

Please ask for:

Vicki Stone

Direct dial:

(023) 9254 5651

Fax:

(023) 9254 5587

E-mail:

vicki.stone @gosport.gov.uk

27 January 2014

S U M M O N S

MEETING: Extraordinary Regulatory Board
DATE: 04 February 2014
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))

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

| | |
|-----------------------|--------------------|
| Councillor Ms Ballard | Councillor Gill |
| Councillor Carter CR | Councillor Hook |
| 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. 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, 31 January 2014. The total time for deputations in favour and against a proposal shall not exceed 10 minutes).

4. 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, 31 January 2014).

6. **REPORTS OF THE BOROUGH SOLICITOR**

*Schedule of planning applications with recommendations.
(grey sheets – pages 1- 23)*

PART II
Contact Officer:
Debbie Gore
Ext: 5455

7. ANY OTHER ITEMS

GOSPORT BOROUGH COUNCIL – REGULATORY BOARD

4th February 2014

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> | <u>INDEX Address</u> | <u>Recommendation</u> |
|-------------|----------------|------------------|---|---|
| 01. | 3 | 13/00538/FULL | 154 Fareham Road Gosport Hampshire | Grant Permission subject to Conditions |
| 02. | 20 | 13/00555/FULL | HMS Sultan Military Road Gosport Hampshire PO12 3BY | Grant Permission subject to Conditions |

ITEM NUMBER: 01.
APPLICATION NUMBER: 13/00538/FULL
APPLICANT: Mr Harry Hutchinson OCEANIC ESTATES LTD
DATE REGISTERED: 25.11.2013

USE OF LAND AND BUILDINGS FOR FLEXIBLE CLASS B1(b) AND (c), B2 AND B8 USE (INCLUDING OPEN STORAGE) AND TRADE COUNTER USE, EXTERNAL ALTERATIONS TO SOUTHERN ELEVATION AND ALTERATIONS TO EXISTING CAR PARKING AND EXISTING ACCESS FROM LEDERLE LANE (as amplified by transport information received 14.01.14)
154 Fareham Road Gosport Hampshire

The Site and the proposal

1. The application site is located on the north-eastern side of Fareham Road (A32), within the Urban Area Boundary, the Coastal Zone Policy Area and an Existing Employment Area, as defined on the Proposals Map of the Gosport Borough Local Plan Review. The site is also located within the military Safeguarded Area for Bedenham, Fleetlands and Frater and the Safeguarded Area for the Aerodrome at Lee-on-the-Solent. It has an overall area of 4.65 hectares and previously formed part of the larger Cyanamid site that extended further north towards the Fareham Creek tidal inlet. Over time, a number of the industrial buildings, associated with the former Cyanamid factory, have been demolished. Some of the buildings have been replaced under separate planning permissions, including Apex House, to the north of the application site, which was approved in 2009, under planning permission reference K12345/75. A two storey, industrial unit has also recently been approved adjacent to Apex House, under planning permission reference 13/00052/FULL. North of these sites, is the land occupied by Seldon Masts. Fareham Creek is located approximately 200 metres further north, beyond a number of other industrial buildings and storage/parking areas. It is designated as a Site of Special Scientific Interest (SSSI), Special Protection Area (SPA) and Ramsar Site, due to its importance for nature conservation, principally with regard to overwintering birds.

2. To the north-east of the site, and beyond Lederle Lane, is an open, grassed area used by Fleetlands Football Club. This site is designated as Existing Open Space and a Site of Importance for Nature Conservation (SINC) on the Proposals Map of the Gosport Borough Local Plan Review, due to its importance as a feeding ground for Brent Geese. Immediately to south of this area and to the east of the application site, there are 2no. detached, dwellinghouses. The dwellings, which are located on the eastern side of Lederle Lane, have frontage car parking and windows in their western (front) elevations. The front elevations are sited over 20 metres from the application site. To the south of the site, and on the opposite side of Fareham Road, are two storey, residential properties. The front elevations are set back approximately 15 metres from the back edge of the highway. The majority of the properties use the front of the plot for the parking of vehicles. There is a separation distance of approximately 35 metres from the front elevations of the dwellings and the south western boundary of the application site.

3. The land, the subject of this application, is located immediately beyond a row of trees that are formally protected by Tree Preservation Order G124. The Tree Preservation Order includes 27 no. individual trees and 2 no. groups of trees. There is also a row of trees on the eastern side of the application site, approximately 170 metres from the Fareham Road frontage. The site is located between Barwell Lane and Lederle Lane, both of which are private roads that provide access to a number of industrial (Class B) units. The applicant has confirmed that they have full, vehicular rights of way over Barwell Lane and Lederle Lane.

4. Both roads are the subject of a 15 mile per hour (mph) speed restriction. Barwell Lane is a one-way road, with no access permitted onto Fareham Road. The junction of Barwell Lane with Fareham Road is designed so as not to permit access for traffic travelling in a northerly direction (ie, configured to inhibit right turns into Barwell Lane). Lederle Lane provides access both on to and off of the A32, via a traffic light controlled T-junction. The junction provides both left and right-turn

lanes. A right-turn lane on the A32 provides access on to Lederle Lane for northbound traffic on the A32. The lane provides space for 3 no. queued cars.

5. The traffic light sequencing at the A32/Lederle Lane junction is operated dynamically under SCOOT control (Split Cycle Offset Optimisation Technique) between 0600 - 1900 hours each day. The overall cycle time can vary between 60 and 120 seconds, but usually remains at 120 seconds during peak periods. The cycle time is dictated by the busiest junction along this particular section of the A32. Hampshire County Council's observations of the SCOOT system during evening peak hours (ie, between 4pm - 7pm) shows that the main road green light time often runs between 90-100 seconds with the Lederle Lane green light time at 10-13 seconds. The systems include loop detection. All stages operate on demand and the signals should only change to serve Lederle Lane when a vehicle is waiting. The stage lengths are variable and change from cycle to cycle depending on the flows. The A32, which is subject to a 40 mph speed restriction, has dedicated cycle lanes on both sides of the road. A pelican crossing is sited to the front of the application site. There are 2 no. bus stops within 100 metres of the application site, on opposite sides of the A32.

6. The site currently comprises grass and rubble, associated with the recent demolition of a former office block and is enclosed, for the most part, by wooden hoarding. There are also areas of hard surfacing (previously used for car parking) as well as a partially demolished, two storey, former factory building, with a gross internal area of approximately 11,797 square metres. The remainder of this building, including the five storey office complex (and a number of associated extensions/outbuildings) was recently demolished, under planning reference KD13. The demolished office complex was located on part of the land the subject of this planning application. Consent was recently granted under planning permission reference 13/00266/FULL for the re-roofing and re-cladding of the main building that has been retained, together with the installation of portal rafters, a new roof, and new doors, windows and loading bays.

7. In October 2012, planning permission reference K12345/76 granted consent to use the land the subject of this planning application (ie, the land and buildings) for flexible, Class B Uses, including; Class B1(b) research and development, Class B1(c) light industry, Class B2 general industry and Class B8 storage and distribution, with ancillary Class B1 (a) offices, together with alterations to the existing car parking provision and the existing northern access from Lederle Lane. The plans showed that the existing factory building would be retained.

