

Please ask for:

Vicki Stone

Direct dial:

(023) 9254 5651

E-mail:

vicki.stone@gosport.gov.uk

11 January 2016

S U M M O N S

MEETING: Regulatory Board
DATE: 19 January 2016
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 Farr) (ex-officio)
Chairman of the Policy and Organisation Board (Councillor Hook) (ex-officio)

Councillor Mrs Hook (Chairman)
Councillor Jessop (Vice Chairman)

Councillor Allen	Councillor Hicks
Councillor Bateman	Councillor Hazel
Councillor Carter	Councillor Langdon
Councillor Dickson	Councillor Mrs Wright
Councillor Ms Diffey	Councillor Wright

INFORMATION FOR MEMBERS OF THE PUBLIC

(To be read by the Chairman 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.

Please note that mobile phones should be switched off or on silent for the duration of the meeting.

This meeting may be filmed or otherwise recorded. By attending this meeting, you are consenting to any broadcast of your image and being recorded.

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).

AGENDA

1. APOLOGIES FOR NON-ATTENDANCE

2. DECLARATIONS OF INTEREST

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

3. MINUTES OF THE MEETING OF THE REGULATORY BOARD HELD ON 8 DECEMBER 2015

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, 15th January 2016. The total time for deputations in favour and against a proposal shall not exceed 10 minutes).

5. PUBLIC QUESTIONS – STANDING ORDER 3.6

(NOTE: The Board is required to allow a total of 15 minutes for questions from Members of the public on matters within the terms of reference of the Board provided that notice of such Question(s) shall have been submitted to the Borough Solicitor by 12 noon on Friday, 15th January 2016).

6. REPORTS OF THE BOROUGH SOLICITOR AND DEPUTY CHIEF EXECUTIVE

*Schedule of planning applications with recommendations.
(grey sheets 1–65/1 pages)*

PART II
Contact Officer:
Debbie Gore
Ext: 5455

7. ANY OTHER ITEMS

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

**A MEETING OF THE REGULATORY BOARD
WAS HELD ON 8 DECEMBER 2015 AT 6PM**

The Mayor (Councillor Farr)(ex-officio);Councillors Allen, Bateman, Carter (P), Dickson (P), Ms Diffey, Hicks (P), Hazel (P), Mrs Hook (P), Jessop (P), Langdon (P), Mrs Wright (P) and Wright (P)

It was reported that in accordance with Standing Order 2.3.6, Councillors Burgess, Philpott, and Hylands had been nominated to replace Councillors Allen, Bateman and Ms Diffey for this meeting.

59. APOLOGIES

Apologies for inability to attend the meeting were received by Councillors Allen, Bateman and Mrs Diffey.

60. DECLARATIONS OF INTEREST

- Councillors Hook and Mrs Hook declared a personal interest in respect of item number 1 of the grey pages of the report of the Borough Solicitor & Deputy Chief Executive.
- Councillors Hook, Mrs Hook, Carter and Dickson declared a personal interest in respect of item number 3 of the grey pages of the report of the Borough Solicitor & Deputy Chief Executive.
- Councillors Hook, and Mrs Hook, declared a disclosable pecuniary interest in respect of item number 6 of the grey pages of the report of the Borough Solicitor & Deputy Chief Executive.
- Councillors Burgess, Carter, Dickson, Hazel, Hylands, Hicks, Jessop, Langdon and Philpott declared a personal interest in respect of item number 6 of the grey pages of the report of the Borough Solicitor & Deputy Chief Executive.
- Councillor Carter declared a personal interest in respect of item number 9 of the grey pages of the report of the Borough Solicitor & Deputy Chief Executive.
- Councillors Hook, Mrs Hook, Burgess, Carter, Dickson, Hazel, Hylands, Hicks, Jessop, Langdon and Philpott declared a personal interest in respect of item number 10 of the grey pages of the report of the Borough Solicitor & Deputy Chief Executive.

61. MINUTES

RESOLVED: That the Minutes of the Regulatory Board meeting held on 27 October 2015, be approved and signed by the Chairman as a true and correct record.

62. DEPUTATIONS

Deputations had been received on the following items:

- Item 1 of the grey pages - 14/00590/FULL – 35 High Street, Gosport
- Item 2 of the grey pages – 15/00499/FULL – Cordite Building No.2 Britannia Way
The Chairman asked the Board, under Standing Order 6.3.6, to consider receiving the deputation despite notice under Standing Order 3.5.1 not being given. The Board agreed to receive the deputation notwithstanding the notice under Standing Order 3.5.1 had not been given.
- Item 3 of the grey pages – 15/00388/FULL – Land to the Rear of 3-11 Elmhurst Road

63. PUBLIC QUESTIONS

There were no public questions.

PART II

64. REPORTS OF THE BOROUGH SOLICITOR AND DEPUTY CHIEF EXECUTIVE

The Borough Solicitor and Deputy Chief Executive submitted a report on applications received for planning consent setting out the recommendation.

RESOLVED: That a decision be taken on each application for planning consent as detailed below:

It was proposed and agreed that the meeting be adjourned when considering agenda item number 7 15/00117/DETS to allow Members of the Board the opportunity to read the addendum report before consideration of the application.

65. 14/00590/FULL - CONVERSION OF STOREROOM AND ERECTION OF FIRST FLOOR REAR EXTENSION TO PROVIDE 1 NO. TWO BEDROOM FLAT (CONSERVATION AREA) (as amended by plan received 05.06.15) 35 HIGH STREET, GOSPORT

Councillors Hook, and Mrs Hook declared a personal interest in respect of this item

Consideration was given to the report of the Borough Solicitor and Deputy Chief Executive requesting that consideration be given to planning application 14/00590/FULL.

The applicant Mr Khan was invited to address the Board.

Members were advised that a site visit was held at 2:30pm on 8 December, in the presence of the Applicant, where Members viewed the application site and the adjacent church. It was further advised that Officers had reviewed their records and could confirm that all relevant parties were informed of the previous Regulatory Board meeting and likewise had been informed of this meeting.

Mr Khan advised Members that due to the positioning of the buildings he felt the Church would not be affected by any overshadowing or loss of light.

Members discussed the potential for loss of light but noted that the building already lost some direct light due to the height of the buildings on the High Street and concluded that the proposal would not exacerbate the situation unacceptably.

RESOLVED: That planning application 14/00590/FULL, be approved subject to a Section 106 Agreement relating to the payment of a commuted sum towards infrastructure, services and facilities to secure transport and green infrastructure improvements to the Gosport Waterfront and Town Centre and subject to the conditions of the report of the Borough Solicitor and Deputy Chief Executive.

66. 15/00499/FULL - CHANGE OF USE OF FORMER CORDITE MAGAZINE (NUMBER TWO) TO 1 NO. THREE BEDROOM DWELLING CORDITE BUILDING NO.2 BRITANNIA WAY, GOSPORT

Consideration was given to the report of the Borough Solicitor and Deputy Chief Executive requesting that consideration be given to planning application 15/00499/FULL.

Members were advised that since the publication of the report, one additional letter of objection had been received. The following issues were raised:

- The building is on a smaller site than building no.1 and will, therefore, have more impact on the surrounding area and in particular the residents in Grafton Close, notably 1, 3, 5 and 7

- Proposed entrance in onto a narrow road and impact, especially during construction, would be considerable.
- Impact from sound and light pollution due to proximity to adjacent houses
- The height of the mound would also overlook adjacent gardens in winter when the trees are bare
- Agree with the case put forward in the report in respect of flora, fauna, heritage and open space

The Planning Officer advised that the issue relating to the size of this site and the additional impacts that this may have on wildlife and the Site of Interest for Nature (SINC) were addressed within the report, as were the issues raised in respect of the proposed entrance which forms reason for refusal 4.

The impacts of the proposals on the surrounding properties were also addressed within the report. Whilst lighting could be visible from outside of the site, this would be more limited in view of the height of the building and banks being similar which also prevent overlooking of adjacent properties. Overall it was not considered that any impacts from the proposed use of the site on the occupiers of adjoining properties would be harmful.

Dr Hudson was invited to address the Board and thanked Members for allowing his deputation to be considered.

Dr Hudson advised Members that he was representing over 80 local residents who had expressed concerns that the proposed development would have a harmful impact on wildlife habitats and protected species, in particular a badger sett which was semi-detached to the building and a bat roost which had been identified in the building.

He advised Members that the site was a site of interest for nature and known to contain reptiles, newts, lizards, slow worms, adders and other protected species and felt that excavating the sett and roosts would be contrary to protection laws.

Dr Hudson further advised that the site was known to contain blue asbestos and was heavy polluted with blue soil in places and apart from newts the undulating site was unsuitable for removal and implementation of new topsoil.

Dr Hudson felt that if this application were to be approved, traffic and pedestrians would be put in danger by having to exit onto a narrow part of road.

Members were further advised that the site was known to contain unexploded shells and had been attended to by bomb disposal teams.

In conclusion Dr Hudson advised the Board that he felt this application should be refused as the development would not meet Natural England standing rules for a grant of licence.

Following discussions Members felt that this development was inappropriate and recognised the ecological importance of the site and felt that it should be retained.

RESOLVED: That planning application 15/00499/FULL, be refused for the following reason(s):-

1. The proposed residential development would result in an incompatible use, within this designated Site of Nature Conservation Importance (SINC), where there is no overriding need and would not provide any benefits to outweigh the need to protect the nature conservation value of the site, contrary to Policies LP43 and LP44 of the Gosport Borough Local Plan 2011-2029.
2. Insufficient information has been submitted to fully assess the impacts of the proposals on the wildlife interests of the site, including those protected species and the proposals, therefore, fail to demonstrate that the proposals would not result in harm to protected species living on, or utilising the site, contrary to Policy LP44 of the Gosport Borough Local Plan 2011-2029.

3. The proposed residential development is in an incompatible and unacceptable use within the Existing Open Space, contrary to Policy LP35 of the Gosport Borough Local Plan 2011-2029.
4. The proposal would result in an unacceptable increase in vehicular traffic using this sub-standard access resulting in undue interference with the safety and convenience of other highway users, contrary to Policy LP23 of the Gosport Borough Local Plan 2011-2029.
5. Adequate provision has not been made for Infrastructure, Services and/or Facilities, nor the payment of a commuted sum in lieu of the provision, contrary to Policy LP2 of the Gosport Borough Local Plan 2011-2029.
6. Adequate provision has not been made for mitigation against the harmful impacts of recreational disturbance in the Portsmouth Harbour and Solent and Southampton Water SSSI/SPA/Ramsar sites detrimental to the protected and other species for which these areas are designated and contrary to Policies LP2 and LP42 of the Gosport Borough Local Plan 2011-2029

**67. 15/00388/FULL - DEMOLITION OF EXISTING OUTBUILDINGS AND EXTERNAL FIRE ESCAPE AND ERECTION OF 5 NO. THREE BEDROOM DWELLINGS WITH ASSOCIATED ACCESS AND CAR PARKING (CONSERVATION AREA) (as amplified by ecological information received 15.10.15 and 20.11.15)
LAND TO THE REAR OF 3-11 ELMHURST ROAD GOSPORT**

Councillors Hook, Mrs Hook, and Carter declared a personal interest in respect of this item

Councillor Dickson declared a personal interest in respect of this item; he left the meeting room and took no part in the discussion or the voting thereon.

Consideration was given to the report of the Borough Solicitor and the Deputy Chief Executive requesting that consideration be given to planning application 15/00388/FULL.

Mrs Imber was invited to address the Board.

Members were advised that there were no updates.

Mrs Imber advised the Board that she was speaking on behalf of concerned residents in Elmhurst Road/Leventhorpe Court.

Mrs Imber advised Member's that 5 badgers frequently visited the site and felt that the habitat survey carried out was out of date. She requested that a new report be compiled before determination of the application.

Mrs Imber further advised that Elmhurst Road was heavily trafficked and served as parking for many users of Stoke Road. She informed Members that residents had concerns with emergency access to the houses being restricted by the additional congestion and proposed narrow access road.

The Agent Mr Lawrence was invited to address the Board. He advised Members that he had 30 years' experience with knowledge of the local area. He advised Members that the development would enhance the character of the area and that his client had worked with Planning Officers to adjust the proposal to accommodate neighbouring properties.

Members were advised by Mr Lawrence that an ecological report had been prepared and that an Ecologist had visited the site on three separate occasions to survey the site. It was acknowledged that the badger sett was in-situ and that a set of works, agreed by the Hampshire County Council Ecologist, would be carried out to mitigate any disruptions. It was further advised that a licence from Natural England would be required for the works proposed.

Mr Lawrence informed Members that he felt this development would not have a harmful impact on the area and would provide a positive contribution.

Officers clarified that the proposal included three off-road parking spaces per dwelling (including one in the garage) and that an appropriate badger survey had been recently undertaken and the Hampshire County Council ecologist had no objections.

Following discussions, Members recognised the importance in providing additional housing in the Borough and felt that precautions were in place to protect potential wildlife on the site.

RESOLVED: That planning application 15/00388/FULL, be approved subject to a Section 106 Agreement relating to the payment of a commuted sum towards infrastructure, services and facilities to secure transport and green infrastructure improvements within the locality and subject to the conditions of the report of the Borough Solicitor and Deputy Chief Executive.

**68. 15/00473/FULL - ERECTION OF PART TWO STOREY AND SINGLE STOREY SIDE EXTENSIONS ROOF CANOPY ALTERATIONS TO EXISTING WINDOWS AND DOORS AND ERECTION OF REPLACEMENT DETACHED GARAGE (as amended by plans received 28.10.15)
27 LONGWATER DRIVE, GOSPORT**

Consideration was given to the report of the Borough Solicitor and the Deputy Chief Executive requesting that consideration be given to planning application 15/00473/FULL.

There were no updates.

RESOLVED: That planning application 15/00473/FULL, be approved subject to the conditions of the report of the Borough Solicitor and Deputy Chief Executive.

**69. 15/00309/FULL - ERECTION OF PART SINGLE, PART TWO STOREY REAR EXTENSION (as amended by plans received on 28.08.15)
5 ROSEMARY WALK, LEE-ON-THE-SOLENT**

Consideration was given to the report of the Borough Solicitor and the Deputy Chief Executive requesting that consideration be given to planning application 15/00309/FULL.

There were no updates.

A Member sought clarification with respect to the proposed depth of the extension and the overall footprint of the building. The Planning Officer advised that as the size, scale and mass of the proposed extension was subservient to the existing dwelling and the first floor element was set in from the boundary it would not have a harmful impact on neighbouring properties.

Following discussions it was proposed and agreed that the item be deferred to allow Members of the Regulatory Board to undertake a site visit.

RESOLVED: That a site visit be arranged and that planning application 15/00309/FULL, 5 Rosemary Walk, be deferred to a future meeting of the Regulatory Board.

**70. 15/00547/VOC - VARIATION OF CONDITIONS 2 AND 11 OF PLANNING PERMISSION 15/00247/FULL TO AMEND APPROVED SITE LAYOUT AND SOFT LANDSCAPING SCHEME (as amended by information received 09.11.15 and 17.11.15)
DAEDALUS PARK LEE-ON-THE-SOLENT**

Councillor Carter declared a personal interest in respect of this item

Consideration was given to the report of the Borough Solicitor and the Deputy Chief Executive requesting that consideration be given to planning application 15/00547/VOC.

RESOLVED: That planning application 15/00547/VOC be approved subject to a Section 106 Agreement relating to the payment of a commuted sum towards the provision of transport infrastructure to be spent on improving cycle routes in the vicinity to improve connectivity and provide improved options for travel and subject to the conditions of the report of the Borough Solicitor and Deputy Chief Executive.

**71. 15/00509/FULL – ERECTION OF REAR CONSERVATORY (CONSERVATION AREA) (as amplified by plans received 19.11.2015)
12 ST MARKS ROAD, GOSPORT**

Councillors Hook, Mrs Hook, Burgess, Carter, Dickson, Hazel, Hylands, Hicks, Jessop, Langdon, Philpott, Wright and Mrs Wright declared a personal interest in respect of this item.

Consideration was given to the report of the Borough Solicitor and the Deputy Chief Executive requesting that consideration be given to planning application 15/00509/FULL.

There were no updates.

RESOLVED: That planning application 15/00509/FULL be approved subject to the conditions of the report of the Borough Solicitor and Deputy Chief Executive.

72. 15/00117/DETS - DETAILS PURSUANT TO 12/00591/OUT - EIA OUTLINE APPLICATION WITH ALL MATTERS RESERVED - MIXED USE DEVELOPMENT INCLUDING DEMOLITION AND PART DEMOLITION OF LISTED BUILDINGS AND BUILDINGS WITHIN A CONSERVATION AREA AND CONVERSION OF EXISTING BUILDINGS AND ERECTION OF NEW BUILDINGS TO COMPRISE 286 NO. RESIDENTIAL UNITS (CLASS C3); A CONTINUING CARE RETIREMENT COMMUNITY CONTAINING A 60NO. BED CARE HOME, COMMUNAL FACILITIES AND 244 NO. SELF-CONTAINED RETIREMENT UNITS (CLASS C2); OFFICES AND BUSINESS UNITS (CLASS B1); A HEALTH CENTRE (CLASS D1); HOTEL (CLASS C1); TEAROOMS AND RESTAURANT/BAR (CLASS A3/A4); CONVENIENCE STORE (CLASS A1); CHURCH, PUBLIC HALL AND HERITAGE CENTRE (CLASS D1) TOGETHER WITH ALTERATIONS TO EXISTING VEHICLE AND PEDESTRIAN ACCESS ARRANGEMENTS, OPEN SPACE PROVISION AND LANDSCAPING AND PARKING (as amplified by email dated 4.7.13 and amplified and amended by letters dated 19.12.13, 10.02.14, 17.3.14 and 7.7.14, emails dated 3.3.14, 19.3.14 and 24.6.14 and plans and information received 12.02.14, 3.3.14, 18.3.14 and 12.5.14)

**DETAILS OF ACCESS, APPEARANCE, LANDSCAPING, LAYOUT AND SCALE FOR PHASE 2 - DEMOLITION OF 3NO BUILDINGS AND CONVERSION OF CANADA BLOCK AND THE ERECTION OF 2NO. BUILDINGS TO PROVIDE 93NO. RETIREMENT APARTMENTS (CLASS C2), CONVERSION OF G BLOCK TO PROVIDE 8NO. RESIDENTIAL UNITS (CLASS C3) AND THE ERECTION OF A 60NO. BED CARE HOME (CLASS C2) WITH ANCILLARY LEISURE FACILITIES AND ASSOCIATED WORKS TO INCLUDE CAR AND CYCLE PARKING, REFUSE STORAGE AND LANDSCAPING (LISTED BUILDINGS AND LISTED PARK IN CONSERVATION AREA) (as amplified and amended by plans and information received 7.10.15, 17.11.15 and 19.11.15)
ROYAL HASLAR HOSPITAL HASLAR ROAD, GOSPORT**

The meeting adjourned at 7.15pm to allow Members to consider the addendum report.

