. The bricks to be used for the plinth and post supports and roof tiles will match those used on the existing dwelling.

Relevant Planning History

K17232 - erection of single storey front extension side garage two storey side extension and two storey rear extension - permitted 07.09.06

K17232/1 - erection of garage - withdrawn 22.05.09 to allow the applicant to give further consideration to the proposal and amend the design and reduce the size of the structure

Relevant Policies

Gosport Borough Local Plan Review, 2006:

R/DP1

General Standards of Development within the Urban Area

R/T11

Access and Parking

Consultations

Local Highway Authority

No objection. Property has an existing garage and with the car port there is enough room to park two further cars with adequate space to turn on site.

Response to Public Advertisement

3 letters of objection

Issues raised:-

- no other house in the road has a building between the front of the house and the road
- previous application for a garage in front of the house was going to be refused
- impact on outlook from neighbouring properties
- property has garage and other cars can be parked in the open
- impact on appearance of the area
- will change the character of the road
- contrary to covenants attached to the land to build in front of property
- structure will be forward of recognised building line
- could set a precedent to build in front gardens

Principal Issues

1. The issue of covenants on the property is a private legal matter between the parties involved and not a material consideration for the Local Planning Authority. There is no rigid building line to properties in the immediate area and as such it is the acceptability of the relationship to neighbouring properties that has to be considered. It is a matter for the applicant if he wishes to have a car port to offer some protection rather than parking a vehicle in the open. Each planning application has to be considered on its merits and any future proposals for development within neighbouring front gardens would need to be considered in the light of relevant policies at the time. Therefore the main issues in this case are the acceptability of the design of the car port and the impact on the visual amenity of the local area, the amenities of adjoining residents and highway safety.

2. The proposed car port is to be located behind existing maturing boundary treatment and will be lightweight in appearance and constructed in timber and materials to match those used on the dwelling. As such it is considered to be of an appropriate and acceptable design in such a location. In addition, the existing recently planted vegetation will help soften the appearance of the structure in the street scene. Due to the articulation of properties in the area and landscaping within the front gardens of properties located on this side of the road it will not be over prominent when travelling along the road. There are clearly visible garages positioned on the southern side of the road and as such this lighter structure will not be detrimental to the visual amenity of the area. The proposal therefore complies with Policy R/DP1 of the Gosport Borough Local Plan Review.

3. As the car port will be positioned in the south east corner of the site, approximately 7 metres away from the integral garage serving 26 Palmerston Way, and the roof will slope away from the eastern boundary with this property, it will not result in any loss of light to or outlook from

neighbouring properties. The location is not considered to be obtrusive and the lightweight design reduces its visual impact compared to a solid brick garage. As the car port is not a habitable space, the proposal will have no impact on the privacy of the occupiers of neighbouring properties. 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.

4. The existing level of on site car parking provision will not change as a result of this proposal. Access to the car port will remain the same as will the turning provision and visibility for vehicles exiting the driveway. The proposal therefore complies with Policy R/T11 of the Gosport Borough Local Plan and will not be detrimental to parking or traffic conditions in the locality.

RECOMMENDATION: Grant Permission

Reasons for granting permission:

1. Having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the development as proposed is acceptable in this location. It is of an appropriate design and will not have a detrimental impact on the visual amenity of the local area, the amenities of adjoining residents or highway safety. As such the proposal complies with Policies R/DP1 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 plan:

- Drawing No. 998/02 Revision 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. The materials to be used shall match in type, colour and texture, those on the existing dwelling unless otherwise agreed in writing with the Local Planning Authority.

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

ITEM NUMBER: 04.
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

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

7 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 hereby permitted 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: 05.
APPLICATION NUMBER: K17839
APPLICANT: Mr Mark Doyle
DATE REGISTERED: 25.06.2010

INTERNAL AND EXTERNAL ALTERATIONS, INCLUDING PROVISION OF REAR EXTERNAL STAIRCASE, AND SUBDIVISION OF PROPERTY TO CREATE 2NO. ONE BEDROOM FLATS AND 1NO. TWO BEDROOM FLAT (as amended by plan and supporting information received 12.10.10)
31A Brockhurst Road Gosport Hampshire PO12 3AP

The Site and the proposal

The application site is located on the south western side of Brockhurst Road, within the Brockhurst Road (Nos 29-75) Local Shopping Centre. Number 31A is a two storey, three bedroom dwelling constructed from red brick with a pitched, slate roof. It has a projecting two storey element at the rear which has a small lean-to structure on its south western elevation. There is a detached, brick built outbuilding at the rear of the property, accessed via a service road. The area between the dwelling and outbuilding is currently a hard surfaced yard.

The property to the south-east, number 31, is two stories high and comprises a retail unit with residential accommodation above. On the other side of the application site, number 33, is an upholstery shop. It is a single storey unit that extends almost the entire depth of its plot. The property contains no windows in its side elevation facing the application site. Further to the north, number 35, like the application property, is a two storey dwelling house. Short stay on street parking is available within a long parking bay at the front of the site (1 hour), as well as within the adjoining Cambridge Road (2 hours). The parking restrictions apply from 0800-1800.

The applicant proposes to convert the existing three bedroom dwelling into 2no. one bedroom ground floor flats and 1no. two bedroom first floor flat. The first floor flat will be accessed via a new external staircase at the rear of the building, the construction of which will require the removal of an existing ground floor bay window on the north western elevation. The ground floor flats will have their own independent access. One will continue to be accessed by the entrance door in the front elevation, while the second will be accessed via a new door at the rear of the property. The proposed conversion will require the provision of a new ground floor window in the north western elevation and alterations to the rear elevation of the single storey lean-to addition to provide a single window in the rear elevation. A small bathroom window in the side elevation of this addition will be bricked up. The plans indicate that the two existing chimney stacks will be removed with a door in the rear elevation converted to a single window. No alterations are proposed to the front elevation.

The applicant has submitted amended plans which show the demolition of the existing outbuilding and the provision of 2no. car parking spaces at the rear of the site. The spaces will be accessed via the existing service road. A bicycle store is also proposed, positioned adjacent to the rear elevation of the lean-to extension. The space between the rear of the dwelling and the proposed car parking spaces will be used as a communal garden.

Number 59A Brockhurst Road, which is also located within the Brockhurst Road Local Shopping Centre received planning consent in 2006, under application reference K.6489/6, for the conversion of the single dwelling into 3no. one bedroom flats. The development provided 2no. on-site parking spaces.

Relevant Planning History

Nil

Relevant Policies

Gosport Borough Local Plan Review, 2006:

R/DP1

General Standards of Development within the Urban Area

R/H4

Housing Densities

R/S4

Local and Neighbourhood Centres

R/S6

Residential Development at Ground Floor within Defined Shopping Centres

R/S7

Use of Upper Floors

R/DP3

Provision of Infrastructure, Services and Facilities

R/T4

Off-site Transport Infrastructure

R/T11

Access and Parking

R/OS8

Recreational Space for New Residential Developments

Consultations

Building Control	Windows and doors adjacent to external staircase may need to be fire resistant.
Streetscene (Waste & Cleansing)	Provision should be made for the storage of refuse bins.
Local Highway Authority	No objection.

Response to Public Advertisement

3 letters of objection

Issues raised:-

- no parking is provided
- the surrounding road network does not have the capacity for additional parking and is the subject of waiting restrictions
- the house should be retained as a single dwelling
- no evidence has been provided to substantiate the need for smaller residential units

Principal Issues

1. Although the property is located within the Brockhurst Road Local Shopping Centre, it has always been used as a dwellinghouse. The continued use of the ground and first floors for residential accommodation will not therefore have a detrimental impact on the vitality or viability of the Local Shopping Centre or compromise its retail function. The proposed flats will each have their own separate and independent access, the use of which will not interfere with adjoining users. As such, the proposal accords with Policies R/S4, R/S6 and R/S7 of the Gosport Borough Local Plan Review. The need for fire resistant doors and windows will be dealt with under the Building Regulations. The main issues in this case therefore are the acceptability of the proposal in terms of its design and density and the impact on the character of the area, the amenities of neighbouring and prospective occupiers, and whether appropriate provisions have been made for car and bicycle parking, refuse storage, open space and transport contributions.

2. The proposed external staircase is positioned at the rear of the building and is similar to others in the area. It will not appear incongruous and will not detract from the visual amenity of the locality. The remaining alterations are minor in nature and will not harm the overall appearance of the building. No external alterations are proposed to the front elevation. The development is therefore acceptable in design terms and complies with Policy R/DP1 of the Gosport Borough Local Plan Review.

3. The provision of one and two bedroom units will add to the mix of housing stock available to residents of the Borough. Although small, the communal garden at the rear of the flats is not dissimilar to others in the locality. The site is also located approximately 350 metres from Forton Recreation Ground and prospective residents will therefore have access to a useable area of public amenity space. There are a number of local shops and services in close proximity to the site and, in considering all of the above points, the increased residential density of 150 dwellings per hectare (dph) is acceptable in this accessible location. It is reflective of other plots within the locality and will not result in an inappropriate overdevelopment of the plot to the detriment of the character of the locality. The proposal therefore complies with Policies R/DP1 and R/H4 of the Gosport Borough Local Plan Review.

4. The new windows are situated at ground floor level only. As there are no windows in the side elevation of number 33, the proposal will not result in any loss of privacy for existing or prospective occupiers. The proposal therefore complies with Policy R/DP1 of the Gosport Borough Local Plan Review.

5. The proposed development will provide a total of 2no. car parking spaces, allocated for use by the occupants of the two bedroom flat and the rear ground floor flat. The ground floor flat at the front of the property will have no on-site parking. However, this is a one bedroom unit and it is unlikely therefore to create a significant demand for parking. Notwithstanding this, the site is located in an accessible location where it is possible to sustain a car free lifestyle. It is just 20 metres from a bus stop providing a frequent service into the Town Centre and as it is within a Local Shopping Centre, prospective occupants will have ready access to a number of local shops, services and facilities, reducing their reliance on the private car. The provision of conveniently located bicycle parking facilities will also encourage the use of alternative means of transport. The details and implementation of the bicycle parking facilities will be controlled by condition. The waiting restrictions that apply on the surrounding road network will control how vehicles park on the adjoining highway and this will preserve local amenity and highway/pedestrian safety. For the above reasons, the proposal accords with Policy R/T11 of the Gosport Borough Local Plan Review.