8. A total of 250 no. car parking spaces were approved to the north, east and west side of the main, retained factory building. Areas of open storage were identified for the existing parking area at the northern end of the site and possibly also the area to the south of the retained factory building. 4 no. long, loading/parking bays and 4 no. long, waiting/parking bays were approved. The radii at the northernmost, existing junction into the site from Lederle Lane was amended to 10 metres to improve access arrangements. The approved plans show that the existing southern access into the site, from Lederle Lane, would not be altered, with no changes made to pedestrian access arrangements or internal vehicle or pedestrian circulation arrangements. The planning permission was subject to planning conditions to control the heights and locations of open storage, the retention of landscaping, the hard surfacing materials and, the provision and retention of car parking, bicycle parking and refuse storage facilities.

9. In submitting planning application reference K12345/76, the applicants sought maximum flexibility in terms of the mix of uses, in an attempt to assist with the letting of the existing building and land for employment uses and to help accommodate/respond to changing tenant requirements. There are no conditions on planning permission K12345/76 that control the percentage of different Class B uses across the site or that restrict hours of operation.

10. Since planning application reference K121345/76 was approved, the Local Planning Authority has also considered and determined Outline planning application reference 13/00411/OUT, for the erection of 1 no. drive through restaurant and 1 no. drive through coffee shop, with associated access and parking, on the land at the southern end of the application site, to the north of the protected trees. The application was considered at the Regulatory Board meeting of 10 December 2013 and Outline planning permission was granted, subject to conditions. The Outline permission

approved the means of access only, with all other matters reserved. The submitted drawings did, however, show an indicative layout for the site, including locations for the proposed buildings, a car parking layout and circulation routes for vehicles. The submitted plans indicated that the development would be served by a total of 46 no. car parking spaces. The proposed drive-through restaurant would be served by a total of 24 no. spaces with the drive-through coffee shop served by a total of 22 no. spaces. The parking was for both staff and customers.

11. The Outline permission approved 2no. new accesses. 1 no. access from Barwell Lane and 1 no. access from Lederle Lane. The centre of the proposed access from Barwell Lane was approved 35 metres from the junction with Fareham Road. It is shown to be 6.8 metres wide, with a radii of 6 metres. The access would allow two-way entry into and out of the application site, however, as Barwell Lane does not permit access back onto the A32, it was recognised that this access will only likely be used for entry and due to the configuration of the junction between Barwell Lane and Fareham Road, only by vehicles travelling southbound along the A32 (no right turn is permitted into Barwell Lane for northbound traffic). The approved access to the site from Lederle Lane is shown to be 6 metres wide with an 8 metre radii. The approved access would be sited over 50 metres from the traffic light controlled junction with Fareham Road. A condition on the planning permission restricts the opening hours of the drive-through uses to between 7am-11pm on Monday to Saturday and 8am-10pm on Sunday and Bank Holidays.

12. The Local Planning Authority has also approved the erection of a two storey factory building for flexible Class B1(b) and (c), B2 and B8 uses, on an area of land to the north of the retained factory building, within the application site boundaries. The application was considered under reference 13/00178/FULL and was approved in July 2013. The permission was subject to a number of conditions, which were subsequently amended by variation of condition application reference 13/00318/VOC. This application was considered at the Regulatory Board in September 2013, at which time, it was resolved to grant planning permission, subject to amended planning conditions.

13. The application the subject of this report is for the same proposal approved under planning permission reference K12345/76, but with the addition of Trade Counter Uses and external alterations to the southern elevation of the retained factory building. Consent is, therefore, being sought for flexible Class B1(a) offices, B1(b) research and development, Class B1(c) light industry, Class B2 general industry and Class B8 storage and distribution, including open storage, and for Trade Counter use. As with planning permission reference K12345/76, it is again proposed to retain the main, factory building at the site, which would continue to provide 11,797 square metres of floorspace.

14. The plans show that up to 3,146 square metres of floorspace at the front of the retained factory building would be made available for Trade Counter use, with associated showroom space. Thirty-five percent of the 3,146 square metres (1,100 square metres) would be made available specifically for use as Trade Counters, representing approximately ten percent of the overall floor space of the retained factory building. Trade Counters often operate in conjunction with associated Class B uses and, on occasions, have showroom areas displaying certain items available for sale and collection by trade persons.

15. The submitted plans show that the Trade Counter uses would be located within bays at the southern end of the retained factory building, towards the Fareham Road frontage, with associated parking provided immediately to the front of the building. In order to accommodate the proposed Trade Counter uses, amendments are proposed to the southern (front) elevation of the building, when compared to alterations approved in September 2013, under reference 13/00266/FULL.

16. The submitted plans show that the front façade would again be finished using grey, composite, insulated panels. The plans show that 2 no. loading bays (rather than 4 no.) would be provided, with higher doors than those previously approved. Pedestrian access to the building would be provided by 3 no. single doors (as opposed to 6 no. sets of double doors) which, like planning permission reference 13/00266/FULL, would be set within glazed panels. Windows would be introduced at ground floor level of the southern elevation to serve the Trade Counter areas at the front of the building.

17. In total, 99 no. car parking spaces would be provided for the Trade Counters. Plans have been submitted to show how these spaces would be provided so as not to compromise the car parking arrangements of the drive-through uses, or the circulation routes of vehicles using these facilities approved indicatively under the Outline planning permission. The drive-through uses would retain a total of 46 no. spaces, as approved under Outline planning permission 13/00411/OUT. In total, 253 no. car parking spaces would be provided for the proposed mixed use development, excluding the drive-throughs, located on all sides of the building. 16 no. visitor bicycle parking spaces would be provided.

18. As with planning permission reference K12345/76, the radii of the northernmost junction into the site from Lederle Lane would be increased to 10 metres, to aid vehicular movement. 2 no. new accesses are also proposed towards the southern end of the site. The accesses are the same as those recently approved under Outline planning permission reference 13/00411/OUT. 1 no. access would be from Barwell Lane and 1 no. access would be provided from Lederle Lane. As with planning permission 13/00411/OUT, the proposed access from Barwell Lane would be sited 35 metres from the junction with Fareham Road. It would be 6.8 metres wide, with a radii of 6 metres. The access would allow two-way entry into and out of the application site, however, as Barwell Lane does not permit access back onto the A32, the applicant anticipates that this access will only likely be used for entry and due to the configuration of the junction between Barwell Lane and Fareham Road, only by vehicles travelling southbound along the A32 (no right turn is permitted into Barwell Lane for northbound traffic). The proposed access to the site from Lederle Lane would be 6 metres wide with an 8 metre radii. The access would be sited over 50 metres from the traffic light controlled junction with Fareham Road.

19. The application is supported by a Transport Statement, a Traffic Distribution Comparisons Technical Note, a Contamination Assessment and an Arboricultural Report.

20. The Transport Statement analyses the predicted peak and daily trips associated with the proposed development, the anticipated car parking requirements, access and visibility requirements, servicing requirements and the impact of the development on the local road network, when considered individually, and also in combination with the existing and extant planning permissions at the site. The likely traffic impact of the development has also been assessed against the previous use of the site, when it operated as Cyanamid.