The meeting reconvened at 7.25pm

Consideration was given to the report of the Borough Solicitor and the Deputy Chief Executive requesting that consideration be given to planning application 15/00117/DETS.

Members were advised that the Applicant had, since the publication of the report, requested that the Section 106 Agreement dated 25 September 2014 (required as part of the determination of the Outline Application) be varied to firstly allow the remaining 3 dwellings forming part of Haslar Terrace to be occupied before works to the Main Hospital building are completed and secondly to allow the demolition of one of the Zymotic ward buildings before the repairs and refurbishment of the remaining Zymotic hospital buildings have been completed.

An additional recommendation was therefore proposed in the Addendum Report, along with details of the drawings to be approved if Members resolved to approve the application.

RESOLVED: That planning application 15/0011/DETS be approved subject to the additional recommendation as amended as set out below:-

1. The full proceeds of the sale of the 3 dwellings forming part of Haslar Terrace are to be paid to the Council who will release it on once they confirmed they accept the report from the Independent Architect. Interest accruing to the money will be paid to the Applicant less the Council's cost of managing the money and complying with this provision when the money is released by the Council;
2. Copies of the contracts for the sale of each dwelling showing details of the purchaser and the purchase price are to be provided to the Council within 24 hours of exchange of contracts;
3. Each dwelling cannot be occupied until written confirmation the Council has confirmed in writing that the full sale proceeds have been paid to the Council;
4. The Council will not be release the money until an Independent Architect, approved by the Council, has submitted a report to the Council certifying that the Heritage Works are complete and the Council confirm in writing to the Applicant that the report is accepted. The money will be released within 20 working days of this written confirmation;
5. The Zymotic Hospital Building is not to be demolished until details of the award of the contract for the Zymotic Works have been submitted to and approved by the Council. The details shall include the name and address of the contractor and proposed date for starting the Zymotic Works on site;
6. The Zymotic Hospital Building shall not be demolished until a scheme for the demolition and dismantling of the Zymotic Building; the recovery of materials; appropriate and secure storage of the materials to be reused; and how the materials are to be reused have been submitted to and approved in writing by the Council. The demolition, dismantling, storage and reuse of materials shall be in accordance with the approved scheme;
7. The Zymotic Hospital Building shall not be demolished more than 6 weeks before the proposed date for starting the Zymotic Works on site;
8. Notice is to be given 15 working days before the start of the demolition/dismantling of the Zymotic Hospital Building;
9. Notice is to be given 5 working days before the Zymotic Works start on site.

- 73. 15/00127/LBA - LISTED BUILDING APPLICATION - DEMOLITION OF GALLEY AND GENERAL STORES, ALBERT BLOCK AND NO.3 SUBSTATION AND PART OF BOUNDARY WALL AND INTERNAL AND EXTERNAL ALTERATIONS TO FACILITATE THE CONVERSION OF CANADA BLOCK TO PROVIDE 36NO. RETIREMENT APARTMENTS (CLASS C2) AND CONVERSION OF G BLOCK TO PROVIDE 8NO. RESIDENTIAL UNITS (CLASS C3) (LISTED PARK IN CONSERVATION AREA) (as amplified and amended by plans and information received 7.10.15, 17.11.15 and 19.11.15)
ROYAL HASLAR HOSPITAL HASLAR ROAD, GOSPORT**

Consideration was given to the report of the Borough Solicitor and the Deputy Chief Executive requesting that consideration be given to planning application 15/00127/LBA.

Officers advised that the list of documents to be provided under the previous item also applied to this application.

RESOLVED: That planning application 15/00127/LBA be approved subject to the conditions of the report of the Borough Solicitor and Deputy Chief Executive.

**74. 15/00470/FULL - ERECTION OF TWO STOREY REAR EXTENSION TO ENCLOSE EXISTING EXTERNAL STAIRCASE
THE ENCLOSURE PRIVETT PARK, PRIVETT ROAD, GOSPORT**

Councillors Hook and Mrs Hook declared a disclosable pecuniary interest in respect of this item; they left the meeting room and took no part in the discussion or the voting thereon.

Councillors Burgess, Carter, Dickson, Hazel, Hylands, Hicks, Jessop, Langdon, Philpott, declared a personal interest in respect of this item

Consideration was given to the report of the Borough Solicitor and the Deputy Chief Executive requesting that consideration be given to planning application 15/00470/FULL.

A Member raised concerns with the outstanding enforcement issue relating to conditions imposed on the existing external staircase and it was confirmed that the notice would only be withdrawn once the works to enclose the staircase were completed.

Members were advised that the application was to seek permission to enclose the staircase to mitigate any residents concerns regarding overlooking into adjacent gardens.

RESOLVED: That planning application 15/00470/FULL, be approved subject to the conditions of the report of the Borough Solicitor and Deputy Chief Executive.

75. ANY OTHER BUSINESS

The Planning Inspectorate had determined to dismiss the appeal at 7 Monckton Road, Alverstoke (15/00053/OUT) which sought Outline planning permission to replace the existing single dwelling with two dwellings. The Planning Inspector recognised that there was no objection to the removal of the existing bungalow and the redevelopment of the site but noted that the northern part of Monckton Road was formed of detached houses, within wide plots that contribute to a sense of openness, and the proposal would unacceptably harm this character. Furthermore, the Planning Inspector agreed with the Council that the ecological reason for refusal could have been avoided had the applicant submitted information during the application process, as requested, that they later submitted at the appeal stage. Therefore, a partial award of costs was awarded against the applicant on this ground.

The meeting concluded at 8.06pm

CHAIRMAN

GOSPORT BOROUGH COUNCIL – REGULATORY BOARD

19th January 2016

ITEMS WITH RECOMMENDATIONS

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

INDEX				
<u>Item</u>	<u>Page No</u>	<u>Appl. No.</u>	<u>Address</u>	<u>Recommendation</u>
01.	03-06/1	15/00309/FULL	5 Rosemary Walk Lee-On-The-Solent Hampshire PO13 8JB	Grant Permission subject to Conditions
02.	07-18/1	15/00620/FULL	Block NM7 Royal Clarence Yard Weevil Lane Gosport Hampshire	Grant Permission subject to Conditions
03.	19-28/1	15/00183/FULL	G Blocks Royal Clarence Yard Weevil Lane Gosport Hants	Grant Permission subject to Conditions / s106
04.	29-40/1	15/00432/FULL	154 Fareham Road Gosport Hampshire	Grant Permission subject to Conditions
05.	41-48/1	15/00230/FULL	111 Elson Road Gosport Hampshire PO12 4AA	Grant Permission subject to Conditions / s106
06.	49-52/1	15/00589/FULL	36 Lester Road Gosport Hampshire PO12 3SA	Refuse
07.	53-60/1	15/00355/FULL	Bagot House Melrose Gardens Gosport Hampshire PO12 3BZ	Grant Permission subject to Conditions
08.	61-65/1	15/00466/GR3	Alver Valley Country Park Car Park Grange Road Gosport Hampshire PO13 8AS	Grant Permission subject to Conditions

ITEM NUMBER: 01.
APPLICATION NUMBER: 15/00309/FULL
APPLICANT: Mr K Uma
DATE REGISTERED: 09.06.2015

ERECTION OF PART SINGLE, PART TWO STOREY REAR EXTENSION (as amended by plans received on 28.08.15)
5 Rosemary Walk Lee-On-The-Solent Hampshire PO13 8JB

The Site and the proposal

1. This application was considered by the Regulatory Board on 8 December 2015 when Members resolved to defer it so that a site visit could be undertaken. The application property is an end terrace two storey dwelling located on the northern side of Rosemary Walk. The plot is approximately 26m deep and 4m wide and has a 1.8m high close boarded fence on the common boundary with neighbouring properties. The front of the site is open plan. There is a storage shed within the rear garden of the dwelling. The dwelling is set back from Rosemary Walk by approximately 6m, and the plot backs onto an alleyway that runs along the rear boundaries of nos. 3-17 Rosemary Walk and nos. 4 and 6 Smeeton Road. The property also adjoins an alleyway to its east elevation, and has an allocated garage and a communal parking area.
2. The adjacent dwelling to the west is no. 3 Rosemary Walk which is a two storey mid-terrace with a ground floor door and window on the rear elevation, as well as a first floor bedroom window. There is a 1.8m close boarded fence on the common boundary with this neighbour.
3. The adjacent property to the east is no. 7 Rosemary Walk which is a two storey end of terrace dwelling. There is an alleyway between the application property and this neighbour, and this neighbour has a ground floor window and door, and a first floor bedroom window on the rear elevation. There is a 1.8m close boarded fence on the common boundary of this neighbour and the alleyway.
4. The proposal is for the erection of a part single storey and part two storey rear extension. The ground floor extension would enlarge the existing kitchen into a kitchen/dining room, whilst the first floor extension would provide a third bedroom. An existing first floor bedroom window on the rear elevation will be relocated to facilitate the extension. The ground floor extension would span the entire width of the property (3.9m wide) and would be approximately 3.7m deep, whilst the first floor addition (as amended) would be 3.2m deep and 2.8m wide. The first floor addition will be set in from the boundary with no. 3 to the west by approximately 1m. The extension would have a maximum height of approximately 6m, and an eaves height that is similar to that of the existing dwelling. The extension would be approximately 1.1m from the boundary with no.7 Rosemary Walk to the east, and the proposed first floor bedroom window will be located a minimum of 17.8 m from the rear windows of nos.4 and 6 Smeeton Road. The roof of the proposed extension would be hipped and would slope away from neighbouring properties. A window and door are proposed at ground floor level in the north elevation, whilst at first floor level there will be a bedroom window. The extension would be built of facing brick and roof tiles to match the existing dwelling.
5. Amended plans have been submitted reducing the depth of the first floor extension from approximately 3.7m to 3.2m. The single storey extension would have a lean to roof sloping away from adjoining neighbours. These plans were submitted following concerns raised by neighbours and officers regarding the relationship of the extension to adjoining neighbours, in particular, no. 3 Rosemary Walk.

Relevant Planning History

Nil

Relevant Policies

National Planning Policy Framework (NPPF), March 2012

Gosport Borough Local Plan, 2011 – 2029:

LP10

Design

LP23

Layout of Sites and Parking

Supplementary Planning Documents:

Gosport Borough Council Design Guidance: Supplementary Planning Document: February 2014

Gosport Borough Council Parking: Supplementary Planning Document: February 2014

Consultations

Nil

Response to Public Advertisement

6 letters of objection

Issues raised: -

- the proposal is out of character with extensions in the area and is totally incompatible
- would restrict light to all neighbours in the vicinity of the extension, and would restrict natural light in neighbours' gardens
- nothing more than a one storey would be appropriate in this location
- the Gosport Design SPD advises that minimum distance between facing windows to habitable rooms should be 21m
- there are no properties with two storey extensions in the area
- the existing properties are too narrow and small for a large extension as proposed
- most properties in the area have a single storey extension or conservatory extension
- the extension would devalue surrounding properties
- the rear gardens of Rosemary Walk are small and compact and the extension would be completely out of proportion to the remaining properties
- the extension would be visually harmful and currently the area has a neat and tidy row of houses
- neighbours will look into a blank brick wall
- the houses were not built to be family homes, but for single or couple occupancy
- the extension is too large for a dwelling of this size
- there is a risk of major structural disturbance to the adjoining property
- drainage is of concern
- the extension may overlap property boundary
- the closeness of neighbours' door and window openings are not shown and their proximity may be relevant

Principal Issues

1. The applicant has signed Certificate A and confirms that they have full ownership of the application site. The effect of the development on the value of neighbouring properties and land ownership matters, together with concern relating to structural disturbance being caused to neighbours during construction are not material planning considerations. Drainage matters will be dealt with under the Building Regulations. The submitted forms, plans and information is of adequate detail and the plans show the relationships between the properties, and, in conjunction with the site visit, are sufficient to enable the application to be determined. Each application is required to be considered, as submitted, on its merits in light of the relevant national and local planning policies regardless of whether an extension of this nature has been built in the area or not. The main issues in this case, therefore, are the acceptability of the design of the extension, the impact on the visual amenity of the locality, the amenities of the occupiers of the neighbouring dwellings, and the impact of the development on the safety of users of the highway.

2. The size, scale and mass of the proposed extensions is subservient to the existing dwelling. The proposed design, including the roof design and pitch, is sympathetic to the overall design of the existing dwelling, and, the applicant proposes to use facing brickwork and roof tiles to match the existing dwelling. Given this, it is considered that the proposed extension has been sympathetically designed to assimilate well with the design of the existing dwelling and the established character of the area. Whilst the development will be visible from the alleyway and from neighbouring properties, given its size, sympathetic design, matching materials and rear location, it will not appear out of character with existing development. As such it is considered that the proposed extension will be reasonably integrated into the existing dwelling and the area, and therefore complies with Policy LP10 of the Gosport Borough Local Plan, 2011 - 2029 and Supplementary Planning Document, Design Guidance 2014.

3. Given the proximity of the two storey extension to neighbouring properties, in particular nos. 3 and 7 Rosemary Walk, a degree of loss of light and overshadowing will be caused to these neighbouring properties. However, due to the reduced depth of the first floor extension, the set in distance from neighbours, the northern orientation of the extension, and that the roof of the extension would slope away from neighbouring properties, it is considered that the development will have an acceptable impact on the residential amenities of neighbouring properties. As such the development complies with Policy LP10 of the Gosport Borough Local Plan, 2011 - 2029 and the Supplementary Planning Document, Design Guidance 2014.

4. The Borough Council's Design Supplementary Planning Guidance states that a separation distance of 21m should be provided between facing habitable room windows. Whilst the proposed development does not meet this dimension, it is considered that no new overlooking will be introduced as a result of the proposed extension, and the development would not unacceptably exacerbate the existing situation. As such it is considered that the development is acceptable and complies with Policy LP10 of the Gosport Borough Local Plan, 2011 - 2029 and the Supplementary Planning Document, Design Guidance 2014.

5. The Gosport Borough Parking SPD requirements for a two and three bedroom dwelling are the same (2 spaces per unit for allocated parking) and as such no additional parking space is required for the development. Given this, the proposal is considered to be in accordance with the Gosport Parking SPD 2014, Policies LP10 and LP23 of the Gosport Borough Local Plan, 2011 - 2029.

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:

5/315/A; and amended plan drawing no. 5/315

Reason - To ensure that the development is completed satisfactorily in all respects and to comply with Policies LP10 of the Gosport Borough Local Plan, 2011 - 2029 and the Supplementary Planning Document, Design Guidance February 2014.

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

Reason - To ensure satisfactory visual relationship of the new development to the existing, and to comply with Policy LP10 of the Gosport Borough Local Plan, 2011 - 2029 and the Supplementary Planning Document, Design Guidance February 2014.

ITEM NUMBER: 02.
APPLICATION NUMBER: 15/00620/FULL
APPLICANT: Olivia Forsyth Berkeley Homes (Southern) Ltd
DATE REGISTERED: 26.11.2015

ERECTION OF BUILDING (NM7) COMPRISING 55 NO. FLATS WITH ASSOCIATED ACCESS AND CAR PARKING (CONSERVATION AREA) (as amplified by information received 15.12.15 and amended by information received 18.12.15)
Block NM7 Royal Clarence Marina Weevil Lane Gosport Hampshire

The Site and the proposal

1. The application site forms one of the last undeveloped parcels of land that constitutes the wider Royal Clarence Yard site that has been comprehensively redeveloped during the last 20 years. Royal Clarence Yard was established in c.1700 with the development of Weevil House and Brewery, surrounded by walled gardens. The site then incrementally developed as the Admiralty and other branches of the military absorbed the earlier brewery into later stores and victualling buildings. The site was formalised as Royal Clarence Victualling Yard around 1830 when the layout of the site was largely fixed. The application site was outside of the Weevil Brewery on a parcel of land in the ownership of the Crown probably from the mid-18th century around which time the area was enclosed within the extension to the town's ramparts.
2. The application site itself forms a flat semi-circular parcel of land encompassed by the private Weevil Lane with the Millennium Bridge to the north. Forming the southern boundary of the application site is the northern elevation of North Meadow, which is grade II listed for its historic role as a workshop for the Royal Military Artificers. Residential development is located to the west, east and north-west and north-east in the form of respective blocks of flatted accommodation.
3. The application site is located within both the defined Urban Boundary and an area allocated for residential development by the Gosport Borough Local Plan 2011-2029 and is within the Royal Clarence Yard Conservation Area (1990) whilst the St George Barracks (north) Conservation Area (1990) is located to the south-west.
4. In 2001 outline planning permission (99/00465/OUT) was granted, as part of the wider development of the Royal Clarence Yard site, residential development on the application site. In 2006 (05/00217/FULL) planning permission was given for a cinema and 16-storey block of flats on the application site that included 78 units and 12 vehicular parking spaces. This permission has been implemented, as other parts of the site have been developed, so the 78 units could still be built under this permission.
5. The proposal is for the erection of 55 open market dwellings of which 24 would be 1-bed and 31 would be 2-bed. The dwellings would be located within a 'U' shaped building with the open end facing south and the closed end facing north towards the Millennium Bridge. The northern elevation of the building would form the focal point, being at 12.3m to ridge and four-storey, a full storey higher than the three-storey adjoining flanks. The northern elevation would be arranged with three bays, each three windows wide, with the central bay having a different ground floor material and central 'faux' door and portico. The two flanks of the 'U' shape would be set down where they join the northern end before raising again, to a maximum of 11.3m to ridge, to provide a degree of relief within the massing of the eastern and western elevations. The building would have an external finish of brick walls, timber windows and natural slate roof.
6. Within the centre of the 'U' shape would be a communal garden area from which all the dwellings would be accessed via three doors. As the proposed dwellings are arranged either side of a central corridor running the full length of the 'U' shape there will be dwellings whose primary windows face each other across the 15.5m wide central area. To the west of the proposed building would be an open area of space, which is proposed to include soft landscaping and a footpath. The existing footpath around the perimeter of the site would remain.

7. There would be 19m between the proposed building and the five-storey Ledwell Court to the east, 14m to the six-storey Galleon Place to the north-east (although any direct facing windows would be 20m apart), 5m to the single-storey North Meadow workshops to the south and a minimum of 30m to the three buildings to the west in Regents Place (two of which are three-storey and the northernmost six-storey).

