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19 September 2011

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

**MEETING:** Regulatory Board  
**DATE:** 27 September 2011  
**TIME:** 6.00pm  
**PLACE:** Council Chamber  
**Democratic Services contact:** Lisa Young

**Please Note:**

LINDA EDWARDS  
BOROUGH SOLICITOR

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### **MEMBERS OF THE BOARD**

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

Councillor Philpott (Chairman)  
Councillor Ronayne (Vice Chairman)

Councillor Allen	Councillor Hylands
Councillor Mrs Bailey	Councillor Langdon
Councillor Beavis	Councillor Scard
Councillor Geddes	Councillor Smith
Councillor Henshaw	Councillor Wright

### **FIRE PRECAUTIONS**

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

**In the event of the fire alarm 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](http://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 MEETINGS OF THE BOARD HELD ON 16 AUGUST 2011

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, 23 September 2011. 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, 23 September 2011).*

6. REPORTS OF THE BOROUGH SOLICITOR

*Schedule of planning applications with recommendations.  
(grey sheets – pages 1 –21/1 )*

PART II  
Contact Officer:  
Debbie Gore  
Ext 5455

7. ANY OTHER ITEMS

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

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

**27th September 2011**

### **ITEMS WITH RECOMMENDATIONS**

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

## INDEX

<u>Item</u>	<u>Page No</u>	<u>Appl. No.</u>	<u>Address</u>	<u>Recommendation</u>
01.	03-07	K16399/2	Land At The Front Of 1 Olave Close Lee-On-The-Solent Hampshire PO13 9JR	Refuse
02.	08-11	K17966	33 Marine Parade West Lee-On-The-Solent Hampshire PO13 9LW	Grant Permission
03.	12-14	K17671/6	Lawrence Walk Nimrod Drive Gosport Hampshire PO13 8AL	Grant Temporary Consent
04.	15-16	K17997	5 St Thomas's Road Gosport Hampshire PO12 4JU	Grant Permission
05.	17-21	K17549/1	2 Osborne Road Lee-On-The-Solent Hampshire PO13 9LS	Grant Permission

**ITEM NUMBER: 01.**  
**APPLICATION NUMBER: K16399/2**  
**APPLICANT: Mr & Mrs Ian Broom**  
**DATE REGISTERED: 14.06.2011**

**ERECTION OF DETACHED DWELLING WITH ASSOCIATED AMENITY SPACE AND PARKING**  
**Land At The Front Of 1 Olave Close Lee-On-The-Solent Hampshire PO13 9JR**

***The Site and the proposal***

Olave Close is a small cul de sac comprising a row of 6no. detached bungalows that are accessed via Manor Way. The bungalows were approved in the 1960s under reference K4631. The approval was subject to an open plan planning condition which restricts development forward of the front elevation of each of the dwellings. The dwellings have pitched roofs with the ridge tile running west-east. They are constructed from red brick with vertical red tile hanging to the front elevations and are of almost identical appearance. The opposing side elevations of the bungalows are separated by double driveways which provide access to rear garages. The dwellings have rear gardens in the region of 8-15 metres long. The front gardens of numbers 2-6 Olave Close are between 5-10 metres deep and are either laid to lawn or hardstanding.

The application site comprises part of the front garden of number 1 Olave Close, which is located at the northern end of the row of bungalows. Unlike the other properties in Olave Close, which have relatively small front gardens, the front garden of number 1 is particularly long and narrow. The garden is approximately 55 metres long and narrows to approximately 5.5 metres in width as it approaches the junction with Manor Way. The eastern end of the garden, closest to number 1, contains a single detached garage and has been paved for vehicular parking. Access into and out of the parking area is via 2no. wooden gates, positioned next to one another. The remainder of the garden has been cultivated and is being used, for the most part, to grow vegetables. The northern and western sides of the front garden are bordered by a 1.8 metre high wooden fence. The southern side of the garden, which fronts Olave Close, is bordered by a dwarf red brick wall and a 1.5 metre high Beech hedge. There are 2no. trees on the highway verge immediately to the west of the application site, adjacent to Manor Way, which partially screen the front garden from public view.

Immediately to the north of number 1 is the former Ministry of Defence (MOD) playing field which is designated as Open Space on the Gosport Borough Local Plan Review Proposals Map for its recreational value. The field has recently received planning permission for equestrian use and for the retention of a stable building, reference K17809. The stable building is sited adjacent to the northern boundary of Number 1's front garden. It is constructed from timber, with cladding to its side elevations. It has a mono pitched roof which slopes down to 2.3 metres in height adjacent to the shared boundary with the application site. To the south of the application site, and on the opposite side of Olave Close, is the Bun Penny public house, which is located within the Lee-on-Solent Conservation Area. The Bun Penny is a Locally Listed, two storey building with rendered elevations and a clay tiled pitched roof. The area in front of the pub is used for parking. In the north western corner of the car park and adjacent to the access into Olave Close, is an outbuilding, attached to the public house by a small length of brick wall. The outbuilding has a catslide pitched roof with pitched gables fronting both Manor Way and Olave Close. To the west of the site, and on the opposite side of Manor Way, are numbers 37 and 39 Manor Way, a pair of hipped roof bungalows with projecting pitched roof front gables. The properties are set back from the road by approximately 20 metres.

It is proposed to subdivide the existing front garden of number 1 Olave Close and erect a detached, part single storey, part two storey, three bedroom dwelling. The dwelling would be constructed from a combination of facing brickwork and weatherboarding and would have a tiled roof of plain brown clay tiles. It would be 24.7 metres long and would have a maximum width of 6 metres, narrowing, in part, to 2.3 metres. The dwelling would have a varied roof form with projecting pitched gables and

contrasting ridge heights. The western end would be two stories and would be 6.2 metres high to the ridge. It would have a catslide roof with a pitched roof dormer projection fronting onto Manor Way providing light to a first floor en-suite bedroom. At ground floor level, the western end of the dwelling would contain 2no. bedrooms and a bathroom. A 4.1 metre high central connecting corridor would link the western end of the property to its eastern side, which would house the lounge/dining area, kitchen and utility room. The eastern end of the dwelling would be 5 metres high.