21. The Transport Assessment indicates that the proposed uses would likely generate 714 no. daily vehicle trips, with 111 no. of these trips generated by the proposed Trade Counter element of the development. The Transport Statement indicates that the proposed development, together with extant planning permission references 13/00178/FULL and 13/00411/OUT would generate a total of 1116 no. daily vehicular movements, a reduction of 851 no. vehicular trips when compared to the previous, historic permitted use of the site. The Statement indicates that the proposed mixed use development, including the proposed Trade Counter uses and the extant planning permissions at the site would generate 180 no. vehicular movements in the morning peak (8am-9am) and 82 no. vehicular movements in the afternoon peak (4pm-5pm), equating to 18 no. less vehicular movements in the morning peak and 119 no. less movements in the afternoon peak, when compared to planning permission reference K12345/76, attributed to the different pattern of movements associated with Trade Counters uses.

22. The Traffic Distribution Comparisons Technical Note provides a comparison of the trip distributions through the Fareham Road/Lederle Lane signalised junction for the existing and proposed uses at the site, including if the recently consented drive-through restaurant and coffee shop were brought into use. The Comparisons Note has been further amplified by an additional Technical Note, which uses Automatic Traffic Counter (ATC) data from the A32 in order to model traffic flows on the highway and assess the potential impact of the use of the Lederle Lane junction on traffic flows.

23. The Technical Notes analyse the traffic movements during various periods of the day, including during the peak morning, lunchtime and evening periods and analyses the likely number of

vehicular movements through the Lederle Lane/Fareham Road junction, when compared to the previous, historic use of the site. The anticipated trips associated with the mixed Class B and Trade Counter uses have been calculated in accordance with the TRICs database, as adopted by Hampshire County Council. The TRICs database is a national system of trip generation analysis for different uses. The Technical Note concludes that, when compared with the previous, historic use of the site, the proposed development, including the recently approved drive-through uses, would result in 135 no. less multi modal trips through the junction in the morning peak, 18 no. less multi modal trips through the junction in the lunch time peak and 44 no. less trips through the junction in the afternoon peak.

24. The submitted Contamination Assessment involved a site walk-over, ground investigation, collection, logging and assessment of excavated material/soil samples, using a total of 6 no. trial pits across the site.

25. The Arboricultural Report assesses the health and life expectancy of the protected trees at the front of the application site. The Report confirms that no trees would be removed to facilitate the development and outlines tree protection measures to be implemented during the construction period.

Relevant Planning History

154 Fareham Road (including application site)

13/00411/OUT - Outline Application - erection of drive-through restaurant (Class A3/A5) and drive-through coffee shop (Class A3/A5) with associated access and car parking - permitted 18.12.13

13/00318/VOC - variation/removal of conditions 3, 4, 5, 7, 8, 11, 12 and 13 of planning permission reference 13/00178/FULL relating to samples of external materials, new accesses, open storage, percussive piling, the submission of an environmental mitigation strategy, the removal of trees/shrubs and details and completion of landscape scheme - permitted 12.09.13

13/00266/FULL - re-roofing, re-cladding and installation of portal rafters together with alterations to elevations to provide new windows, doors and loading bays - permitted 12.09.13

13/00178/FULL - erection of two storey building for flexible class B1(b) and (c), B2 and B8 use together with associated access, parking, storage yard and landscaping - permitted 11.07.13

KD13 - demolition consultation - prior approval not required 29.10.12

K12345/76 - use of land and buildings for flexible class B1 (b) and (c), B2 and B8 use (including open storage) with ancillary B1(a) and alterations to existing car parking and existing access from Lederle Lane - permitted 25.10.12

K12345/68 - retention of existing works and further works to change the use and subdivide the existing planning unit into multiple undefined planning units for industrial use (Class B1 and B2) and storage and distribution (Class B8) uses (as amended by plans received 18.06.02, 20.06.02 and 05.08.02) - permitted 01.04.04 subject to conditions to control the mix of uses, access and circulation into and around the internal road system, parking provision, landscape planting, drainage and open storage

154 Fareham Road (excluding application site)

Land to the north of the application site

13/00052/FULL - erection of two storey industrial unit (Class B1, B2 and B8) with associated parking and access - permitted 03.07.13

Tree Preservation Order G.125 - 27 no. and 2 no. groups of trees - confirmed 11.07.12

Development known as Apex House

K12345/75 - erection of two storey industrial unit (Class B2 and B8) with associated parking and access (amended scheme to K12345/73) - permitted 13.11.09

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/T3

Internal Layout of Sites

R/T4

Off-site Transport Infrastructure

R/T11

Access and Parking

R/EMP3

Protection of Existing Employment Sites from Inappropriate Development

R/EMP5

Extension of Existing Employment Uses and Redevelopment of Redundant Employment Sites

R/EMP7

Low Employment Generating Uses

R/OS11

Protection of Areas of National Nature Conservation Importance

R/OS13

Protection of Habitats Supporting Protected Species

R/CH1

Development within the Coastal Zone

R/ENV2

River and Groundwater Protection

R/ENV4

Treatment of Foul Sewage and Disposal of Surface Water

R/ENV10

Noise Pollution

R/ENV12

Air Quality

R/ENV14

Energy Conservation

R/ENV15

Renewable Energy

R/S2

Location of Additional Shopping & Leisure Floorspace

R/ENV9

Safeguarded Areas

Consultations

Environment Agency (Hants & IOW)

No objection.

Natural England

No objection.

Southern Water

No objection. An informative should be included on any consent to advise the applicant that a formal connection to the public sewerage system will be required in

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| | order to service the development. |
| HCC Ecology | No objection. |
| Crime Prevention & Design | No response. |
| Building Control | No objection. Consent will be required under the Building Regulations. |
| Economic Prosperity | No objection. Class B uses are the preferred option for this site. The application does not give an indication of how the uses are to be apportioned across the site and it is difficult, therefore, to assess the likely employment generation. Based on density figures, the proposed development may generate between 170 no. and 995 no. jobs. |
| Environmental Health | <p>No objection. The demolition/construction work should be undertaken in accordance with the BRE Pollution Control Guide - Controlling particles, vapours and noise pollution from construction sites 2003. All work operations, that result in noise being audible at the site boundary, shall only be undertaken between the hours of 08.00 - 18.00 Mondays to Fridays and 09.00 - 13.00 on Saturdays with no noisy operations being undertaken on Saturday afternoons, Sundays or Bank Holidays.</p> <p>Smoke and dust on site should be controlled so as not to cause a nuisance to neighbouring premises or Local Air Quality. The contractor should consult the Health & Safety Executive when removing asbestos materials.</p> <p>Any additional lighting to the car park area or building should not cause glare or spillage which may cause nuisance to neighbouring premises. The contractor should demonstrate best practice by adopting the recommendations of Guidance notes for the reduction of Light Pollution 2000 - The Institution of Light Engineers.</p> <p>The findings of the submitted RAW Contaminated land report 13R1329 are acceptable.</p> |
| Streetscene Parks & Horticulture | No objection. |
| Streetscene Waste & Cleansing | No objection. |
| Local Highway Authority | No objection. The Highway Authority's automatic traffic counter on the A32, just to the south of Geoffrey Crescent, has been interrogated for traffic data in 2013 and this data has been used to identify the likely directions of attraction and the subsequent |

distribution of the trips generated by the proposed uses.

TRICS data has been used to predict the likely traffic generated from the proposed land uses. TRICS is the national standard for trip generation analysis. The data has been used to assess the impact of the of the proposed land uses on the A32/Lederle Lane traffic signal controlled junction across the 12 hour day (07.00-19.00 hours). The trip generation assumptions are based on builder's merchants as there is no specific data for trade counters.