8. The proposal would be accessed from the west from Weevil Lane exiting to the east also onto Weevil Lane, which curves around the proposed building. 12 unallocated parking spaces (including two disabled spaces) and two motorcycle parking spaces would be located at the southern end of the building with the first and second floors of the 'U' shape projecting beyond the ground floor to provide some covered parking. A further 43 unallocated parking spaces would be provided via the permit system within North Meadow car park (as approved under the RCY car park management strategy; 15/00154/FULL) with visitor parking available on Cooperage Green. 85 secure cycle spaces would be provided of which 73 would be located indoors on the ground floor of the proposed building.

9. The application is supported by a design and access statement, planning statement, heritage statement, ecological assessment, contaminated land study, transport assessment, surface and foul water drainage strategy and archaeological assessment.

10. Amended plans showing minor changes (including an increase in the size of the faux door on the north elevation facing Millennium Bridge, addition of downpipes, increase in indoor cycle parking provision and introduction of service ducts to the lift) were received on 18.12.15.

Relevant Planning History

99/00465/OUT - mixed use development of residential, offices/workshops (B1), retail (A1, A2), public houses, cafes and restaurants (A3), cinema, hotel, leisure/community uses, marina, open space, and related infrastructure - permitted 30.11.01

05/00217/FULL - mixed use development comprising 394 residential units, 516 square metres of offices / workshops (class B1), 931 square metres of retail and restaurants / public houses / cafes (classes A1, A2, A3, A4 and A5), 682 square metres of cinema (class D2), millennium promenade and related infrastructure (including access, car parking, landscaping, open space and flood defences) - refused but allowed on appeal 02.02.06

12/00015/FULL - erection of seven storey building to provide 81no. flats (4no. studio apartments, 16no. one-bedroom, 57no. two-bedroom and 4no. three-bedroom) with undercroft parking for 73no. cars - withdrawn 26.03.12

15/00154/FULL - car parking strategy (amendment to car parking strategy approved 29.02.08) - permitted 16.10.15

Relevant Policies

National Planning Policy Framework (NPPF), March 2012

Gosport Borough Local Plan, 2011 – 2029:

LP2

Infrastructure

LP1

Sustainable Development

LP3

Spatial Strategy

LP9D

Allocations outside the Regeneration Areas: Residential Sites

LP10

Design
LP11
Designated Heritage Assets including Listed Buildings, Scheduled Ancient Monuments and Registered Historic Parks & Gardens
LP12
Designated Heritage Assets: Conservation Areas
LP21
Improving Transport Infrastructure
LP22
Accessibility to New Development
LP23
Layout of Sites and Parking
LP24
Housing
LP38
Energy Resources
LP41
Green Infrastructure
LP42
International and Nationally Important Habitats
LP43
Locally Designated Nature Conservation Sites
LP44
Protecting Species and Other Features of Nature Conservation Importance
LP45
Flood Risk and Coastal Erosion
LP46
Pollution Control
LP47
Contamination and Unstable Land

Supplementary Planning Documents:

Gosport Borough Council Design Guidance: Supplementary Planning Document: February 2014
Gosport Borough Council Parking: Supplementary Planning Document: February 2014
Gosport Borough Council Policy Guidance Note: Securing Employment and Training Measures through planning obligations April 2012
Solent Special Protection Areas Gosport Bird Disturbance Mitigation Protocol 2014
Hampshire County Council Transport Contributions Policy: A New Approach to Calculating Transport Contributions in Hampshire September 2007
Hampshire County Council Developers Contributions towards Children's Services Facilities December 2013

Consultations

HCC Local Lead Flood Authority	The proposals for managing surface water drainage meet the current best practice guidelines.
HCC Landscape Planning & Heritage	No objection. A planning condition should be used to secure works in accordance with the Written Scheme of Investigation
Historic England	No objection. Details regarding window and door reveals and external materials should be secured via condition.

The Gosport Society	There is inadequate parking provision and a lack of public transport serving the site. High quality materials should be secured via planning condition.
Natural England	No objection.
Southern Water	As there is currently insufficient capacity either additional sewers or upgrades to the existing sewers will be required.
Local Highway Authority	No objection. The proposal will generate fewer trips than the extant planning permission. Both a travel plan and Construction and Environmental Management Plan should be secured via condition.
Environmental Health	Prior to commencement contamination information should be submitted with any remediation measures required undertaken prior to occupation.
Economic Prosperity	As the proposal is for over 40 dwellings an employment and training measures plan should be secured.
Streetscene Parks & Horticulture	No objection.
Streetscene Waste & Cleansing	No objection.
Crime Prevention & Design	No response received.
Hampshire Fire And Rescue Service	The application should meet the relevant building regulations and recommendations for high buildings including the ability to position fire engines within 3m of the building.

Response to Public Advertisement

12 letters of objection.

Issues raised:-

- lack of parking provision proposed
- lack of parking for residents that will have more than one vehicle
- relying on Cooperage Green for visitor parking is unacceptable given the distance between this area and the application site
- navigational signage and lighting should be improved between Cooperage Green and the application site
- there is a wider issue of the lack of parking provision at the northern end of the Royal Clarence Yard site
- transport assessment does not take into account future uses in current vacant commercial premises
- lack of public transport serving the site, which is an out of town location and not edge of town location. The Transport Assessment is therefore based on inaccurate information
- insufficient capacity on the local highway network
- impact upon pedestrian safety due to the additional entrances onto Weevil Lane
- overlooking harmful to the amenity of occupiers in Galleon Place, Ledwell Court and Regents

Place

- loss of light harmful to the amenity of occupiers in Galleon Place
- lack of local amenities to support further residential development
- no development should be permitted until the retail and leisure facilities originally promised by Berkeley Homes have been delivered
- the developer should be required to bring Weevil Lane up to adoptable standard
- proposed elevations are unattractive and would harm the character of the area
- the application site is a prominent location worthy of a signature building
- doesn't take the opportunity to maximise views from the proposed apartments
- signage should be provided on the proposed building to identify it and its entrances and identify the waterfront pedestrian trail that runs through Royal Clarence Yard
- measures should be put into place to minimise noise and disruption during any construction
- the development should be called Royal Clarence Yard and not Royal Clarence Marina

Principal Issues

1. The 2006 (05/00217/FULL) planning permission for 78 flats is extant and could still be carried out. Accordingly, this represents a strong fall-back position that significant weight must be given to and, in combination with the fact the policy LP9D of the Gosport Borough Local Plan 2011-2029 allocates the site for residential development, confirms that the principle of residential development is acceptable. The name of the area (whether its Royal Clarence Yard or Royal Clarence Marina) and the delivery of other leisure and retail facilities on the wider site are not material planning considerations in the assessment of this planning application. The adoption, or otherwise, of Weevil Lane is a matter for the Local Highway Authority. Therefore, the main issues for consideration are whether there should be any planning obligations (including the provision of affordable housing), whether the proposed layout and design would preserve or enhance the respective Conservation Areas and respect the setting of adjacent grade II listed North Meadow workshops, highway access and parking provision, biodiversity, archaeology, contamination and drainage.

2. Under the 2001 permission (and subsequent 2006 permission) a total of 145 affordable dwellings have been secured across the wider Royal Clarence Yard site in addition to a financial contribution equivalent to providing 64 affordable dwellings off-site. Furthermore, a total of £350,175 has been contributed to the provision of open space and £446,058 towards highway infrastructure. The Hampshire County Council Education Officer has confirmed that no education infrastructure contribution is required. Therefore, taking this and the fall-back position into account it is considered that there is no further requirement to provide affordable housing in this development nor make a financial contribution towards education or other infrastructure services and facilities under Policy LP2 of the Gosport Borough Local Plan 2011-2029.

3. The proposal is for a historically appropriate design, without appearing pastiche, resulting in a building of significantly lesser height than the extant (05/00217/FULL) permission. It is considered that the proposed layout addresses Weevil Lane successfully whilst the north elevation provides a focal point opposite the Millennium Bridge. The proportion of the window apertures and their cadence would be historically appropriate whilst the recessed Mansard roof form, and height of the proposal (which is 6m lower than the adjacent Galleon Place) would ensure that the proposal is not overly dominant. Ensuring a high quality and historically appropriate finish through the use of high quality external materials will be important, as noted by Historic England, and accordingly it is recommended that window and door details and external materials are controlled via planning condition. The provision of signage (it is appropriate to include signage on the application site to identify the building and its parking arrangements) and external lighting within the application site are proposed to be secured via planning condition. Therefore, it is considered that the proposal would preserve the character and appearance of the Royal Clarence Yard and St George Barracks (north) Conservation Areas in accordance with policies LP10 and LP12 of the Gosport Borough Local Plan 2011-2029.

4. It is considered that the proposal would not harm, in accordance with policy LP11 of the Gosport Borough Local Plan 2011-2029, the setting of the adjacent Grade II listed North Meadow

Workshops as their special historic interest is the layout of the buildings in relation to their central courtyard which is not impacted by the proposal.

5. There would be a minimum of 19m, across Weevil Lane, between the proposal and any directly facing windows (i.e. those not at an angle). This is comparable, with regard to separation distances, to the extant planning permission (05/00217/FULL) whilst the comparable reduced height of the proposal (four-storey vs the extant sixteen-storey) would result in less windows facing the neighbouring residential properties. Therefore, due to the distances between the proposal and the adjacent residential flats to the east (Ledwell Court), north-east (Galleon Place) and west (Regents Place) and the angle between any windows directly facing each other it is considered that the proposal would not result in an unacceptable level of overlooking for the occupiers of the these properties. Furthermore, whilst the internal courtyard would result in a separation distance of 15.5m between directly facing flats this is considered acceptable given the fall-back position which had a similar arrangement. Due to the distance between the proposal and the surrounding residential development, the orientation of proposal (none of the neighbouring residential units are to the direct north of the proposal) and the strong fall-back position it is not considered that there would be an unacceptable loss of light to the occupiers of these properties. Whilst any development would result in some temporary disruption to nearby residents, and this is acceptable, it is considered appropriate to require details of a Construction and Environmental Management Plan via planning condition to ensure any disruption is kept to a minimum. For the same reason it is also considered appropriate to restrict the hours of construction to between the hours of 08:00 and 18:00 Monday to Friday, 09:00 and 13:00 on Saturday's and at no time on Sundays, Bank Holidays or Public Holidays. Accordingly, subject to these conditions, it is considered that the proposal would have an acceptable impact upon the amenity of the occupiers of residential dwellings adjacent to the site in accordance with policies LP10 and LP46 of the Gosport Borough Local Plan 2011-2029.

6. Policy LP34 requires the provision of on-site open space for proposals of 50 dwellings or more or a financial contribution if there are particular circumstances, such as the particular characteristics of a site. In this instance communal areas are provided in and around the proposed development whilst an open space contribution has already been made under the 2001 extant outline planning permission (99/00465/OUT). This is considered acceptable in accordance with policy LP34 of the Gosport Borough Local Plan 2011-2029.

7. The extant permission, for more units than currently proposed, could be implemented and, accordingly, the assessment of the impact upon the local highway network, the likely trip generation of other uses on the wider Royal Clarence Yard site and the level of public transport serving the application site must be considered in the context of this strong fall-back position (at which time the transport assessment considered 78 units to be acceptable) and the allocation for residential development on the site by policy LPD9 of the Gosport Borough Local Plan 2011-2029. The principle of access to the site and the quantum of development proposed, with regard to highway issues, is therefore considered to be acceptable. The proposed layout of the access to the site is considered acceptable and the Local Highway Authority has raised no objections with regard to highway or pedestrian safety. The extant permission for 78 flats on the site included a total of 12 car parking spaces. The proposal also includes 12 and provides permit parking on the adjacent North Meadow car park for a further 43 spaces with visitor parking available on Cooperage Green. This is consistent with the car park management strategy for the wider Royal Clarence Yard site that the Council recently approved in October 2015 which allocated 43 parking spaces in zone 2 (North Meadow car park) for the NM7 site and secured, via condition, navigational signage across the wider site recognising, when accepting that residents (or their visitors) may not be able to park directly by their property, the physical and heritage constraints at Royal Clarence Yard. Whilst the 55 unallocated spaces proposed falls below the 58 spaces advocated by the Gosport Parking SPD the strong fall-back position results in the consideration that the parking provision is acceptable in accordance with policy LP23 of the Gosport Borough Local Plan 2011-2029.

8. A travel plan, including an induction pack for new residents setting out travel initiatives and public transport information, is proposed to be secured via condition in accordance with policy LP22 of the Gosport Borough Local Plan 2011-2029.

9. The site has minimal potential for supporting protected species due to its recent use as a construction compound and the associated removal of vegetation. However, to support biodiversity in the wider Royal Clarence Yard site a condition is recommended to secure the appropriate provision (both in terms of number and design) of bat and bird boxes in accordance with Policy LP44 of the Gosport Borough Local Plan 2011-2014.

10. The application includes an archaeological written scheme of investigation and its recommendations are proposed to be secured via planning condition in accordance with Policy LP11 of the Gosport Borough Local Plan 2011-2029.

11. A ground investigation report has been submitted and it is recommended that further investigation and subsequent mitigation where appropriate is secured via condition. The proposal is therefore considered in accordance with Policy LP47 of the Gosport Borough Local Plan 2011-2029.

12. As Southern Water have indicated that there may be insufficient capacity within the current drainage system to accommodate the proposed development without an upgrade it is considered appropriate to impose a condition to ensure that there is adequate capacity prior to the commencement of development in accordance with Policy LP39 of the Gosport Borough Local Plan 2011-2029.

13. The proposal will introduce 55 dwellings which is likely to result in increased recreational activity on the coast and a consequential impact on the protected species for which the Portsmouth Harbour SPA, the Solent and Southampton Water SPA and the Chichester and Langstone Harbours SPA are designated. To address this impact, as whilst there is an extant permission this application must meet the requirements of the Habitat Regulations, a contribution towards appropriate mitigation, in accordance with the Gosport Bird Disturbance Mitigation Protocol, is required and has been paid. The proposal, therefore, complies with Policy LP42 of the Gosport Borough Local Plan 2011 - 2029.

14. Hard standing are provided to the south and at the north-east and north-west corners of the proposed building where fire appliances could get to within 3m of the building in accordance with Hampshire Fire and Rescues policy on tall buildings. It is recommended that an informative is included to advise the applicants of other measures that Hampshire Fire and Rescue recommend, such as fitting sprinklers, which would be controlled by Building Regulations.

15. As the proposal is for more than 40 dwellings it is appropriate that an employment and training plan is secured to complement and benefit the local labour market and economy, by supporting employment growth, raising skills and enabling local people to compete for the jobs generated in accordance with policy LP17 of the Gosport Borough Local Plan 2011-2029 and the Gosport Borough Council Policy Guidance Note: Securing Employment and Training Measures through planning obligations 2012. Accordingly an employment and skills training plan is proposed to be secured via condition.

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:

S690/NM7/00-1 B Street scenes
S690/NM7/01-1 B Location plan

S690/NM7/01 C Site plan & location plan
S690/NM7/02 C East and north elevations
S690/NM7/03 C West and south elevations
S690/NM7/04 B Sections A-A & B-B
S690/NM7/05 C Ground floor plan
S690/NM7/06 C First floor plan
S690/NM7/07 C Second floor plan
S690/NM7/08 B Third floor plan
S690/NM7/09 C Roof plan

Reason - To ensure that the development is completed satisfactorily in all respects and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

3. No development above slab level shall commence until details of:

- (a) boundary treatments (including, height, design and material);
- (b) sample panels of materials (including bricks, slates and tiles, showing maximum bed-depth, mortar colour and brick bond);
- (c) proposed materials for roof ridges;
- (d) vertical and horizontal section drawings of the proposed window types at 1:10, specifying materials, colour finish, depth of reveal and method of opening
- (e) 1:10 drawings of specimen external doors, specifying materials and colour;
- (f) proposed materials for rainwater goods and eaves soffits;
- (g) 1:10 drawings of the architrave and portico on the north elevation, specifying materials and colour;
- (h) details of coping materials and flashings;
- (i) position and appearance of proposed external vents, louvres and flues; and
- (j) any permanent external lighting

have been submitted to and approved, in writing, by the Local Planning Authority. The development must be carried out in accordance with the approved details.

Reason - To preserve the character and appearance of the Royal Clarence Yard Conservation Area and the setting of adjacent Grade II listed building in accordance with Policies LP10, LP11 and LP12 of the Gosport Borough Local Plan 2011-2029.

4. No development above slab level shall commence until details of a soft landscaping scheme (to include a plan showing the location of planting and type of species, the timing of their planting and a five year maintenance plan) has been submitted to and approved, in writing, by the Local Planning Authority. The soft landscaping scheme must be carried out in accordance with the approved details.

Reason - To preserve the character and appearance of the Royal Clarence Yard Conservation Area and the setting of adjacent Grade II listed building in accordance with Policies LP10, LP11 and LP12 of the Gosport Borough Local Plan 2011-2029.

5. No development above slab level shall commence until details of the materials to be used for all hard surfaced areas have been submitted to and approved, in writing, by the Local Planning Authority. The development must be carried out and retained in accordance with the approved details.

Reason - To preserve the character and appearance of the Royal Clarence Yard Conservation Area and the setting of adjacent Grade II listed building in accordance with Policies LP10, LP11 and LP12 of the Gosport Borough Local Plan 2011-2029.

6. Notwithstanding Parts 15 and 16 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) no new electricity and telephone lines shall be overground.

Reason - To preserve the character and appearance of the Royal Clarence Yard Conservation Area and the setting of adjacent Grade II listed building in accordance with Policies LP10, LP11 and LP12 of the Gosport Borough Local Plan 2011-2029.

7. The dwellings, hereby permitted, must not be first occupied until provision has been made on site for the parking of vehicles and cycles in accordance with the approved plan S690/NM7/05 B and parking permits have been made available (where requested) in accordance with the Royal Clarence Yard car parking strategy (as approved under 15/00154/FULL). The vehicular and cycle parking arrangements shall be retained as approved.

Reason - To ensure that adequate provision for the parking of vehicles and cycles is provided in accordance with Policy LP23 of the Gosport Borough Local Plan 2011-2029 and the Gosport Borough Council SPD Parking 2014.

8. The development, hereby approved, shall be undertaken in accordance with paragraphs 7.2-7.15 of the approved Travel Plan (ref C695 dated October 2015) unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To reduce dependence on the car, encourage and facilitate the use of alternative modes for journeys to and from work, and help protect amenities for the local community in accordance with policy LP22 of the Gosport Borough Local Plan 2011-2029.