6. The proposed spaces are positioned at the rear of the site and can be accessed in a safe and convenient manner via the existing service road. As the development is for one and two bedroom units only, the number of vehicular movements associated with the proposal is unlikely to be significantly higher than that which may be expected from the existing three bedroom dwelling, which can already use the rear outbuilding for parking. Vehicles will only have to travel a very short distance along the rear service road in order to access the proposed parking spaces. The use of the spaces will not therefore compromise highway or pedestrian safety, in accordance with Policy R/T11 of the Gosport Borough Local Plan Review. Provision has not been made for the storage of refuse bins. However, there is adequate room at the rear of the site to accommodate these facilities, the details of which will be secured by condition.

7. 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 and transport and highway improvements within the locality, 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 a 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 will not have a detrimental impact on adjoining users, the character or visual amenity of the locality, the amenities of existing or prospective residents or highway safety. Adequate provision is made for cycle parking, refuse storage, open space and highway and infrastructure improvements. As such, the proposal complies with Policies R/DP1, R/H4, R/S3, R/S6, R/S7, R/T11, R/OS8, R/DP3 and R/T4 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, Drawing No.1740/01PL, Drawing No.1740/02PL and Drawing No.1740/05PL

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 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.

4. Before the development, hereby permitted, is first brought into use, facilities for long and short stay bicycle parking facilities shall be provided in accordance with a detailed scheme submitted to and approved, in writing, by the Local Planning Authority. The facilities shall be retained in accordance with the approved details thereafter.

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, refuse storage facilities shall be provided in accordance with a detailed scheme submitted to and approved, in writing, by the Local Planning Authority. The facilities shall be retained in accordance with the approved details thereafter.

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: 06.
APPLICATION NUMBER: K17160/1
APPLICANT: Mr Roger Wood
DATE REGISTERED: 05.10.2010

ERECTION OF TWO STOREY BLOCK OF 2NO.FLATS WITH ASSOCIATED BIN AND CYCLE STORES (REAR OF 123 - 127 STOKE ROAD) AND ERECTION OF REPLACEMENT WC AND EXTRACTION FLUE (REAR OF 121 STOKE ROAD) (CONSERVATION AREA) (as amended by plans received 12.10.10)
Land To Rear Of 121-127 Stoke Road Gosport Hampshire PO12 1LR

The Site and the proposal

The site comprises the land to the rear of 121 - 127 Stoke Road and falls within the Stoke Road Conservation Area and Principal Shopping Area. The buildings in the locality of the application site, facing Stoke Road, mostly date from the early to mid 19th Century. The scale of these buildings varies from 2 - 3 storey and they are built in a random form.

Number 123 - 127 Stoke Road is a particularly fine example of an early to mid 19th Century property and is prominently located at the western end of the Conservation Area. The building has a clay tile, double pitched roof and sash windows to the front elevation. The ground of 123 is currently in use as a dressmakers and 125 - 127 is currently in use as a charity shop on behalf of The Rowans Hospice. Both premises have been extended to the rear at single storey level and have residential units at first floor level. The land to the rear of 123 - 127 is open hardstand, which is used informally for refuse storage and servicing. A notable feature of interest on the application site is a surviving section of rubble built wall which faces onto Shaftesbury Road and which marked the northern edge of the original creek that has long since dried up. It is possible that this wall is much older than the existing building on the site. There is also an electricity sub-station adjacent to the south east boundary. Number 121 Stoke Road is a single storey building with lean to roof that is currently in use as a hot food takeaway. There is an extraction flue on the rear elevation and the premises have an existing rear yard and side access. The WC facility for 121 Stoke Road is currently located within a brick building to the rear of 123 - 127 Stoke Road and is in a poor state of repair.

The proposal is to erect a two storey brick building with a slate roof and timber windows to provide a studio at ground floor and 1 no. one bedroom flat at first floor. There would be a shared access to the west side of the building and a separate access would be retained to the service yard at the rear of the shops. Bin and bike stores to serve the new units would be located on the east side of the building. The quay wall present on the north west side of the site would be retained. The application also proposes to relocate the existing toilet in a single storey element to the rear of the no. 121 Stoke Road and re-site and extend the extraction flue serving this unit.

Relevant Planning History

Land to rear of 123 - 127 Stoke Road:

K.16986 - Erection of two storey building containing 2 no. flats (Conservation Area). Withdrawn 05.09.05

K.16986/1 - Erection of two storey building containing 2 no. flats (Conservation Area). Withdrawn 11.05.05

Land to rear of 121 - 127 Stoke Road:

K.17160 - Erection of two storey building containing 2 no. flats (rear of 123 - 127 Stoke Road) and erection of replacement WC and extraction flue and new bin store (rear of 121 Stoke Road) (as amplified by letters dated 27.06.06 and 28.06.06). Refused 25.07.06. Appeal allowed 17.01.07. The Inspector concluded that the density was appropriate in the locality, the proposal provided two residential units in a sustainable location and would not have a harmful impact on the amenities of neighbouring residential properties.

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/T4

Off-site Transport Infrastructure

R/S3

Principal & District Shopping Centres

R/S6

Residential Development at Ground Floor within Defined Shopping Centres

R/OS8

Recreational Space for New Residential Developments

R/ENV5

Contaminated Land

R/ENV10

Noise Pollution

R/ENV12

Air Quality

R/T11

Access and Parking

Consultations

Environmental Health (Commercial)	Final details of extraction system should be required by condition.
The Gosport Society	No objection.
Streetscene (Waste & Cleansing)	No objection. Each flat requires 1 x 140 litre recycling wheeled bin and 1 x 140 litre domestic wheeled bin. Adequate storage space is provided.
Local Highway Authority	No objection. No parking is provided, however, this is acceptable in this sustainable location. Cycle and bin storage area acceptable. A financial contribution towards highways infrastructure improvement should be sought.

Response to Public Advertisement

2 letters of objection

Issues raised:

- the extraction system to the rear of 121 Stoke Road does not suitably deal with smells from the unit
- overlooking, loss of light and insufficient separation distance
- parking restrictions to the front of the site should be retained
- the land should be used as a car park
- the existing toilet has no door and is in a bad state of repair

Principal Issues

1. The principle of this development is established by the Inspectors decision on planning application K17160 whereby the Inspector concluded that as the proposal retained access and refuse stores to the rear of nos. 121 - 127 the retail function of these units would not be harmed. The current proposals retain this arrangement and are therefore acceptable in this respect and accord with Policies R/S3 and R/S6 of the Gosport Borough Local Plan Review.
2. The main issues in this case are the effects of the amended proposal on the character and appearance of the Conservation Area and visual amenities of the area, the amenities of existing and prospective occupiers, highway issues and requirements for outdoor playing space.
3. In allowing the earlier appeal the Inspector concluded that, in its current form, the land was detrimental to the Conservation Area, and that the proposed scheme accorded with the character of the original properties in Stoke Road which abutted the pavement. The current proposals accord with these conclusions, the only difference between the two schemes being the shape of the building to the rear which has been revised to allow maintenance access to the sewer running across the site. The revision involves the building being stepped westwards to avoid the sewer. This allows more circulation space around the building and also facilitates the consolidation of the bin and bike stores for the two new units. The design of the building does differ slightly from that previously approved, however, the size, scale, materials schedule, and proportion of the windows to brickwork are in keeping with the character of surrounding buildings and are appropriate in this location and the context of the Conservation Area. As with the previous application, it is proposed to include a condition relating to the materials and the method of fixing the entrance gate to the historic quay wall. The replacement toilet to serve no. 121 is in keeping with the character of the existing building and extended flue will not visually detract from the building. The proposal therefore accords with Policies R/DP1 and R/BH1 of the Gosport Borough Local Plan Review.
4. The Inspector concluded that the previous proposal would not have a detrimental impact on neighbouring residential properties. The separation distances between the proposed building and that neighbouring it to the north would be similar to the approved development, ranging between 6m and 7m, with the current proposals tapering to provide greater separation and a more spacious outlook. The elevation facing these properties is blank. This ensures no overlooking and is characteristic of the relationship between properties in the area. In terms of the neighbour to the east, the elevation of this property facing the application site is currently blank. Two small, first floor windows are proposed in the east elevation. The position of the most northern of the two will mean no overlooking will result, and the southern most will serve a bathroom meaning it will be obscure glazing. This will be controlled by condition. There is a flue to the rear of no. 121 Stoke Road which will emit into the space to the rear (north east) of the proposed building in accordance with the previous approval. The application proposes to re-arrange and extend this flue. The flue, in its current format, complies with Environmental Health legislation in terms of the levels of emissions and provided the window serving the stairwell to the new building is fixed shut, there will not be any harmful impact on the amenity of occupiers. Final details of the flue and extraction system are required by condition. It is possible that the land may be contaminated as a result of previous uses, however, this can also be dealt with by condition. The proposal therefore accords with Policies R/DP1 and R/ENV5 of the Gosport Borough Local Plan Review.
5. The long stay cycle parking provision is acceptable in this location and additional short stay provision is required by condition. Whilst no on-site parking is proposed for the new development this is acceptable in this highly accessible location. Parking restrictions to the front of the site do not fall within the scope of this application. A contribution towards Transport, Services and Infrastructure applies in this instance as the creation of two new residential units will generate additional trips. As the development will also result in a net increase in two dwellings, there is a requirement for additional outdoor playing space to meet the needs of prospective residents. The applicant has confirmed willingness to enter into a planning obligation under Section 106 relating to the payment of a commuted sum towards the provision and/or improvement of outdoor playing space, in accordance with Policy R/OS8, and payment of a sum towards Transport, Services and

Infrastructure, in accordance with Policies R/DP3 and R/T4 of the Gosport Borough Local Plan Review. Without this obligation the proposal is unacceptable.

RECOMMENDATION: Grant Permission

Subject to a Section 106 agreement relating to

1. The payment of a commuted sum towards transport infrastructure, services and facilities.
2. The payment of a commuted sum towards the provision and/or improvement of outdoor playing space.

Reasons for granting permission:

1. Having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the proposal would enhance the character and appearance of the Stoke Road Conservation Area and would not be harmful to the visual amenities of the surrounding area, the amenities of existing or prospective occupiers, or traffic/parking conditions in the locality, or the operation of the existing shop units facing Stoke Road. The proposal also makes adequate provision for transport infrastructure, services and facilities and outdoor playing space and for dealing with possible contamination. As such, the proposal complies with Policies R/DP1, R/BH1, R/S3, R/S6, R/OS8, R/T4, R/T11, RENV5, R/ENV10 and R/ENV12 of the Gosport Borough Local Plan Review.

Subject to the following conditions:-

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

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

2. Before works above slab level are commenced, details, including samples, 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 development is satisfactory, and to comply with Policies R/DP1 and R/BH1 of the Gosport Borough Local Plan Review.

3. Before works above slab level are commenced, details of all new windows and doors, including horizontal and vertical sections at a scale of 1:20 and elevations at a scale of 1:20, shall be submitted to and approved, in writing, by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason - To preserve the character, appearance and views into the Stoke Road Conservation Area and to comply with Policies R/DP1 and R/BH1 of the Gosport Borough Local Plan Review.