The traffic impact of the proposal has to be considered against the baseline of what land uses were present on site when Cyanamid closed. The proposed usages of the site consists, in total, of 13,189m² of predominantly B1 Business, B2 General Industry and B8 Warehouse and Distribution with a small element of drive through restaurant and coffee shop and almost a quarter of the site area for trade counter usage and associated showroom. The proposed usages represent a major reduction of 15,813m² (54.5%) of the Cyanamid area usages.

It is important when considering the impact of the proposed development to remember the access arrangements from the A32 that existed when Cyanamid was in operation and are now being proposed by the various elements of the redevelopment of the site. The access arrangements were/are as follows:

- Cyanamid - access was from Lederle Lane only. Therefore, all traffic generated entered and departed via the A32 Lederle Lane junction.
- Permitted Extra Unit (planning application 13/00178/FULL) - access only from Lederle Lane. Therefore all traffic generated enters and departs via the A32 Lederle Lane junction.
- Drive through restaurant and coffee shop (planning application 13/00411/OUT) - new access from Barwell Lane and Lederle Lane. Therefore, the traffic generated will be split equally between the Barwell Lane and Lederle Lane junctions with the Lederle Lane taking more traffic due to Barwell lane being one-way inbound from the A32 and consequently any traffic entering this way will have to leave via the Lederle Lane junction.
- Trade Counters and buildings for flexible industrial use (present planning application) - access is proposed from the Barwell Lane and Lederle Lane junctions with the Lederle

Lane taking more traffic due to Barwell Lane being one-way inbound from the A32 and consequently any traffic entering this way will have to leave via the Lederle Lane junction. The proposed uses and the proposed accesses from Barwell Lane will result in less impact on the A32/Lederle Lane junction than when the Cyanamid site was in operation.

Table 1 entitled "Traffic Movement Comparison" of the Paul Basham Associates Lederle Lane Traffic Comparison Transport Note (received 14/01/2014) identifies the likely traffic generated by the proposed uses of the redeveloped Cyanamid site which will use the A32/Lederle Lane junction on an hourly basis throughout the 12 hour working day (07.00-19.00 hours) and compares that with the traffic generated by the Cyanamid site use.

The calculations used demonstrates that the impact on the A32/Lederle Lane junction, throughout the working day, of traffic flows likely to be generated by the proposed uses of the redeveloped Cyanamid site will be less than the previous Cyanamid site's operation. There is likely to be a reduction of 685 trips arriving and 440 departing throughout the 12 hour working day with a reduction of 103 arriving and 24 departing in the morning peak hour (08.00-09.00 hour) and 19 arriving and 61 departing in the evening peak hour (17.00-18.00 hour).

The A32 is a critical highway in this area and the Highway Authority need to be clear that development on this site is not going to compromise its capacity or operation so that it can continue to serve local businesses and residents that rely on it every day. The work that has been provided clearly demonstrates there will be less traffic using this junction than the "historical" use of the site. The likely reductions summarised above are of such a volume that the revised junction movements resulting from the new proposed uses will not have a greater impact on the capacity and operation of the A32 compared to the site's historic use (noting that highway conditions on the A32, in terms of traffic movements, remain consistent with those evident at the time Cyanamid was operational), including at weekends.

Car parking for the proposed development has been provided in accordance with the Local Planning Authority's Supplementary Planning Document on Parking guidance. The trade counter element of the proposal will require the provision of 89 car parking

spaces and 6 motorcycle parking spaces. 97 car parking spaces are shown along with the locations for the cycle parking on drawing number 978-TC-P03.

The remaining parking provision for the B uses proposed assumes a 50:50 split between B1 (b) and (c) and B8 use resulting in a requirement in total for 148 car parking spaces. 155 car parking spaces along with 13 lorry parking spaces are proposed and shown on drawing number 978-IL-O1.

Drawing Number 020.0.0109.100 demonstrates that it is possible for the type of servicing vehicle likely to service the individual trade counters and the individual B use areas by entering and leaving in a forward gear without the recourse to multi-point turns and interfering with allocated car parking or skip storage areas.

Whilst it is not ideal for servicing vehicles to mix with public car parking which is the case for trade counter areas 1B, 1C, 1D and 1E the frequency of such occurrences will be few and with due diligence no conflicts should occur.

Safe pedestrian access is available in order to cross the A32.

There is no payment required under the Transport Contribution Policy as the proposed redevelopment of the Cyanamid site will result in less traffic being generated.

Response to Public Advertisement

1 letter of objection

Issues raised:-

- if this application is approved, there is a danger that further applications for retail development will be submitted, on the premise that the precedent has already been established
- the Transport reports contain questionable assumptions
- the Local Planning Authority should be vigilant of any unauthorised works to the trees at the front of the site which are protected by a Tree Preservation Order
- query regarding access rights over Barwell Lane and what the implications would be if all access was taken from the proposed Lederle Lane/A32 junction
- questions whether a condition will be used to ensure access is achieved from Barwell Lane
- queries the impact of the development on the Lederle Lane junction
- the proposal could impede traffic on the A32 while vehicles wait to turn right into Lederle Lane
- the combination of the proposed development, together with the recently approved drive-through uses, will result in severe congestion on the A32 and at the Lederle Lane junction, to the detriment of commuters, especially at peak times and at weekends
- consideration must be given to the combined impact of the different proposals/permissions on the A32
- the application site is an industrial site, not a retail park
- a condition should be used to control opening hours
- no evidence has been provided in relation to the likely employment generation
- consideration should be given to comments from the Head of Economic Prosperity

- regarding the retention of the site for the preferred Class B uses
- the landscape condition used on planning consent reference K12345/76 should not be removed if planning permission is granted

Principal Issues

1. All planning applications must be considered on their individual merits and against the relevant local and national planning policies. The submitted Transport Assessment and accompanying Technical Note have been assessed, independently, by the Local Highway Authority. No works have been undertaken, or are proposed to be undertaken to any trees at, or adjacent to, the application site. The future retention and protection of the trees during any construction will be controlled by condition, as discussed in paragraph 7 of this report.
2. The National Planning Policy Framework (NPPF) states that Local Planning Authority's should contribute to building strong, responsive and competitive economies; vibrant and healthy communities that meet the needs of present and future generations; high quality built environments, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; protect and enhance the natural, built and historic environment and; improve biodiversity, using natural resources prudently, minimise waste and pollution and mitigate and adapt to climate change. In accordance with the above objectives, the Local Planning Authority must consider the acceptability of the proposed development in land use terms, including its potential to contribute to sustainable economic development; whether the proposal can be delivered without prejudicing the access and servicing arrangements of adjacent uses, or the future, redevelopment of adjoining land; the impact on the character and visual amenity of the locality and the amenity of adjacent users/occupiers; whether appropriate provisions can be made for access, car and bicycle parking, refuse storage and collection, servicing and drainage and; whether the development can be delivered without having a harmful impact on the interests of land contamination and nature conservation, including trees.
3. The National Planning Policy Framework, applies a flexible approach to employment generation and places significant emphasis on the need to support and promote economic growth through the planning system, especially where proposals provide employment opportunities and/or contribute to the local economy. Policies R/EMP3, R/EMP5 and R/EMP7 of the Gosport Borough Local Plan Review also recognise the importance of employment generating uses and require that the use of land is maximised for that purpose. In this respect, it is noted that the site is located within an Existing Employment Site, as defined on the Proposals Map of the Gosport Borough Local Plan Review and that, historically, the full range of Class B uses have operated at the site, without restriction or control over the arrangement/mix of the uses operating across the site. In October 2012, planning permission reference K12345/76 granted consent to use the site for mixed Class B uses. The principle of the proposed, flexible Class B1(a) offices, B1(b) research and development, Class B1(c) light industry, Class B2 general industry and Class B8 storage and distribution, including open storage has, therefore, been established, both by previous uses of the site and by planning permission reference K12345/76. This aspect of the proposed development remains acceptable, therefore, and accords with the aims and objectives of the National Planning Policy Framework and Policies R/DP1 and R/EMP3 of the Gosport Borough Local Plan Review.
4. Whilst the proposed Trade Counter use would not, historically, be regarded as falling within the Class B category of employment generation, this particular aspect of the proposal would only comprise 10% of the overall floorspace of the retained factory building and a very small proportion of the overall area of this large industrial estate, which is capable of accommodating a range of uses, without compromising the future economic sustainability of the Existing Employment Site. Despite being actively marketed, the application site had been vacant for a considerable period of time, and has not, therefore, been providing employment opportunities for residents of the Borough. The proposed external alterations will improve the appearance of the building and, in turn, the attractiveness of the site as a destination for investment, while the proposed mix of uses, including the Trade Counter elements, will further assist in bringing a vacant site back into use, creating a variety of new employment opportunities for residents of the Borough. As the end-users of the site are not yet known, the exact employment generation potential created by the proposed