9. The development, hereby permitted, must not be first occupied until provision has been made on site for the storage of refuse waste in accordance with the approved plan S690/NM7/05 C. The storage shall be retained in accordance with the approved plan.

Reason - To preserve the character and appearance of the Royal Clarence Yard Conservation Area, the setting of the St Georges Barracks (north) Conservation Area and the setting of adjacent Grade II and Grade II* listed buildings in accordance with Policies LP10, LP11 and LP12 of the Gosport Borough Local Plan 2011-2029.

10. No development above slab level shall commence until details (including number, location, design, materials and timescale for their erection) of bat and bird boxes have been submitted to and approved, in writing, by the Local Planning Authority. The development must be carried out in accordance with the approved details prior to the first occupation of the dwellings, hereby permitted, and thereafter retained.

Reason - To secure appropriate ecological enhancement in accordance with Policy LP44 of the Gosport Borough Local Plan 2011-2029.

11. No development shall commence until a Construction Environmental Management Plan (CEMP) for the development, hereby approved, has been submitted to and approved, in writing, by the Local Planning Authority. The CEMP shall contain details of:

- (a) the location of the site compound and any buildings within it;
- (b) the means of enclosure of the site compound;
- (c) the provisions to be made for the parking of contractors, site operatives, employees and visitors;
- (d) the provision for wheel washing facilities;
- (e) measures to control the emission of dust and dirt;
- (f) the method and timing of any piling required;
- (g) measures to prevent adverse impacts to surface water and ground water;
- (h) any screening or hoarding; and
- (i) any temporary lighting

The development must be carried out in accordance with the approved details.

Reason - To safeguard the amenity of occupiers of adjoining properties, highway and pedestrian safety, the character and appearance of the area and to prevent pollution in accordance with Policies LP10, LP22, LP44, LP46 and LP47 of the Gosport Borough Local Plan 2011-2029.

12. The construction of the development, hereby approved, shall not be undertaken except for between the hours of 08:00 and 18:00 Monday to Friday, 09:00 and 13:00 on Saturday's and at no time on Sundays, Bank Holidays or Public Holidays unless otherwise approved, in writing, by the Local Planning Authority.

Reason - In the interests of the amenities of occupiers of the neighbouring residential properties in accordance with Policy LP46 of the Gosport Borough Local Plan 2011-2029.

13. The development, hereby permitted, must be carried out in accordance with the approved written scheme of investigation for an archaeological evaluation (ref: 13966/R126) and Archaeological management plan (ref B1790.R38 D). The findings of the archaeological investigation/recording must be submitted to the Local Planning Authority within 6 months of the last unit occupied in the development.

Reason - To ensure that any archaeological evidence is investigated and recorded in accordance with Policy LP11 of the Gosport Borough Local Plan 2011-2029.

14. Development, including site clearance, shall not commence until a site investigation report has been submitted to and approved, in writing, by the Local Planning Authority. The site investigation report shall include a desk top study of the former uses of the site and their potential for contamination together with the findings of a site walkover and preliminary risk assessment.

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 Policy LP47 of the Gosport Borough Local Plan 2011-2029.

15. Development, including site clearance, shall not begin until a remediation scheme (addressing the findings of the site investigation report approved under condition 14) to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved, in writing, by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures.

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 Policy LP47 of the Gosport Borough Local Plan 2011-2029.

16. The remediation scheme approved under condition 15 must be carried out as approved prior to the commencement of development (except where development is required to carry out remediation), unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Within two months (or a timescale otherwise agreed, in writing, by the Local Planning Authority) of the completion of the remediation scheme approved under condition 15, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved, in writing, by the Local Planning Authority.

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 Policy LP47 of the Gosport Borough Local Plan 2011-2029.

17. If contamination not previously identified is found to be present at the site then no further development or site clearance shall be carried out until a remediation strategy detailing how this unsuspected contamination is to be dealt with has been submitted to and approved, in writing, by the Local Planning Authority. Development shall proceed in accordance with the remediation strategy.

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 Policy LP47 of the Gosport Borough Local Plan 2011-2029.

18. No development shall commence until a scheme to demonstrate an acceptable mechanism for the disposal of foul and surface water has been submitted to and approved, in writing, by the Local Planning Authority. The scheme shall be undertaken and retained in accordance with the approved details.

Reason - To ensure that the development, hereby permitted, has adequate foul and surface water infrastructure in accordance with Policy LP2 of the Gosport Borough Local Plan 2011-2029.

19. No development shall commence until an employment and training plan has been submitted to and agreed, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved employment and training plan.

Reason - To ensure that the development complements and benefits the local labour market and economy, by supporting employment growth, raising skills and enabling local people to compete for the jobs generated in accordance with policy LP17 of the Gosport Borough Local Plan 2011-2029 and the Gosport Borough Council Policy Guidance Note: Securing Employment and Training Measures through planning obligations 2012.

20. No permanent external lighting shall be erected until details have been submitted to and approved, in writing, by the Local Planning Authority. The development must be carried out and retained in accordance with the approved details.

Reason - To preserve the character and appearance of the Royal Clarence Yard Conservation Area and the setting of adjacent Grade II listed building in accordance with Policies LP10, LP11 and LP12 of the Gosport Borough Local Plan 2011-2029.

21. No development above slab level shall commence until details of signage (within the application site) for the identification of the building and the location of vehicular and cycle parking provision has been submitted to and approved, in writing, by the Local Planning Authority. The development must be carried out and retained in accordance with the approved details.

Reason - To preserve the character and appearance of the Royal Clarence Yard Conservation Area and the setting of adjacent Grade II listed building in accordance with Policies LP10, LP11 and LP12 of the Gosport Borough Local Plan 2011-2029.

ITEM NUMBER: 03.
APPLICATION NUMBER: 15/00183/FULL
APPLICANT: Miss Rosie Sterry Berkeley Homes (Southern) Ltd
DATE REGISTERED: 17.04.2015

ERECTION OF 13 NO. DWELLINGS WITH ASSOCIATED ACCESS, CAR PARKING AND WORKS TO BOUNDARY WALLS AND WALLS WITHIN THE BOUNDARY (CONSERVATION AREA) (as amended by additional information received 15.06.15, 17.08.15 and 10.12.15)

Royal Clarence Yard G1-G3 Block Weevil Lane Gosport Hants

The Site and the proposal

1. The application site is a predominately flat and square parcel of land located within Royal Clarence Yard between Weevil Lane to the west, Flagstaff Green to the south, North Meadow and four-storey residential development (Blocks C1/C2) to the east and the Reservoir (a non-designated heritage asset) to the north. The site is bounded by approximately 2.5m high walls which are Grade II listed with access to the site from Weevil Lane (a private road) to the west.
2. The site historically formed the north western corner of the Weevil estate developed by Captain Player c.1700 and was later subsumed into the rear gardens of the Superintendent and Deputy Superintendent Houses in the 1820's. Both the Superintendent and Deputy Superintendent Houses, to the immediate south of the site, are Grade II listed (with the Ceremonial Gates beyond Grade II* listed) and the North Meadows Workshops to the east are also Grade II listed. The site is located within the Royal Clarence Yard Conservation Area with the St Georges Barracks (North) Conservation Area to the west beyond Weevil Lane.
3. This application was previously considered by the 15 September 2015 Regulatory Board and a resolution was made to grant permission for the erection of 22 dwellings subject to a Section 106 agreement to require no building on the part of Royal Clarence Yard known as NM4/5 (as a rationale for not paying infrastructure services contributions as there would be no net increase in dwellings). The Section 106 agreement has not been completed and, as such, the decision has not yet been issued. The applicants have now approached the Council to amend the application by removing the 14 flats proposed on the northern part of the site and replace them with 5 terraced dwellings. The terrace would have a similar visual appearance to the 14 flats with a similar height although the overall width would reduce from 38 to 33m. Accordingly, the application has been the subject of further public consultation, on this basis, and is now presented before the Regulatory Board for a decision.
4. The amended proposal is, therefore, for the erection of 13 open market residential dwellings. All the dwellings would be four bedroomed and would be arranged in three blocks, as per the previous proposal. The revised block (G1) would now have five dwellings (as opposed to the 14 flats previously proposed) whilst the other two blocks would still contain four dwellings each. The three blocks would all still be three stories high (10m to ridge) with the third floor located within a Mansard roof. All the dwellings would now benefit from private rear gardens (two of which have access to a garage). As per the previous proposal the blocks would be finished with white painted render, red brick, natural slate roofs and sash windows. A refuse store and general storage for residents would still be provided in a fourth building, located adjacent to Weevil Lane, that is approximately 4.5m high. Access to the site would still be from Weevil Lane and it is, once again, proposed (in the submitted gate management plan) that automatic gates will be provided that would remain open between 7am and 10pm, would only open when a car approaches between 10pm and 11pm and would be shut between 11pm and 7am except for controlled access via an intercom. As with the previous proposal thirty-eight car parking and 36 cycle spaces would be provided despite the reduction in dwellings proposed.
5. The application is supported by a contamination report, biodiversity report, affordable housing statement and an archaeology report.

Relevant Planning History

99/00465/OUT - Mixed use development of residential, offices/workshops (B1), retail (A1, A2), public houses, cafes and restaurants (A3), cinema, hotel, leisure/community uses, marina, open space, and related infrastructure - permitted 30.11.01

05/00217/FULL - Mixed use development comprising 394 residential units, 516 square metres of offices / workshops (class B1), 931 square metres of retail and restaurants / public houses / cafes (Classes A1, A2, A3, A4 and A5), 682 square metres of cinema (Class D2), millennium promenade and related infrastructure (including access, car parking, landscaping, open space and flood defences) - refused but allowed on appeal 02.02.06

07/00378/FULL - erection of 140 dwellings with associated parking, refuse and cycle storage and estate office (partial amendment to k16713/1) - permitted 29.02.08

07/00488/LBA - alterations to existing boundary walls to create new entrances and infill existing openings - permitted 11.10.07

15/00184/LBA - repairs to, and part demolition of boundary walls and walls within the boundary - permitted 16.12.15

Relevant Policies

National Planning Policy Framework (NPPF), March 2012

Gosport Borough Local Plan, 2011 – 2029:

LP1

Sustainable Development

LP2

Infrastructure

LP2

Infrastructure

LP9D

Allocations outside the Regeneration Areas: Residential Sites

LP11

Designated Heritage Assets including Listed Buildings, Scheduled Ancient Monuments and Registered Historic Parks & Gardens

LP12

Designated Heritage Assets: Conservation Areas

LP15

Safeguarded Areas

LP22

Accessibility to New Development

LP23

Layout of Sites and Parking

LP34

Provision of New Open Space and Improvement to Existing Open Space

LP42

International and Nationally Important Habitats

LP43

Locally Designated Nature Conservation Sites

LP44

Protecting Species and Other Features of Nature Conservation Importance

LP46

Pollution Control

LP47

Contamination and Unstable Land

Supplementary Planning Documents:

Gosport Borough Council Parking: Supplementary Planning Document: February 2014
Hampshire County Council Transport Contributions Policy: A New Approach to Calculating Transport Contributions in Hampshire September 2007
Hampshire County Council Developers Contributions towards Children's Services Facilities December 2013
Solent Special Protection Areas Gosport Bird Disturbance Mitigation Protocol 2014

Consultations

Streetscene Waste & Cleansing	No objection.
Local Highway Authority	No objection. No financial transport contribution is required as it was paid under the previous permission.
HCC Ecology	No objection.
HCC Education Office	No objection. No financial education contribution is required as it was paid under the previous permission.
Defence Infrastructure Organisation	No response received.
The Gosport Society	No objection.
Historic England	No objection. The maintenance of the reservoir should be a condition of any permission.
Southern Water	As there is currently insufficient capacity either additional sewers or upgrades to the existing sewers will be required. An informative should be added to inform the applicants.
HCC Landscape, Planning & Heritage	No objection subject to a condition that the submitted Written Scheme of Investigation is implemented.
Crime Prevention & Design	No response received.
Environmental Health	Prior to commencement contamination information should be submitted with any remediation measures required undertaken prior to occupation. Works should be undertaken during normal working hours. Noise and light pollution should be controlled.

Response to Public Advertisement

1 letter of support.

Issues raised:-

- the applicant should not build on North Meadow car park should this application go ahead

Principal Issues

1. The application site is located within an area allocated for residential development by Policy LP9D of the Gosport Borough Local Plan 2011-2029. There is also extant permission for 12 dwellings on the site from both 2006 and 2008. Therefore, as the principle of residential development is acceptable and the September Regulatory Board resolved to approve an application for 22 dwellings on the site the main issues are the differences between that proposal and the proposal now before the Regulatory Board. Therefore, the main issues are whether there should be any planning obligations (including the provision of affordable housing), the amended design and layout of the proposal and whether it would preserve or enhance the respective Conservation Areas and respect the setting of nearby listed buildings, biodiversity, highway and pedestrian safety and parking provision.
2. Under the 2001 permission (and subsequent 2006 permission) a total of 145 affordable dwellings have been secured across the wider Royal Clarence Yard site in addition to a financial contribution equivalent to providing 64 affordable dwellings off-site. Therefore, as there is only a net increase of one dwelling (when considered against the extant permission) there is no requirement to provide either affordable housing or a financial contribution. Previously, to justify not making a contribution towards infrastructure services and facilities, a Section 106 agreement was proposed to ensure that the extant permission for 16 dwellings on the part of Royal Clarence Yard known as NM4/5 could not be carried out. However, a Section 106 agreement is now not required as the amended proposal only results in a net increase of one dwelling above and beyond the extant permission (compared to a ten dwelling increase previously) and therefore no contribution is required towards infrastructure services and facilities under Policy LP2 of the Gosport Borough Local Plan 2011-2029.
3. The proposal still arranges the three blocks of dwellings and storage building in a perimeter block arrangement that would create an attractive and historically appropriate layout. The design of the buildings are still considered acceptable, successfully avoiding appearing pastiche, and the amendments since the September Regulatory board to proposed Block G1 are minor and retain the proposed consistent character of the development. The introduction of a gated entrance remains acceptable and in character with Weevil Lane. Therefore, as previously recommended, subject to planning conditions regarding materials, soft and hard landscaping, boundary treatments, electricity and telephone lines, external lighting, storage of refuse (whilst the refuse storage is shown in one part of the proposed storage building there is adequate overflow in the remainder of the building to serve the development) and works to the grade II listed walls being undertaken prior to first occupation, the design and layout is considered appropriate to the context of the site and will preserve and enhance the character and appearance of the Royal Clarence Yard Conservation Area and the setting of the St Georges Barracks (north) Conservation Area and an acceptable impact upon the architectural and historic integrity, character and appearance on the adjacent Grade II and Grade II* listed buildings and their setting in accordance with Policies LP11 and LP12 of the Gosport Borough Local Plan 2011-2029.
4. As with the previous proposal there remain no side windows proposed on the south elevation of block G2, which is closest to the existing blocks C1 and C2, so the proposed separation distance of 9m is considered acceptable. Furthermore, due to the orientation and distances to surrounding properties to the south and west, there will be an acceptable impact upon the amenity of the occupiers of these neighbouring residential properties with regard to outlook and privacy. Furthermore, the inter-relationship between the respective proposed dwellings is considered acceptable with regard to outlook and privacy. A construction management plan is proposed to be secured via condition to prevent any harmful impact during building works. Therefore, in this regard, the proposal is considered to be in accordance with Policy LP10 of the Gosport Borough Local Plan 2011-2029.
5. The proposed access from Weevil Lane remains as previously proposed and would have an acceptable impact upon highway and pedestrian safety whilst the introduction of a gate is not considered harmful. To ensure that the gate does not unnecessarily restrict vehicle access (with vehicles potentially stopped overhanging the road whilst waiting for the gates to open) a condition

is, once again, recommended to secure the submitted gate management plan that will require the gates to be permanently open in the daytime.

6. The application site, whilst previously permitted as part of the wider Royal Clarence Yard development, does stand alone with its own single entrance and lack of permeability due to the historic walls. Despite the reduction in number of dwellings (when compared to the proposal considered at the September Regulatory Board, the proposal still includes 38 unallocated car parking spaces which is 8 spaces more than advocated by the Car Parking SPD 2014 and is therefore considered acceptable. Whilst the 36 cycle spaces is 30 spaces (both long and short stay) below that advocated by the Car Parking SPD 2014 it is considered acceptable given both the sustainable location, the rear amenity space available, the garage available for two of the dwellings and the overflow storage space in the storage building. A condition is, once again, proposed to secure the provision of vehicular and cycle parking prior to the occupation of the dwellings and its retention thereafter.

7. The site has minimal potential for supporting protected species due to its recent use as a construction compound and the associated removal of vegetation. However, to support biodiversity in the wider Royal Clarence Yard site a condition is, once again, recommended to secure the appropriate provision (both in terms of number and design) of bat and bird boxes in accordance with Policy LP44 of the Gosport Borough Local Plan 2011-2014.

8. The application includes an archaeological Written Scheme of Investigation and its recommendation for a Watching Brief is, once again, proposed to be secured prior to first occupation of the dwellings in accordance with Policy LP11 of the Gosport Borough Local Plan 2011-2029.

9. A ground investigation report has been submitted and it is, once again, recommended that further investigation (including considering the geology and hydrology of the site) and subsequent mitigation where appropriate is secured via condition. The proposal is therefore considered in accordance with Policy LP47 of the Gosport Borough Local Plan 2011-2029.

10. Whilst Historic England recommend that improvements to the adjacent reservoir are secured this is unnecessary as condition 23 of the 2006 permission already secures the restoration and repair of the reservoir.

11. As Southern Water have indicated that there may be insufficient capacity within the current drainage system to accommodate the proposed development without an upgrade it is considered appropriate to, once again, impose a condition to ensure that there is adequate capacity prior to the commencement of development in accordance with Policy LP39 of the Gosport Borough Local Plan 2011-2029.

12. The proposal will introduce a net increase of one dwelling (when considered against the extant 2007 permission) which is likely to result in increased recreational activity on the coast and a consequential impact on the protected species for which the Portsmouth Harbour SPA, the Solent and Southampton Water SPA and the Chichester and Langstone Harbours SPA are designated. To address this impact, a contribution towards appropriate mitigation, in accordance with the Gosport Bird Disturbance Mitigation Protocol, is required and has been paid. The proposal, therefore, complies with Policy LP42 of the Gosport Borough Local Plan 2011 - 2029.

