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8 JULY 2013

S U M M O N S

MEETING: Regulatory Board
DATE: 16th July 2013
TIME: 6.00 pm
PLACE: Council Chamber, Town Hall, Gosport
Democratic Services contact: Vicki Stone

LINDA EDWARDS
BOROUGH SOLICITOR

MEMBERS OF THE BOARD

The Mayor (Councillor Beavis) (ex-officio)
Chairman of the Policy and Organisation Board (Councillor Hook) (ex-officio)

Councillor Ronayne (Chairman)
Councillor Mrs Hook (Vice Chairman)

Councillor Ms Ballard	Councillor Gill
Councillor Carter CR	Councillor Hazel
Councillor Ms Diffey	Councillor Jessop
Councillor Farr	Councillor Langdon
Councillor Geddes	Councillor Wright

FIRE PRECAUTIONS

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

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

IMPORTANT NOTICE:

- 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

PART A ITEMS

1. APOLOGIES FOR NON-ATTENDANCE

2. DECLARATIONS OF INTEREST

All Members present are reminded to declare, at this point in the meeting or as soon as possible thereafter, any disclosable personal interest in any item(s) being considered at this meeting

3. MINUTES OF THE MEETING OF THE BOARD HELD ON 5 JUNE 2013

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 12th July 2013. 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 Friday, 12 July 2013).

6. REPORTS OF THE BOROUGH SOLICITOR

*Schedule of planning applications with recommendations.
(grey sheets – pages 3-14)*

PART II
Contact Officer:
Debbie Gore
Ext: 5455

7. ANY OTHER ITEMS

GOSPORT BOROUGH COUNCIL – REGULATORY BOARD

16th July 2013

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.

<u>Item</u>	<u>Page No</u>	<u>Appl. No.</u>	INDEX <u>Address</u>	<u>Recommendation</u>
01.	03-14	13/00067/FULL	Land To Rear Of 206-216 Brockhurst Road Gosport Hampshire	Grant Permission

ITEM NUMBER: 01.
APPLICATION NUMBER: 13/00067/FULL
APPLICANT: Burton Property Ventures Ltd
DATE REGISTERED: 13.03.2013

ERECTION OF 4 NO. DETACHED BUNGALOWS WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING (as amended by plans received 21.03.13, 26.03.13 and 17.05.13 and amplified by plan received 31.05.13 and 05.06.13)
Land To Rear Of 206-216 Brockhurst Road Gosport Hampshire

The Site and the proposal

This application was considered by the Regulatory Board on 5 June 2013 when Members resolved to defer it for a site visit. Since that time direct consultation with the Hampshire Fire Service has been undertaken, the results of which are set out later in the report.

The application site, which is located in the Urban Area, comprises nos. 210 and 212 Brockhurst Road, part of the private rear gardens of nos. 214 and 216 together with land to the rear of nos. 206 and 208 Brockhurst Road. The gardens, together with the land to the rear of nos. 206 and 208, consist of areas of hard and soft landscaping together with outbuildings. There are a mix of boundary treatments including brick walls, timber fences and hedges ranging between 1m and 2m high. The site is fairly level, but is elevated approximately 0.5m above the service road to the east and nos. 206 and 208 Brockhurst Road. No. 212 Brockhurst Road, Warwick House, is included on the Gosport List of Buildings of Local Interest and is an imposing two storey building finished in cream render.

The surrounding area is characterised by predominantly residential development of varying ages, styles, designs and sizes. To the east of the application site is a service road, beyond which are the two storey properties fronting Hastings Avenue. To the north are the residential properties within Jason Way with the closest of those being nos. 4 - 7 which are one bedroom flats arranged within a building that appears as a pair of semi-detached dwellings. No. 3 Jason Way is a detached two storey property, set off the northern boundary of the application site, separated by the access to nos. 4 - 7 Jason Way. Beyond these properties to the north are three storey dwellings located in Eastbrook Close. To the west of the application site lies residential development fronting Brockhurst Road, comprising a mix of detached, semi-detached and terrace properties of varying styles. To the immediate south of the application site is the private garden serving no. 206 Brockhurst Road. A pedestrian access to the garden of no. 206 runs along the part of the southern boundary of the application site before it opens up into a small garden area containing a timber pitched roof outbuilding. The garden to no. 208 Brockhurst Road, which lies to the west of the application site, bounds part of the western boundary of the application site.