The southern elevation, fronting Olave Close, would contain a total of 7no. ground floor windows. There would be a set of bi-folding doors in the western elevation facing Manor Way and 2no. ground floor windows in the northern elevation facing onto the former MOD playing field. The eastern elevation, fronting number 1 Olave Close, would contain a total of 2no. ground floor windows, together with the proposed entrance door. The projecting pitched gables in the southern and northern roofslopes would be glazed to provide natural light to the lounge and dining areas. There would be 2no. rooflights in the southern roofslope and 5no. rooflights in the northern roofslope.

The plans show that the proposed dwelling would be set back 9.5 metres from the western boundary fronting Manor Way. The space between the dwelling and the western boundary would be laid to lawn. Together with a courtyard on the southern side of the dwelling, the lawn would provide the principal amenity space for prospective residents. At its closest points, the dwelling would be sited 0.6 metres from the northern boundary and 1.7 metres from the southern boundary. There would be a separation distance of 20.5 metres between the eastern elevation of the proposed dwelling and the opposing western (front) elevation of number 1 Olave Close.

The dwelling would have a single, detached garage, sited approximately 3.5 metres from the eastern elevation and 14 metres from the front elevation of number 1 Olave Close. The garage would have a pitched roof and would be 5.8 metres long, 3.3 metres wide and 3.5 metres high to the ridge. Access to the garage will be via the western side of the existing gated access. The area of hard standing in front of the garage is of sufficient size to accommodate at least 2no. cars. Provision is shown for long stay bicycle parking within the garage, with short stay bicycle parking provided in the form of 2no. hoops positioned adjacent to the southern elevation. An area for the storage of refuse bins would be provided adjacent to the northern boundary, next to the western elevation of the proposed detached garage. The Beech hedge on the southern and western sides of the front garden would be retained.

The existing garage at number 1 Olave Close is to be demolished. The property would retain a hard surfaced area at the front of the bungalow of sufficient size to park at least 3no. cars. The car parking area would be accessed via the eastern side of the existing gated access.

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

K4631 - erection of 6no. detached bungalows and garages - permitted 21.02.64

K16399 - erection of single storey rear extension and detached garage - permitted 22.10.03

K16399/1 - erection of detached garage (amended roof design to consent K16399) - permitted 29.06.04

K17809 - application at the former MOD playing fields for change of use of land to equestrian use and retention of stable building - permitted 08.06.10

### ***Relevant Policies***

Planning Policy Statement 3 (PPS3): Housing

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	No objection. Access for the Fire Brigade is acceptable. The applicant should be aware that there is a Southern Water drain adjacent to the front boundary.
Streetscene (Waste & Cleansing)	No objection. Adequate bin storage is provided.
Local Highway Authority	No objection. The proposed access arrangement is acceptable and an appropriate level of parking is shown. Transport Contributions are required to take account of the additional trips associated with the new dwelling.

### **Response to Public Advertisement**

4 letters of objection

Issues raised:-

- neighbouring occupiers were not shown plans prior to the submission of the planning application
- previous applications for development at this site have been refused
- the Design and Access Statement is based on opinion and is misleading
- questions why the application is supported by so many documents, including appeal decisions from other sites
- problems with construction vehicles blocking the access
- all the other properties in Olave Close have been extended in an unobtrusive manner and have maintained their original facades
- there is no demand for additional two bedroom dwellings in the locality
- the proposed development is out of keeping with the other houses in Olave Close which are all bungalows
- the proposal will destroy the unique character of Olave Close
- the design should be in keeping with the existing bungalows in Olave Close
- the building is too large for the plot and the external walls would be sited very close to the boundaries
- the development will dominate the site and adversely change the character of Olave Close, which is currently a quiet cul-de-sac comprising bungalows with good sized gardens
- the development will make the area feel dark and enclosed
- impact on the living environment of the occupier(s) of number 37 Manor Way
- insufficient parking is shown which would result in on-street parking, to the detriment of amenity
- Olave Close is a narrow road with a blind bend and inconsiderate on-street parking will create access problems, particularly for the emergency services
- the proposal does not comply with planning policy