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:

14120 P101 H Proposed site plan
14120 P102 H Proposed G1 elevations
14120 P103 H Proposed G1 ground floor plan
14120 P104 H Proposed G1 first, second and roof plan
14120 C108 A Coloured street elevation materials
14120 P111 A Proposed block floor plans (G2)
14120 P112 A Proposed block floor plans (G3)
14120 P121 B Proposed block elevations (G2)
14120 P122 B Proposed block elevations (G3)
14120 P123 B Proposed garage store (plans and elevations)
14120 S101 B Site location plan
14120 S102 D Existing site survey
Gate management plan
Historic Wall Information August 2015
Phase O and reservoir conservation statement and written scheme of investigation for an archaeological watching brief and evaluation

Reason - To ensure that the development is completed satisfactorily in all respects and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

3. The dwellings, hereby permitted, must not be first occupied until repairs to the Grade II Listed walls have been undertaken in accordance with Listed Building Consent 15/00184/LBA.

Reason - To ensure that the proposal has an acceptable impact upon the grade II listed walls in accordance with Policy LP11 of the Gosport Borough Local Plan 2011-2029.

4. No development above slab level shall commence until details of the external materials to be used (including external fenestration, window frames, roofing, doors, cills, and proposed gates) have been submitted to and approved, in writing, by the Local Planning Authority. The development must be carried out in accordance with the approved details.

Reason - To preserve the character and appearance of the Royal Clarence Yard Conservation Area, the setting of the St Georges Barracks (north) Conservation Area and the setting of adjacent Grade II and Grade II* listed buildings in accordance with Policies LP10, LP11 and LP12 of the Gosport Borough Local Plan 2011-2029.

5. No development above slab level shall commence until details (including height, design and material) of the boundary treatments (including those between dwellings) have been submitted to and approved, in writing, by the Local Planning Authority. The boundary treatment must be carried out in accordance with the approved details prior to first occupation of the dwellings hereby permitted.

Reason - To preserve the character and appearance of the Royal Clarence Yard Conservation Area, the setting of the St Georges Barracks (north) Conservation Area and the setting of adjacent Grade II and Grade II* listed buildings in accordance with Policies LP10, LP11 and LP12 of the Gosport Borough Local Plan 2011-2029.

6. No development above slab level shall commence until details of a soft landscaping scheme (to include a plan showing the location of planting, type of species and timetable for planting) has been submitted to and approved, in writing, by the Local Planning Authority. The development must be carried out and retained in accordance with the approved details.

Reason - To preserve the character and appearance of the Royal Clarence Yard Conservation Area, the setting of the St Georges Barracks (north) Conservation Area and the setting of adjacent

Grade II and Grade II* listed buildings in accordance with Policies LP10, LP11 and LP12 of the Gosport Borough Local Plan 2011-2029.

7. No development above slab level shall commence until details of the materials to be used for all hard surfaced areas have been submitted to and approved, in writing, by the Local Planning Authority. The development must be carried out and retained in accordance with the approved details.

Reason - To preserve the character and appearance of the Royal Clarence Yard Conservation Area, the setting of the St Georges Barracks (north) Conservation Area and the setting of adjacent Grade II and Grade II* listed buildings in accordance with Policies LP10, LP11 and LP12 of the Gosport Borough Local Plan 2011-2029.

8. Notwithstanding the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) no new electricity and telephone lines shall be overground.

Reason - To safeguard the character and appearance of the Royal Clarence Yard Conservation Area, the setting of the St Georges Barracks (north) Conservation Area and the setting of adjacent Grade II and Grade II* listed buildings in accordance with Policies LP10, LP11 and LP12 of the Gosport Borough Local Plan 2011-2029.

9. No permanent external lighting shall be erected until details have been submitted to and approved, in writing, by the Local Planning Authority. The development must be carried out and retained in accordance with the approved details.

Reason - To preserve the character and appearance of the Royal Clarence Yard Conservation Area, the setting of the St Georges Barracks (north) Conservation Area and the setting of adjacent Grade II and Grade II* listed buildings in accordance with Policies LP10, LP11 and LP12 of the Gosport Borough Local Plan 2011-2029.

10. The dwellings, hereby permitted, must not be first occupied until provision has been made on site for the parking of vehicles and cycles in accordance with the approved plans 14120 C106 D and 14120 P123 B. The vehicular and cycle parking shall be retained as approved.

Reason - To ensure that adequate provision for the parking of vehicles and cycles is provided in accordance with Policy LP23 of the Gosport Borough Local Plan 2011-2029. And the Gosport Borough Council SPD Parking 2014.

11. The gates, hereby permitted, adjoining Weevil Lane, as shown on approved plan no 14120 P123 B, must be operated in accordance with the approved Gate management plan.

Reason - To ensure that the development does not interrupt the free flow of traffic along Weevil Lane in accordance with Policy LP23 of the Gosport Borough Local Plan 2011-2029 and the Gosport Borough Council SPD Parking 2014.

12. The development, hereby permitted, must not be first occupied until provision has been made on site for the storage of refuse waste in accordance with the approved details 14120 P123 B. The storage shall be retained as agreed.

Reason - To preserve the character and appearance of the Royal Clarence Yard Conservation Area, the setting of the St Georges Barracks (north) Conservation Area and the setting of adjacent Grade II and Grade II* listed buildings in accordance with Policies LP10, LP11 and LP12 of the Gosport Borough Local Plan 2011-2029.

13. No development above slab level shall commence until details (including number, location, design, materials and timescale for their erection) of bat and bird boxes have been submitted to and approved, in writing, by the Local Planning Authority. The bat and bird boxes must be installed, and

thereafter retained, in accordance with the approved details prior to the first occupation of the dwellings, hereby permitted.

Reason - To secure appropriate ecological enhancement in accordance with Policy LP44 of the Gosport Borough Local Plan 2011-2029.

14. No development shall commence until a Construction Environmental Management Plan (CEMP) for the development, hereby approved, has been submitted to and approved, in writing, by the Local Planning Authority. The CEMP shall contain details of:

- (a) A plan of the defined working area;
- (b) The location of the site compound and any buildings within it;
- (c) The means of enclosure of the site compound;
- (d) The provisions to be made for the parking of contractors, site operatives, employees and visitors;
- (e) The provision for wheel washing facilities;
- (f) Measures to control the emission of dust and dirt;
- (g) The method and timing of any piling required;
- (h) Measures to prevent adverse impacts to surface water and ground water;
- (i) Any screening or hoarding;
- (j) A lighting strategy; and
- (k) Hours of construction.

The development must be carried out in accordance with the approved details.

Reason - To safeguard the amenity of occupiers of adjoining properties, highway and pedestrian safety, the character and appearance of the area and to prevent pollution in accordance with Policies LP10, LP22, LP44, LP46 and LP47 of the Gosport Borough Local Plan 2011-2029.

15. The development, hereby permitted, must be carried out in accordance with the approved written programme of archaeological investigation and recording [Phase O and reservoir conservation statement and Written Scheme of Investigation for an archaeological Watching Brief and Evaluation dated 25 July 2012]. The findings of the archaeological investigation/recording submitted to the Local Planning Authority within 6 months of the completion of the development.

Reason - To ensure that any archaeological evidence is investigated and recorded in accordance with Policy LP11 of the Gosport Borough Local Plan 2011-2029.

16. Development, including site clearance, shall not commence until a site investigation report has been submitted to and approved, in writing, by the Local Planning Authority. The site investigation report shall include a desk top study of the former uses of the site and their potential for contamination together with the findings of a site walkover and preliminary risk assessment.

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 Policy LP47 of the Gosport Borough Local Plan 2011-2029.

17. Development, including site clearance, shall not begin until a remediation scheme (addressing the findings of the site investigation report approved under condition 16) to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved, in writing, by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures.

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 Policy LP47 of the Gosport Borough Local Plan 2011-2029.

18. The remediation scheme approved under condition 17 must be carried out as approved prior to the commencement of development (except where development is required to carry out remediation), unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of the remediation scheme approved under condition 17, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved, in writing, by the Local Planning Authority prior to the commencement of development.

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 Policy LP47 of the Gosport Borough Local Plan 2011-2029.

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

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 Policy LP47 of the Gosport Borough Local Plan 2011-2029.

20. No development shall commence until a scheme to demonstrate an acceptable mechanism for the disposal of foul and surface water has been submitted to and approved, in writing, by the Local Planning Authority. The development shall be undertaken and retained in accordance with the approved details.

Reason - To ensure that the development, hereby permitted, has adequate foul and surface water infrastructure in accordance with Policy LP2 of the Gosport Borough Local Plan 2011-2029.

21. Notwithstanding the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no additions, alterations or enlargements of the dwellings shall be permitted.

Reason - To preserve the character and appearance of the Royal Clarence Yard Conservation Area, the setting of the St Georges Barracks (north) Conservation Area and the setting of adjacent Grade II and Grade II* listed buildings in accordance with Policies LP10, LP11 and LP12 of the Gosport Borough Local Plan 2011-2029.

ITEM NUMBER: 04.
APPLICATION NUMBER: 15/00432/FULL
APPLICANT: Caspian Food Services Ltd
DATE REGISTERED: 22.09.2015

**ERECTION OF A DRIVE-THROUGH RESTAURANT (CLASS A3/A5) WITH EXTERNAL SEATING AREA, TOGETHER WITH ASSOCIATED ACCESS AND CAR PARKING
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 and is allocated as an Existing Employment Area by the Gosport Borough Local Plan 2011-2029. The site is located between Barwell Lane and Lederle Lane, both of which are private roads that provide access to a number of industrial units. The junction of Barwell Lane with Fareham Road is designed so as not to permit access for traffic travelling in a northerly direction. Barwell Lane is a one-way road, with no access permitted onto Fareham Road. 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. A pelican crossing is sited to the front of the application site.
2. To the east of the application site, beyond a KFC drive-through restaurant which is immediately adjacent to the application site, are two detached dwellings on the eastern side of Lederle Lane approximately 120m from the application site. To the south of the application site, and on the opposite side of Fareham Road, are a series of detached dwellings (set back approximately 15 metres from the highway) located an approximate minimum of 40 metres from the application site. To the west, beyond Barwell Lane, and north are industrial buildings.
3. In December 2013, outline planning permission for a drive-through restaurant (Class A3/A5) and a drive-through coffee shop (Class A3/A5) on the application site was granted (13/00411/OUT). Following this, in July 2014, a reserved matters application was approved (14/00151/DETS) for both the drive-through restaurant (Class A3/A5) and the drive-through coffee shop (Class A3/A5). The planning permissions were granted subject to various conditions. Condition no. 15 of planning permission ref 13/00411/OUT states that the drive-through restaurant and drive-through coffee shop shall not be used for any other purpose (including other A3 and A5 uses). The reason for this condition was to enable the Local Planning Authority to control the type of uses allowed on this site bearing in mind that this is an employment site and that the site is at the junction of the A32 Fareham Road. In addition, condition no. 17 states that the drive-through coffee shop shall not exceed 209 sqm in floor area. The drive-through restaurant has been built and is operational as KFC. However, the drive-through coffee shop has not been built to date. Estate Roads, vehicular accesses and parking areas have been built in accordance with 13/00411/OUT and 14/00151/DETS, and adjoining the application site to the north, vehicular accesses and parking layout have been built in accordance with planning permission ref 12/00130/FULL.
4. The proposal is for the construction of a drive-through restaurant (Class A3/A5) with external seating area, and associated access and car parking. The applicant proposes to construct the drive-through restaurant in lieu of the previously approved drive-through coffee shop. The proposed drive-through restaurant would have a floor area of approximately 255 sqm (46sqm more than previously approved of which 16sqm is additional dining space) and would partially sit on the footprint of the coffee shop that was approved under 14/00151/DETS. The proposed drive-through restaurant would open from 09:00 to 23:00 Monday to Saturday and from 09:00 to 21:00 on Sunday, Bank Holidays and Public Holidays (the extant planning permission (13/00411/OUT) allowed the KFC drive-through restaurant and drive-through coffee shop to be open between the hours of 07:00 to 23:00 Monday to Saturday and from 08:00 to 22:00 on Sunday, Bank Holidays and Public Holidays). The proposed drive-through restaurant is estimated to create 35 FTE jobs.

5. As in the approved Outline and Reserved Matters planning permission, the drive-through restaurant would be sited on the south-western part of the site and would be set back by a minimum of 20 metres from Fareham Road. In addition, as previously approved, the eastern elevation of the proposal is to be sited more than 110 metres from the front elevations of the dwellings to the east, in Lederle Lane (the KFC is also an intervening use). There would be a separation distance of over 50 metres between the southern elevations of the proposal and the front elevations of the two storey dwellings located on the southern side of Fareham Road.

6. The proposed building would be single storey with a roof extending to a maximum height of 6.1m. There would be a brick plinth running around the edge of the building with rendered cladding. Similar to the adjoining KFC and the previously approved drive through coffee shop, the proposed building would be a detached building of modern design with a mixture of solid walls and glazed sections facing Fareham Road. The existing KFC has a floor area of 305 sqm and the drive-through coffee shop that was approved had a floor area of 209 sqm, whilst the proposed drive-through restaurant has a floor area of 255 sq. metres. The proposed increase in floorspace, over 14/00151/DETS, includes 16sqm additional seating area which equates to approximately 13 additional covers.

7. Similar to the previous approval, the proposal would have a rectangular footprint comprising a restaurant seating area, WC facilities, a kitchen, a servery area, a staff room, and a store/office. There would be an enclosed, flat roof refuse store together with a chiller and freezer to the eastern elevation of the building, and there would be an ordering/collection point to the southern side of the building located a minimum of 110 metres from the dwellings in Lederle Lane and a minimum of 50m from dwellings on Fareham Road. An external seating area is proposed to the west elevation of the building that would be enclosed by a 1m high fence. This seating area will be accessible from the dining area and the car park and there will be level access for disabled customers. There will be two customer entrances into the restaurant. The main entrance would be on the northern elevation, whilst the secondary entrance would be to the west elevation of the building via an external seating area. The entrance at the rear elevation of the building would be for staff and deliveries.

8. Similar to the ventilation system used for the adjoining drive-through KFC restaurant, the proposal would be ventilated by an extraction system. Extract ventilation to the cooking canopies will be provided by a purpose made centrifugal fan via a range of heavy gauge fully welded construction. The ductwork will connect to a double pass electrostatic precipitator located on the roof of the building.

9. The proposal would be accessed via the existing vehicular entrances from Barwell Lane and from Lederle Lane. There will be one entrance and one exit for the one way drive-through lane, with a further access to the north of the building for deliveries. With the extant permission a pedestrian footpath is proposed to the south elevation of the building with a zebra style crossing access the drive-through lane so as to enable pedestrian access to the building from Fareham Road. The proposal would be serviced by a designated delivery bay (for articulated vehicles), positioned on the eastern side of the building.

10. Under planning permissions 13/00411/OUT and 14/00151/DETS a total of 46 no. car parking spaces were approved for the two drive-through uses. The existing KFC is currently served by 24 no. spaces, whilst the proposed drive-through restaurant would be served by a total of 26no. car parking spaces (comprised of 22no. standard spaces, 2no. disabled spaces, and 2no. grill bay spaces) resulting in a total of 50no. spaces across the two sites. The drive-through restaurant would operate as a one way system with restaurant parking located to the north and east of the restaurant building. The spaces would be used by both staff and customers. 3no. sheffield bicycle stands are proposed to the north of the external seating area providing space for six cycles.

11. Similar to the outline planning permission ref 13/00411/OUT, the current submission is accompanied by a Transport Statement, which analyses the predicted peak and daily trips associated with the proposed drive-through restaurant, the anticipated car parking requirements, access and visibility requirements, servicing requirements and the impact of the development on the local road network.

12. There are existing trees along the Fareham Road frontage, which are protected by Tree Preservation Order G.125. These trees are outside the application site and are not within the ownership of the applicant. However, a Tree Protection Statement is submitted with the application which advises that these trees would be protected during development.

Relevant Planning History

14/00152/ADVT - erection and display of 1 no. non-illuminated wall-mounted sign, 1 no. non-illuminated banner sign, 7 no. internally illuminated fascia signs, 2 no. internally illuminated freestanding signs and 12 no. non-illuminated freestanding signs - permitted 17.06.14.

14/00151/DETS - details pursuant to application 13/00411/OUT - erection of a drive-through restaurant (class A3/A5) and drive-through coffee shop (Class A3/A5) with associated access and car parking - layout, appearance, scale and landscaping (as amplified by plans received 13.05.14 and email dated 14.05.14) - permitted 04.07.14.

13/00411/OUT - 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.

Relevant Policies

National Planning Policy Framework (NPPF), March 2012

Gosport Borough Local Plan, 2011 – 2029:

LP2

Infrastructure

LP10

Design

LP16

Employment Land

LP21

Improving Transport Infrastructure

LP23

Layout of Sites and Parking

LP27

Principal, District and Neighbourhood Centres

LP29

Proposals for Retail and other Town Centre Uses outside of Centres

LP38

Energy Resources

LP39

Water Resources

LP42

International and Nationally Important Habitats

LP44

Protecting Species and Other Features of Nature Conservation Importance

LP46

Pollution Control

LP47

Contamination and Unstable Land

Supplementary Planning Documents:

Gosport Borough Council Design Guidance: Supplementary Planning Document: February 2014

Gosport Borough Council Parking: Supplementary Planning Document: February 2014

Consultations

Natural England	No objection.
Southern Water	No objection. The applicant should be aware of existing sewers at the site which might need to be protected during the construction works.
HCC Ecology	No objection.
Local Highway Authority	No objection. There is an extant planning permission for a drive-thru coffee shop on this site. The proposed development is expected to generate a moderate amount of additional trips across the day when compared to the previously approved drive-thru coffee shop. Given that the number of additional trips that would be generated will not be severe, the development is acceptable subject to conditions requiring provision of vehicle and cycle parking and a construction method statement.
Building Control	No objection. Approval under the Building Regulations will be required.
Environmental Health	No objection, subject to implementation in accordance with the submitted noise and odour mitigation measures.
Streetscene Parks & Horticulture	No objection. The use of permeable brick pavements and a tree protection fence during construction is acceptable. The proposed development would not have an adverse impact upon any of the protected trees health condition or life expectancy.
Streetscene Waste & Cleansing	No objection.
Environment Agency (Hants & IOW)	No objection.