development cannot be detailed, however, given the type and mix of uses proposed and the overall quantum of floorspace proposed, it is anticipated that the development will generate between 170 no. and 995 no. jobs

5. The applicant has submitted information that shows that there are no suitable, alternative sites available within the Borough's defined Centres that would meet the specific locational and operational requirements of prospective Trade Counter operators and it has not, therefore, been possible, or desirable, to locate the proposed facilities within these designations. Trade Counter uses often operate in conjunction with associated Class B uses and by the nature of their operation, share similar characteristics.

For the reasons described above, the proposed development, including the Trade Counters, is considered acceptable in land use terms. In order to control the proportion of floorspace that may be operated as Trade Counters, so as to retain an appropriate mix/balance of uses across the Existing Employment Site, a condition will be used to ensure to control the overall quantum of Class B floorspace that may operate with associated Trade Counters/Showrooms. A condition will require that no more than 1,100 square metres in total of the approved Class B floorspace at the front of the building is laid out and operated as associated Trade Counter/Showroom floorspace. A condition will also be used that will require that no individual Class B use operating with an associated Trade Counter/Showroom exceeds 700 square metres in floor area. Subject to these conditions, the proposed development complies with the aims and objectives of the National Planning Policy Framework and Policies R/DP1, R/EMP3, R/EMP5 and R/EMP7 of the Gosport Borough Local Plan Review.

6. As with planning permission reference K12345/76, the submitted plans show that the proposed uses can be accessed and serviced without compromising existing industrial occupiers and that the development can be arranged in such a way so as not to prejudice the future redevelopment of adjacent land, including the provision of extant planning permission reference 13/00411/OUT. The principle of open storage on this employment site, along with some employment related activity outside of the building envelope, has been established by planning permission reference K12345/76 and continues to be acceptable, and reasonable, in this industrial location. Notwithstanding this, it is recognised that, depending on its location, the provision of open storage could have a harmful impact on visual amenity and that the associated activity can, potentially, generate noise. In order to protect the amenities of the area, a condition will be attached, therefore, to control the type and height of open storage across the site. A condition will also be used to restrict the provision of any open storage on the southern (front) side of the site, without the prior written consent of the Local Planning Authority of the details of the individual areas to be used, the Class of industrial use to be carried out, the maximum storage heights within these areas and the proposed means of enclosure, and a scheme for landscape planting for those respective areas. The same condition was included on planning permission reference K12345/76.

7. The proposed external alterations, including the colour and type of materials to be used on the front elevation, are acceptable. They are appropriate to the industrial context to which they relate and have been designed to reflect the style and appearance of the external alterations approved under planning permission reference 13/00266/FULL. The front elevation will have a modern appearance that will integrate well with the existing industrial buildings in the immediate locality. Subject to the use of appropriate materials, which will be controlled by condition, the provision of hard-surfaced, car parking areas will not detract from the character or appearance of the locality and is considered acceptable in this industrial location. The condition will also require the submission and approval of details relating to surface water drainage. No trees are to be removed as part of the development proposal and suitable tree protection measures (to be put in place for the duration of the construction period) will be controlled by condition. As was the case with planning permission 13/00318/VOC, it is, again, considered necessary to protect the large trees on the eastern side of the site. Paragraph 77 of Circular 11/95 advises that where a Local Planning Authority includes a condition relating to the retention of trees at a development site, it should include a timeframe for compliance, after which the tree(s) may be removed without the requirement for further consent. In this respect, the Circular states that conditions requiring the retention of trees, in perpetuity, should not be used as a substitute for the making of a Tree Preservation Order, which remains the appropriate mechanism for ensuring long term protection. Whilst the trees are mature

specimens, that make a positive contribution to their immediate surroundings, as they are sited in excess of 150 metres from the nearest public highway (ie, Fareham Road), they make a limited contribution to the wider character and visual amenity of the locality. There are a significant numbers of trees located on the opposite side of Lederle Lane, which provide a long, and largely uninterrupted, screen of healthy vegetation, stretching almost the entire the length of the highway. In light of this, and as was the case with planning permission 13/00318/VOC, the trees are not, therefore, considered worthy of a Tree Preservation Order. In accordance with Circular 11/95, a condition will be included that requires the trees on the eastern boundary to be retained for a period of five years from the date of the first occupation of the building for its permitted use, as was established by planning permission reference 13/00318/VOC and which is consistent with normal landscaping conditions. Subject to the above conditions, and the condition to control the location and heights of open storage areas, as referred to in paragraph 6 above, the proposed development will not harm the visual amenity of the locality, or landward or seaward views, in accordance with the National Planning Policy Framework and Policies R/DP1 and R/CH1 of the Gosport Borough Local Plan Review.

8. Planning permission reference K12345/76 granted consent for the application site to operate under Classes B1, B2 and B8, with no restriction on the opening/operating hours, or the number, type and time of deliveries, the number of staff employed, or the number of vehicular trips associated with the different uses. In light of the above consent, it is not considered that the comings and goings associated with the same proposed Class B uses, or the operations associated with those uses, will result in harmful levels of disturbance to adjacent commercial or residential occupiers (individually or cumulatively with existing and extant consents), particularly as this is an existing and established industrial site which is located on the A32, the principle route in to and out of the town, which generates background noise. Although a condition was included on planning permission reference 13/00411/OUT to control the opening hours of the approved drive-through restaurant and coffee shop, the character of such uses, by the nature of their operation, is different tot that which would be expected from Class B uses and in light of this, and for above descried reasons, a similar condition is not, therefore, considered necessary for this application. Given the siting of the proposed development relative to existing residential properties, the existing and permitted uses of the site and the location of the A32, it is not considered that the development will harm the living environment of adjacent occupiers with regard to fumes from vehicles. There is likely to be a requirement to provide a certain level of external lighting to create a safe and pleasant environment in hours of darkness. The lighting proposals can be designed to respect the setting of neighbouring sites, avoiding glare and unnecessary light pollution, whilst also helping to reduce opportunities for crime and/or anti-social behaviour. The details of the lighting strategy for the site will be controlled by condition. This will ensure that the Borough Council can control luminance levels to protect amenity and public safety. In this regard, it is also noted that the proposed development would be located beyond a row of mature and established trees, which are protected, and this will help to screen the residents of Fareham Road from harmful levels of glare/light spillage. The tree screen will also help to reduce noise emanating from the site. Subject to the above condition, the development will not harm the amenity of neighbouring occupiers and, therefore, complies with the National Planning Policy Framework and Policies R/DP1, R/ENV10 and R/ENV12 of the Gosport Borough Local Plan Review.