## ***Principal Issues***

1. Although the government encourages applicant's to undertake consultation with local residents prior to the submission of an application for planning permission, this is not a legislative requirement. This application has been advertised by the Local Planning Authority for public comment by way of site notices and letters to neighbouring properties. All planning applications must be considered on their own merits and in the light of relevant national and local planning policies. The submission of a Design and Access Statement is a statutory requirement for planning applications of this type. The appeal documentation has been submitted by the applicant in support of his application. Planning applications are assessed on the basis of the submitted plans and a site visit to check accuracy and make a balanced planning judgement. A certain level of disturbance is inevitable during the construction period. If construction vehicles are blocking the public highway, however, the matter should be referred to the local police. The site is located within the Urban Area where the principle of residential development is acceptable, provided that the details accord with the relevant National Planning Policies and the relevant policies of the Gosport Borough Local Plan Review. The main issues in this case therefore are the acceptability of the proposed development in terms of its design and the impact on the character and visual amenity of the locality, the amenities of adjoining and prospective occupiers, the adequacy of access, servicing and parking arrangements and the provision for cycle parking, refuse storage, open space and highway infrastructure improvements.
2. The site is located in an accessible location, approximately 350 metres from Lee-on-the-Solent High Street. Moreover, the development provides both the proposed and existing dwellings with space to park at least 2no. cars. Car ownership within the Lee West ward averages 1.25 cars per household. As such, the development is unlikely to result in significant overspill parking in the local road network, to the detriment of highway safety. The vehicular movements associated with a three bedroom dwelling are unlikely to have a harmful impact on the traffic characteristics of the locality and adequate turning space is available at both the proposed and existing dwellings to allow vehicles to manoeuvre so as to exit the site in a forward gear. Due to the position and width of the existing access, there will be adequate visibility between vehicles exiting the site and all other users of the public highway. As the access to both the proposed and existing dwelling are located over 30 metres from the junction with Manor Way, their continued use will not compromise the safety of vehicles turning into and out of Olave Close, or any other properties. Adequate facilities are shown for bicycle parking and for the storage and collection of refuse bins. As such, the proposal will not harm highway or pedestrian safety, or residential amenity, and it therefore accords with Policies R/DP1 and R/T11 of the Local Plan Review.
3. Due to the orientation of the properties, the siting of the proposed dwelling relative to the neighbouring houses and the position of the proposed and existing windows, the development is unlikely to have an unacceptable impact on the amenities of existing or prospective occupiers, or the users of the former MOD playing field, in terms of loss of light, outlook or privacy. The development therefore complies with Policy R/DP1 of the Gosport Borough Local Plan Review.
4. 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, 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.
5. Within PPS3 the key objective is that Local Planning Authorities continue to make effective use of land by re-using that which has previously been developed. In revising PPS3 in 2010, the definition of 'Previously Developed Land' (PDL) was amended to exclude private residential gardens, however, neither PPS3 nor the policies within the Gosport Borough Local Plan Review require all development to be on PDL. The key tests remain as to whether the proposal complies with national and local policy, the overall aim of which is to prevent harmful development in inappropriate locations, having regard to the merits of each individual case.

6. With the exception of number 1 Olave Close, which occupies an uncharacteristically long and narrow plot, the built form in Olave Close, Manor Way and the adjoining residential roads, is that of detached dwellings set within spacious plots with their principal useable amenity space located at the rear of the property. The bungalows in Olave Close follow a linear north to south pattern, with the properties fronting Manor Way having a more irregular relationship to the road frontage. The existing trees and vegetation in the immediate vicinity of the application site, together with the open nature of the site itself, help to soften the existing built form, enhancing the open plan character of Olave Close and assisting with the visual transition between the existing buildings and the open space to the north. In particular, the vegetation allows glimpses of the roofs of the properties when viewed from the north and provides a soft backdrop to the southern edge of the field.

7. Due to the constrained size and shape of the plot, the proposed dwelling has been designed with an uncharacteristically long and thin footprint. It is just 2.6 metres wide at its narrowest point and is sited just 0.6 metres from the northern boundary. The resultant site layout in plan form therefore appears cramped and congested and out of keeping with the established pattern of development in the locality.

8. The cramped nature of the development is further exacerbated by the height of the dwelling, which, combined with its overall length and the relationships to the boundaries and limited amenity space, results in a building of significant mass, in an extremely restricted and prominent location adjacent to one of the principle road accesses to Lee-on-the-Solent. Due to the constrained nature of the site and contrived layout, there is limited opportunity to soften the appearance of the building with additional planting. Although the varied ridge heights and projecting gables add visual interest to the roof form, the highest part of the dwelling is positioned at the western end of the site, where it would be most publicly visible. Overall, the proposal would result in a building of unacceptable mass that would dominate its plot and be a discordant and over prominent feature in the streetscene, particularly when viewed from the north across the field, but also in the context of the existing single storey bungalows in Olave Close and the buildings fronting Manor Way. Rather than see glimpses of the roof form, as with the existing buildings, the continuous brickwork and tiled roof form will be clearly visible from across the field and be harmful to the character and appearance of the area.

9. It is acknowledged that the siting of the proposed dwelling in relation to Manor Way would be similar to that of the adjacent outbuilding at the Bun Penny public house, however, this building has a much smaller footprint than the proposed property and appears as an ancillary structure to the main building to which it relates. The principal open garden space for the dwelling is also small by comparison to adjacent plots and has been positioned awkwardly and somewhat inaccessibly at the western end of the dwelling. The entrance door is located in the eastern elevation facing number 1 Olave Close and unlike the other dwellings in the locality, the property does not therefore have an identifiable frontage with a road. These factors taken into consideration with the above, reinforce the view that the proposed dwelling is inappropriate in this prominent location and will be out of keeping with the established pattern of development and harmful to the character and overall visual appearance of the area, contrary to Planning Policy Guidance 3 and Policy R/DP1 of the Gosport Borough Local Plan Review.

### **RECOMMENDATION: Refuse**

#### **For the following reason:-**

1. The proposed dwelling by reason of its design, height, length and overall mass and constrained location will result in a cramped and congested development that is out of keeping with the established pattern of development in the area. The resulting built form will dominate the plot and be a discordant and overprominent feature in the streetscene which will be harmful to the character and appearance of the area contrary to Policy R/DP1 of the Gosport Borough Local Plan Review.