4. Before works above slab level are commenced, details of the method of repair and fixing to the existing quay wall shall be submitted to and approved, in writing, by the Local Planning Authority. Thereafter the development shall be completed in accordance with the approved details.

Reason - To preserve the character, appearance and views into the Stoke Road Conservation Area and to comply with Policies R/DP1 and R/BH1 of the Gosport Borough Local Plan Review.

5. Before the residential units are first brought into use, the cycle stores shown on drawing no. 0714-311D (received 12 October 2010) shall be provided. The cycle stores shall thereafter be retained at all times for the purpose of storing cycles.

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

6. Before development is commenced, details of the method of ventilation/filtration to be installed at 121 Stoke Road, including subsequent maintenance, shall be submitted to and approved, in writing, by the Local Planning Authority. The agreed system shall be installed before the residential units are first occupied and thereafter retained and maintained at all times.

Reason - To protect the amenities of surrounding properties, and to comply with Policies R/DP1, R/ENV10 and R/ENV12 of the Gosport Borough Local Plan Review.

7. No works shall commence until there has been submitted to and approved, in writing, by the Local Planning Authority:

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

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

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

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

8. The development hereby permitted shall not be occupied/brought into use until there has been submitted to the Local Planning Authority verification by the competent persons approved under the provisions of the condition 7(c) that any remediation scheme required and approved under the provisions of condition 7(c) has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Unless otherwise agreed, in writing, by the Local Planning Authority such verification shall comprise:

a.) as built drawings of the implemented scheme;

b.) photographs of the remediation works in progress;

c.) certificates demonstrating that imported and/or material left in situ is free of contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition 7(c).

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

9. The windows on the north north west and north east elevations shall be fixed shut and glazed with obscure glass and shall be retained in that conditions at all times thereafter.

Reason - To preserve the amenity of the adjoining properties and the future occupants of the site and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

10. Before the dwellings hereby approved are first occupied, the WC to be erected to the rear of 121 Stoke Road shall be provided and made available, and shall be retained at all times thereafter.

Reason - In order to protect the amenities of the area and preserve the viability of 121 Stoke Road as a functional unit in the Shopping Centre and to comply with Policies R/DP1 and R/S3 of the Gosport Borough Local Plan Review.

11. Before development is commenced, details of short stay cycle parking shall be submitted to and approved, in writing, by the Local Planning Authority. The approved parking shall be installed before the residential units are first occupied and thereafter retained at all times for this purpose.

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

ITEM NUMBER: 07.
APPLICATION NUMBER: K17566/3
APPLICANT: Dr Hedley Greentree
DATE REGISTERED: 26.07.2010

RETENTION OF AND FURTHER WORKS TO REDEVELOP FORMER CARE HOME TO PROVIDE 14NO APARTMENTS AND 2NO RETAIL UNITS WITH ASSOCIATED EXTERNAL WORKS AND PARKING (CONSERVATION AREA) (AMENDED SCHEME TO K17566 & K17566/1)

Pier House 1 Marine Parade East Lee-On-The-Solent Hampshire PO13 9FP

The Site and the proposal

The application site is located at the junction of Pier Street with Marine Parade East and is adjacent to the Lee-on-the-Solent District Shopping Centre and within the Lee-on-the-Solent Conservation Area. The main facade of Pier House is three stories high and was originally constructed in the late 19th Century as the centrepiece of the new resort of Lee-on-the-Solent. It has an imposing presence created by the verticality of the gabled bay elements. The remainder of the building has now been demolished under planning permission K17566, and subsequently K17566/1. Prior to its most recent use as a care home, it was used as a hotel. Pedestrian and vehicular access was from Marine Parade East, with parking provision for 8 vehicles.

To the rear is a one-way access road that serves the properties in both the High Street and Marine Parade East. Pier Street carries one way traffic and contains small shops with residential accommodation above. The residential units above the shops on the eastern side of Pier Street have balconies at first floor level. On street parking is available in Pier Street and there are double yellow lines at the exit from the service road. A nearby pedestrian crossing provides access to the beach and the seafront car parks and local bus stops. The flank elevation of 23 Pier Street contains windows at ground, first and second floor level facing the application site. To the south east, is East Lodge, a four storey flatted development. There are four pairs of windows in the north west elevation facing onto the application site. One of each pair is obscure glazed.

Planning permission was granted in 2008, under reference K17566, for the redevelopment of the former care home to provide 10no. three bedroom and 4no. two bedroom apartments over three floors, with retail floorspace at ground floor level facing Pier Street. Planning permission was subsequently granted under application reference K17566/1 for the same development but with condition 7 removed which prevented the allocation of parking spaces. The approved development includes retention of the existing three storey facade facing Marine Parade East and Pier Street and the erection of replacement three storey extensions, replacement roof and chimneys and a new glazed pedestrian entrance facing Marine Parade East. Under the approved scheme the developable site is also to be reduced in depth by 1 metre to facilitate the widening of the rear service road. The retail frontage is stepped to provide a visual link between the Shopping Centre and the existing building. An outside seating area is to be provided along with a hard and soft landscaping to the Pier Street and Marine Parade frontages. A one-way access is to be provided from Marine Parade East to serve a residential parking area. Vehicles will exit the site along the service road and out onto Pier Street. A service/loading bay is also to be provided to the rear along with residential and commercial refuse storage, cycle parking facilities and an amenity area.

Works to implement the development have commenced. However, it has come to light during negotiations with potential retail occupiers that additional retail floorspace would better suit their requirements and make the units more commercially viable. A number of minor changes have also been incorporated into the scheme to satisfy the Building Regulations and improvements to the layout at the rear of the building have been discussed. These changes, collectively, cannot be dealt with as non-material or minor material changes to the scheme, therefore an amended application was required to be submitted for consideration. The differences between the approved development and current proposal can be summarised as:-

- a reduction in size of one of the ground floor apartments from 3 bedroom to 1 bedroom to facilitate an increase in retail floorspace from 273.46 to 333 (59.54 square metres)
- minor changes to the balcony and fenestration details facing Pier Street and Marine Parade East and the fenestration details in the north and east elevations
- amendments to the design and layout of the refuse and cycle stores and car park layout at the rear of the building

A number of the details required under the conditions attached to the previous permissions have also now been agreed, in principle, and are incorporated into this amended application. These details include external materials, boundary treatment, landscape works, external lighting, measures to manage the flow of traffic through the site and details of the proposed shopfronts and cycle parking provision for the site. No end user for the retail units has been identified at this stage but it is estimated that 7 full-time equivalent employment opportunities will be created.

Relevant Planning History

K17566 - redevelopment of former care home to provide 14no. apartments, 2no. retail units and associated external works and parking (as amplified and amended by letters dated 18.6.08, 30.06.08, 24.7.08, 31.07.08, email dated 29.07.08 and plans received 25.07.08 and 31.07.08) - permitted 29.08.08

K17566/1 - removal of condition 7 of K17566 relating to the requirement for the car parking spaces to remain unallocated - permitted 2.10.09

K17566/2 - erection of 1no. advertising (for sale) board - permitted 23.3.10

Relevant Policies

Gosport Borough Local Plan Review, 2006:

R/S2

Location of Additional Shopping & Leisure Floorspace

R/T2

New Development

R/DP1

General Standards of Development within the Urban Area

R/DP3

Provision of Infrastructure, Services and Facilities

R/DP10

Marine Parade Area of Special Character

R/BH1

Development in Conservation Areas

R/BH2

Demolition in Conservation Areas

R/CF6

Provision of Educational Facilities

R/H4

Housing Densities

R/OS8

Recreational Space for New Residential Developments

R/T4

Off-site Transport Infrastructure

R/T10

Traffic Management

R/T11

Access and Parking

R/ENV4

Treatment of Foul Sewage and Disposal of Surface Water

R/ENV10

Noise Pollution

R/ENV12

Air Quality
R/ENV15
Renewable Energy

Consultations

The Gosport Society	No objection.
Environment Agency (Hants & IOW)	No response. Commented on previous application that site had low environmental risk.
Southern Water	Formal application for connection to public sewer required. Request informative to deal with this. Further clarity on how the SUDS can be accommodated on the site is required. Request condition to deal with foul and surface water site drainage.
County Education Office	No response.
Building Control	No objection.
Economic Prosperity	This proposal to bring back into use this landmark site is welcomed. The incorporation of the retail units provides potential employment benefit. Given that the strength of the retail offer in this area owes much to the prevalence of independent traders, consideration needs to be given to the impact a major national chain store might have, particularly if in direct competition. Further information on the proposed occupier would be helpful.
Environmental Health (Commercial)	No objection.
Environmental Health (Pollution & Environment)	No objection.
Streetscene (Parks & Horticulture)	No response but have been involved in development of landscape proposals as required under the conditions attached to previous applications.
Streetscene (Waste & Cleansing)	Adequate refuse storage capacity provided. Collection point required adjacent to Marine Parade East.
Local Highway Authority	Query regarding gate on Marine Parade frontage. Car parking provision is acceptable, noting on street availability and close proximity of public car parks for retail element. Widening of rear access and provision of retail loading bay welcomed. Cycle parking and refuse storage and collection arrangements are acceptable.

Crime Prevention & Design

Advice provided in respect of height of boundary treatments, window and glazing details, drainpipes, refuse storage, access control, mail delivery, lighting, utilities, car parking and cycle and storage.

Response to Public Advertisement

Nil

Principal Issues

1. The principle and density of the redevelopment of the site and access arrangements have been approved under the earlier permissions. Implementation of the widening of the rear service road and hard and soft landscape works and drainage details for the site can be dealt with by planning condition. A scheme for the allocation of car parking spaces can also be dealt with in this way. The external footprint of the building remains as originally approved and the reduction in the size of one of the residential units will not change the overall character of the residential element of development. No gate is being proposed at the entrance from Marine Parade East and a condition has been attached to ensure that the Local Planning Authority would have control over any such proposals in the future. The main issues in this case are therefore the impact of the additional retail floorspace on the vitality and viability of the shopping centre and overall character of the development, the acceptability of the changes to the design and the layout of the yard to the rear, whether the amended proposals will preserve or enhance the character and appearance of the Lee-on-the-Solent Conservation Area and the impact of the changes on the Marine Parade Area of Special Character, the amenities of prospective and adjoining occupiers and highway safety conditions in the locality, and the provision for outdoor playing space and education.