Response to Public Advertisement

4 letters of objection received

Issues raised:-

- the combined effects of the proposed drive through restaurant, a KFC and when all the units on Fareham Business Park have been occupied will intensify use of the A32/Lederle Lane Junction
- all traffic exiting Fareham Business Park must use the Lederle Lane/A32 junction as Barwell Lane is one way
- problems with this junction will result in another significant hold up for commuters on the A32 in addition to the Frater, Cunningham Drive and Wych Lane junctions
- there is no comparison between the popularity of a coffee shop and a Burger King which will be the only Burger King in the area
- the proposed drive through restaurant will generate more than a moderate amount of additional trips due to popularity of the Burger King

- when outline planning permission was granted for the drive through it was subject to a condition that the coffee shop should not exceed 209 sqm floor area to ensure an appropriate mix of uses, to prevent inappropriate retail uses and in the interests of the function and safe operation of the A32 and local amenity
- the applicant advises that a number of Jobs will be created by the proposed development. Jobs would still be created by the coffee shop that was previously approved
- Gosport features high on the list of areas with high levels of obesity
- there is a continuing problem with litter from the KFC and an additional restaurant will make the situation worse. A planning condition should be included if planning permission is given for the development, to place the onus on the occupier to clear litter outside the premises and in the general vicinity along the A32 on both sides of the road
- the area currently has unacceptable odours from KFC. An additional restaurant will exacerbate the situation and if planning permission is given for the development, a condition should be included to require an inspection of the extractor fans and cooking equipment at 3 monthly intervals
- there is currently light pollution caused by the existing KFC and the proposal would exacerbate the situation. A condition should be imposed requiring illuminated signs to be switched off when the drive thru is not open
- the opening hours proposed are slightly less than those of the KFC and should be conditioned if planning permission is given for the development
- there is noise pollution caused in part by traffic on the A32 stopping and queueing more often due to more frequent use of the traffic light controlled junction as traffic exits the site on a more regular basis.
- the proposal would be out of character and not fit in with the appearance of the area as the nearby house are all a minimum of 75 years old
- the new fast foods restaurant will overlook residential occupiers and affect their privacy
- the development would affect the price of housing in the area
- the proposal is not located near a town or any shops

1 letter of observation received

Issues raised:-

- concerned at loss of habitat and trees
- trees and bushes should be planted around the area when development has been completed

Principal Issues

1. The impact of the development on the value of neighbouring properties and the local levels of obesity are not material planning considerations. The principle of a 309 sqm KFC drive-through restaurant (Class A3/A5) and a 209 sqm drive-through coffee shop (Class A3/A5, the same use class as the proposal) in this existing employment area, together with the access into the site, has been approved by outline planning permission 13/00411/OUT and the associated reserved matters planning permission, granted in July 2014, 14/00151/DETS. This permission has been implemented, as other parts of the site have been developed, so the drive through coffee shop could still be built under this permission. Significant weight must be given to this fall-back position. The main considerations are, therefore, the impact of the differences between the extant planning permission and the proposal including whether an increase in the size of the proposed restaurant from the approved 209 sq.m to 255 sq.m (of which 16sqm is additional seating area) is acceptable, the impact of a drive-through restaurant of this size on the appearance and character of the area, the impact on the amenity of occupiers of neighbouring dwellings, whether adequate provision has been made for car and bicycle parking, deliveries, refuse storage and collection and the impact on the adjacent protected trees.

2. Similar to the extant permission the proposed building would be set back from the respective road frontages, be well screened from public view by existing mature trees and would be similar to the existing KFC building in size, scale, proportion and design. Like the existing KFC building and the extant permission, the building would have a modern appearance and the proposed external materials would relate well to the existing KFC building and the commercial buildings to the north of the site. The footprint of the proposed building would be smaller than that of the adjoining KFC building and would be of a very small footprint when compared to the size of the adjacent industrial unit to the north. There would be a separation distance of a minimum of 35 metres between the opposing elevations of the proposed drive-through restaurant and the existing KFC building which will be sufficient to avoid the appearance of a cramped or congested layout. Likewise, the building will be set a sufficient distance away from the industrial building to the north to avoid them being dominated by the existing built form. Therefore, it is considered that there would be an acceptable impact upon the character and appearance of the area in accordance with Policy LP10 of the Gosport Borough Local Plan and Design SPD 2014.

3. The proposed drive-through restaurant would be sited in excess of 60 metres from the two residential properties in Lederle Lane and will be more than 50 metres from dwellings fronting Fareham Road. In light of this, the limited building heights, the commercial use of the Existing Employment Site and due to the intervening existing vegetation it is considered that the proposal would not harm the amenity of the occupiers of the neighbouring dwellings with regard to loss of light, outlook, or privacy in accordance with Policy LP10 of the Gosport Borough Local Plan and Design SPD 2014.

4. The application is accompanied by a noise assessment and details of the plant equipment proposed. This statement concludes that noise from the plant equipment would not exceed the minimum background noise level. Environmental Health Officers have confirmed that, subject to a planning condition to secure the use and retention of this equipment, any noise generated by the proposal would be sufficiently attenuated so as not to cause harm to the amenity of the occupiers of the neighbouring dwellings in accordance with Policies LP10 and LP46 of the Gosport Borough Local Plan.

5. The application is also accompanied by details of an odour control system. Environmental Health Officers have confirmed that, subject to a planning condition to secure the use and retention of this equipment, any odours generated by the proposal would be sufficiently attenuated so as not to cause harm to the amenity of the occupiers of the neighbouring dwellings in accordance with Policies LP10 and LP46 of the Gosport Borough Local Plan.

6. An outside seating area would be sited to the west of the proposed building, and a customer order point will be sited on the southern side of the proposal, a minimum of 110 metres from the neighbouring properties in Lederle Lane and a minimum of 50 metres from neighbouring properties on Fareham Road. The retention of the proposed bin storage area, the provision of bins for patrons within the application site and control over the hours of opening are recommended to be secured via a planning condition and will help to prevent harmful activity such as littering from extending beyond the application site. Therefore, as in the previously approved scheme, it continues to be considered that the proposal and the operations/activities associated with this use, including of the outside seating area, and the proposed enclosed bin storage area are adequate and would not cause harm to the amenity of the occupiers of the neighbouring dwellings in this regard in accordance with Policies LP10 and LP46 of the Gosport Borough Local Plan.

7. The lighting proposed within the car park and outside seating area would help to reduce opportunities for instances of crime and anti-social behaviour. The proposed building and associated car parking area would also be located beyond a row of mature and established protected trees which would help to screen the residents of Fareham Road from harmful levels of glare/light spillage. Details of the external lighting are recommended to be secured via planning condition. Therefore, it is considered that the proposed development would not cause harm to the amenity of the occupiers of the neighbouring dwellings, in this regard, and is in accordance with Policies LP10 and LP46 of the Gosport Borough Local Plan.

8. The provision of hoarding and fencing around the perimeter of the site would reduce the level of disturbance to occupiers of neighbouring dwellings during the construction period and the provision and retention of these measures are recommended to be secured via planning condition. As in the extant planning permission, the requirement to submit details, in a Construction and Environmental Management Plan, of the measures to control the emission of dust, dirt and smoke from the site during construction is recommended to be secured via planning condition.

9. Similar to the outline planning permission (13/00411/OUT) the current submission is accompanied by a Transport Statement which analyses the predicted peak and daily trips associated with the proposal, the anticipated car parking requirements, access and visibility requirements, servicing requirements and the impact of the development on the local road network. The Transport Statement concludes that the increase in floorspace (compared to the extant permission) would generate an additional 3 trips in the morning peak and 8 trips in the afternoon peak, with an average of 8 trips per hour over the course of a 12 hour period. It is considered that an increase of this scale would be minor and would not detrimental to the surrounding road network as it is also anticipated that some of these trips will be pass by trips in peak hours rather than new trips. Therefore, it is considered that the proposal would not have a severe impact upon the local highway network and, as such, is in accordance with Policies LP10 and LP23 of the Gosport Borough Local Plan.

10. It is considered that the proposal would provide a practical layout that would allow vehicles to negotiate and manoeuvre around the site safely and conveniently, assisted by the provision of appropriate road markings and the use of varied hard surfacing materials. The layout of the car parking areas also integrates with the existing parking areas, vehicular accesses and estate roads that have been recently built via recent planning permissions on the adjoining KFC site and the adjacent industrial uses to the north. It is considered that the proposed areas of car parking would be in context and would integrate well with vehicular accesses and parking areas for the existing KFC, and industrial units beyond the site. The aisle width between parking bays is adequate and the car parking spaces are of sufficient size to allow vehicles to be parked safely and conveniently. Adequate space will be available for turning and, in the interests of highway and pedestrian safety, there would be an appropriate level of visibility at internal junctions within the site. Similar to the extant planning permission, the proposal would be serviced from a designated delivery bay with adequate space to manoeuvre, without harming the safety of other uses of the site. The increase in vehicular parking provision proposed (compared to the extant permission) is commensurate to the increase in seating area. Therefore, the proposal is considered in accordance with Policies LP10 and LP23 of the Gosport Borough Local Plan and the Parking SPD 2014.

11. It is considered that the submitted Tree Protection Statement outlines measures that would acceptably protect the adjacent trees, the subject of a Tree Preservation Order, during construction and this is recommended to be secured via condition. Therefore, the proposal is considered to be in accordance with Policy LP10 of the Gosport Borough Local Plan in this regard.

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:

9811 01

9811 02 Rev B

9811 03 Rev A

9811 04

9811 05

9811 06 Rev A

Roof Plan HVAC layout

Tree Protection Statement (as received 21 September 2015)

Technical note on noise (6323/pja dated 16 September 2015)

UV-C and UV-O Odour Control Technology document (as received 26 August 2015)

Trion Air Purification System document (as received 26 August 2015)

Reason - To ensure that the development is completed satisfactorily in all respects and to comply with Policy LP10 of the Gosport Borough Local Plan, 2011-2029.

3. No development above slab level shall commence until details of the external materials to be used have been submitted to and approved, in writing, by the Local Planning Authority. The development must be implemented and maintained in accordance with the approved details.

Reason - To safeguard the character of the surrounding area in accordance with Policy LP10 of the Gosport Borough Local Plan, 2011-2029.

4. The development hereby approved shall not be brought into first use until the new vehicle accesses have been provided in accordance with approved drawing nos. 9811 01, 9811 02 Rev B, 9811 03 Rev A, 9811 04, 9811 05 and 9811 06 Rev A. The accesses shall be retained in accordance with the approved details thereafter.

Reason - In the interests of highway and pedestrian safety and the visual amenity of the locality and to comply with Policies LP10 and LP23 of the Gosport Borough Local Plan, 2011-2029.

5. The development hereby approved shall not be brought into use until the pedestrian path linking the application site to the pavement on the northern side of Fareham Road have been provided in accordance with approved drawing nos. 9811 02 Rev B, 9811 05 and 9811 06 Rev A. The pedestrian path shall be retained in accordance with the approved details thereafter.

Reason - In the interests of highway and pedestrian safety and the visual amenity of the locality and to comply with Policy LP10 and LP23 of the Gosport Borough Local Plan, 2011-2029.

6. The internal roads, footpaths, footways, road markings, vehicle parking areas, turning areas and delivery areas shall be made up, surfaced and marked out in accordance with approved plans 9811 02 Rev B, 9811 05, 9811 06 Rev A. The internal roads, footpaths, footways, road markings, vehicle parking areas, turning areas and delivery areas shall be provided in accordance with a programme/timetable to be agreed, in writing, by the Local Planning Authority and retained thereafter.

Reason - In the interests of highway and pedestrian safety and the visual amenity of the locality and to comply with Policy LP10 and LP23 of the Gosport Borough Local Plan, 2011-2029. and the Gosport Parking SPD 2014.

7. The drive-through restaurant hereby permitted shall not be brought into first use until the cycle parking facilities have been provided in accordance with approved plans 9811 02 Rev B and 9811 06 Rev A. The cycle parking facilities shall be retained for use by the drive-through restaurant and in accordance with the approved details thereafter.

Reason - To ensure adequate cycle parking facilities are provided and to comply with the National Planning Policy Framework and Policy LP10 of the Gosport Borough Local Plan, 2011-2029 and the Gosport Parking SPD 2014.

8. The drive-through restaurant hereby permitted shall not be brought into first use until the refuse storage facilities for the drive-through restaurant have been provided in accordance with approved plan 9811 02 Rev B, 9811 03 Rev A, 9811 04 and 9811 05. The refuse storage facilities shall be

retained in accordance with the approved details thereafter, unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure adequate refuse storage facilities are provided and to comply with Policy LP10 of the Gosport Borough Local Plan, 2011-2029.

9. The development, hereby permitted, shall not be brought in to first use until the equipment set out in the submitted technical note on noise (6323/pja dated 16 September 2015), equipment specified in the submitted Trion Air Purification System document (as received 26 August 2015) and equipment specified in the UV-C and UV-O Odour Control Technology document (as received 26 August 2015) have been installed and are operational. The equipment shall be retained and operated in accordance with the submitted information unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To protect the amenities of surrounding properties, and to comply with Policies LP10, and LP46 of the Gosport Borough Local Plan, 2011-2029.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), no accesses or egresses other than those shown on approved plans 9811 02 Rev B, 9811 05 and 9811 06 Rev A shall be formed to the site.

Reason - In the interests of highway safety, and to comply with Policies LP10 and LP23 of the Gosport Borough Local Plan, 2011-2029.

11. No percussive piling or works involving the use of heavy machinery that results in a noise level exceeding 69bdA being audible when measured from the nearest point of the Portsmouth Harbour Special Protection Area (SPA) shall take place during the overwintering period (October - March inclusive), unless the existing noise level at the nearest point of the Portsmouth Harbour Special Protection Area (SPA) exceeds 69dbA, in which case, no works shall be undertaken during the specified period if the resultant noise level would exceed the existing noise level when measured from the sensitive receptor site (SPA).

Reason - To preserve the environment for the Portsmouth Harbour Special Protection Area (SPA) and to comply with Policies LP42, LP43 and LP44 of the Gosport Borough Local Plan, 2011-2029.

12. No development shall take place until a scheme to protect the existing sewer within the site, including a timetable for the measures to be carried out, has been submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme and timetable.

Reason - To protect existing services from the development and to comply with the National Planning Policy Framework and Policies LP10, LP39 and LP47 of the Gosport Borough Local Plan, 2011-2029.

13. Before development begins a scheme to dispose of foul water, and details of a surface water drainage scheme for the development, based on sustainable drainage principles shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include details of the following:-

- (a) details of a timetable for the implementation of the foul water disposal scheme,
- (b) information about the design relating to storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- (c) a timetable for the implementation of the surface water drainage scheme;

Thereafter, the foul and surface water drainage schemes shall be carried out and retained in accordance with the approved scheme.

Reason - To ensure that there is adequate provision for foul drainage from the site and to prevent the increased risk of flooding, to protect water quality, habitat and amenity, and ensure future maintenance of the surface water drainage system, and to comply with Policies LP10, LP39 and LP47 of the Gosport Borough Local Plan, 2011-2029.

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

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 the wider environment are mitigated and to ensure that the development can be carried out safely without any unacceptable risks to workers, neighbouring or prospective occupiers and off site receptors and to comply with Policy LP47 of the Gosport Borough Local Plan, 2011-2029.

15. No development shall take place 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 layout plan with beam orientation;
- (b) the design of all lighting to include luminaire type, mounting height, aiming angles and luminaire profiles;
- (c) a light scatter diagram with relevant contours;
- d) hours of operation.

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

Reason - In the interests of amenity and public safety, to prevent light pollution and to comply with Policies LP10 and LP46 of the Gosport Borough Local Plan, 2011-2029.

16. The trees adjoining the site which are shown to be protected (on the submitted Tree Protection Statement) shall be protected during building operations by compliance with BS5837:2012 - Trees in Relation to Design, Demolition and Construction.

Reason - To ensure the enhancement of the development by the retention of natural features, and to comply with Policy LP10 of the Gosport Borough Local Plan, 2011-2029.

17. The development hereby permitted shall not be open for use outside the following hours unless otherwise agreed, in writing, by the Local Planning Authority:

0900 - 2300 Monday to Saturday

0900 - 2100 Sunday and Bank Holiday and Public Holidays

Reason - To preserve the amenity of neighbouring occupiers and to comply with Policies LP10 and LP46 of the Gosport Borough Local Plan, 2011-2029.

18. No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved, in writing, by the Local Planning Authority. The CEMP shall contain details of:

- (a) the location of the site compound and any buildings within it;
- (b) the means of enclosure of the site compound and hoardings to be erected around the site;
- (c) the provisions to be made for the parking of contractors, site operatives, employees and visitors vehicles;
- (d) access to the site for demolition and construction vehicles;
- (e) the provision for wheel washing facilities;
- (f) measures to control the emission of dust, dirt and smoke from the site during construction;

The development shall be carried out in accordance with the approved CEMP unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure the environment is protected and that the construction works on site do not impact surrounding properties and/or adjacent occupiers and to comply with Policies LP10, LP22, LP23, LP39 and LP46 of the Gosport Borough Local Plan, 2011-2029.

19. No development shall commence above slab level until details (including location, size and design) of outdoor bins within the application site have been submitted and approved, in writing, by the Local Planning Authority. The bins shall be provided and retained in accordance with the approved details.

Reason - To protect the amenities of surrounding properties, and to comply with Policies LP10, and LP46 of the Gosport Borough Local Plan, 2011-2029.