9. The anticipated vehicle movements to and from the site have been calculated, together with an analysis of the likely number of vehicular movements through the Lederle Lane junction. The Local Highway Authority has confirmed that the proposed development can operate without having a harmful impact on the flow of traffic on the A32, or on Lederle Lane or Barwell Lane, and without compromising the access arrangements of existing, adjacent occupiers, noting that highway conditions on the A32, in terms of traffic movements, remain consistent with those evident at the time Cyanamid was operational. Likewise, based on the submitted information and analysis, the Local Highway Authority has confirmed that the development will not have a negative impact on the performance of the signalised junction between Lederle Lane and the A32, which will continue to operate and be controlled under SCOOT.

10. The applicant has demonstrated, with appropriate evidence, that the proposal will not result in an overall increase in the number of weekday vehicular movements onto the A32, when compared

to the previous, historic use of the site, including if all other extant planning permissions at the site were brought into use, and particularly as traffic movements on the A32 remain consistent with those evident at the time Cyanamid was operational. The submitted data demonstrates that the total number of movements through the Lederle Lane junction over a twelve hour period (7am - 7pm) is significantly reduced compared to the previous, historic use of the site. Taking account of the proposed use at the site and all extant planning permissions, it has been demonstrated that the proposal will reduce the number of vehicles using the Lederle Lane/A32 junction during the network peaks, when compared to the previous, historic use of the site. Specifically, the data shows, and the Local Planning Authority accepts, that there would be 127 no. less movements through the junction between 8am-9am (morning peak), 99 no. less movements between 1pm-2pm (lunchtime peak) and 118 no. less movements between 4pm-5pm (evening peak). When the number of trips associated with the proposed development is compared to the number of trips established under planning permission reference K12345/76, the submitted data shows that there will be a modest increase of 33 no. trips across the day as a whole, representing a 0.14% increase in movements through the Lederle Lane/A32 junction. The greatest increase in vehicular movements through the junction, will occur at 12pm-1pm and 1pm-2pm, outside of peak times, as identified by Hampshire County Council's baseline traffic data. It is anticipated that the largest increase would occur at 12pm-1pm, when 10 no. additional vehicles would pass through the junction, when compared to the trips that would be associated with planning permission reference K12345/76, representing an increase of 0.52%. Although the proposed development will result in additional movements onto/off of the A32 at weekend, the Local Highway Authority has confirmed that the highway has adequate spare capacity at the weekend to safely accommodate increased traffic movements.

11. The proposed access arrangements, including visibility splays and distances to adjacent junctions, are acceptable. The layout and parking areas have been designed to allow safe circulation and manoeuvring of vehicles. The Local Highway Authority has indicated that the existing pedestrian crossings on the A32 and across Lederle Lane will provide safe and convenient pedestrian routes to the site. The proposed level of parking is considered to be an appropriate provision for the quantum of development proposed and the siting of the spaces has been appropriately considered to ensure that all parts of the building will be served by parking areas. It is not, therefore, considered that the development will result in a harmful level of overspill parking in the local highway network, to the detriment of local amenity or highway safety. The plans show that appropriate facilities for the parking of bicycles can also be provided, which will provide alternative, sustainable alternatives to the use of the private motor vehicle, the details of which will be secured by condition. Adequate access and space can be made available for servicing/delivery vehicles. Under the circumstances, and subject to a condition to control the a timetable for the provision of car and bicycle parking and refuse storage facilities, and their subsequent retention, the proposed development complies with the National Planning Policy Framework and Policies R/DP1, R/T2, R/T3, R/T4, R/T10 and R/T11 of the Gosport Borough Local Plan Review.

12. The site is located near to the Portsmouth Harbour Special Protection Area (SPA), and Ramsar site, both of which are designations of international importance to nature conservation and the Site of Importance for Nature Conservation (SINC) at Fleetlands, which is designated due to its importance as a feeding ground for Brent Geese. In recognition of the existing noise levels associated with existing industrial uses within the vicinity of the application site, the use of helicopters at the adjacent Fleetlands site, and having discussed the matter and taken advice from Natural England and Hampshire County Council, it is not considered that the proposed uses will harm the environment for the over-wintering bird population, in accordance with the National Planning Policy Framework and Policies R/DP1, R/OS11, R/OS12 and R/OS13 of the Gosport Borough Local Plan Review.

13. No new buildings that require foundations are proposed as part of this application. Notwithstanding this, ground investigations and soil analysis has revealed that the land, the subject of this application is not contaminated and the Head of Environmental Health has confirmed that no further exploratory investigations are necessary. The proposed car parking would require various shallow groundworks to be undertaken and it is, therefore, proposed to attach a condition to deal with details of surface water drainage and any contaminants not previously identified being found

during these works. Subject to this condition, the proposal complies with the National Planning Policy Framework and Policies R/ENV2 and R/ENV4 of the Gosport Borough Local Plan Review.

14. The proposed building works to the front elevation fall outside the consultation requirements relating to the military Safeguarded Area for Bedenham, Fleetlands and Frater and the Safeguarded Area for the Aerodrome at Lee-on-the-Solent. The development, therefore, complies with Policy E/ENV9 of the Gosport Borough Local Plan Review.

15. The provision of new insulated panels will help to improve the energy efficiency of the building and the provision of large areas of south-facing, glazing will maximise passive solar gain, in accordance with the aims of the National Planning Policy Framework and Policy R/ENV14 of the Gosport Borough Local Plan Review.

RECOMMENDATION: Grant Permission

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

978/TC-P01 Rev B, 978-TC-P03 Rev B, 978-TC-P04 Rev 4

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

3. The alterations to the southern elevation hereby approved shall be constructed in accordance with approved plan 978-TC-P04 Rev B and from the following materials and colour finishes, unless otherwise agreed, in writing, by the Local Planning Authority:

Walls: Merlin Grey (RAL 180 40 05) colour composite insulated clad panels
Goosewing Grey (RAL 7038) colour composite insulated clad panels
Albatross (RAL 240 80 05) colour composite insulated clad panels
Trims and Downpipes: Anthracite (RAL 7016)

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

4. No Class B Use with an associated Trade Counter/Showroom, which relates to an associated area within a larger unit in which purchases are made usually by tradespersons but also by members of the public and or where goods are displayed (hereafter called associated Trade Counter/Showroom), shall be permitted to operate other than within the area hatched black on the approved plan, reference 978-TC-P03 Rev B.

Reason - To ensure the appropriate mix of uses across the Existing Employment Site and to comply with the National Planning Policy Framework and Policies R/DP1 of the Gosport Borough Local Plan Review.