2. The proposal only increases the retail floorspace by a marginal amount of just less 60 square metres to 333 square metres. By comparison, the Co op in the High St is 700 square metres, over twice the size. The conclusion of the Council's Town Centres:Retail Leisure and Office Study produced by GVA Grimley was that there is a need to enhance the convenience goods floorspace within Lee-on-the-Solent over the forthcoming LDF period to meet the main food shopping requirements of the local residents. The study indicated 41.9% of residents visit Asda, Fareham, for their main food shopping. Therefore, any additional floorspace in Lee could help redress the loss of expenditure within the Lee centre. It is possible that the District Centre would be expanded in future to include the proposed site. For the above reasons, it is considered that this small increase in retail floorspace would not have a negative impact on the vitality and viability of the existing District Centre. It is also worth noting that the proposal will enhance the streetscene in this prominent location and help improve the linkages between the Centre and the seafront via Pier Street. As such, the proposal accords with Policy R/S2 of the Gosport Borough Local Plan Review.

3. The visual perception of the building in terms of the external visual divide between the residential and retail elements of the proposal are unchanged and the minor changes to the external detailing will not have a detrimental impact on the overall appearance of the development. The proposed pallet of materials and comprehensive landscape proposals will help preserve the landmark significance of the building and its historic context and will be controlled by planning condition. The design for the refuse and cycle stores and changes to the layout at the rear of the building have evolved to provide the best practical layout and are acceptable in visual terms. The respective storage capacities remain unchanged and are acceptable. The refuse collection point adjacent to Marine Parade East is retained within the scheme and details have now been provided to show how the bins will be prevented from moving and damaging adjacent vehicles as required under the earlier permissions. Provision and retention of the proposed cycle parking facilities and refuse storage and collection facilities will be dealt with by planning condition. The details of the windows for the new and existing openings and the pillars supporting the balconies on Pier Street and the shopfront plinth and the means of demarking the parking bays have yet to be finalised and will be dealt with by planning condition. Within the context of the development as a whole, and

given the mixed character of the area, any increase in the amount of pedestrian and vehicular traffic visiting the site as a result of the increased retail floor area, is unlikely to have a harmful affect on the amenities of adjoining residents or impact on the character of the Conservation Area. The minor external changes to the development will not impact harmfully on the amenities of adjoining occupiers in terms of loss of outlook, privacy or light. Overall the amended proposals will enhance the character and appearance of the Conservation Area and the Marine Parade Area of Special Character in accordance with Policies R/DP1, R/DP10, R/ENV10, R/ENV11, R/BH1 and R/BH2 of the Gosport Borough Local Plan Review.

4. Four staff parking spaces are maintained for the retail units and there is adequate parking available within the immediate locality for customers. The number of residential parking spaces is unaffected by the proposals and, considered in the context of the reduced likely demand generated by a one bedroomed apartment compared to a larger 3 bedroomed one, remain adequate for the development. The implementation and retention of the car parking facilities and measures to control the flow of traffic through the site, which include wall mounted and ground signage, will be controlled by planning condition. As such, the development accords with Policies R/T2, R/T10, R/T11 and R/DP10 of the Gosport Borough Local Plan Review.

5. The developer has re-confirmed a willingness to enter into a planning obligation for the payment of the required commuted sums towards the provision and/or improvement of outdoor playing space and education within the Borough, in accordance with Policies R/OS8 and R/CF6 of the Gosport Borough Local Plan. Without this obligation, the proposal is unacceptable.

RECOMMENDATION: Grant Permission

Subject to a 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 education.

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 an acceptable use in this location and will enhance the vitality and viability of the adjacent Shopping Centre. The proposal will enhance the historic and architectural character and appearance of the Pier Street Conservation Area and will not have a harmful affect on the Marine Parade Area of Special Character or the amenities of prospective or adjoining occupiers or highway safety conditions in the locality. The proposal also includes measures to promote the use of renewable energy and makes adequate provision for refuse storage, open space and education. As such, the proposal complies with Policies R/DP1, R/DP3, R/DP10, R/BH1, R/BH2, R/CF6, R/S2, R/H4, R/OS8, R/T2, R/T4, R/T10, R/T11, R/ENV4, R/ENV10, R/ENV12, R/ENV15 of the Gosport Borough Local Plan Review.

Subject to the following conditions:-

1. The development shall be carried out in accordance with the external materials and finishes hereby approved unless otherwise agreed, in writing, with the Local Planning Authority. For the avoidance of doubt the approved exposed brickwork is Ibstock Aldridge Smooth Red no.0376 and roof tile for the new build elements Redland Cambrian blue-grey.

Reason - To preserve the historic and architectural character and appearance of the Conservation Area and the Marine Parade Area of Special Character and to comply with Policies R/BH1 and R/DP10 of the Gosport Borough Local Plan Review.

2. Vertical and horizontal sections of all new window openings at a scale of 1:10 shall be submitted to and approved, in writing, by the Local Planning Authority within 2 months from the date of this

planning permission. The development shall thereafter be carried out in accordance with the approved details.

Reason - To preserve the historic and architectural character and appearance of the Conservation Area and the Marine Parade Area of Special Character and to comply with Policies R/BH1 and R/DP10 of the Gosport Borough Local Plan Review.

3. Vertical and horizontal sections of the proposed stallriser for the shopfronts at a scale of 1:20 and details of the design/casing for the pillars to support the balconies facing Pier Street, shall be submitted to and approved, in writing, by the Local Planning Authority within 2 months of the date of this planning permission. The development shall thereafter be carried out in accordance with the approved details.

Reason - To preserve the historic and architectural character and appearance of the Conservation Area and the Marine Parade Area of Special Character and to comply with Policies R/BH1 and R/DP10 of the Gosport Borough Local Plan Review.

4. Within 2 months of the date of this permission, full details of the proposed means of surface water and foul sewerage disposal, including a programme for implementation and provision for future maintenance, shall be submitted to and approved, in writing, by the Local Planning Authority. The drainage shall thereafter be carried out in accordance with the approved details and retained thereafter.

Reason - To protect the existing water infrastructure in the area and to comply with Policy R/ENV4 of the Gosport Borough Local Plan Review.

5. No part of the development shall be occupied until the measures to secure access to the site shown on plan 010108-P335 have been completed.

Reason - In the interests of highway safety and to comply with Policies R/T2 and R/T11 of the Gosport Borough Local Plan Review.

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

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

7. The refuse storage and collection facilities hereby approved, including the measures to prevent refuse bins within the collection point damaging adjacent cars, shall be provided before the development is first brought into use and thereafter retained.

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

8. Details of a scheme for the allocation of car parking spaces to residents and visitors, including the method of demarcation of the spaces, shall be submitted to and approved, in writing, by the Local Planning Authority within 3 months from the date of this planning permission. The allocation and demarcation of the parking spaces shall thereafter be carried out in accordance with the approved details and maintained thereafter unless otherwise agreed, in writing, with the Local Planning Authority.

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

9. The development hereby permitted shall not be brought into use until the areas shown on the approved plan for the parking, loading and unloading of vehicles shall have been surfaced and made available 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 hard landscape works hereby approved, including boundary treatment and external lighting, shall be carried out before the development is first brought into use and thereafter retained.

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.

11. The soft landscaping works hereby approved shall be carried out within the next available planting season following first occupation of the development 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.

12. The traffic management measures to control the movement of traffic through the site, hereby approved, shall be carried out before the development is first brought into use and retained thereafter.

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

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), no walls, fences, gates or other means of enclosure (other than those approved under condition 7 above) shall be erected beyond the forward most elevation which fronts onto or flanks a highway without the prior consent in writing of the Local Planning Authority.

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

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), no additional windows shall be constructed in the elevations marked 'A'- 'A' and 'B'-'B' on the approved plan without the prior consent in writing of the Local Planning Authority.

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

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

P001, P002, P109, P110, P210,P211, P212, P213, P214, P215, P216, P217, P220, P221, P226, P227, P231, P232, P233, P236, P239, P240, P241, P242, P243, PS302(schedule), P320, P321, P326, P327, P328, P329, P330, P332, P333, P334, P335, P339, P341, P342, P343, P346, 448/EX01.

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.

ITEM NUMBER: 08.
APPLICATION NUMBER: K17862
APPLICANT: DJP Developments Ltd
DATE REGISTERED: 01.09.2010

RETENTION OF AND FURTHER WORKS FOR THE CONVERSION OF EXISTING BUILDINGS TO 5NO.TWO BEDROOM AND 1NO.THREE BEDROOM HOUSES, CHANGE OF USE TO 2NO. COMMERCIAL UNITS WITHIN CLASS B1, ERECTION OF GARAGE, CYCLE AND REFUSE STORES AND ASSOCIATED CAR PARKING AND LANDSCAPING (CONSERVATION AREA) (as amended by plans received 13.10.10)
Former Royal Engineers Depot Weevil Lane Gosport Hampshire

The Site and the proposal

The application site is accessed from Weevil Lane and is close to the junction with Mumby Road. The site consists of three detached buildings, with the largest forming the majority of the southern boundary, which is adjacent to the Mumby Road lorry park. This building is a single storey brick structure, which incorporates a slate roof for the majority of its length, with a flat roof element to the western end. The building has various sized window and door openings facing into the site and also has a number of windows facing onto the car park to the south. A smaller single storey building, of similar appearance, is located to the east of the site and is at a right angle to the larger building. The final building is located on the north side of the entrance to the site and has the appearance of a house. The remainder of the site is open, with the exception of 2 small storage buildings, with the boundary treatment to the site being a brick wall that is approximately 2.5-3m high fully enclosing the site from the surrounding uses. To the north of the site is the former railway line into Royal Clarence Yard (RCY) and beyond this are vacant MOD buildings. To the east is the residential development of Rope Quay, which includes a number of blocks of flats. The application site is located within the Royal Clarence Yard Conservation Area and falls within the boundary of the developing Waterfront Masterplan. Collectively, with the land to the north, this forms the area known as the MOD retained area at RCY.

The land has been sold to a private developer who is proposing to re-use the existing buildings on the site. The larger building to the southern boundary would be converted into 5 two bedroom units, which include a bedroom on a mezzanine floor. Each property would have its own garden to the front separating the houses from the parking/servicing area. The existing windows on the southern elevation, facing onto the public car park, are to be bricked up with an appropriate facing brick. The existing single-storey building to the east of the site is proposed to be used as commercial space within Class B1. The existing openings are to be re-used, with replacement windows and doors and additional Conservation style rooflights proposed in the north or west elevations of the single-storey buildings.

It is proposed that the existing two-storey building adjacent to the entrance to the site is converted to a 3 bedroom house. The works to enable its re-use have been largely completed and included replacing the timber windows, like for like, which includes timber sliding sashes in some openings. A single storey extension has also been erected to the rear which replaces similar depth outbuildings, which had a smaller footprint. This property would have a private rear garden contained within a 1.8m high boundary wall. A single-storey detached double garage and single storey cycle and refuse storage buildings are proposed along the northern boundary of the site to serve the residential properties. Car parking is proposed primarily along the northern boundary with 14 spaces in total. A further boundary wall, incorporating a vehicular opening, is proposed towards the eastern end of the site to provide some separation between the commercial and residential units.