The existing outbuildings, other than the garage to the rear of no. 210, would be removed to facilitate the development, as would the majority of existing trees and vegetation within the application site area. In addition, the existing conservatory to the rear of no. 210 Brockhurst Road would be demolished, in order to increase the retained garden area to this unit.

Access is proposed from the north west corner of the site along the existing highway in Jason Way. At present, the highway terminates at its junction with the northern elevation of the site to the west side of nos. 4 - 7. Jason Way. From here it extends to the north where it meets Eastbrook Close which then leads west into Brockhurst Road (A32).

The application proposes the construction of 4 no. detached single storey bungalows comprising 2 no. three bedroomed units and 2 no. two bedroomed units. Plots 1 and 3 would be the two bedroomed units with Plots 2 and 4 being three bedroomed. The dwellings are proposed to be brick under a plain concrete tile roof with upvc windows and doors. The dwellings would range between 5m and 5.3m high, 7m and 8m wide and be approximately 12.5m long. All four dwellings would have hipped, pitched roofs. The existing garage to the rear of no. 210 Brockhurst Road, located in

the south east corner of the application site, is to be utilised as bin and cycle storage for Plot 4. Plots 1, 2 and 3 are each proposed to have separate timber bin and cycle storage structures within their rear gardens. The rear gardens serving the proposed properties range between 7m and 9m in depth.

The proposed dwellings are proposed to be located to the east side of the site, with each unit to be allocated two parking spaces. Parking for each of the dwellings is proposed to the front elevation of each respective dwelling. A central refuse collection point is proposed to the north side of the site directly opposite the proposed access from Jason Way. Vehicle manoeuvring spaces are shown on the plans adjacent to the northern boundary of the site, adjacent to the front of Plot 1 and to the rear of no. 212 Brockhurst Road.

A Transport Statement, Ground Investigation Report, Arboricultural Implications Assessment and an Ecological Appraisal Report have been submitted in support of the application. A Statement of Community Involvement has been provided with the submission and a Construction and Environmental Management Policy Statement.

Amended plans have been received to ensure the site boundaries correspond between the site location plan, block plan and site layout plan. Amended plans have also been submitted to amend the layout to re-position the dwellings within plots 3 and 4 approximately 2.5m further to the east, replace the dwelling originally proposed for plot 4 with the same dwelling shown for plot 2, revise the parking arrangements for plot 4 to relocate the spaces directly west of the dwelling, introduce a 1m deep landscape buffer within the site beyond the rear, east boundary of the garden serving nos. 206 and 208 Brockhurst Road, reposition the parking space serving no. 210 to the east of this landscape buffer and provide an additional visitor parking space adjacent to this. In addition the proposed southern boundary treatment is now shown as a new 2m fence along with the western boundary where it runs to the end of the garden of no. 208 Brockhurst Road. A new 1.8m fence would then be provided for the remainder of the western boundary.

Relevant Planning History

Nil

Relevant Policies

National Planning Policy Framework (NPPF), March 2012

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/BH5
- The Local List
- R/BH8
- Archaeology and Ancient Monuments
- R/H4
- Housing Densities
- R/T4
- Off-site Transport Infrastructure
- R/T11
- Access and Parking
- R/ENV5
- Contaminated Land
- R/ENV14
- Energy Conservation
- R/ENV15
- Renewable Energy

R/OS8
Recreational Space for New Residential Developments
R/OS13
Protection of Habitats Supporting Protected Species