**ITEM NUMBER: 02.**  
**APPLICATION NUMBER: K17966**  
**APPLICANT: Mr & Mrs S & M Rochon**  
**DATE REGISTERED: 19.05.2011**

**ERECTION OF TWO STOREY FRONT EXTENSION, ROOF ALTERATIONS INCLUDING GABLE BUILD UPS AND RAISE RIDGE HEIGHT TO FORM ADDITIONAL LIVING ACCOMMODATION, INSERTION OF VELUX ROOFLIGHTS IN ROOF SLOPE AND ERECTION OF DETACHED GARAGE TO REAR (as amended by plans received 04.08.11)**

**33 Marine Parade West Lee-On-The-Solent Hampshire PO13 9LW**

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

The application property is a detached two storey dwelling finished in painted render under a pitched tiled roof which is approximately 8 metres high. The house is located within an established residential area on the north eastern side of Marine Parade West, within the Marine Parade Area of Special Character. The site is approximately 36 metres long and approximately 12.5 metres wide and is bounded by a combination of 1.8 metre high fencing, and 1-1.5 metre high walls to the south eastern boundary and a 2 metre high wall on the north western boundary. To the front is a 1.2 metre high wall. To the rear of the property is a detached garage with a pitched roof fronting an adopted access road. The adjacent property to the north west, number 34 Marine Parade West, is a detached bungalow with a hipped roof with an overall height of approximately 7.1 metres. This property is set back from the highway by approximately 6 metres and the south eastern boundary by approximately 2.8 metres. There is the main entrance door with windows either side and two obscure glazed windows in the flank elevation fronting the application site. To the rear, this property has a detached two storey building consisting of a garage with studio above in the north eastern corner of the site, adjacent to the boundary with the application property. On the opposite side of this bungalow is a large detached house, number 35, which has an overall height of 10.1 metres. The property to the south east of the application site, number 32 Marine Parade West, is a detached chalet style bungalow with a glazed balcony in the form of a conservatory at first floor level on the front elevation. It is similarly set back from the highway in excess of 6 metres and is approximately 8.1 metres high. There are thirteen rooflights in the north western roof slope facing the application property and two ground floor windows in the northwest elevation. A single storey rear extension is situated on the eastern boundary, which is attached to a double garage beyond.

It is proposed to remodel the dwelling by erecting a two storey front extension, incorporating roof alterations, including gable build ups and a raised ridge height, to form additional living accommodation at second floor level. The alterations would result in the dwelling being positioned 6.29 metres from the front boundary, with the 4.5 metre wide and 1.15 metre deep front bay set 5.14 metres back from the highway. The dwelling would be set off the north west boundary by 0.75 metres and the south eastern boundary by 1.6 metres. It would have a pitched roof with gables to all four sides. The eaves would be 5.1 metres high and the overall height would be 9.7 metres. It would have three levels of glazing in the front bay section under the gable and windows in the side of the forward projection. There would be further windows at ground and first floor levels of the front elevation. The fenestration in the north-western side elevation would remain unchanged other than for the windows in the side of the bay. There would be single, obscure glazed and non-opening window, in the south-eastern first floor elevation and a tall obscure glazed window serving a staircase. There would be two additional first floor windows in the rear elevation and one at second floor level. The roof would contain a single rooflight in the each of the side roofslopes, forward of the side gables. There would also be two rooflights in the front roofslope.

Additionally, a detached garage is proposed to the rear following the demolition of the existing garage. The new garage would be located in the south eastern corner of the site, set back from the access road by approximately 0.3 metres. It would be 7.1 metres wide and 5.7 metres deep. It would have a gable on the north western side and a hipped roof on the south east, with an eaves

height of 2.8 metres and an overall height of 4.8 metres. It would have a garage door fronting the rear access road and a window and pair of double doors opening over the garden.

Amended plans have been submitted to address concerns raised regarding the lack of visual interest in the side elevations. The plans have been revised with amended fenestration and a cladded panel on the east elevation.

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

Nil

### ***Relevant Policies***

Gosport Borough Local Plan Review, 2006:

R/DP1

General Standards of Development within the Urban Area

R/DP10

Marine Parade Area of Special Character

R/T11

Access and Parking

### ***Consultations***

Local Highway Authority

No objection

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

1 letter of objection

Issues raised:-

- the proposal does not conform with Policy R/DP10 of the Borough's Local Plan Review or with the "Marine Parade Area of Special Character, Supplementary Planning Document" (SPD) Policy 5.2 (vi) as the building line of the proposal measures approximately 5 metres
- proposal has inappropriate scale and form of development

### ***Principal Issues***

1. The main issues in this case are the acceptability of the design of the extensions and garage and the impact on the visual amenity of the locality, with particular regard to the impact on the Marine Parade Area of Special Character, and the amenities of the occupiers of the adjoining dwellings.

2. Although the height of the roof would be raised by 1.7 metres, the resultant three storey height of the gables is less than the height of a number of other properties in the vicinity, and in particular, lower than the property to the north west, number 35 Marine Parade West. The proposed alterations have been purposefully designed to respect and relate to the lower scale of the immediately adjacent bungalows and successfully bridges the differing heights of the neighbouring buildings and sits comfortably in the streetscene. The small forward projecting bay element on the front elevation provides articulation which helps to avoid the appearance of a long unbroken horizontal block. The dwelling would be finished in white painted render with a section of cladding on the eastern elevation as a contrast material to provide greater levels of interest in the eastern side elevation. A condition will require the submission of further details to control the materials used in the construction of the extensions. The use of a three storey glazed gable on the front gives a lighter character to the development above eaves height, and reflects the existing frontage pattern of the properties along Marine Parade West and would not create an incongruous feature on the front elevation, or be detrimental to the appearance of the streetscene. The proposed Juliette balconies are similar to others in the locality and are appropriate in this seafront location. Whilst the projecting bay on the front elevation projects 86cm forwards of the recommended 6 metre setback set out in the Marine Parade Area of Special Character SPD design guidance, it is predominantly

glazed and therefore has a light appearance and represents only 46% of the front elevation, with over 54% of the frontage set back 6.29 metres, behind the 6 metre recommendation. Taken as a whole, the building would be on a comparable alignment with the adjacent dwellings, and retains adequate separation to the side boundaries. The proposed development is acceptable in design terms and would not harm the visual amenity of the locality or the character and appearance of the Marine Parade Area of Special Character, in compliance with Policies R/DP1 and R/DP10 of the Gosport Borough Local Plan Review.