An amended plan has been received showing a bin collection point adjacent to the Weevil Lane entrance and a shared vehicle and pedestrian access into the site.

Relevant Planning History

Nil

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/T4
Off-site Transport Infrastructure
- R/T11
Access and Parking
- R/EMP6
Development for Employment Uses within Urban Areas
- R/BH1
Development in Conservation Areas
- R/OS8
Recreational Space for New Residential Developments
- R/OS13
Protection of Habitats Supporting Protected Species

Consultations

HCC Landscape, Planning & Heritage	Following discussions with the applicant, request a copy of the photographic record of the buildings to add to the Historic Environment Record.
Building Control	The access for the Fire Brigade is excessive to the rear units but could be overcome with the use of sprinklers. Similarly escape from the first floor of the units is unacceptable but could be overcome with the use of sprinklers.
The Gosport Society	No objection.
Environmental Health (Pollution & Environment)	Satisfied the hard surfacing will provide capping of any contaminants, subject to there being no ground disturbance.
Streetscene (Waste & Cleansing)	Adequate storage space for refuse/recycling bins is shown. Residents of Cottages 3, 4, 5 would need to move bins some 60 metres for collection.
Local Highway Authority	The proposed parking and cycle storage is considered to be acceptable. The access is from the unadopted Weevil Lane. A financial contribution for the improvement of highway infrastructure should be sought. Amended plans and access arrangements are considered to be acceptable.

Response to Public Advertisement

Public consultation period expires 03.11.10.

Principal Issues

1. Due to the depth of the site, the travel distance for the Fire Brigade is excessive and there may be other issues associated with the means of escape. However, these issues will be addressed through the Building Regulations. The site is already covered by hard surfacing and with very limited ground disturbance proposed there is no issue in respect of contamination. The application site is located within the Urban Area boundary and within an area which contains a variety of uses. Consequently, the principle of mixed use development is acceptable. The main issues in this case are whether the proposed development of this site is premature in the light of the developing Waterfront Masterplan, whether the design of the alterations are compatible with the character of these historic buildings, whether the proposals would preserve or enhance the character and appearance of the Royal Clarence Yard (RCY) Conservation Area, would result in 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. As noted above, the site is located within the area covered by the developing Waterfront Masterplan. Whilst no formal document has been adopted, some public consultation has been undertaken and it is considered important to ensure that any proposals on this site do not prevent the comprehensive development of the adjoining sites. This site is self-contained, with high walls to all of its boundaries and the only access point being from Weevil Lane, which physically precludes it being developed in a comprehensive manner. The retention of the historic buildings is also an important consideration for this site and the character and appearance of the Conservation Area. There are windows to the south elevation, the retention of which could constrain any possible redevelopment to the south, however, the applicant has indicated that these would be bricked up. Therefore, having regard to the self-contained nature and form of the site, it could not be developed comprehensively with the adjoining sites and the current proposals do not prevent comprehensive development of the adjoining land.

3. The alterations to the buildings are not significant, with the existing openings being used for windows and doors in all instances. The introduction of mezzanine floors requires rooflights to be provided, however, these face into the site and are indicated as being Conservation style, which will minimise their appearance. Rooflights are also evident within other parts of the RCY site and on similar style buildings. The extension to the rear of the detached building is appropriately designed and the other single storey buildings are considered to be appropriate to the site maintaining its open appearance, and replacing unsightly store buildings to the northern boundary. Overall, the changes are sympathetic to the buildings and would preserve the character and appearance of the Royal Clarence Yard Conservation Area, subject to agreeing details of the materials, in compliance with Policy R/BH1 of the Gosport Borough Local Plan Review.

4. The proposed mix of uses, being residential and B1, are considered to be appropriate for the location, having regard to other uses within the surrounding area. The RCY retained area, which includes this site, is also identified within the Employment Land Review as an employment site. Policy R/EMP6 confirms that B1 uses are appropriate on underused or vacant land and therefore the re-use of the buildings for this purpose is appropriate. The policy confirms that any such proposals should be of an appropriate scale and nature for the area, particularly residential areas, and should not create unacceptable levels of traffic. The existing detached building at the entrance to the site has the appearance of a house and this is considered to be the most appropriate re-use for the building. It is essential that the overall balance of uses on the site is appropriate. Uses falling within Class B1 are, by definition, appropriate for locations within residential areas as they should not generate significant levels of noise. Vehicle trips for deliveries and staff would result in vehicles travelling up and down the access road, however, the proposal for 2 units would not generate significant movements and would create an appropriate balance between commercial and residential uses. Any significant increase in the number of commercial units could have a

detrimental impact on residential accommodation on the site, also resulting in the larger building having internal walls separating commercial and residential units. Having regard to the above, the number of commercial and residential units would provide an appropriate balance and comply with Policy R/EMP6 of the Gosport Borough Local Plan Review.

5. As noted above, the commercial and residential uses would be an appropriate balance. Having regard to the number of commercial units proposed, their location at the rear of the site in a relatively self-contained area and the existence of the proposed gardens to the dwellings which create an additional buffer, vehicle movements associated with their use should not have a detrimental impact on the existing properties adjacent to the site, or the prospective occupiers. In order to provide additional protection to the residential properties it is considered appropriate to control the level of activity by restricting the hours of servicing for the commercial units to between 7am and 8pm during the week and Saturday mornings only.

6. The alterations to the buildings would not result in the opportunity for overlooking of the adjacent land, as the windows to the single storey buildings face into the site and the separation from the 3 bedroom house to the closest residential buildings is in excess of 70 metres. The provision of houses on the site would mean that if the future occupiers utilised their allowances of permitted development, these properties could change significantly to the detriment of the neighbouring properties and the character and appearance of the Conservation Area, particularly as many of the normal restrictions would not be relevant because of its self-contained nature. Therefore, conditions removing permitted development rights are also considered necessary in this case. Subject to the above conditions, the proposals would not result in a detrimental impact on the amenity of existing or future occupiers of this and the adjacent site, and would comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

7. The site is located close to the Town Centre and is a highly accessible location. There are also a number of public car parks close to the site. 14 car parking spaces are proposed for the uses with 5 being separated and adjacent to the commercial buildings. The residential parking supplementary advice note indicates that average number of cars per household within the Christchurch Ward is 0.98, indicating the level of demand for parking would be low. Having regard to the size and number of units, the accessible location, and to ensure an appropriate layout of the site within the Conservation Area, the level of car parking is considered to be acceptable. Access to the site via the shared surface is considered to be acceptable subject to a change in materials to provide clear delineation to the pedestrian and vehicle users of the site. The cycle and refuse storage is acceptable and the revised plans address the issue of providing a bin collection from Weevil Lane. Therefore the proposals are in accordance with Policy R/T11 of the Gosport Borough Local Plan Review.

8. The site is located within 100m of areas that have been identified as protected and notable species, or Biodiversity Action Plan (BAP) priority habitats. Whilst these are of significant importance, having regard to the almost 100% hard surfacing on the site and its distance from the intertidal mudflats, the proposal would not result in a detrimental impact on these important habitats in compliance with Policy R/OS13 of the Gosport Borough Local Plan Review.

9. 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 and transport improvements, 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 a 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 and the alterations and uses would preserve the character and appearance of the Royal Clarence Yard Conservation Area and would not prevent the comprehensive redevelopment of neighbouring sites, in the context of the developing Waterfront Masterplan. The development will not have a significant impact on the amenities of adjoining or future occupiers 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/DP3, R/H4, R/T4, R/T11, R/EMP6, R/BH1, R/OS8, and R/OS13 of the Gosport Borough Local Plan Review.

Subject to the following conditions:-

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 103, 201, 202 Rev B, 203, 204, 205, 206, 207 and 208.

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.

2. Details, including samples, of all external facing and roofing materials for the garage, cycle and refuse stores 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 implemented in accordance with the approved details.

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

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

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

4. Prior to the first occupation of any of the buildings, 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 Policies R/DP1 and R/BH1 of the Gosport Borough Local Plan Review.

5. Prior to the first occupation of any of the buildings, 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 Policies R/DP1 and R/BH1 of the Gosport Borough Local Plan Review.

6. The landscape 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. Prior to the first occupation of any of the buildings, the areas shown on the approved plan for the parking, loading and unloading 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.

8. Details of any external lighting 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 implemented in accordance with the approved details.

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

9. Prior to the first occupation of any of the buildings 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.

10. Prior to the first occupation of any of the buildings 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.

11. Prior to the first occupation of the two bedroom dwelling units, the existing windows on their south elevation shall be blocked up, in accordance with details (including samples) submitted to, and approved, in writing by, the Local Planning Authority and be thereafter retained in that condition.

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

12. Prior to the first occupation of the 4th house the commercial units hereby approved shall be completed and made available for use.

Reason - In order to ensure an appropriate mixed use development of the site and to comply with Policy R/DP1 and R/EMP6 of the Gosport Borough Local Plan Review.

13. No servicing of the commercial uses (to include waste collection and deliveries to, or dispatched from, the units) shall take place outside the following times:- 7.00am - 8.00pm Monday to Friday, 7.00am - 1.00pm on Saturdays, and at no times whatsoever on Sundays, Bank or Public Holidays.

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

14. The commercial units shall not be used for any purpose other than within Class B1 as defined in the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

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

15. 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 to H of Schedule 2, Part 1, shall be installed or erected without the prior consent in writing of the Local Planning Authority.

Reason - In order to protect the amenity of the occupiers of the adjoining properties and to preserve the character and appearance of the Royal Clarence Yard Conservation Area and to comply with Policies R/DP1 and R/BH1 of the Gosport Borough Local Plan Review.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), no walls, fences or other means of enclosure shall be erected beyond the forward most part of any wall of any original

dwellinghouse which fronts onto a highway or a private driveway without the prior consent in writing of the Local Planning Authority.

Reason - In order to protect the amenity of the occupiers of the adjoining properties and to preserve the character and appearance of the Royal Clarence Yard Conservation Area and to comply with Policies R/DP1 and R/BH1 of the Gosport Borough Local Plan Review.