Consultations

Environmental Health	No objection. The development is acceptable subject to conditions requiring the submission and implementation of a remediation strategy in relation to contaminated land.
Local Highway Authority	<p>No objection. The use of a 0.6m high boundary treatment along the northern side of the site is considered acceptable in respect of highway safety. Planting adjacent to this boundary should be carefully considered to ensure it does not exceed 0.6m in height.</p> <p>The existing rumble strip on Jason Way will need to be reinstated following the creation of the proposed access to the application site.</p> <p>The level of car parking proposed is considered acceptable taking into account the car ownership levels in this ward. Cycle parking provision is also considered to be acceptable. Although swept path analysis has been undertaken and demonstrated as being satisfactory for a family estate car, it has not been demonstrated that a goods vehicle could access and turn within the site. A Transport Infrastructure, Services and Facilities contribution is required to mitigate the impact of the development on the wider highway network.</p>
Streetscene Waste & Cleansing	No objection. A collection point is required for wheeled bins.
Streetscene Parks & Horticulture	No objection. There are no existing trees situated on this site worthy of retention or Tree Preservation Order status. The site mainly consists of ornamental trees of little or no value aesthetically.
Building Control	An application for Building Regulations is required. If the access road is not to be made up to highway standards then the maximum distance from the existing highway to each property must not exceed 45m. There may be a need for a bin store if the road is not made up to adoptable standards.
Crime Prevention & Design	No objection. Recommendations to reduce the opportunities for crime include re-positioning the front door to the west

elevations, not recessing the front doors any more than 600mm, ensuring boundary treatments to the rear are of robust construction, fitting any gates to the rear with a key operated lock and providing appropriate levels of lighting within the access road and parking areas.

HCC Ecology

No objection. Conditions required to secure the outlined mitigation and enhancement measures detailed within section 5.6 of the Ecological Appraisal Report (Hampshire Ecological Services Limited, dated Feb 2012) and the following elements which are highlighted within John Poland's (Hampshire Ecological Services Limited) email of 14th March 2013.

- A pre-demolition bat emergence check (between April and September). In the event bats are discovered prior to demolition work, a full mitigation strategy (dependent on the species/ numbers found) will be submitted to the LPA and Natural England before any work proceeds.

- Removal of bat interest features under ecological supervision. If bats are found during the demolition work, all work will be suspending and the supervising ecologist will inform Natural England. If a bat is injured, it will also be taken to a local veterinary surgeon/ bat hospital.

The Gosport Society

No objection.

HCC Landscape, Planning & Heritage

No objection. There is a surviving air raid shelter on the site, albeit altered. While this would not present an overriding concern as a historic feature it is of some interest. The nature of the structure does not necessarily warrant a condition but would ask that the Applicant send some photographs of the inside, outside and setting of the shelter and a map/plan clearly indicating the location of the structure for inclusion on the Historic Environment Record.

Hampshire Fire And Rescue Service

No objection. The proposal complies with Building Regulation ADB B5 (fire access within the proposed site) and the Hampshire Act 1983 (fire service access to the proposed site). The total length of the access road does not exceed 20m without a turning head. A standard fire vehicle is 8m in length and tracking for the turning of a vehicle of this length has been demonstrated. On the basis of the submitted plans, all of the properties

can be adequately accessed in the event of a fire.

Response to Public Advertisement

7 letters of objection (to original plans)