ITEM NUMBER: 05.
APPLICATION NUMBER: 15/00230/FULL
APPLICANT: Mr S Walker
DATE REGISTERED: 23.12.2015

**ERECTION OF BUILDING TO PROVIDE 4 NO. TWO BEDROOM FLATS, 1 NO. MAISONETTE AND 1 NO. ONE BEDROOM FLAT WITH ASSOCIATED PARKING, BIN AND CYCLE STORAGE AND LANDSCAPING (as amended by plans received 05.11.15)
111 Elson Road Gosport Hampshire PO12 4AA**

The Site and the proposal

1. The application site is located on the southern side of Elson Road and consists of number 111 Elson Road and the land at the rear. Vehicular access into the site is via a single width access road which passes between the side elevations of numbers 109 and 111 Elson Road. The site is located within the Urban Area boundary and the Elson Road Neighbourhood Shopping Centre as defined on the Policies Map of the Gosport Borough Local Plan, 2011-2029 (GBLP). There is a bus stop within 30m of the site, with services to Gosport and Fareham Town Centres. Elson Recreation Ground, which is designated as an area of Open Space on the Policies Map, is located approximately 150m to the east.
2. Number 111 Elson Road formerly operated as the Jack in the Bush public house. The public house has, however, recently closed. The application site comprises the former public house together with the land at the rear that was used by the public house as a car park and outside drinking area. The area has largely been cleared of structures and vegetation. In 2011, planning permission was granted under reference K5690/3 at number 111 for external alterations and the erection of a single storey rear extension. The alterations, which have been commenced but not completed, were required in order to facilitate the change of use of the premises to a shop (Use Class A1), which is 'permitted development' by virtue of Class A of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and does not, in itself, require planning permission.
3. On the southern side of Elson Road, the Neighbourhood Shopping Centre is characterised by two storey buildings with commercial uses at ground floor level and residential accommodation above. Many of the buildings in the locality have been extended at both ground and first floor level. Some have rear garden areas in the region of 20m to 25m in length. Whilst the buildings fronting this section of Elson Road are, for the most part, two stories, the locality is also characterised by larger, flatted residential development, set back from the highway. To the east and south-east of the application site, and set back over 30m from Elson Road, are the three storey flatted developments of Beaumont Court and Irwin Heights. These blocks of flats have pitched roofs with small areas of shared amenity space and formal areas of parking/associated garage forecourts. The closest of the blocks of flats, numbers 7-12 Beaumont Close, is sited to the south east of the application site, beyond a row of garages and a line of mature trees. This building has windows in its western and northern elevation, which, by virtue of their siting and the existing vegetation, provide restricted views onto the application site.
4. To the north east of the site, adjoining number 111 Elson Road, is 113 - 117 Elson Road, which comprises a retail unit at ground floor level with flats above. There are 3no. pairs of upper floor windows that serve bedrooms, lounge and hallway facing the application site. To the south of the site, and beyond a row of mature trees, are the grounds of Elson County Infant School. The school building is sited over 50m from the southern boundary of application site. The land immediately adjacent to the application site is used as the school's car park. The western boundary of the application site is shared with number 109 Elson Road, a two storey property comprising a fish and chip shop/takeaway at ground floor with residential accommodation above. The rear garden of this property is approximately 25m long and extends along the southern end of the application site and it contains 2no. ground floor windows, a door, and 2no. first floor windows in its eastern elevation.

5. Planning Permission was granted in 2012, under reference K18029, for the erection of a two storey building with rooms in the roof to provide 3no. two bedroom flats and 1no. one bedroom flat. The approved building is L-shaped and positioned in the south-eastern corner of the site, adjacent to the eastern boundary, 2.7m from the southern boundary and over 11m from the shared boundary with number 109 Elson Road to the west. It is 19.5m long and 7.7m wide at the northern end, increasing to be 11.5m wide at the southern end.

6. The approved plans show a building with a hipped, tiled roof set to a maximum height of 8.38m at the southern end. The western roof slope contains 3no. hipped dormer projections. There are roof lights in the northern, eastern and southern roof slopes. The western elevation includes 3no. walk out balconies and windows in all but the northern elevation of the building. The plans show a single pedestrian access door in the western elevation.

7. The approved parking for the flats comprises 4no. spaces located within an undercroft at the northern end of the building. Facilities for long stay cycle parking and the storage of refuse were shown. No provision was shown, however, for visitor cycle parking. As part of the development, 5no. car parking spaces were also shown to be provided for use by 111 Elson Road. The spaces were positioned on the western side of the approved building, centrally within the site. The approved plans show a small area of lawn on the southern side of the building, together with areas of soft landscaping within the proposed car parking area. This planning permission has not been implemented and expired in March 2015.

8. This proposal is for the erection of a two storey building with rooms in the roof to provide 4no. two bedroom flats, 1no. two bedroomed maisonette and 1no. one bedroom flat with associated parking, bin and cycle storage and landscaping.

9. Originally, it was proposed to erect a building with plain elevations and a hipped roof with no dormer windows. Amended plans, however, have now been submitted which revise the external appearance of the building in order to enhance its visual appearance and provide articulation to the elevations.

10. The proposed building has a similar footprint to that previously approved but differs in overall scale and external finish. It similarly has an L-shaped footprint and would be positioned in the south-eastern corner of the site, adjacent to the eastern boundary. It would be 21.8m long and 6.3m wide at the northern end, increasing to be 8.8m wide at the southern end. It would, however, be sited 0.7m from the southern and eastern boundaries and would be located over 16m from the shared boundary with number 109 Elson Road to the west. There would be a separation distance of approximately 11m between the northern elevation of the proposed building and the opposing rear elevations of the properties to the north which front Elson Road. The south eastern corner of the proposed building would be sited approximately 7.5m from the north western corner of numbers 7-12 Beaumont Court.

11. The building would have a Mansard, tiled roof with flat top set to a height of 8.5m with projecting gables at each end. The western roof slope would contain 3no. hipped dormer projections and the eastern roof slope would contain 2no. dormer projections. There would be windows in all elevations that serve the three floors of accommodation. The 5no. windows (including the 2no. dormers) in the eastern elevation at third floor level are shown to be fitted with obscure glazing. The western elevation would include 3no. Juliet balconies at first floor level and 2no. at ground floor level. It is proposed to construct the building from brick with areas of render. There would be 3no. entrance doors to the flats in the western elevation.

12. Parking for the development would comprise 17no. spaces to be shared between the flats and 111 Elson Road. There would be 8no. spaces on the western side of the site, 5no. spaces in front of the building, centrally within the site and 4no. on the northern side of the proposed building. Facilities for long stay cycle parking and the storage of refuse would be provided within a bin store on the western side of the site, set back approximately 22.5m from Elson Road. No provision is shown for visitor cycle parking. The site would continue to be accessed via the existing access from Elson Road, passing between the side elevation of numbers 109 and 111. The proposed

development provides small areas of soft landscaping on the south western and north eastern sides of the building.

13. Amended Location and Site Plans have been received to correct an error in the drafting of the red line that denotes the application site. As a result the application was re-registered on 23 December 2015.

Relevant Planning History

K5690/3 - development at 111 Elson Road for the demolition of existing side and rear extensions and erection of single storey rear extension, alterations to existing first floor windows and installation of shop front - permitted 29.09.11

K18029 - erection of 2.5 storey building to provide 3no.two bedroom flats and 1no.one bedroom flat with associated car and bicycle parking and refuse storage - permitted 23.03.12

Relevant Policies

National Planning Policy Framework (NPPF), March 2012

Gosport Borough Local Plan,2011 – 2029:

LP24

Housing

LP2

Infrastructure

LP10

Design

LP23

Layout of Sites and Parking

LP44

Protecting Species and Other Features of Nature Conservation Importance

Consultations

Building Control	Fire escape/protection measures for upper floor flat needs to be considered. Soil report required.
Environmental Health	No objection.
Streetscene Parks & Horticulture	No objection. There are no trees on the proposed development site or on adjacent land that would be at threat.
Streetscene Waste & Cleansing	No objection.
Local Highway Authority	No objection, subject to conditions requiring the provision of car and cycling parking facilities.

Response to Public Advertisement

1 letter of objection (to original plans)

Issues raised:-

- proximity of construction to the shared boundary with Beaumont Court
- loss of privacy to Beaumont Court
- the proposed development will add to parking/traffic problems in the locality

Principal Issues

1. The site is located within the Urban Area where the principle of residential development is acceptable and was established through the granting of planning permission reference K18029. Although the flats do not meet the size standards guidance within the Gosport Borough Design Supplementary Planning Document (Design SPD), such developments are required to provide a mix of dwelling sizes and types to reflect the needs of those seeking housing in the Borough and there are no policy requirements for minimum standards for flat sizes and this is a matter for market forces. Fire escape/protection measures are dealt with under the Building Regulations. The main issues in this case, therefore, are the acceptability of the proposed development in terms of its design and density, and the impact on the character and visual amenity of the locality, the amenities of neighbouring and prospective occupiers, the adequacy of access and parking arrangements and the provision for cycle parking, refuse storage and collection, infrastructure, services and facilities and recreational disturbance.
2. The site is located within the Elson Road Neighbourhood Shopping Centre and prospective residents would, therefore, have ready access to numerous local shops, services and links to public transport. Prospective occupiers would have access to a small area of shared amenity space which would be supplemented by access to Elson Recreational Ground to the east. At 63 dwellings per hectare (dph), the proposed residential development is commensurate to adjacent sites and only slightly exceeds the guideline density range of 30-60 dph based upon accessibility of public transport and proximity to centres, as set out within Policy LP24 of the Gosport Borough Local Plan, 2011-2029. The proposal is not, therefore, considered to represent an overdevelopment of the plot. The application site is not required by the vacant commercial unit fronting Elson Road, which, once re-opened, can continue to be serviced from its frontage.
3. The proposed development has a Mansard roof design and its height, scale and overall scale is comparable to the adjacent flatted developments in Beaumont Court and Irwin Heights and the building previously approved on the site. As the development would be sited to the rear of the properties fronting Elson Road, it would not be readily visible from the public highway. The provision of small, hipped roof, dormer windows adds visual interest to the roof slopes, while the provision of Juliet balconies, pedestrian access doors and the differing materials and finishes will ensure that there is appropriate level of articulation to the external elevations. The specific external materials will be controlled by condition. There are no trees on the site that are worthy of retention or formal protection. The siting of the proposed development, set back from the road and to the rear properties fronting Elson Road, is characteristic of the adjacent flatted development within Beaumont Court and Irwin Heights and is appropriate in this location.
4. In light of paragraphs 2 and 3 above, the proposed development is considered acceptable in land use terms. It has an acceptable density and will not harm the vitality or viability of the Neighbourhood Shopping Centre. The development, by reason of its design, siting and layout, will not harm the character or visual amenity of the locality and the proposal, therefore, complies with Policies LP10 and LP24 of the Gosport Borough Local Plan, 2011-2029.
5. The building would be marginally higher and sited closer to the southern boundary and, as a result, closer to Beaumont Court to the south east than the previously approved building. Given the established trees and vegetation on the boundaries, however, together with the existing garage forecourt, the orientation of the properties, and the separation distances between buildings, the proposed development will not harm the amenities of existing or prospective occupiers in terms of loss of light or outlook. Due to the acute angle and separation distances between the buildings, it is not considered necessary to attach a condition requiring the windows in the eastern elevation to be obscure glazed. In the interests of residential amenity it is proposed to attach a condition requiring the first floor windows in the northern elevation, which are secondary, to be obscure glazed and fixed shut. Subject to the above condition, the proposal will not allow an unacceptable level of mutual overlooking between neighbouring occupiers. Given the previous use of the site as a car park and outside drinking area, it is not considered that the increased use of the access, whether in vehicle or on foot, or the use of the external balconies by prospective residents, will result in a harmful level of disturbance to adjacent occupiers. Although the application proposes parking

spaces adjacent to the building, this is a common arrangement for such developments in local centres and is unlikely to cause harmful level of disturbance to the prospective occupiers. Subject to the above condition, therefore, the proposed development complies with Policy LP10 of the Gosport Borough Local Plan, 2011-2029.

6. The previous planning permission on the site was approved with a total of 9no. parking spaces for use of both the 4no. flats and the retained pub/retail unit at 111 Elson Road. The development now proposed would provide 17no. unallocated car parking spaces for use by prospective residents and 111 Elson Road. The Gosport Borough Parking Supplementary Planning Document (Parking SPD) would require this quantum of residential development to provide 13no. car parking spaces (inclusive of visitors) and 11no. cycle spaces. The amount of parking required for the commercial use at 111 Elson Road would depend on the use of the building and the retained floor area. The total number now proposed is significantly higher than that previously approved, notwithstanding the increase in the number of flats, and the needs of the flats can be met on the site. The arrangement and number of the proposed spaces provides flexibility for the occupiers of the site and the layout provides greater levels of natural surveillance over the parking areas over the previously approved scheme on the site. Given the above together with the number of parking spaces proposed in addition to the fact that the proposed flats are one and two bedroom units only, the proposed development will not result in significant overspill parking in the local road network, to the detriment of local amenity and/or highway and pedestrian safety. The site is also close to a number of local amenities and good public transport links, which will help to reduce the reliance on the use of a private motor vehicle. The layout of the spaces is such that vehicles will be able to manoeuvre safely and conveniently so as to exit the site in a forward gear. The comings and goings associated with 6no. flats are unlikely to have a significant or harmful impact on local traffic characteristics or contribute to harmful congestion in the local highway network. Access to the site will continue to be provided safely and conveniently via the existing access way and the combined comings and goings associated with the proposed residential use and commercial use at number 111 Elson Road is unlikely to be significantly greater than the previous use of the site as a public house. Traffic speeds on approaching the exit will be low and it is not, therefore, considered that the continued use of the access will compromise highway or pedestrian safety. Adequate provision is available on the site for the secure storage of cycles and for the storage and collection of refuse bins. Provision has not been made for visitor cycle parking, however, there is sufficient space within the site to accommodate these facilities, the details of which can be secured by condition. Subject to this condition, the proposal is acceptable and complies with Policies LP10 and LP23 of the Gosport Borough Local Plan, 2011-2029.

7. The proposal will introduce additional dwellings which is likely to result in increased recreational activity on the coast and a consequential impact on the protected species for which the Portsmouth Harbour SPA, the Solent and Southampton Water SPA and the Chichester and Langstone Harbours SPA are designated. To address this impact, a contribution towards appropriate mitigation, in accordance with the Gosport Bird Disturbance Mitigation Protocol, is required and will be secured via a Section 106 agreement. There is no evidence that the site supports notable or endangered species and none are a threat as a result of the development. The proposal, therefore, complies with Policies LP43 and LP44 of the Gosport Borough Local Plan 2011 - 2029.

8. The applicant has confirmed a willingness to enter into a planning obligation under Section 106 relating to the payment of a commuted sum towards the provision and/or improvement of transport and green infrastructure, services and facilities, in accordance with Policy LP2 of the Gosport Borough Local Plan 2011-2029. Without these obligations, the proposal would be unacceptable in this respect.

RECOMMENDATION: Grant Permission

Subject to

1. Section 106 agreement relating to

- i) The payment of a commuted sum towards infrastructure, services and facilities to secure transport and green infrastructure improvements.
- ii) The payment of a commuted sum towards measures to mitigate the impact of increased recreational activity on Special Protection Areas

or in the event that permission is granted after the 31.01.2016

1. Section 106 agreement relating to

- i) the payment of a commuted sum towards measures to mitigate the impact of increased recreational activity on Special Protection Areas

(N.B. Gosport Borough Council CIL comes into effect after the 31.01.2016)

And 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:

111ER-SW-001 Issue: 8 and 111ER-SW-002 Issue: 8

Reason - To ensure that the development is completed satisfactorily in all respects and to comply with Policies LP10, LP24, LP44 and LP23 of the Gosport Borough Local Plan, 2011 - 2029.

3. No development above slab level shall take place until samples of all external facing and roofing materials, including rendering, have been submitted to and approved, in writing, by the Local Planning Authority and the development shall thereafter be carried out in accordance with the approved details.

Reason - To ensure that the external appearance of the building is satisfactory, and to comply with Policy LP10 of the Gosport Borough Local Plan, 2011 - 2029.

4. No development above slab level shall take place until details of the hard landscaping works have been submitted to and approved, in writing, by the Local Planning Authority. These details shall include samples of the hard surfacing materials and lighting to the car parking area and shall be provided before the development is first occupied and thereafter retained.

Reason - In the interests of amenity, the appearance of the locality and highway and pedestrian safety and to comply with Policies LP10 and LP23 of the Gosport Borough Local Plan, 2011 - 2029.

5. No development above slab level shall take place until details of the soft landscaping works have been submitted to and approved, in writing, by the Local Planning Authority. These details should include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant sizes, the proposed number/densities and an implementation programme.

Reason - In the interests of amenity and the appearance of the locality, and to comply with Policy LP10 of the Gosport Borough Local Plan, 2011 - 2029.

6. The landscaping scheme approved pursuant to condition 5 shall be completed within six months from the completion of the building, and any trees or plants which die are removed or become seriously damaged or diseased during the first five years, shall be replaced with others of identical species (or as may otherwise be agreed in writing with the Local Planning Authority) during the next planting season.

Reason - In the interests of amenity and the appearance of the locality, and to comply with Policy LP10 of the Gosport Borough Local Plan, 2011 - 2029.

7. The development hereby permitted shall not be occupied until the areas shown on the approved plan for the parking of vehicles have been made available, surfaced and marked out in accordance with details submitted to and approved, in writing, by the Local Planning Authority and these areas shall be retained for that purpose at all times.

Reason - In the interests of highway safety and to ensure adequate car parking is provided and retained, and to comply with Policy LP23 of the Gosport Borough Local Plan, 2011 - 2029.

8. The development hereby permitted shall not be occupied until refuse and cycle storage facilities have been provided in accordance with a detailed scheme submitted to and approved, in writing, by the Local Planning Authority. The approved cycle storage and refuse storage facilities shall be retained thereafter.

Reason - In order to ensure that adequate cycle and refuse storage is provided in compliance with Policies LP10 and LP23 of the Gosport Borough Local Plan, 2011 - 2029.

9. The windows in the northern elevation of the building hereby permitted, outlined in red on the approved plan, 111ER-SW-002 Issue: 8, shall be non-opening to a height of 1.7m above finished floor level and glazed with obscure glass (minimum of level 3) and shall be retained in that condition thereafter.

Reason - To preserve the amenity of the neighbouring properties, and to comply with Policy LP10 of the Gosport Borough Local Plan, 2011 - 2029.

ITEM NUMBER: 06.
APPLICATION NUMBER: 15/00589/FULL
APPLICANT: Mr Darren Barker
DATE REGISTERED: 06.11.2015

**DEMOLITION OF EXISTING DETACHED GARAGE AND ERECTION OF DETACHED
OUTBUILDING (as amplified by plan received 30.11.2015)**
36 Lester Road Gosport Hampshire PO12 3SA

The Site and the proposal

1. The application site is located on the western side of Lester Road, towards the southern end of the cul-de-sac, and contains a two storey terraced dwelling. To the rear, the property has a pitch roof dormer with Juliette balcony and a single storey rear extension of approximately 2.5m in depth. The rear garden measures approximately 15m in length, is of hardstanding and incorporates a flat roof, single storey detached garage of approximately 2.5m in height, 6m in length and 3.2m in width sited on the rear boundary. The garden is bordered to both sides by a brick wall approximately 1m in height with a close board fence on top to an overall height of approximately 2m. There is a pedestrian gate in the rear boundary. The garage and gate open onto a vehicular access to the rear of properties on the western side of Lester Road and to the rear and eastern side of properties in Wilmott Close. To the south, Lester Road is bordered by Privett Park.