ITEM NUMBER: 09.
APPLICATION NUMBER: K12020/2
APPLICANT: Mr Steve Ayling
DATE REGISTERED: 06.09.2010

CHANGE OF USE OF LAND TO EXTEND EXISTING SITE COMPOUND, FIRST FLOOR EXTENSION TO EXISTING WORKSHOP TO PROVIDE OFFICE SPACE, ERECTION OF PAINT BOOTH, PROVISION OF THREE ADDITIONAL CAR PARKING SPACES, AND ERECTION OF NEW 2.5M BOUNDARY WALL AND RAILINGS (ADJACENT TO CONSERVATION AREA)

Unit 2 Toronto Place Gosport Hampshire PO12 4UZ

The Site and the proposal

The application site is located at the north eastern part of the Forton Road Industrial Estate, to the south of Forton playing field. The nearest residential properties are over 35 metres to the north west in Halliday Close. The site is enclosed by a 2 metre high concrete wall and a red brick wall with inset palisade railings and is occupied by R & K Body Repairs. There is a single storey building on the site which has both flat and pitched roofs. It is principally used for car body repair works and to spray paint cars. The remaining floorspace is used as a workshop, office space, paint mixing room and reception area. The painting booth is ventilated by 2 external extraction flues. There are 9 parking spaces at the front of the building, accessed from Toronto Place, and there is room to park a further 2 vehicles within the workshop overnight. The applicant has recently purchased a 6 metre wide strip of land on the eastern side of the site from the Council and this is included within the application site boundary.

It is proposed to erect a first floor extension over the existing flat roof building to create 74.7 square metres of office space to be used in conjunction with the body repairs business. The extension will have a double pitched roof and the resultant building will have an overall height of 6 metres. The existing boundary wall will be extended using red brick with inset palisade railings and concrete blockwork to enclose the additional land on the eastern side of the plot, and the resultant space will be utilised to erect a new paint booth. The paint booth will be attached to the eastern elevation of the existing building and will be 7 metres long, 4 metres wide and 3.6 metres high. It will be ventilated by 2 extraction flues that will terminate above the ridge of its shallow pitched roof. 3 additional on-site parking spaces are to be provided. The 2 existing extraction flues at the site are to be removed.

The opening hours will be unchanged (0800-1800) and the proposal will increase the number of full time staff at the site from 3 to 5.

Relevant Planning History

K12020/1 - erection of extension to existing industrial unit - permitted 10.02.00

Relevant Policies

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/DP3

Provision of Infrastructure, Services and Facilities

R/T4

Off-site Transport Infrastructure

R/T11

Access and Parking

R/ENV10
Noise Pollution
R/ENV12
Air Quality

Consultations

Environmental Health (Pollution & Environment)

No objection.

Local Highway Authority

No objection. Transport Contribution is applicable as the proposal will result in increased multi modal trips to and from the site. Bicycle parking facilities should also be provided.

Response to Public Advertisement

Nil

Principal Issues

1. The site is located within an Existing Employment Area as defined on the Proposals Map of the Gosport Borough Local Plan Review. The principle of general industrial use in this location is therefore acceptable. The proposal will provide the business with much needed office space and this will help to secure its long term viability. The development will create additional employment opportunities for residents of the Borough and will help to enhance the vitality of the industrial estate, in compliance with Policy R/EMP3 of the Gosport Borough Local Plan Review. The main issues in this case therefore are the acceptability of the design of the proposed first floor extension, paint booth and boundary wall and the impact of the development on adjoining users, the amenities of the occupiers of neighbouring residential properties and whether adequate provision has been made for car and cycle parking and highway/infrastructure improvements.
2. The proposed first floor extension will be compatible with the existing building and will be similar in appearance to other units within the industrial estate. It is therefore appropriate to its context. Due to its siting and limited height, the new paint booth will not be easily visible from public view. The extended boundary wall will match the height and appearance the existing boundary treatment at the site and this will be controlled by condition. The proposal is therefore acceptable in design terms. It will preserve the visual amenity of the area and complies with Policy R/DP1 of the Gosport Borough Local Plan Review.
3. The information provided by the applicant shows that the proposed ventilation/extraction system will be sufficient to adequately dispose of smells/fumes, and at approximately 80 decibels, it will not result in an unacceptable level of noise disturbance for neighbouring occupiers. The proposal will not have a detrimental effect on adjoining users and the development therefore complies with Policy R/DP1 of the Gosport Borough Local Plan Review.
4. The proposed development will increase the number of parking spaces at the site from 9 to 12 with 2 additional spaces available within the workshop for overnight storage of customer's cars. The provision of 12 external spaces complies with the parking standards contained within Appendix E of the Gosport Borough Local Plan Review and is sufficient to meet the demand for both customer and staff parking. The proposal is unlikely therefore to result in overspill parking in the local road network. The parking spaces will continue to be accessed via the existing entrance and this affords adequate intervisibility between vehicles exiting the site and all other users of the public highway. The number of vehicular movements associated with the business is unlikely to significantly increase as a result of the proposal, and, as such, the development will not have a detrimental impact on highway or pedestrian safety. As the proposal will increase the number of staff at the site, it is appropriate to provide facilities for the storage of bicycles. Subject to a condition to secure the

details and implementation of these facilities, the proposal is acceptable and complies with Policy R/T11 of the Gosport Borough Local Plan Review.

5. The applicant has confirmed a willingness to enter a planning obligation under Section 106 relating to the payment of a commuted sum towards transport and highway improvements, in accordance with Policies R/DP3 and R/T4 of the Gosport Borough Local Plan Review. Without this obligation the proposal is unacceptable.

RECOMMENDATION: Grant Permission

Subject to a 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 proposal is acceptable in this location. It will not be detrimental to adjoining users, the amenities of the occupiers of neighbouring dwellings or the visual amenity of the locality. It will provide additional employment opportunities for residents of the Borough and will enhance the vitality and viability of the Forton Road Industrial Estate. Appropriate facilities are available for vehicular and bicycle parking and provision has been made for highway and infrastructure improvements. As such, the proposal complies with Policies R/DP1, R/DP3, R/EMP3, R/T4, R/T11, R/ENV10 and R/ENV12 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:

Plan1, Plan 2, Plan 3 and Drawing No:10020011-R_K-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. Details, including samples, of all external facing and roofing materials for the first floor extension and paint booth, shall be submitted to and approved, in writing, by the Local Planning Authority before development commences. 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 the development, hereby permitted, is first brought into use, the boundary walls shall be constructed in accordance with the details shown on plan 3 received on 9.8.10. The boundary walls 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 comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

5. Before the development, hereby permitted, is first brought into use, the extraction/ventilation system for the paint booth shall be installed in accordance with the approved details and thereafter maintained.

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

6. 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.

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

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: 10.
APPLICATION NUMBER: K9548/10
APPLICANT: Mr Keith Freeman
DATE REGISTERED: 15.09.2010

OUTLINE - ERECTION OF DETACHED 4 BEDROOM DWELLING WITH GARAGE
Land Adjacent To 21 The Avenue Gosport Hampshire

The Site and the proposal

The application site is located on the eastern side of The Avenue within an established residential area and forms the southern part of the side garden to number 21 The Avenue. It is a plot approximately 15.5 metres wide and between 60 and 64 metres deep. There is an existing drop kerb at the front of the site which is one of the entrances to a large circular gravel driveway and parking area currently serving 21. There is a large shrub bed in the centre of the site the remainder being grass with a few fir trees towards the back of the site and shrubs along the boundary. There is a protected Maple tree set in approximately 10 metres from the front of the site on the southern side boundary adjoining the driveway serving 25. This part of The Avenue is characterised by two storey detached properties located in relatively large plots with large back gardens. The existing site containing 21 The Avenue is almost double the width of the other plots located on this side of the road. The properties on this side of the road are set back approximately 17 metres from the pavement with well landscaped mature front gardens.

To the east of the site there are the back gardens serving detached two storey houses located in Mound Close and Tebourba Drive. These properties are screened from the application site by a 3 metre high hedge and a number of large trees located in the adjoining gardens. Number 25 The Avenue is located approximately 1 metre to the south of the 1.8 metre high dividing boundary fence and boundary shrub planting. It has a blank gable side elevation and flat roofed single storey element facing the application site. This dwelling steps away from the boundary towards its frontage a distance of 4 metres and only contains a single obscure glazed window in the first floor side elevation facing the application site.

Number 21 The Avenue is a substantial property with brick elevations to the ground floor with timber detailing and render to the upper floor under a red clay plain tiled roof. There is a bay window at ground floor level in the southern side elevation and two further windows all of which serve large rooms that have their main windows in the front and rear elevations to the property. On the first floor there are secondary windows to two large bedrooms

The proposal is an outline application for the erection of a two storey 4 bedroom detached dwelling and garage with only the principle of the development to be considered at this stage.

Relevant Planning History

There are a total of nine similar previous planning consents relevant to the consideration of this current proposal

K9548 - outline - erection of a dwelling - permitted 31.01.78 to

K9548/9 - outline - erection of detached 4 bedroom dwelling with garage - permitted 05.03.07

Tree Preservation Order G.56 relating to a Maple tree located on the southern site boundary - confirmed 16.11.93

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/H4
Housing Densities
R/T4
Off-site Transport Infrastructure
R/T11
Access and Parking
R/OS8
Recreational Space for New Residential Developments

Consultations

Building Control	Access for Fire Brigade satisfactory.
Streetscene (Parks & Horticulture)	No objection. The protected Maple tree is a healthy specimen and I am satisfied a dwelling can be accommodated on the site without having an adverse effect on the tree and its health.
Streetscene (Waste & Cleansing)	Adequate space on site for the storage of recycling and domestic bins which will require placing out adjacent to the highway on collection day.
Local Highway Authority	No objection. Access and turning can be provided along with cycle parking facilities to the relevant standards. Transport infrastructure contribution required.

Response to Public Advertisement

2 letters of objection

Issues raised:-

- proposal will have a negative impact on character of the area contrary to amended Planning Policy Statement 3: Housing
- Gosport has enough new builds
- objects to houses being built in gardens
- development is for profit and not necessity

Principal Issues

1. The application site is located within the Urban Area boundary and consequently the principle of residential development is acceptable provided that the details accord with the relevant Policies of the Gosport Borough Local Plan Review. The possible financial implications of the development are not a material consideration for the Local Planning Authority. Therefore the main issues in this case are the acceptability of the proposed density of the development and its impact on the character and visual amenities of the area, the amenities of nearby and prospective residents, the protected Maple tree and the provision of car and cycle parking, refuse storage facilities, transport infrastructure and open space.