Issues raised:-

- reduction of security and privacy along the boundary fence with 206 and 208 Brockhurst Road.
- proximity of the building to the boundary line of 206 Brockhurst Road
- developers appear to have shown consideration for occupiers of Jason Way, whilst ignoring those within Brockhurst Road, particularly as Brockhurst Road properties are the most affected
- loss of privacy
- loss of quiet enjoyment of rear garden from traffic noise, including from parking area
- garden grabbing and does not enhance the neighbourhood, environment, or quality of life of people living in the area.
- another green area to be given over to the development of new housing, when there are alternative options for the build of housing on brown field sites or sites such as the Wheatsheaf public house.
- back garden building being actively discouraged
- highway safety issues
- access road currently serves 7 properties in Jason Way and rear access to a further six in Brockhurst Road and is of limited width. Delivery and refuse vehicles already have difficulty accessing parts of Jason Way. The existing volume of traffic will increase substantially if the application is approved
- poor visibility at site entrance and for existing residents leaving their properties
- narrow site entrance creating a pinch point with no line of sight to a pedestrian walk way which connects into Brockhurst Road
- existing limited parking in local area will be placed under greater pressure from visitors and deliveries and existing residents to Brockhurst Road
- the open parking spaces to the end of the proposed development raises the question of whether further development would result in the future
- alternative access via Warwick House (owned by Developer) would alleviate concerns of residents and resolve traffic issues in Jason Way- already experienced problems with the new build of the Wheatsheaf Mews where large vehicles have parked down Eastbrook Close and Jason Way causing obstruction to property access points
- site visit should be considered by Planning Committee as the plans do not show how small the access for the new development is and how close it is located to all the properties concerned
- 2001 census data for car ownership is out of date
- wildlife uses the gardens within the area
- noise will be an issue due to working night shifts

4 letters of objection (to amended plans)

Issues raised:-

- thought has now been given to more secure perimeter fence between the gardens of nos. 206 and 208 Brockhurst Road and application site
- garden at no. 208 Brockhurst Road is higher than the garden of no. 210 Brockhurst Road so retainment will be required to stop garden of no. 208 slipping beneath any fence erected
- cars parked at the bottom of no. 208 Brockhurst Road garden. Plot 4 could be moved back to allow cars to park outside that property as per the other plots including Plot 3. Space allocated for no. 210 Brockhurst Road could then be positioned to the end of no. 210 rather than no. 208 Brockhurst Road meaning cars would not so close to no. 208 Brockhurst Road, would reduce overlooking and a landscape strip to the back of garden to provide better amenity, screening and security and ensure wildlife retained
- bin store adjacent to garden unacceptable
- lack of car parking for existing properties in Brockhurst Road which is unacceptable and will mean any future parking provision will reduce existing amenity space
- entrance to site too small

Principal Issues

1. The application site is located within the Urban Area Boundary and consequently the principle of residential development is acceptable provided that the details accord with the criteria outlined in Policy R/DP1 of the Gosport Borough Local Plan Review. The main considerations are, therefore, the impact upon the character of the surrounding area and setting of the Locally Listed Building, the impact upon the amenities of the surrounding occupiers, the amenities of future occupiers, highway and pedestrian safety, the effects on land contamination, biodiversity and trees, the archaeological interests of the site, Transport Infrastructure, Services and Facilities and the requirement for Open Space. Any future development proposals regarding adjoining land would be the subject of a separate planning application which would be considered on its own merits and in accordance with relevant Development Plan.

2. The NPPF sets out that housing applications should be considered in the context of a presumption in favour of sustainable development, but also requires that consideration should be given to the impact of the development upon, amongst other issues, the character of the area, with one of the core principles within the NPPF requiring that developments secure a high quality design and a good standard of amenity for all existing and future occupants of buildings and land. This is reflected in Policy R/DP1 of the Gosport Borough Local Plan Review. The proposed development would create additional built form to the rear of the existing properties within Brockhurst Road. The principle of this approach has previously been established by the construction of properties within Eastbrook Close and Jason Way. The proposed dwellings would continue the existing line of dwellings, albeit in a slightly forward position. The surrounding locality is primarily residential in character with a mix of designs, styles, ages and forms. The height, scale and form of the proposed dwellings would sit comfortably within the established pattern and appearance of existing development. The proposed layout, design, and detailing of the individual dwellings, including the materials and roof designs mean the dwellings would be screened from the surrounding public domain and would not have a harmful visual impact on the character of the surrounding area. The setting of Warwick House (no. 212) would be preserved by the separation distances of the proposed development to this property. It is most publically visible from Brockhurst Road and, as the proposed development is to be single storey, the public setting of this property will not be harmed. To preserve the character of the surrounding area and setting of Warwick House, conditions relating to materials and boundary treatments are recommended. The proposal, therefore, complies with Policies R/DP1 and R/BH5 of the Gosport Borough Local Plan Review and the NPPF.