5. No more than 1100 square metres in total (GEA) of the Class B floorspace within the area hatched black on the approved plan reference 978-TC-P03 Rev B shall be permitted to be laid out and operated as associated Trade Counter/Showroom.

Reason - To ensure the appropriate mix of uses across the Existing Employment Site and to comply with the National Planning Policy Framework and Policies R/DP1 of the Gosport Borough Local Plan Review.

6. No individual Class B use operating with an associated Trade Counter/Showroom within the area hatched black on the approved plan reference 978-TC-P03 Rev B shall exceed 700 square meters in floor area.

Reason - To ensure the appropriate mix of uses across the Existing Employment Site and to comply with the National Planning Policy Framework and Policies R/DP1 of the Gosport Borough Local Plan Review.

7. The development hereby approved shall not be brought into use until details of a timetable for the provision of the vehicular accesses, car parking, bicycle parking and refuse storage facilities across the site, as shown on approved plan reference 978/TC-P01 Rev B, have been submitted to and approved, in writing, by the Local Planning Authority. The vehicular accesses, car parking, bicycle parking and refuse storage facilities shall be provided in accordance with the approved timeframe and approved plan 978/TC-P01 Rev B and retained for these purposes at all times thereafter.

Reason - To ensure satisfactory levels of car and bicycle parking and refuse storage are provided and to comply with the National Planning Policy Framework and Policies R/DP1 and R/T11 of the Gosport Borough Local Plan Review.

8. Details of any new proposed surfacing materials and associated method of drainage for the new car parking areas hereby approved, shall be submitted to and approved, in writing, by the Local Planning Authority before works on this part of the development are commenced. If contamination is identified during these works, all works shall cease until appropriate pollution prevention measures, have been submitted to and approved, in writing, by the Local Planning Authority. The works shall thereafter be carried out as approved.

Reason - In the interests of the safety and amenity of future occupants and to prevent pollution of the water environment and to comply with Policies R/DP1, R/ENV2 and R/ENV4 of the Gosport Borough Local Plan Review.

9. No trees within the area hatched green on approved plan reference 978/TC-P01 Rev B shall be permitted to be removed for the first five years from the date of the first occupation of the building for its permitted use unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - In the interest of amenity and to comply with the National Planning Policy Framework and Policy R/DP1 of the Gosport Borough Local Plan Review.

10. The trees on the site which are shown to be retained (Drawing no. 2766 of the Arboricultural Report) shall be protected during building operations by compliance with BS5837:2005 - Trees in Relation to Construction.

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

11. No open storage or industrial use outside of existing buildings shall take place within the area cross-hatched blue on the approved plan, reference 969-CU-01 Rev C, at the southern end of the site, until details of the individual areas to be used, the Class of industrial use to be carried out, the maximum storage heights within these areas and the proposed means of enclosure, and a scheme for landscape planting for those respective areas have been submitted to and approved, in writing, by the Local Planning Authority. No open storage or industrial use outside of the existing buildings shall take place on the blue cross hatched area until the approved means of enclosure and landscape planting for each respective area has been carried out. The approved means of enclosure and landscape planting shall be retained thereafter.

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

12. Notwithstanding the requirements of condition 11, no goods, plant or material stored in the open, outside of the application building, within the site shall exceed 10 metres in height, without the prior consent, in writing, of the Local Planning Authority.

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

13. The development hereby permitted shall not be brought into use until details of the external lighting for the site have been submitted to and approved, in writing, by the Local Planning Authority. These details shall include:

- (a) a timeframe for the provision of lighting across the site
- (b) a layout plan with beam orientation;
- (c) the design of all lighting to include luminaire type, mounting height, aiming angles and luminaire profiles;
- (d) a light scatter diagram with relevant contours;
- (e) hours of operation.

The approved external lighting shall be provided in accordance with the approved details before the development is first brought into use.

Reason - In the interests of amenity and public safety, to prevent light pollution and to comply with the National Planning Policy Framework and Policies R/DP1 and R/ENV11 of the Gosport Borough Local Plan Review.

14. In the event that contamination not previously identified to be present on site is found to be present on site, an investigation, risk assessment and mitigation study shall be undertaken and submitted to and approved, in writing, by the Local Planning Authority. A verification report that demonstrates that the remediation has been carried out in accordance with the approved scheme shall be submitted to and approved, in writing, by the Local Planning Authority before the development is first brought into use unless otherwise agreed by the Local Planning Authority.

Reason - To ensure that risks from contamination for future users of the land and neighbouring land, and controlled waters, property and ecological systems are minimised and in the interests of the safety of construction workers, occupiers of adjacent land and off site receptors, and to comply with the National Planning Policy Framework and Policies R/DP1, R/ENV2, R/ENV4 and R/ENV5 of the Gosport Borough Local Plan Review.

15. Before development is commenced, a Construction Traffic Management Plan shall be submitted to and approved, in writing, by the Local Planning Authority. The Construction Traffic Management Plan shall include, in particular, details of lorry routing, contractors parking and turning, measures to prevent mud and spoil from being deposited on the highway and the construction programme. The approved Construction Traffic Management Plan shall be carried out for the duration of construction on site.

Reason - To preserve the amenity of the area, to preserve highway safety and to comply with the National Planning Policy Framework and Policies R/DP1, R/T2, R/T10 and R/T11 of the Gosport Borough Local Plan Review.

ITEM NUMBER: 02.
APPLICATION NUMBER: 13/00555/FULL
APPLICANT: Mr Jim Trotman Debut Services (South West) Ltd.
DATE REGISTERED: 23.12.2013

**INSTALLATION OF 4 NO. SYNTHETIC SPORTS PITCHES TOGETHER WITH ERECTION
OF 4M HIGH FENCING (as amplified by email received 20.01.14)
HMS Sultan Military Road Gosport Hampshire PO12 3BY**

The Site and the proposal

1. The application site is within the southern part of HMS Sultan and is located outside of the Urban Area and SINC, in the Strategic Gap, on the Existing Open Space and is currently occupied by a series of concrete tennis courts surrounded by mesh wire fence 2.4m high with a number of trees in the grass around the courts. The area occupied by the courts is 'L' shaped with the main northern section being 72m long and 37m wide and the smaller southern section is 37m long and 28m wide. The courts are an ancillary recreational facility within the military site. The application site is potentially contaminated. The nearest residential properties are situated over 100m to the north west.

2. HMS Sultan is an established military site between Military Road to the east and Grange Road to the west with vehicle and pedestrian accesses from both. The site is over a mile long and almost 500m wide at its widest point. Fort Grange, with its associated moat, is located to the southern end of the site and is a Scheduled Ancient Monument and Listed Building. To the south of Fort Grange is the HMS Sultan Wardroom which, together with its flanking wings, is a Locally Listed building. Fort Rowner is located on the north part of the site and is also a Listed Building. The remaining buildings range in type and size, however, those to the southern end of the built up area are two storey brick buildings under hipped, pitched roofs.

3. HMS Sultan is surrounded by 1.8m high mesh wire fence supported on concrete posts. Whilst the northern part is occupied by a various buildings, together with the Fort's and Wardroom, the southern part of the site is laid to grass which extends south to its terminus with Privett Road. The northern edge of this area of grass defines the extent of the Urban Area whereby the boundary runs east to west across HMS Sultan south of Fort Grange and the Wardroom. The area to the south of this boundary is also Strategic Gap separating Lee on the Solent and the rest of the Borough. It is also an Existing Open Space part of which is a Site of Importance for Nature Conservation (SINC) due to its importance for the feeding and breeding of over-wintering birds such as Brent Geese.