2. Nine outline planning consents have been granted in the past for the erection of a detached dwelling on this site. The density of the site would increase from approximately 5 to 9 dwellings per hectare which is comparable with the overall density in this part of The Avenue and acceptable in this location. The plot is commensurate in terms of its size with other plots located in The Avenue and is capable of adequately accommodating a relatively large detached dwelling in character with the area. It will result in the provision of a 4 bedroom dwelling to assist in providing a variety of

residential accommodation to meet the housing needs of the Borough. 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. However, the proposal will retain significant areas of useable amenity space in the form of garden areas to the front and rear of both dwellings commensurate with the neighbouring properties and the general character of development in the area. In my opinion, therefore, the principle of the proposed development is still acceptable in this particular case as it is not contrary to the revised guidance due to it being a form of development in character with the area. As such the proposal complies with Policies R/DP1 and R/H4 of the Gosport Borough Local Plan Review.

3. Given the size of the plot and its relationship to adjoining properties it will be possible for a detached dwelling to be designed and sited in such a way so as not to be detrimental to the amenities of neighbouring residents and to ensure that future residents will have adequate useable private amenity space. As such the development will not be detrimental to the amenities of neighbouring residents or prospective occupiers in compliance with Policy R/DP1 of the Gosport Borough Local Plan Review.

4. The protected Maple tree is located on the southern boundary and in this position a new dwelling located on a similar line to the adjacent dwellings will not adversely affect it. It can therefore be retained along with other trees and boundary landscaping so as to maintain the character of the area.

5. Car parking and turning areas can be provided for both the existing and new dwelling to an appropriate level. There will also be adequate space within the site for cycle parking facilities to meet current minimum requirements. As such the proposal complies with Policy R/T11 of the Gosport Borough Local Plan Review. Similarly the site will also be able to accommodate two wheeled bins for recycling and domestic waste.

6. The erection of a 4 bedroom dwelling on the site generates a requirement for additional outdoor playing space to meet the needs of prospective residents and will also increase trip generation to and from the site. 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, and payment of a sum towards transport infrastructure, in accordance with Policies R/DP3 and R/T4 of the Gosport Borough Local Plan Review. Without this obligation the proposal is unacceptable.

RECOMMENDATION: Grant Outline Consent

Subject to a 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 of one additional dwelling in this existing residential area is appropriate and will assist in providing a variety of residential accommodation to meet the housing needs of the Borough. The proposal will not have a detrimental impact on the amenities of neighbouring residents or prospective occupiers or the protected Maple tree. Adequate provision is made for open space and transport infrastructure and provision can be made for car and cycle parking and refuse storage to relevant standards. As such the development complies with Policies R/DP1, R/DP3, 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 either before the expiration of three years from the date of the grant of this outline permission, or the expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved whichever is the later date.

Reason - To comply with Section 92 of the Town and Country Planning Act, 1990 (as amended).

2. In the case of any reserved matter, application for approval must be made not later than the expiration of three years beginning with the date of the grant of this outline planning permission.

Reason - To comply with Section 92 of the Town and Country Planning Act, 1990 (as amended).

3. Details relating to the layout, scale and appearance of the proposed detached 4 bedroom dwelling and garage, the access thereto and the landscaping of the site, hereinafter called "the reserved matters", shall be submitted to, and approved by, the Local Planning Authority before the development hereby permitted is commenced.

Reason - Such details have yet to be submitted, and to comply with Policies R/DP1, R/T10, R/T11 and R/ENV14 of the Gosport Borough Local Plan Review.

4. The development hereby permitted shall not be brought into use until areas for the parking of vehicles shall have been 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.

5. 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.

6. 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 before the development is first brought into use and thereafter retained.

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

7. Details of all boundary treatment including any gate, shall be submitted to and approved, in writing, by the Local Planning Authority before any works above slab level are commenced. The proposed boundary treatment shall be carried out before the development is first occupied and retained thereafter.

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

8. The Maple tree covered by Tree Preservation Order G.56, shown on the plan hereby approved, shall be protected during building operations by strict compliance with the Local Planning Authority's "Code of Practice relating to the Protection of Trees on Building Sites" (copy enclosed).

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

ITEM NUMBER: 11.
APPLICATION NUMBER: K17869
APPLICANT: Mr Andrew Birch
DATE REGISTERED: 21.09.2010

**CHANGE OF USE OF LAND FROM AMENITY SPACE TO PRIVATE GARDEN &
ERECTION OF 1.8 METRE HIGH FENCE**
58 Carless Close Gosport Hampshire PO13 9PN

The Site and the proposal

The application property is a two storey end of terrace dwelling located on the northern side of Carless Close, in an area of former MOD married quarters. The rear garden at number 58 is approximately 4 metres long and is bordered by close boarded fencing. To the south and west of the garden is a grass verge and footpath. There are a number of grass verges in the locality and these contribute to the overall character and appearance of the estate.

The adjacent properties to the east, numbers 53-57 (inclusive), have extended their rear gardens onto land purchased from the Carless Close (Gosport) Residents Management Company. The gardens are enclosed by matching timber fencing and have been extended to a uniform depth of 8 metres.

The applicant has recently purchased an area of the grass verge at the rear of the dwelling and is seeking planning permission to extend the existing garden by 4 metres in line with the neighbouring plots. The extended garden will be enclosed by a 1.8 metre high wooden fence to match the boundary treatments of the adjacent dwellings. The existing pedestrian path to the south and west of the site is unaffected by the proposal.

Relevant Planning History

K14624/12 - change of use of amenity land to extend adjacent rear gardens and erection of boundary fences to the rear of numbers 53-57 Carless Close - permitted 15.08.04

Relevant Policies

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

Consultations

Nil

Response to Public Advertisement

1 letter of support

Issues raised:-

- supports the proposal so long as it does not affect the adjacent fencing

Principal Issues

1. The principle of extending the adjacent rear gardens onto land formerly used as public amenity space has been established through planning consent K.14624/12. The proposals will not affect the existing adjacent fencing and any issue relating to the physical attachment of the structures is a private matter between the parties. The main issue in this case therefore is the impact of this proposal on the character and visual amenity of the locality and the amenities of the occupiers of the adjoining dwellings.

2. The extended garden will match the depth of the adjacent plots and will be enclosed by matching 1.8 metre high wooden fencing. It will provide the occupants with a more useable area of amenity space and will improve the living environment for the existing and future residents. A large area of lawn to the south of the property will be retained and this will ensure that the proposal does not harm the open plan character and appearance of the estate. In light of this, and subject to a condition to control details of the design of the fence, the proposal will not have a detrimental impact on the character or visual amenity of the locality. The proposal therefore complies with Policy R/DP1 of the Gosport Borough Local Plan Review.

3. As the garden will not extend beyond the rear boundaries of the adjacent plots and the boundary fencing will match the height of the adjacent boundary treatments, the proposal will not have a detrimental impact on the amenities of any neighbouring occupiers in terms of loss of light or outlook. The development will not interfere with the continued use of the public path to the south and west of the site and the proposal therefore complies 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 proposal is acceptable in this location. It will not be detrimental to the character or visual amenity of the locality, the amenities of the occupiers of neighbouring dwellings or highway safety conditions in the locality. As such, the development 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 development hereby permitted shall be carried out in accordance with the following approved plans:

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. No development shall commence until details of the proposed boundary treatment, including any gate, have been submitted to and approved, in writing, by the Local Planning Authority. The boundary treatment shall thereafter be constructed and retained in accordance with approved details.

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

ITEM NUMBER: 12.
APPLICATION NUMBER: K9913/70
APPLICANT: Mr Bob Mealings
DATE REGISTERED: 14.09.2010

CIVIL ENGINEERING WORKS TO ALLOW ONGOING MAINTENANCE AND RESTORATION OF HMS ALLIANCE TO INCLUDE A NEW PILED COFFERDAM, NEW STAIRS AT THE BOW AND LIFT AND STAIRS AT THE STERN, NEW MECHANICAL AND ELECTRICAL PLANT AND PLANT ROOM, AND TEMPORARY RELOCATION OF THE HORNET SAILING CLUB PONTOON TO FACILITATE CONSTRUCTION AND PROVISION OF NEW PONTOONS (CONSERVATION AREA)
Royal Navy Submarine Museum Haslar Road Gosport Hampshire

The Site and the proposal

The application site is approximately 0.5 hectares and forms part of the Royal Navy Submarine Museum on Haslar Road. It is located in the Haslar Peninsula Conservation Area. To the south west are the Joint Services Adventurous Sailing Training Centre (JSASTC) and Hornet Sailing Club (HSC) who have pontoons and a slipway adjacent to the submarine.

HMS Alliance currently sits on two concrete cradles overlying an area of intertidal and subtidal mudflats. To the south east of the submarine is the Haslar Jetty and the quay wall from which visitors access the submarine. Further to the south east is the museum visitor centre with associated buildings. The museum car park is to the south west with vehicular and pedestrian access from Haslar Road.

HMS Alliance is one of sixteen 'A' class submarines commissioned by the Royal Navy and was launched on 28 July 1945. It is the only surviving WWII submarine preserved in the United Kingdom and her importance to Britain's maritime heritage was recognised by her inclusion in the 'core collection' Historic Ships Register. The submarine has deteriorated and has reached a point where repairs and conservation are necessary.

The application seeks to prevent any further deterioration of the submarine and allow for future maintenance and improved visitor access and viewing. The works proposed comprise the following:

- a new piled cofferdam around the submarine allowing access to the outer hull for the contained restoration and ongoing maintenance and preventing further seawater reaching the hull and causing any further erosion;
- new staired access at the bow and new stairs and a lift at the stern;
- new mechanical and electrical plant and plant room to improve the air conditioning within HMS Alliance;
- temporary relocation of the HSC pontoon to facilitate construction, re-arrangement of existing pontoons and provision of new pontoons. There are currently 16 floating and 6 fixed, access pontoons. This will be revised to be provide 9 floating pontoons and 8 access pontoons resulting in an overall reduction in 5. The access pontoons proposed will be of a reduced width. The existing timber piles will be utilised.

The application is accompanied by a Design and Access Statement, Archaeological Desk Based Assessment, Ecological Appraisal, Contaminated Land Desk Study, Flood Risk Assessment, Site Waste Management Plan, Water Framework Directive Technical Note, Air Quality Appraisal, and Noise and Vibration Assessment.

Relevant Planning History

Nil

Relevant Policies

Planning Policy Statement 9 (PPS 9) : Biodiversity and Geological Conservation
Planning Policy Statement 25 (PPS 25) : Development and Flood Risk

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/CH1
Development within the Coastal Zone
R/CF1
New or Improved Community Health Facilities
R/ENV5
Contaminated Land
R/ENV2
River and Groundwater Protection
R/ENV10
Noise Pollution
R/ENV12
Air Quality
R/OS11
Protection of Areas of National Nature Conservation Importance
R/OS13
Protection of Habitats Supporting Protected Species
R/OS14
Biodiversity Action Plans

Consultations

The Gosport Society	No objection.
Crown Estate Office	No objection.
Queen's Harbour Master	No objection. 14 days notice of works commencing should be given.
Environment Agency (Hants & IOW)	No objection in principle subject to conditions relating to habitat loss mitigation. In terms of flood risk, the lift and mechanical and engineering buildings are located within Flood Zone 3, however, due to the importance to the running of the museum and HMS Alliance the development is deemed to be essential infrastructure. It is therefore recommended that flood proofing measures be incorporated into the development of these elements. Land contamination is appropriately dealt with, however, a condition relating to any unsuspected contamination should be included.
Southern Water	Building Control can comment on the adequacy of soakaways to dispose of

surface water.