3. Nos. 206, 208, 210, 212 and 214 would retain garden depths in excess of 10m which is characteristic of existing residential properties in the surrounding area. All of these gardens would retain direct sunlight during the early part of the day, the height of the proposed development means there would be no additional overlooking towards these neighbouring properties and they would retain their outlook towards the east. The removal of the existing conservatory to the rear elevation no. 210 Brockhurst Road will also ensure the garden of this property is of a suitable size. A condition is recommended to ensure these works are undertaken prior to the commencement of development. It is acknowledged that the proposal would result in an increased level of activity beyond the eastern boundary of these properties. However, a separation distance of over 7m would be retained between the eastern boundary of the properties fronting Brockhurst Road and the western edge of the car parking spaces serving the proposed properties. This means the concentration of activity associated with the new properties would be located over 16m away from the rear elevations of the properties fronting Brockhurst Road. In addition a new 1.8m - 2m high close boarded timber fence is proposed to be erected, as part of the development, along the boundary between the properties fronting Brockhurst Road and the application site. Taking all of these factors into account it is not considered that the increased level of activity resulting from the proposed dwellings would have a harmful impact on the amenities of these neighbouring properties. The proposal, therefore, complies with Policy R/DP1 of the Gosport Borough Local Plan Review and the NPPF.

4. The application proposes the introduction of new parking spaces directly beyond the eastern boundary of nos. 206 and 208 Brockhurst Road. However, a new 2m high close boarded fence

would be erected along the eastern boundary of these neighbours, beyond which a landscaped buffer of 1m is proposed. Nos. 206 and 208 would retain gardens of approximately 20m. In combination, these factors mean that this relationship is considered to be acceptable, the security of the rear parts of these properties will be preserved and the amenities of the occupiers of these properties would not be harmfully impacted. In respect of no. 210, a formalised car parking space to serve this property would be located within the application site to provide off street car parking for this property. The proximity of this space to no. 210 means it would be easily accessible to the occupiers and whilst it is acknowledged that the parking associated with this property is additional to the four properties proposed, it is not considered that this is a harmful increase beyond activity generated by those four properties. The refuse collection area to the rear of no. 214 would only be used as a short term area to store bins on collection day and it is not considered that this arrangement would result in a harmful impact on the amenities of the occupiers of this property. No. 216 would have a garden ranging between 3.5m and 12m in depth taking account of the staggered rear elevation of this property. Whilst there will be parts of this garden that are limited in terms of useable amenity value, overall, the space retained for this property is considered to be acceptable taking into account the east facing aspect, boundary treatment with the application site and level of activity proposed. The proposal, therefore, complies with Policy R/DP1 of the Gosport Borough Local Plan Review and the NPPF.

5. As the proposed dwellings are only single storey in height and the properties are to be located beyond the existing service road from which no new access is proposed, the development will not have a harmful impact on the properties to the east in Hastings Avenue in terms of outlook, overlooking or the associated level of activity. The amenities of the properties to the north of the application site in Jason Way will be affected to some degree by the presence of additional built form and activity associated with this proposal. Plot 1 is positioned 3.6m south of the side elevation of nos. 5 and 7 Jason Way. The southern elevation of the building accommodating these properties has two windows at the ground floor and two at the first floor, serving bathrooms and kitchens, however, the height of the proposed dwellings and lack of window openings means there will be no harmful overbearing impact or overlooking of these properties. The position of amenity space serving the occupiers of nos. 4 - 7 corresponding with the amenity space serving plot 1 within the proposed development means that the level of activity associated with the proposed development will not impact harmfully on the amenities of these neighbours. The occupiers of no. 3 Jason Way are likely to experience an increase in the level of activity, however, as there is an established vehicular route along the west and south sides of this property it is not considered to be harmful or unreasonable taking into account the existing residential character of the area. Ordinarily under permitted development certain works could be undertaken to a residential property without the need for planning permission however, to ensure that the amenities of the current and future occupiers of the surrounding and proposed properties are preserved a condition removing some of these allowances is recommended. A certain amount of noise and disturbance during the construction period would be inevitable. The submitted Construction Management Plan sets out details of how the construction phase would be managed to limit the impact upon the amenities of the surrounding occupiers including hours of operation on site. A condition to secure these measures is recommended. The proposal, therefore, complies with Policy R/DP1 of the Gosport Borough Local Plan Review and the NPPF.