3. Taking into consideration the position of the neighbouring properties within their respective plots and the position of the windows in the side elevations of these dwellings, the proposal would not appear unduly oppressive or overbearing to any neighbouring residents. The properties to either side of the application property project further back into their plots, and due to their orientation and staggered layout; in conjunction with the separation distances between the properties, any resultant loss of light would be minimal and would not create an unacceptable living environment for the occupiers of these neighbouring properties. Furthermore, due to the position of the windows in the side roof slopes being forward of the side gables and the fact that the additional windows in the south-eastern elevation would be installed with obscure glazing and would be non-opening, the proposal will not increase the propensity to overlook the neighbouring properties over and above that which currently exists. To further ensure that the existing privacy of occupiers of the neighbouring property is maintained, a condition is proposed requiring the second floor window in the rear elevation to be installed with obscure glazing and only contain top opening lights. Under the circumstances, the proposed development is acceptable and would not have a harmful impact on the living conditions of the occupiers of adjacent properties in terms of loss of light, outlook or privacy and, as such, complies with Policy R/DP1 of the Gosport Borough Local Plan Review.

4. Due to its siting at the rear of the dwelling, the proposed replacement garage would not be readily visible from Marine Parade West. There are other large garages and outbuildings in neighbouring gardens and in this respect, the development will not be out of keeping with the adjacent built form. Due to its siting on the north eastern corner of the site, the proposed garage will have no impact on the living conditions of the occupiers of number 34. The eaves height and hipped roof form on the south eastern side helps to reduce the overall mass of the garage and therefore it's potential to cause overshadowing to the garden of Number 32. Moreover, the roof of the garage slopes away from the south east boundary which will help to ensure it does not appear oppressive or overbearing to the neighbouring residents. In considering the above points, and the orientation of the dwellings, the proposed garage would not have an unacceptable impact on the amenities of the occupiers of number 32 in terms of loss of light or outlook. As such, the development complies with Policy R/DP1 of the Gosport Borough Local Plan Review.

5. The access to and from the site is adequate and there has been no reduction in the number of available parking spaces. The location of the garage is such that the doors can be opened without them overhanging or obstructing the public highway. As such, the development is not detrimental to highway or pedestrian safety, in compliance with Policy R/T11 of the Gosport Borough Local Plan Review.

### **RECOMMENDATION: Grant Permission**

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

1. Having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the development as proposed is acceptable in this location. It is acceptable in design terms and will not have a harmful impact on the amenities of the area, the Marine Parade Area of Special Character, or the occupiers of the neighbouring properties or highway and pedestrian safety and, as such, complies with Policies R/DP1, R/T11 and R/DP10 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: 01, Drawing No: 02B, Drawing No: 03C, Drawing No: 04, Drawing No: 05 and Drawing No: 06

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 shall be submitted to, and approved, in writing, by the Local Planning Authority before works above slab level are commenced. The development shall thereafter be implemented in accordance with the approved details.

Reason - To ensure that the external appearance of the development is satisfactory, and to comply with Policies R/DP1 and R/DP10 of the Gosport Borough Local Plan Review.

4. Before the first occupation of the extensions hereby permitted, the north east facing second floor window outlined in red on the approved plan shall be fitted with obscured glazing, and any part of the window that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The window shall be permanently retained in that condition thereafter.

Reason - To preserve the amenity of the adjoining properties, and to comply with Policy RDP/1 of the Gosport Borough Local Plan.

**ITEM NUMBER: 03.**  
**APPLICATION NUMBER: K17671/6**  
**APPLICANT: Rowner Renewal Partnership**  
**DATE REGISTERED: 01.07.2011**

**TEMPORARY RELOCATION OF TELECOMMUNICATIONS EQUIPMENT FROM LIVINGSTONE COURT TO LAWRENCE WALK (as amended by letter received 28.07.11)**  
**Lawrence Walk Nimrod Drive Gosport Hampshire PO13 8AL**

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

Lawrence Walk is a residential tower block located south of Nimrod Drive. It is attached at its south eastern end to Livingstone Court. Both blocks have telecommunications equipment on their roofs. There is a requirement under condition 22 of Outline planning permission K17671 to make provisions to ensure network coverage is maintained before Livingstone Court is demolished. Planning permission was granted under K17671/4 to replace the equipment on the roof of the new tower block. There is, however, an interim period between the demolition of Livingstone Court and the construction of the new tower block when there will be no network coverage for some operators. As such, this application seeks a temporary solution to this matter by relocating the existing equipment on Livingstone Court to Lawrence Walk until 2016 when it is anticipated that the new tower block will be in position, all of the existing equipment on Livingstone Court and Lawrence Walk can be relocated to the new tower and both Livingstone Court and Lawrence Walk would be demolished.

The equipment proposed for relocation includes 9 no. satellite antennas and 8 no. microwave dishes. Each antenna will measure 2m in height and each would be attached to mounting framework to ensure the optimum coverage is obtained. The microwave dishes will be sited on existing framework across the building. Both the antennas and dishes will be integrated with the existing equipment on Lawrence Walk which is currently visible from the surrounding area.