HCC Landscape, Planning & Heritage

No objection. The area proposed for development has already been subject to considerable disturbance. There is a possibility that the associated service trenching may disturb areas of archaeological interest and therefore work should be monitored and any archaeological features properly recorded.

Building Control

No objection.

Environmental Health (Pollution & Environment)

It is noted that the intention is to cover the areas of the foreshore which have given high heavy metal results during the testing or are filled with unknown material. This sort of action should ensure that any possible pollution pathways are broken. The closeness of so many sensitive ecological sites to this development shows the necessity of carrying this out correctly.

There are two concerns relating to these works:

1.) The necessity for the use of impact piling where the jacked piling is not possible. There is concern that impact piling will be used with little thought for nearby residents.

2.) Tidal working will be necessary and there will disturbance when those tides fall late at night or early in the morning. The need for piling at these times should be demonstrated along with evidence being shown of the necessity of the change in piling systems and by notifying when tidal working will be during the silent hours and trying to restrict work to the quietest tasks available.

Response to Public Advertisement

Nil

Principal Issues

1. The site is located in the Urban Area whereby the principle of this type of development is acceptable and the proposals seek to preserve a feature of significant historic importance and enhance access to a community facility. The main issues for consideration are therefore the appropriateness of the design, the impact on the character of the Conservation Area and coast, the effect on features of archaeological interest, effects on residential amenity, the effects on features of nature conservation interest, land contamination issues and flood risk.

2. The piled cofferdam will be visible above the water level at varying heights depending on the tide, however, it will not interrupt views of the submarine from any direction. The cofferdam will be subservient in appearance compared to the submarine and will not harmfully affect its setting. It will be painted grey which will complement the darker colour of the submarine and match the colour of surrounding buildings. A gravel textured material will be laid on the surface within the cofferdam. This will be similar in colour to the concrete jetty and enhance the setting of the submarine as

compared to the mudflats lying beneath at present. The size, scale and arrangement of the new plant room, lift, stairs at the sterns and new stairs and viewing platform at the bow complement the size, scale and arrangement of the submarine museum and HMS Alliance. These elements of the works will complement the adjoining museum building in terms of their contemporary style and materials and provide a strong visual contrast to the submarine which is considered will enhance its setting. There is a mix of buildings types in this area and overall the proposals complement what is already in position therefore preserving the character of the coast and Conservation Area. There are a series of pontoons currently running along the north west side of the submarine. There will be an overall reduction in the pontoons situated here. Visually this will improve the appearance of the site as viewed from the water and there will be no overall loss in access to the water as a number of the existing pontoons are situated side by side. In both visual and access terms the proposals are therefore considered to be acceptable in the context of the coastline. The site lies adjacent to the line of the 18th Century rails which is identified as an archaeological site of interest. Due to historic activities in the area there is low potential for undisturbed archaeological remains, however, to ensure any that do remain are appropriately detected and recorded, an archaeological watching brief is required by condition. Any disturbance to nearby residential properties will be minimised as set out in the recommended conditions. The development therefore accords with Policies R/DP1, R/BH1, R/BH8 and R/CH1 of the Gosport Borough Local Plan Review.

3. The site lies in close proximity to the Portsmouth Harbour SSSI, SPA and Ramsar sites and the area currently beneath the submarine is inter tidal and hard substrate habitat which is included in the UK Biodiversity Action Plan. The Ecological report concludes that whilst communities that are typical of mixed substrate inter tidal areas exist here, the site is largely unnatural, disturbed and of poor quality. The proposed development will result in the loss of this area which is contrary to Environment Agency policy of no net loss of such habitat. Notwithstanding this, the Environment Agency has concluded that, as this area of habitat is of low quality and not performing any particular function, its loss can be mitigated by the improvement/cleaning of neighbouring mudflats. A series of proposed options for improvements of nearby mudflats have been submitted with the application. The Environment Agency considers that this is an appropriate course of action and provided the specific details of the works are agreed by condition, have no objection. It is also appropriate in this location to control the method and timing of piling by condition. Subject to these conditions the development therefore complies with PPS9 and Policies R/OS11, R/OS13 and R/OS14 of the Gosport Borough Local Plan Review.

4. Diesel tanks were previously installed close to the site during the 1950's, however, their use ceased during the 1980's being finally removed in the 1990's. Contamination may also be present at the site from the back filling of the haul-out channel when the submarine was first floated into position in 1981. An assessment of the levels of contaminants present and the required remediation during this development has been submitted with the application. Environmental Health and the Environment Agency have confirmed that the conclusions drawn in the Contaminated Land Desk Study are appropriate and there is no risk to the sensitive surrounding waters subject to conditions relating to unsuspected contamination as set out below. The Water Framework Directive Assessment concludes that the contamination is appropriately identified within the Contaminated Land Desk Study and provided disturbance to sediment is limited through the establishment of a Construction Environmental Management Plan there will be no harm to the quality of the water in this area. Any disturbance to nearby residents from construction works on site can be minimised by the inclusion of a timing of works condition. The development therefore complies with Policies R/ENV2, R/ENV5 and R/ENV10 of the Gosport Borough Local Plan Review.

5. The Flood Risk Assessment concludes that, in accordance with the PPS25, the proposed development is acceptable in this location. The height of the upstand wall around the perimeter of the cofferdam will provide defence up to 3.37m AOD which will protect the existing quay from 1 in 200 year events until 2042. The wall will also be adaptable to increase its height should the risk increase in future. The Environment Agency recommends that flood proofing measures be incorporated in the development of the lift, and mechanical and engineering building and this has been conditioned below. The development therefore accords with the requirements of PPS25.

6. The Air Quality Appraisal concludes that local air quality can be controlled by dust mitigation measures during the construction phase which are conditioned below. The proposal therefore accords with Policy R/ENV12 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 Act 2004 and all other material considerations, the development is acceptable in design terms and its affect on the coast. It will enhance the character of the Haslar Peninsula Conservation Area and features of archaeological interest can be appropriately preserved. There will be no harmful impacts on features of ecological importance and the risk from land contamination and flooding has been addressed. Impacts on neighbouring properties from air and noise pollution can be appropriately mitigated. The proposals therefore comply with Policies R/DP1, R/BH1, R/BH8, R/CH1, R/CF1, R/ENV2, R/ENV5, R/ENV10, R/ENV12, R/OS11, R/OS13 and R/OS14 of the Gosport Borough Local Plan Review.

Subject to the following conditions:-

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

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

2. Before development is commenced, details of all external materials, including the colour of the stain to be used on the decking, 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 Policies R/DP1, R/BH1 and R/CH1 of the Gosport Borough Local Plan Review.

3. Before the development is commenced, details of the method of fixing the new access pontoons to the adjacent slipway shall be submitted to and approved, in writing, by the Local Planning Authority. Thereafter the development shall be completed in accordance with the approved details.

Reason - To ensure that the slipway as a historic feature of interest is appropriately preserved and to comply with Policies R/BH1 and R/BH8 of the Gosport Borough Local Plan Review.

4. Before the development is commenced, an archaeological monitoring and recording action (Watching Brief) shall be submitted to and agreed, in writing, by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the agreed details.

Reason - To preserve archaeological features of interest on the site and to comply with Policies R/BH1 and R/BH8 of the Gosport Borough Local Plan Review.

5. Before the development is commenced, a Construction Environmental Management Plan, shall be submitted to and approved, in writing, by the Local Planning Authority. The Plan shall include details of the measures to secure the following:

- how disturbance to sediment will be limited;
- how noise disturbance to surrounding residents will be limited including details of types and timings of construction activities; and
- how dust from construction works will be compressed

Thereafter the development shall be completed in accordance with the agreed details.

Reason - To minimise the risk of disturbance to contaminants, limit potential impacts to features of importance for Nature Conservation, and preserve the amenity of nearby residential properties and to comply with Policies R/ENV5, R/ENV12, R/OS11, R/OS13, R/OS14 and R/DP1 of the Gosport Borough Local Plan Review.

6. Before the development is commenced a method statement detailing the proposed measures to mitigate the loss of intertidal habitat shall be submitted to and approved, in writing, by the Local Planning Authority. The method statement shall include details of the following:

- location of the proposed works;
- the type of mitigation;
- the timing of the works to be undertaken;
- the machinery (location and, materials and fuel, access routes, access to banks).

Reason - To mitigate the loss of intertidal UKBAP habitat and to comply with PPS9, and Policies R/OS11, R/OS13 and R/OS14 of the Gosport Borough Local Plan Review.

7. No works that involve the loss of the intertidal habitat shall begin until the scheme of works set out in the method statement agreed under condition 6 above has been completed in accordance with the agreed timescales unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To mitigate the loss of intertidal UKBAP habitat and to comply with PPS9 and Policies R/OS11, R/OS13 and R/OS14 of the Gosport Borough Local Plan Review.

8. Before the development is commenced details of the method of flood proofing the lift and mechanical and engineering building shall be submitted to and approved, in writing, by the Local Planning Authority. Thereafter, the development shall be implemented in accordance with the approved details and the measures at all times retained.

Reason - To ensure the development is resilient to flood risk and to comply with PPS25.

9. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed, in writing, by the Local Planning Authority) shall be carried out until a remediation strategy detailing how the unsuspected contamination will be dealt with has been submitted to and approved, in writing, by the Local Planning Authority. This shall include timing for the appropriate remediation. The development shall thereafter be completed in accordance with the approved strategy and timings.

Reason - To prevent pollution of controlled waters and to comply with Policies R/ENV2 and R/ENV5 of the Gosport Borough Local Plan Review.

10. Before development is commenced, details of the method of piling, including appropriate measures to minimize impact on fish, shall be submitted to and approved, in writing, by the Local Planning Authority and the development shall thereafter be carried out in accordance with the approved details.

Reason - In the interests of nature conservation and biodiversity and to comply with Policies R/OS11 and R/OS13 of the Gosport Borough Local Plan Review.

11. Piling shall not be carried out within the waterfowl over-wintering period between 31 October and 31 March.

Reason - To prevent disturbance to over-wintering birds in the interests of nature conservation and biodiversity and to comply with Policies R/OS11 and R/OS13 of the Gosport Borough Local Plan Review.