6. Each of the proposed properties would be provided with two car parking spaces, bin and cycle storage and enclosed, private amenity space. This space would back on to an existing service road. The site is located in an existing residential area where general levels of noise and activity are low. The properties would be separated by 1.5m, however, only kitchen and bathroom windows would be affected by this arrangement and future occupiers would be aware of the arrangement at the time of purchasing the properties. The proposal complies with Building Regulation ADB B5 and the Hampshire Act 1983 which both relate to access for the fire service to the proposed site. The Fire Service has confirmed that a minimum of two vehicles would be sent to a domestic fire in this location and the proposed layout is sufficient to allow the site to be satisfactorily accessed by fire service vehicles from Jason Way. A condition relating to crime prevention measures is recommended in accordance with the comments the Crime Prevention Officer. The amenity of the future occupants is considered to be appropriate in this location. Notwithstanding the provision of on-site private amenity space for each of the dwellings, there is requirement for the applicant to

contribute to Open Space within the Borough. The applicant has 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. Without this, the development would be unacceptable. The proposal, therefore, complies with Policies R/DP1, R/DP3 and R/OS8 of the Gosport Borough Local Plan Review and the NPPF.

7. The proposed northern boundary treatment of only 0.6m high means that intervisibility of vehicles and pedestrians, in and out of the site, will be acceptable. A condition restricting the height of the boundary treatment, to 0.6m, in this location is recommended. The existing highway layout which turns east at its existing junction with the north side of the application site means vehicles will be moving at a low speed. It has been demonstrated that 8m vehicles can access, turn and leave the site in a forward gear. The level of servicing for four properties would be comparatively low in the context of the number of residential properties in the surrounding area and it is not considered that this additional servicing from the existing highway would harmfully interrupt existing highway movements to the detriment of highway and pedestrian safety or residential amenity. The proposal is, therefore, acceptable in respect of highway safety. The level of car and cycle parking proposed to serve the development is considered acceptable in this location and the provision of a visitor car parking space together with manoeuvring space within the site means that there will be no harmful overspill of vehicle activity onto the surrounding highway. No short stay cycle parking is shown on the plans, however, there is space available to accommodate this requirement within the individual plots and a condition is recommended to control its implementation. The existing rumble strip on the highway in Jason Way is not proposed for removal. Nevertheless, in the event that it is removed or damaged, the Local Highway Authority has legislative powers to require the developer to reinstate it. A bin collection point is located close to the entrance of the site and is within the 30m permitted carry distance for the collection of rubbish. The applicant has entered into a planning obligation under Section 106 relating to the payment of a sum towards the provision of Transport Infrastructure, Services and Facilities. Without this the development would be unacceptable. The proposal, therefore, complies with Policies R/DP3, R/T4 and R/T11 of the Gosport Borough Local Plan Review and the NPPF.

8. The submitted Ground Investigation Report identifies that the site could potentially be contaminated. The Head of Environmental Health has reviewed the submitted Ground Investigation Report and advises that the areas of contamination will need to be remediated. A condition is, therefore, recommended to require this remediation to be completed and the proposal, therefore, complies with Policy R/ENV5 of the Gosport Borough Local Plan Review and the NPPF