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

Relating to Livingstone Court:

K14435/6 - Livingstone Court - GPDO Part 24 Consultation - Erection of Replacement Antennae and Equipment Cabinet - raise no objection. 06.06.01

K14435/7 - Livingstone Court - Installation of Telecommunications Antennae, Dishes and Associated Equipment Cabinets on Roof - permitted - 02.10.01

K14435/9 - Livingstone Court - Installation of 9no. 300mm transmission dishes and ancillary equipment on roof (resubmission) - permitted - 20.07.06

Relating to the Rowner Renewal Scheme:

K17671/4 - Erection of telecommunication equipment to the roof of the proposed tower of Rowner Renewal phase 2 (relocation of existing telecommunication provision on the roof of Livingstone Court) - permitted - 11.10.10

K17671 - Outline application - Demolition of existing buildings and removal of existing earth bunds and redevelopment to provide new residential accommodation of up to 700 units and a new neighbourhood centre incorporating a foodstore (Use Class A1), Cafe (Use Class A3), and up to 3 retail units (Use Class A1, A2, A3 and A5) and provision of open space and landscaping, and access junctions and parking, with all matters reserved apart from access (as amended by plan received 15.06.09 and Written Scheme of Archaeological Investigation and Reptile Mitigation Strategy received 11.06.09) - permitted - 24.07.09

## **Relevant Policies**

Gosport Borough Local Plan Review, 2006:

R/DP1

General Standards of Development within the Urban Area

R/ENV13

Telecommunications

## **Consultations**

Nil

## **Response to Public Advertisement**

3 letters of objection

Issues raised:

- siting of equipment so close to schools and people is of concern
- increased risk to adults and children from radiation emitted
- proposal does not meet County Council's policy of taking a precautionary approach
- another Council in London has refused permission for a mast on the roof of its building
- a Council in Swindon awarded costs to residents because the erection of a mast devalued their property
- accepted that the equipment will replace existing equipment, nevertheless concern remains
- the equipment will be heavy and will cause further damage to the roof of Lawrence Walk and cause further flooding
- additional equipment will block the drains and prevent rain water draining from the roof
- the collection of rain water close to electrical equipment is a fire hazard
- the roof should be fixed before the installation of further masts is considered
- land lines can be used

## **Principal Issues**

1. Each application is considered on its merits and decisions or policy approaches taken by other Councils are not material to the determination of this planning application. Property values and possible damage to property are not material planning considerations. The Government encourages the use of high speed communications as they can improve business operations, social interactions and learning. These types of benefits cannot be obtained from a landline.

2. There is currently no Government planning guidance to suggest that telecoms pose a risk to human health from radiation levels. However, a proactive approach has been adopted as applicants are required to provide a health and safety compliance certificate (ICNIRP certification) to show that exposure levels to radio frequency fall within the public exposure guidelines. An appropriate certificate has been provided in this case and, as such, matters relating to health need not be considered by the Local Planning Authority. In accordance with government guidance, alternative sitings were considered in the context of the overall Rowner Renewal scheme. It was concluded that this was the most appropriate location in terms of both providing the appropriate level of coverage and minimising the visual impacts of the temporary relocation.

3. The existing building is run down and will be demolished as part of the Rowner Renewal scheme. It is accepted that the increased amount of equipment will be visible from the surrounding area and will affect the appearance of the building from the public domain. This is, however, a temporary measure to ensure that appropriate levels of network coverage can be enjoyed pending the implementation of the new tower block approved under K17671/4. This is considered to be the most appropriate location for the equipment taking into consideration coverage levels, the visual impact and the temporary nature of the proposal. For these reasons the proposal meets the aims and objectives of Policies R/DP1 and R/ENV13 of the Gosport Borough Local Plan Review.

**RECOMMENDATION: Grant Temporary Consent**

For a limited period expiring 31st December 2016

**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 meets the aims and objectives of Policies R/DP1 and R/ENV13 of the Gosport Borough Local Plan Review.

**Subject to the following conditions:-**

1. The telecommunications equipment hereby permitted shall be removed from the site within 28 days of the use of the equipment having ceased or by 31.12.16, whichever occurs sooner.

Reason - To ensure that network coverage is maintained for the required period, to ensure the visual amenities of the area and to meet the aims and objectives of Policies R/DP1 and R/ENV13 of the Gosport Borough Local Plan Review.

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

403 Revision F, 404 Revision F, 407 Revision B, 408 Revision B, 409 Revision B

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: 04.**  
**APPLICATION NUMBER: K17997**  
**APPLICANT: Mr & Mrs D & M Coggeshall**  
**DATE REGISTERED: 01.09.2011**

**ERECTION OF SINGLE STOREY FRONT EXTENSION**  
**5 St Thomas's Road Gosport Hampshire PO12 4JU**

***The Site and the proposal***

This application has been reported to the Regulatory Board as it relates to an application submitted by a member of staff.

The site is located on the north side of St Thomas's Road and close to the junction with Green Lane and St Helier Road. The property is a two-storey detached house with an attached flat roof garage that projects approximately 4.5 metres forward of the front elevation. There is an existing flat roof canopy over the front door and a kitchen and hall window at ground floor level. The adjacent properties are of a similar design to number 5, however, the porches/front extensions are different designs. Number 3 to the east has its attached garage adjacent to the application site. Directly opposite the site is a hedgerow with the properties of Kynon Close beyond.

The proposal is for the erection of a front extension to the property. The extension would have a lean-to roof and project 1 metre forward of the existing front elevation. The extension would be 2.6 metres high to the eaves and 3.3 metres to the highest point. A new smaller kitchen window is proposed with a new porch door and window, the dimensions of which replicate the existing. The proposal would extend from the side elevation to the east linking in with the existing garage. The materials are indicated as matching brickwork and tiles.