4. This application proposes the replacement of the existing tennis courts with four 3G, all-weather, sports pitches to be surrounded by dark green, 4m high sports rebound, mesh wire fencing. Three of the pitches would be 35m long and 22m wide with a single, large pitch 30m long and 43m wide located to the north. The application proposes to decrease the ground coverage of pitches, as compared to the existing tennis courts, by 7m on the west side of the 'L' and increase the area on the east side the southern part of the 'L' by 5.5m resulting in an overall reduction in ground coverage by 62 square metres. The 4m fence would surround and divide the pitches. No floodlighting is proposed.

Relevant Planning History

Nil

Relevant Policies

National Planning Policy Framework (NPPF), March 2012

Gosport Borough Local Plan Review, 2006:

R/OS1
Development Outside of the Urban Area
R/OS2
Strategic Gaps
R/OS4
Protection of Existing Open Space
R/DP1
General Standards of Development within the Urban Area
R/ENV5
Contaminated Land
R/ENV9
Safeguarded Areas
R/OS12
Locally Designated Areas of Nature Conservation Importance
R/OS13
Protection of Habitats Supporting Protected Species
R/BH3
Development Affecting Listed Buildings
R/BH5
The Local List
R/BH8
Archaeology and Ancient Monuments
R/ENV10
Noise Pollution

Consultations

| | |
|----------------------|--|
| HCC Ecology | No objection. The proposal does not include an expansion of the existing developed area, however, the site is adjacent to an existing SINC which is designated due to its importance for over-wintering birds. Any works that take place on or adjacent to the field could disturb the birds and, therefore, a condition is recommended to restrict noisy operations during the over-wintering period of October to March. |
| Natural England | No objection. |
| Environmental Health | No objection, however, as the site is potentially contaminated details of a mitigation strategy should be secured by condition. |

Response to Public Advertisement

Nil as at 17 January 2014. Application publicity expires on 31 January 2014.

Principal Issues

1. The main issues for consideration are the acceptability of the development in land use terms, the design of the proposal, the impact on the setting of Fort Grange which is a Scheduled Ancient Monument and Listed Building and the Wardroom which is a Locally Listed Building, the impact on the neighbouring properties and the effect on contaminated land and features important for nature conservation.

2. Policy R/OS1 restricts development outside of the Urban Area except for appropriate recreational uses which this application proposes. Where an appropriate recreational use is proposed Policy R/OS1 requires that it is considered under Policy R/DP1. Policy R/OS2 seeks to preserve the physical and visual Strategic Gap between Lee on the Solent and the remainder of the Borough. The siting of a recreational facility is established in this location and the type of facility is similar to that which already exists, albeit in a revised format. The decrease in the footprint of the pitches as compared to the existing courts would increase the size of the Strategic Gap physically. Whilst the proposed fence would be 1.6m higher than the existing, it is considered acceptable against the setting of the established 2 storey buildings to the north and existing trees. The type of fence would allow continued views across the site which would ensure that, overall, the Strategic Gap would not be visually or physically diminished. The fence is to be dark green which will assist in minimising its visual impact and this is recommended to be secured by condition to ensure that the visual context of the Gap and streetscene are not harmed. Policy R/OS4 prevents development on Existing Open Spaces except for where developments of a small part of the site for recreational facilities would enhance existing facilities. The proposed 3G pitches are more versatile than the existing concrete pitches. Although the overall footprint of the pitches would be smaller than the existing courts the overall function of the space would not be compromised as a result. The proposal is, therefore, considered to be acceptable in compliance with Policies R/OS1, R/DP1, R/OS2 and R/OS4 of the Gosport Borough Local Plan Review and the NPPF.

3. Whilst the fence would be higher than that which currently exists, a separation distance of over 70m would be retained between the Scheduled Ancient Monument, Listed Building and Locally Listed Building. In the case of the Scheduled Ancient Monument and Listed Building, the intervening buildings prevent direct views between the application site and Fort and in the context of the other, existing buildings on the site, the historic character and appearance of the Monument and Listed Building, and its setting, would be preserved in compliance with Policies R/BH3 and R/BH8 of the Gosport Borough Local Plan Review. Although direct views from the Locally Listed Building to the application site would be possible, in the context of the overall site and its existing buildings, the proposal would not harm the historic character of the building or its setting in compliance with Policy R/BH5 of the Gosport Borough Local Plan Review.

4. A separation of over 100m will be retained to the nearest residential properties and as there is an existing facility on the site there is an established level of activity associated with the use of the existing courts. The provision of 3G sports pitches, as compared to the existing concrete pitches, could result in an increase in the level of activity, and associated noise, as a result of the surface being more flexible. However, taking into consideration the separation distance to the neighbouring residential properties it is not considered that this will have a harmful impact on the occupiers of these properties. Vehicular and pedestrian access to the site will not alter as a result of this proposal and, therefore, any associated increase in activity will be restricted within the area where there is already a degree of activity. In the context of the overall activity associated with the site, any increase in the number of vehicles or pedestrians accessing the site associated with the proposed pitches, is unlikely to be harmful. To ensure that any land contamination is appropriately addressed, a condition to secure a mitigation strategy is recommended. The pitches are an existing recreational facility whereby a level of activity is established. Whilst this proposal could increase the level of activity on the site, in the context of the wider site at HMS Sultan, its associated activity, and the surrounding highway network, it is not considered that an increase in the level of activity of the application site will have a harmful impact on the environment for the species using the adjoining SINC. To ensure that no noisy construction works have a harmful impact on over-wintering birds, a condition is recommended to restrict the types of works carried out during this time. The proposal, therefore, complies with Policies R/DP1, R/ENV10, R/ENV5, R/OS12 and R/OS13 of the Gosport Borough Local Plan Review and the NPPF.

RECOMMENDATION: Grant Permission

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

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

3. No fence shall be erected other than in accordance with the details submitted on the email received 20.01.14 unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure a satisfactory appearance to the development, to preserve the historic character and setting of the nearby Scheduled Ancient Monument, Listed Building and Locally Listed Building and to comply with Policies R/OS1, R/DP1, R/OS2, R/BH3, R/BH5 and R/BH8 of the Gosport Borough Local Plan Review and the NPPF.

4. No development shall be carried out until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved, in writing, by the Local Planning Authority. The results of the site investigation shall be made available to the Local Planning Authority before any development is carried out. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved, in writing, by the Local Planning Authority. The site shall be remediated in accordance with the approved measures before development begins. If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved, in writing, by the Local Planning Authority. The remediation of the site shall incorporate the approved additional measures.

Reason - To ensure that risks from land contamination, ground gases and contaminated groundwater to the future uses of the land, neighbouring land, surface water, groundwater and wider environment are mitigated to ensure that the development can be carried out safely without any unacceptable risks to workers, neighbours and off site receptors and to comply with the NPPF and Policy R/ENV5 of the Gosport Borough Local Plan Review.

5. No percussive piling, works involving heavy machinery or works which involve plant exceeding 69dB when measured at the boundary of the application site shall be undertaken during the over-wintering bird period between 1 October and 31 March in any year unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To preserve the environment for over-wintering birds and to comply with Policies R/OS12 and R/OS13 of the Gosport Borough Local Plan Review and the NPPF.