9. There are a range of domestic outbuildings within the application site, with all but one proposed to be removed to facilitate the development. The submitted Ecological Appraisal surveyed and assessed the potential for the site to support protected species. HCC Ecology raises no objection to the proposal subject to the outline mitigation measures set out within the report being undertaken, a pre-demolition bat emergence survey check of the outbuildings prior to demolition and the subsequent submission of a mitigation strategy, if bats are found within the pre-demolition emergence survey together with the removal of bat interest features under ecological supervision. An informative reminding the applicant that bats are a protected species is also proposed. The site contains ornamental planting, including some small trees. An Arboricultural Implications Assessment has been submitted in support of the application, which sets out that the existing trees on site are small in size and generally of poor quality and makes very little contribution to local amenity. The Council's Tree and Landscape Officer agrees with this conclusion and confirms that the existing trees within the site are not worthy of retention or protection via a Tree Preservation Order. Subject to a condition to secure the ecological measures the proposal would not adversely impact upon protected species or trees and, therefore, complies with Policies R/OS13 and R/DP1 of the Gosport Borough Local Plan Review and the NPPF.

10. There are no known archaeological sites within the application site or immediate vicinity and HCC Archaeology raises no objection to the proposal. There is, however, a surviving air raid shelter on site, albeit altered. Whilst HCC Archaeology acknowledge that it is not an overriding concern as a historic feature, it is however of some interest and recommend its recording for the Historic Environment Record. A condition is, therefore, proposed to secure this recording and the applicant

has confirmed they are content with this approach. The proposal, therefore, complies with Policy R/BH8 of the Gosport Borough Local Plan Review.

RECOMMENDATION: Grant Permission

Subject to Section 106 agreement relating to

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

Subject to the following condition(s):-

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 approved shall be carried out in accordance with the following approved plans:

10-1729-105 Rev P2,
10-1729-104 Rev P4,
10-1729-100 Rev P9,
10-1729-102 Rev P3
10-1729-101 Rev P2,
10-1729-107 Rev P4.

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 and the NPPF.

3. No works to construct the development shall be commenced until the existing conservatory to the rear of no. 210 Brockhurst Road has been demolished, all associated demolition waste has been removed from the site and the land has been reinstated as garden land, in accordance with the details shown on drawing number 10-1729-100 Rev P9 received 17.05.13.

Reason - To ensure that adequate private garden area is retained to serve the occupiers of no. 210 Brockhurst Road in accordance with Policy R/DP1 of the Gosport Borough Local Plan Review and the NPPF.

4. Before development is commenced, details of the proposed finished floor levels of the dwellings and proposed site levels shall be submitted to and agreed, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Reason - To protect the character of the locality in accordance with Policy R/DP1 of the Gosport Borough Local Plan Review and the NPPF.

5. No development shall begin until a strategy of remediation measures and detailed method statement to address the identified risks from ground contamination, has been submitted to and approved, in writing, by the Local Planning Authority (LPA). This shall include the nomination of a competent person to oversee the implementation of the measures. The development shall be carried out in accordance with the approved strategy and method statement.

Reason - In the interests of the safety and amenity of future users of the site and to comply with the NPPF and Policies R/DP1 and R/ENV5 of the Gosport Borough Local Plan Review.

6. The development shall not be occupied until the remediation works approved under condition 5 above have been carried out and a full validation report, undertaken by an independent competent person, has been submitted to and approved, in writing, by the Local Planning Authority.

Reason - In the interests of the safety and amenity of future users of the site and to comply with the NPPF and Policies R/DP1 and R/ENV5 of the Gosport Borough Local Plan Review.

7. 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 be carried out in accordance with the approved details.

Reason - To ensure that the external appearance of the development is satisfactory, the setting of the Locally Listed Building is preserved, and to comply with Policies R/DP1 and R/BH5 of the Gosport Borough Local Plan Review and the NPPF.

8. Before works above slab level are commenced, full details of a soft landscaping scheme including the size, densities of tree and shrub planting, the phasing and timing of planting and provision for its maintenance during the first five years from the date of planting, shall be submitted to and approved, in writing, by the Local Planning Authority.

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

9. The landscaping scheme approved in accordance with Condition 8 above shall be completed within six months from the first occupation of the first dwelling, 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, by the Local Planning Authority) during the next planting season.

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

10. Before demolition of the air raid shelter on site a record and photographic log of the building shall be undertaken and submitted to and approved, in writing, by the Local Planning Authority. The record and photographic log shall include internal and external views and its setting and the building accurately located on a scaled plan.