***Relevant Planning History***

Nil

***Relevant Policies***

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

***Consultations***

Nil

***Response to Public Advertisement***

No representations received to date (publicity expires 22.09.11)

***Principal Issues***

1. The main issues are whether the proposal would have a detrimental impact on the character and appearance of the property and surrounding area or the amenities of the occupiers of neighbouring properties.
2. There are a number of different front extensions and porches within this location. The structure would not extend significantly beyond the front elevation and its design and use of materials would respect the overall appearance of the property. The existing flat roofed garage would remain the dominant feature when viewed within the streetscene and as such the proposal would not have a

detrimental impact on the visual amenities of the area. Having regard to the siting of the garage at number 3 on the boundary and the existence of the existing garage at the application property, the proposal would not have a detrimental impact on the occupiers of the adjoining properties in terms of loss of privacy, light, or outlook. The proposal is therefore in compliance 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 proposed front extension is acceptable in this location and as such 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; 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. 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: 05.**  
**APPLICATION NUMBER: K17549/1**  
**APPLICANT: Mr Peter Poynter**  
**DATE REGISTERED: 31.05.2011**

**RENEWAL OF PLANNING PERMISSION (K17549) TO EXTEND THE TIME LIMIT FOR IMPLEMENTATION OF THE DEMOLITION OF FIVE BEDROOM RESIDENTIAL DWELLING AND ERECTION OF TWO AND A HALF STOREY BUILDING CONTAINING 5NO. TWO BEDROOM FLATS**

**2 Osborne Road Lee-On-The-Solent Hampshire PO13 9LS**

***The Site and the proposal***

The application site is located on the north west side of Osborne Road and at its junction with Montserrat Road. The site is currently occupied by a detached 5 bedroom house. It has rendered elevations and a hipped roof. The front door faces onto Osborne Road and there is a two storey flat roofed bay window to the east of this entrance. The south west (side) elevation has further two-storey bay windows/extensions. The first floor windows in the north west elevation facing 21 Montserrat Road are all obscure glazed, with one window at ground floor that is clear glazed. The property is enclosed by a 1.8 metre high concrete block wall, with a pedestrian gate to Osborne Road. There are vehicular accesses from Osborne Road and Montserrat Road serving the existing garage/carport and a gravelled parking area respectively. The remainder of the property serves as garden.

The surrounding area is residential and contains a variety of property styles and ages. In close proximity to the site are a mixture of flatted developments of varying scale and designs, as well as detached and semi-detached two-storey houses and bungalows. There is a service road running to the south west of the site separating it from the rear of the properties within Marine Parade West. A three storey block of flats within Marine Parade West, Panorama Court, is located some 35 metres from the existing property on the application site. Immediately to the north west of the site is 21 Montserrat Road, a detached house set 2.5 metres away from the application site boundary. It has a conservatory on its rear elevation. It is located beyond a 1.8 metre high timber boundary fence and has a back door, kitchen window and secondary dining room window facing the application site. There are two obscure glazed bathroom windows and a small secondary bedroom window in the first floor side elevation. Number 3 Osborne Road is a bungalow with a hipped roof located to the north east also on the junction with Montserrat Road. To the south east of the site on the other side of Osborne Road is 19b Montserrat Road, a two storey relatively modern detached house. To the rear of this property is Freshwater Court, a four storey flat roofed block of flats fronting Marine Parade West. There are existing double yellow lines around all four corners of the Montserrat and Osborne Road cross-roads.

This application relates to the renewal of application K17549, which was approved by the Regulatory Board on 11 November 2008. This application, being identical to that previously approved under application K17549, relates to the demolition of the existing buildings and erection of a replacement building to form five two bedroom flats. The accommodation would be arranged with two flats on both the ground and first floors with a fifth flat in the roof space. The proposed building would have a hipped roof form with subservient gabled elements and two-storey bay windows. The overall height of the building would not extend above the existing ridge height of 8.7 metres. The new building would maintain the gap between the existing building and 21 Montserrat Road. The building would be 1 metre nearer to Montserrat Road and 2.5 metres closer to Osborne Road, including the proposed bay windows. The south west (side) elevation would extend approximately 3 metres further into the site. There would be three balconies on the south west elevation screened from the north west by a projecting gabled element to the building. The balcony at roof level would be recessed into the roof space. The plans include the provision of flat solar panels located in the flat recessed area on the main roof. The front elevation to the building would face Osborne Road with the main elevation being set back 2.9 metres from the site boundary. The central porch and bays would be sited 2.2 metres from the boundary. The elevation facing

Montserrat Road would have central windows at ground and first floor level with tile hung two storey bays either side and three rooflights serving the top flat. The windows within the south west elevation would be within the two-storey bay, the projecting gabled element, or to the balconies. All the windows in the north west elevation would be fitted with obscure glass with the lower part of the window fixed shut.

A 600mm high brick wall is proposed to Osborne Road and Montserrat Road. Pedestrian access would be maintained to the Osborne Road frontage, with access to 2 visitor car parking spaces from the existing access within Montserrat Road. The main vehicular access to the site is to be via the adopted rear service road. There would be 5 block paved car parking spaces for residents set 6 metres into the site from the edge of rear service road. Brick built cycle and refuse stores and short stay cycle hoops are to be provided within the curtilage of the site. The remainder of the site will be soft landscaped, incorporating small areas of amenity space with pedestrian paths linking the parking areas, cycle and refuse stores with the entrance to the building.

### **Relevant Planning History**

K17549 - Demolition of five bedroomed residential dwelling and erection of 2 1/2 storey building containing 5no. two bedroomed flats - approved 14.11.08

### **Relevant Policies**

Planning Policy Statement 3 (PPS3): Housing

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
- R/ENV14  
Energy Conservation
- R/ENV15  
Renewable Energy

### **Consultations**

Building Control	The means of escape to second floor unit is not acceptable. Access to the site for the Fire Brigade is acceptable.
Streetscene (Waste & Cleansing)	No objection.
Local Highway Authority	No objection subject to previous conditions being re-imposed. As part of ongoing concerns relating to this junction we are proposing to increase the extent of the double yellow lines and install high visibility bollards to highlight the junctions in this location.