Reason - To secure the recording of a feature of historic interest in accordance with the NPPF and Policy R/BH8 of the Gosport Borough Local Plan Review.

11. No development shall commence until full details of the hard landscaping works, including proposals for lighting on the site, have been submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the first occupation of the dwellings and thereafter retained unless otherwise agreed, in writing, by the Local Planning Authority.

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 and the NPPF.

12. The development hereby permitted, including any works of demolition, shall be carried out in accordance with the Construction and Environmental Management Policy (Revision 1) and associated plans dated 19.11.12.

Reason - To protect the amenities of the surrounding residents throughout the construction phase of the development in accordance with Policy R/DP1 of the Gosport Borough Local Plan Review and the NPPF.

13. The development hereby permitted shall be carried out in accordance with the outline mitigation and enhancement measures set out within Section 5.6 of the Hampshire Ecological Services Ltd 'Ecological Appraisal Report' received 13.02.13 unless otherwise agreed, in writing, with the Local Planning Authority. The approved enhancement measures shall be retained at all times thereafter.

Reason - To ensure protected species are appropriately protected and to comply with the NPPF and Policy R/OS13 of the Gosport Borough Local Plan Review.

14. No demolition of any structures on site that offer potential to support bats shall be undertaken until a pre demolition bat emergence survey and destructive search of all structures has been undertaken. The survey shall be undertaken between the months of April and September. In the event that bats are discovered all works on site, including demolition, shall stop and a full mitigation strategy shall be submitted to and approved, in writing, by the Local Planning Authority. Works shall continue in accordance with approved mitigation strategy.

Reason - To ensure protected species are appropriately protected and to comply with the NPPF and Policy R/OS13 of the Gosport Borough Local Plan Review.

15. The development hereby permitted shall not be brought into use until the areas shown on the approved plan for the parking and turning of vehicles shall have been made available, surfaced, and marked out, and these areas shall be retained for those purposes 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.

16. Before the development is first brought into use the approved long stay cycle parking and refuse storage, including the bin collection point, shall be provided. The approved long stay cycle parking and refuse storage shall be retained at all times unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - In order to ensure that adequate long stay cycle parking and refuse storage is provided in compliance with Policies R/DP1 and R/T11 of the Gosport Borough Local Plan Review.

17. Before development above slab level is commenced details of short stay cycle parking shall be submitted to and approved, in writing, by the Local Planning Authority. The short stay cycle parking shall be provided in accordance with the approved details prior to the first occupation of the first dwelling and retained at all times unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure adequate short stay cycle parking is provided and to comply with Policy R/T11 of the Gosport Borough Local Plan Review.

18. The development shall not be occupied until the boundary treatments shown on approved drawing reference no. 10-1729-100 Rev P9 (received 17.05.13) have been erected in accordance with that plan. The approved boundary treatments shall be retained at all times thereafter unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - In the interests of the amenities of the neighbouring properties, to preserve the setting the Locally Listed Building and to comply with Policies R/DP1 and R/BH5 of the Gosport Borough Local Plan Review.

19. If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out, until a strategy detailing how this unsuspected contamination is to be dealt with has been submitted to and approved, in writing, by the Local Planning Authority. Works shall thereafter continue in accordance with the approved strategy.

Reason - In the interests of the safety and amenity of future users of the site and to comply with the NPPF and Policies R/DP1 and R/EVN5 of the Gosport Borough Local Plan Review.

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), no development permitted by Schedule 2, Part 1, Classes A, B, C and E shall be constructed with the prior written approval of the Local Planning Authority.

Reason - In the interests of the amenities of the occupiers of the proposed and neighbouring properties and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), nothing over 0.6 metres in height above the level of the carriageway shall be erected between the points marked A - A on plan no. 10-1729-100 Rev P9 received 17.05.13.

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

22. Before development is commenced details of crime prevention measures to be included in the construction of the development shall be submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the agreed details unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To provide a safe environment for future occupiers and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review and the NPPF.