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

1 petition (containing 3 signatures) and 25 letters of objection

Issues raised:-

- lack of parking
- parking spaces of insufficient size
- located on dangerous road junction (number of accidents in last 3 years)
- impact from Daedalus redevelopment on vehicle movements
- would set a precedent for development behind the seafront
- inappropriate form of development within Osborne Road
- no flats within Osborne Road or Montserrat Road, being mainly detached houses
- oversupply of flats
- would be detrimental to neighbouring properties, dwarfing the neighbours
- loss of privacy
- contrary to Government Planning Policies
- plans are for a 3-storey building, not 2 and a half
- Lee-on-the-Solent Residents' Association object to the proposal
- those who objected previously have not been re-consulted
- concerns over processing of previous application
- inconsistent planning decisions

## ***Principal Issues***

1. The acceptability of this development in this location, including its design, form, scale and massing, the impact on the character and appearance of the area, the impact on adjacent properties, the level of parking provision, position of vehicular accesses, highways safety and possible precedent were considered and approved under application reference K17549. This application has been advertised in accordance with our normal publicity procedures for minor planning applications, the category within which this application falls. Issues relating to the officer report and the determination of the previous application have been dealt with through the Council's complaints procedure. Therefore the main issues in this case are therefore whether there is adequate provision for infrastructure service and facilities improvements and outdoor playing space and whether there have been any material changes in planning considerations and policy since the determination of application K17549 and if so whether the proposal remains acceptable in the light of these changes. The identified changes are the concerns relating to recent accidents at the cross-roads and the change in the definition of 'Previously Developed Land' within Planning Policy Statement 3 (PPS3) and how this applies to this application.

2. The applicant previously entered 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 the improvement of transport infrastructure services and facilities, in accordance with Policies R/DP3 and R/T4 of the Gosport Borough Local Plan Review for the additional units of accommodation, under application K17549. The applicant has agreed to enter a further agreement relating to the above for this revised application. Without this obligation the proposal is unacceptable.

3. Highway safety issues were considered during the determination of the previous application and whilst there may have been accidents at this junction since the previous application was approved, the Highway Authority has not objected to either proposal on the grounds of highway safety. The Highway Authority has indicated that they are proposing measures to highlight this junction and to improve visibility through the provision of Traffic Regulation Orders but these works are unrelated to this current application. The proposal complies with Policies R/T11 of the Gosport Borough local Plan Review.

4. Within PPS3 the key objective is that Local Planning Authorities continue to make effective use of land by re-using that which has previously been developed. In revising PPS3 in 2010, the definition of 'Previously Developed Land' (PDL) was amended to remove the inclusion of private

residential gardens; however, neither PPS3 nor the Policies within the Gosport Borough Local Plan Review require all development to be on PDL. The key tests remain as to whether the proposal complies with national and local policy, the overall aim of which is to prevent harmful development in inappropriate locations.

5. This development has previously been accepted as being compliant with the policies within the Gosport Borough Local Plan Review with the approval of the previous, identical application. Whilst resulting in the loss of a small amount of the existing garden area, this proposal is a redevelopment of an existing developed site following a similar footprint to the existing buildings and is not a new development on an existing open area of land. The footprint of the main building is only 36% greater than that of the existing house and in terms of character, the main building will be set back on the general building line of properties fronting this side of Montserrat Road and the side elevation of Panorama Court relative to Osborne Road and maintains a more open area to the rear of the building in keeping with the appearance of the locality. Its overall height is no greater than the existing house and is 2.3 metres lower than Panorama Court resulting in an acceptable transition in scale between Marine Parade West and the properties located in and around Montserrat Road. The design approach to the building has picked up on characteristics of the housing development in the area with the incorporation of bay windows and plain roof tiles and overall it is an acceptable development that would not harm the character of the area or have a detrimental impact on the occupiers of adjoining properties. For the above reasons, the development accords with R/DP1 of the Gosport Borough Local Plan Review and the guidance contained within PPS3.

### **RECOMMENDATION: Grant Permission**

Subject to Section 106 agreement relating to

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

### **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 five flats 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 scale and design of the building is acceptable and will sit well within the overall street scene. The proposal will improve the appearance of the area and will not have a detrimental impact on the amenities of neighbouring residents or prospective occupiers. Adequate provision is made for open space, transport infrastructure, car and cycle parking and refuse storage. In addition the development has been designed giving due consideration to energy efficiency with the incorporation of renewable energy features. As such the development complies with Policies R/DP1, R/DP3, R/H4, R/T4, R/T11, R/OS8, R/ENV14 and R/ENV15 of the Gosport Borough Local Plan Review and Planning Policy Statement 3.

### **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: 01-38-8-PS2; 02-38-8-PS2; 03-38-8-PS2.

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 to be used in the construction of the building, cycle store and bin store 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.

4. No development above slab level shall take place until full details of the hard and soft landscaping works have been submitted to, and approved by, the Local Planning Authority and these works shall be carried out as approved. These details shall include hard surfacing materials, external lighting, a planting plan for the amenity areas including details of soft landscaping and implementation programme.

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

5. The approved landscaping scheme shall be completed within the next 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 Policies R/DP1 and R/DP6 of the Gosport Borough Local Plan Review.

6. 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.

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

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

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

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

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), no walls, fences or other means of enclosure, other than the 600mm high perimeter wall shown on the plans hereby approved, shall be erected along the site boundaries to Osborne Road and Montserrat Road without the prior consent in writing of the Local Planning Authority.

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

10. The first floor windows in the north west elevation of the proposed flats shall be obscure-glazed, and; non-opening to a height of 1.7 metres above finished floor level. The windows shall be thereafter be retained in that condition.

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