2. Properties on Lester Road are similar in terms of scale and design. The majority of dwellings also have single storey, detached garages which, sited the same as the application property's garage, open onto the rear access road. The attached properties to each side of the application site also have detached garages with shallow pitch roofs which measure approximately 2.5m in height to the ridge. To the west of the application site, on the other side of the access road, is the eastern side elevation of flats at nos. 54-56 Wilmot Close. An external stairway on the eastern elevation provides access to the first floor flat, 56 Wilmot Close; there is a doorway and window at first floor level in the side elevation, both with an outlook of the application site.

3. The proposal is for the demolition of the existing detached garage and the erection in its place of a detached outbuilding with gabled roof measuring 2.5m high to the eaves and 4m high in total. The outbuilding would be of the same orientation as the existing garage, be sited on the boundary shared with no.38 Lester Road and approximately 1.5m from the shared boundary with no. 34 Lester Road. The proposed outbuilding would have a doorway and window in its northern side elevation and be 7.2m in length and 4.2m in width. The outbuilding would be comprised of an office, playroom, W.C, bike store and storage space.

Relevant Planning History

15/00397/FULL - demolition of existing detached garage and erection of detached outbuilding (office and playroom) - withdrawn 05.10.2015 due to concerns raised relating to height and scale

Relevant Policies

National Planning Policy Framework (NPPF), March 2012

Gosport Borough Local Plan, 2011 – 2029:
LP10
Design

Supplementary Planning Documents:

Gosport Borough Council Design Guidance: Supplementary Planning Document: February 2014

Consultations

Environmental Health

No objection.

Response to Public Advertisement

4 letters of objection

Issues raised:-

- an outbuilding of such a height would require significant foundations which could impact neighbouring development at no.34 Lester Road
- the works may result in subsidence of neighbouring garages/ outbuildings
- the works may result in the collapse of existing drainage, buildings or services
- outbuilding would impact on views from neighbouring properties at nos.32, 34, 38 and 40 Lester Road
- neighbour consultation prior to application may facilitate a satisfactory outcome for all concerned
- such development could set a precedent
- this is the second planning application submitted in three months
- the plans are unclear
- loss of light to neighbouring house and garden at nos. 32, 34 and 38 Lester Road
- overshadowing of neighbouring house and garden at nos. 32, 34 and 38 Lester Road
- loss of privacy to neighbouring house and garden at nos.32, 34, 36 and 40 Lester Road
- outbuilding would be overbearing for neighbouring house and garden at no. 38 Lester Road
- proposed outbuilding too big
- other garages/ outbuildings in the location are of no more than 2.5m in height

Principal Issues

1. Matters relating to foundations, structural stability, possible impact of the works on neighbouring buildings or services and loss of view are not material planning considerations. Each application is considered on its individual merits and neighbour consultation prior to submission whilst encouraged, is not a requirement of the application process. Applications are considered on the basis of all the submitted plans and documents and the individual site characteristics. The plans are of adequate detail to show the proposal and relationship between the properties and, in conjunction with the site visit, is sufficient to enable the application to be determined. The main issues in this case, therefore, are the acceptability of the principle of the development, its design and the impact on the character of the area and the amenity of the occupiers of neighbouring dwellings.

2. It is considered that the overall scale and form of the proposed outbuilding is not consistent with the scale, and roof forms of the other outbuildings/ garages in the vicinity. Its height and massing would considerably exceed that of these surrounding buildings forming a visually harmful and overly dominant feature. The proposed outbuilding would create an over prominent and incongruous feature which will be visible from numerous neighbouring dwellings, from the nearby recreation ground and from the rear access road. Therefore, it is considered that the proposal would have a harmful impact on the appearance, character and overall visual amenity of the area contrary to Policy LP10 of the Gosport Borough Local Plan and the Design Guidance: Supplementary Planning Document.

3. The outbuilding is proposed to be ancillary to the main dwelling and any change of use would require a separate application for planning permission. There are to be no roof lights or windows in either gable end with the only proposed window to be sited on the northern side elevation so as to have an outlook onto the boundary fence. As such it is considered that the proposal would not result in a harmful level of overlooking of neighbouring dwellings or gardens. The outbuilding is to be sited approximately 10m from adjacent dwellings on Lester Road and from the eastern side elevation of the neighbouring flats on Wilmott Close; such a siting is unlikely to have a harmful impact on the living conditions of the occupiers of these dwellings in terms of loss of light or outlook from their dwellings. However, the outbuilding would be sited on the shared boundary with no. 38 Lester Road and approximately 1.5m from the shared boundary with no. 34 Lester Road. It is therefore considered that the proposed outbuilding, by reason of its excessive height and overall scale, would

appear overbearing for the occupiers of these neighbouring dwellings when using their respective gardens. It is therefore considered that the proposal would have an unacceptable impact on the amenity of the occupiers of nos. 34 and 38 Lester Road, contrary to Policy LP10 of the Gosport Borough Local Plan and the Design Guidance: Supplementary Planning Document.

RECOMMENDATION: Refuse

For the following reason(s):-

1. The proposed outbuilding, by reason of its excessive height and scale, would have a harmful impact upon the character and appearance and the overall visual amenity of the area. As such, the proposal is contrary to Policy LP10 of the Gosport Borough Local Plan and the Design Guidance: Supplementary Planning Document.

2. The proposed outbuilding, by reason of its excessive height and scale, would have an overbearing impact on the occupiers of nos. 34 and 38 Lester Road contrary to Policy LP10 of the Gosport Borough Local Plan and the Design Guidance: Supplementary Planning Document.

ITEM NUMBER: 07.
APPLICATION NUMBER: 15/00355/FULL
APPLICANT: Mrs Anne Taylor Thorngate Almshouse Trust
DATE REGISTERED: 14.08.2015

ERECTION OF PART TWO STOREY AND PART SINGLE STOREY DETACHED BUILDING TO PROVIDE 10 NO. ONE BEDROOM FLATS INCLUDING A COMMUNAL LOUNGE, WASTE STORAGE AND PARKING FOLLOWING DEMOLITION OF EXISTING BUILDING (CLASS C2) (as amended by email and plans received on 11.12.15)
Bagot House Melrose Gardens Gosport Hampshire PO12 3BZ

The Site and the proposal

1. The application site is located along Melrose Gardens to the south of Station Road. Melrose Gardens is a private road that leads into Thorngate Almshouse Trust accommodation for the elderly. There are 4no. buildings within Melrose Gardens providing care accommodation. Russell Churcher Court is a care home with 44no. beds and one guest room, whilst Goyda House has 4no. one bed self-contained assisted living flats, Bagot House has 8no. one bed assisted living self-contained flats, and Clare House has 8no. one bedroom assisted living flats and 1no. two bedroom wardens flat. There is a communal garden and a structure that is used as a communal lounge to the north of Bagot House, and parking is provided to the north of Russell Churcher Court and Goyda House.
2. This group of buildings lies at the rear of dwellings fronting nos. 2-32 Harding Road and adjacent to nos. 83 and 87 Brockhurst Road, and the Queens Head Public House. To the north, the site backs onto the rear gardens of properties fronting nos.3 to 11 Station Road, and at its northern boundary along Station Road the site adjoins nos.19, 21, 23, 25, 27 and 29 Station Road. At its west elevation the site adjoins a dismantled railway line.
3. The proposed building would be located on a site that is currently a communal garden for the residents of Melrose Gardens, and part of the land is occupied by a structure, 'Peachey's', that is used as a communal lounge. On the boundary with 23 Station Road is a 1.5m high garden wall and vegetation and on the boundary with 25, 27 and 29 Station Road is a 1.8m high close boarded fence and some vegetation.
4. The proposal is for the erection of a part two storey and part single storey building that would accommodate a total of 10no. one bedroom supported living flats, and a communal lounge. The building is designed in the form of two rows of units, linked via a covered glazed central atrium/sheltered common amenity that links to the entrance of the building. A communal lounge is proposed to the southern end of the building and this would face onto the opposing elevation of Bagot House, and there would be a kitchen, toilet, an office and a plant room that would link the communal lounge to the residential units. The accommodation is arranged in such a way that the southern end of the building, would be two storey providing 1no. flat above the lounge, together with an office, store and a boiler room. Each flat would be self-contained and provide 1no. bedroom, a living/dining area, a kitchen, and a bathroom and would have a useable floor space of a minimum of 47 square metres. The existing Peachey's building would be removed to facilitate the development, as would existing ornamental trees and vegetation within the application site area.
5. The building would be approximately 48m wide and 18m deep with a general height of 2.9m from existing ground level along the single storey wing. The two storey element would be 6.5m high. The glazed atrium would protrude from the central section of the single storey wing by approximately 1m. The building would be located approximately 3m from the boundary with nos. 23 and 29 Station Road, and approximately 2.3m from the boundary with nos. 25 and 27 Station Road. The walls of the building would be constructed of vertical and horizontal composite interlocking cladding and aluminium trim to cladding, with sections of walls being in a render finish, whilst the roof would be a sedum roof green, with an atrium glazed roof over the communal area, with sun pipes on the roof and a PV array.

6. A hard and soft landscape plan is proposed for the development. An emergency access is proposed at southern end of the building. This footpath will link the building to other existing buildings within Melrose Gardens. The building would have single patio doors from each lounge area opening out to private amenity spaces for each flat. An enclosed waste storage area is proposed to the south east elevation of the building together with 2no. bicycle hoops to the south elevation of the building.

7. Vehicular access to the building will be taken from the existing Melrose Gardens. The existing parking areas will be reconfigured and additional parking provided to the west of Clare House.

8. The application is accompanied by an Arboricultural Tree Survey, a Planning Statement, a Transport Assessment, a Design and Access Statement, and an Ecology Report.

9. An amended site plan and new certificate of ownership were received on 14 August 2015 following concerns raised regarding land ownership issues, and further amendments were received on 14 December 2015 showing a revised car parking arrangement, together with revised hard and soft landscaping areas which have been advertised for public comment.

Relevant Planning History

6290 - 3 no. two-storey blocks of almshouses and 1no. storey block comprising of a common room and a matron's flat permitted 20.09.68.

6290/1 external stores building (Clare house) permitted 08.01.69.

6290/2 garage (Peachey's) permitted 20.04.70.

70/09661/PA - use of residential unit as office meeting room and store (Clare house) - permitted 22.07.70.

99/00275/FULL - construction of disabled persons access ramps - permitted 29.03.99.

99/00276/FULL- erection of single storey community clubroom - permitted 02.06.00.

00/00323/FULL - erection of cycle store building adjacent to - permitted 20.11.00.

15/00342/FULL - erection of two storey extension to provide 2no. one bedroom flats (class C2) (as amended by plans received on 14.08.15, 17.08.15 and 23.10.15) - permitted 22.12.15.

Relevant Policies

National Planning Policy Framework (NPPF), March 2012

Gosport Borough Local Plan, 2011 – 2029:

LP39

Water Resources

LP42

International and Nationally Important Habitats

LP44

Protecting Species and Other Features of Nature Conservation Importance

LP46

Pollution Control

LP2

Infrastructure

LP10

Design

LP21

Improving Transport Infrastructure

LP23

Layout of Sites and Parking

LP24

Housing

Supplementary Planning Documents:

Gosport Borough Council Parking: Supplementary Planning Document: February 2014

Gosport Borough Council Design Guidance: Supplementary Planning Document: February 2014

Consultations

HCC Ecology	No objection subject to a condition requiring development to be carried out in accordance with the ecological mitigation and enhancement measures set out within the submitted Ecological Report.
Natural England	No objection.
Streetscene Parks & Horticulture	No objection.
Local Highway Authority	No objection.

Response to Public Advertisement

5 letters of objection

Issues raised:-

- the building work will disturb protected species
- increasing amounts of on road activity on Station Road will make negotiating the entrance to Melrose Gardens dangerous.
- the road is in a poor state of repair and construction vehicles would exacerbate this problem
- there will be access problems to the development
- the development will exacerbate existing parking problems along Station Road and in the area
- loss of privacy and unacceptable overlooking
- the extra coming in and going out that would be generated by the development would cause disturbance, noise and nuisance to neighbours and would be harmful to users of the road
- noise pollution would be caused to neighbours given its proximity to neighbours
- the building is too close to the boundaries
- loss of a communal amenity space as a result of the development
- over-development of the site

Principal Issues

1. The condition of the public highway is not a material planning consideration. Issues relating to foundations, footings and drainage are dealt with under the Building Regulations. Trees and vegetation within the site are ornamental species not worthy of retention, and are not currently protected. The main issues in this case, therefore, are the principle of development, the appropriateness of the design, the impact on the amenities of the occupiers of the neighbouring properties, the impact on highway and pedestrian safety, and impact on protected species.

2. Gosport Borough Council's 'Health and Community Facilities Background Paper' (June 2014), states that the Borough's population of persons aged over 65 years is projected to increase by 41% between 2011 and 2029, with the population of persons aged over 85 years projected to increase by 85% over the same period. This increase in the older persons population has also been highlighted within the South Hampshire Strategic Housing Market Assessment (January 2014) and Gosport Borough Council's Infrastructure Assessment Report (June 2014). Consequently the demand for Registered Residential Care and Nursing Homes for Older People is projected to significantly increase in the coming years and these documents identify a high level of need for the continued provision of care homes in Gosport. Given this, the principle of a building accommodating

10no. flats for supported living (Class C2) is considered acceptable provided that criteria outlined in Policies LP10 and LP24 of the Gosport Borough Local Plan are met.

3. Local Plan Policy LP10 advises that new development should be well designed to respect the character of the Borough's distinctive built and natural environment. Whilst the proposed building is considered to be different in design and materials to the existing buildings within Melrose gardens, it has been sympathetically designed and takes advantage of opportunities available to provide an attractive scheme. The glazed atrium provides a feature of interest as well as a function. The varying ridge heights of the building (part single storey and part two storey) minimises the bulk so that the development appears subservient to the existing group of buildings, and the area as a whole. The height, scale and form of the proposed building would sit comfortably within the established pattern and appearance of existing development. The proposed layout, design, and detailing of the proposed building, including the materials and roof designs mean the development would be screened from the surrounding public domain, and would not have a harmful visual impact on the character of the surrounding area. Whilst the footprint of the building would extend close to the plot boundary, given that a significant length of the building would be single storey in height, the simple nature of the external appearance of the development, and given the existing boundary treatment and the proposed hard and soft landscaping around the perimeter of the building, it is not considered that the proposal would be an overdevelopment of the site or have a harmful impact on the visual appearance of the locality. To preserve the character of the surrounding area and the setting of the development within Melrose Gardens, conditions relating to materials, soft and hard landscaping are recommended. Given this, it is considered that the development complies with Policies LP10 and LP24 of the Gosport Borough Local Plan, 2011 - 2029 and the Gosport Design Guide 2014.

4. The amenities of the adjoining neighbouring properties nos.23, 25, 27 and 29 Station Road would be affected to some degree by the presence of additional built form and disturbance associated with this proposal. However, given that the proposed building would be single storey in height at its nearest points to these neighbours, and given the existing 1.8m close boarded fence on the boundary with nos. 25, 27 and 29 Station Road, and the 1.5m garden wall on the boundary with no. 23 Station Road, and the existing adjacent outbuildings within neighbouring gardens and the position of existing and proposed window openings, it is not considered that the development would have a harmful impact on the amenities of these neighbours in terms of outlook, loss of privacy or have an overbearing impact. It is acknowledged that general comings and goings associated with the 10 no. additional units would be present, and disturbance associated with a use as proposed is inevitable. However, given the previous use of the site as a communal garden and that part of the site accommodated a communal lounge (Peachey's), and taking into account the boundary treatments around the perimeter of the building, and that the area around the perimeter of the building will provide small, individual amenity areas, it is not considered that any noise or disturbance caused would be harmful to the living conditions of existing or prospective occupiers or neighbours of the site. In addition, a certain amount of noise and disturbance during the construction period would be inevitable. However, a Construction Management Plan will set out details of how the construction phase would be managed to limit the impact upon the amenities of the surrounding occupiers and hours of operation on site will be restricted. Conditions to secure these measures are proposed. There is some potential for overlooking into the rear garden of 29 Station Road from the two storey element of the building. The applicant has amended the scheme to show all first floor windows on the west elevation of the building to be obscure glazed and to have a fixed frame to 1.7m above internal floor level to mitigate the impact to an acceptable level. These windows will serve only a bathroom, boiler room and landing, however, a condition to secure these measures is recommended. Given the above, it is considered that the development complies with Policies LP10 and LP23 of the adopted Gosport Borough Local Plan and the Gosport Design SPD, 2014.

5. Whilst the proposed development would result in loss of an existing communal garden for the residents of Melrose Gardens, as part of this proposal, and in response to an internal consultation exercise, the applicant proposes to upgrade the functionality and usability of the other existing amenity areas around the site. The proposed units would be served by well-designed and functional private amenity areas accessed via their lounge/dining room doors, and, there would be a

communal socialising area within the enclosed atrium to the front entrance of the units. Whilst the quantitative size of the external amenity areas for the residents of Melrose Gardens would be reduced, overall, the resultant internal and external amenity space will be functional and capable of better use by the existing and future occupiers of the site and represent an improvement in qualitative terms. As such, the proposal complies with Policy LP10 of the Gosport Borough Local Plan Review, 2011 - 2029 and the Gosport Design SPD, 2014.

6. The proposed 10no. units have the potential to accommodate a maximum of 20 no. residents. There would be no increase in existing staff numbers given that the proposal is for supported living, and new residents would benefit from services that are currently offered to the existing Melrose Gardens residents. In addition, a significant number of the occupiers of the proposed units are not car drivers, and as such, it is not considered that there would be a material increase in traffic as a result of this development. The Borough's Parking Supplementary Planning Document (SPD) requires 1 space for every 3 residential units and 1 visitor space for every 4 units. There is therefore a requirement for 7no. car parking spaces for the proposed development. The current parking layout within Melrose Gardens does not meet the SPD requirements. However, the applicants have submitted an amended parking layout (drawing no.14014 P 1096) showing 5no. formalised car parking spaces provided along the access road to the west of Clare House. The existing car parking areas is also proposed to be reconfigured to provide an additional 6no. car parking spaces. This provision is over and above the SPD requirement for a building with 10no. units, and would also contribute to improving existing onsite parking provision. Space is designated to the north of the end elevation of Bagot House for cycle parking. As such, the development complies with Policies LP2 and LP21 of the Gosport Borough Local Plan, 2011 - 2029 and the Gosport Parking SPD 2014.

7. The application is accompanied by an Ecology Report which confirms that no protected species are present on the site. However, whilst the site has limited ecological value at present there is potential to improve the ecological value of the site. It is recommended that the ecological mitigation and enhancement measures detailed within the submitted Ecology Report should be secured via planning condition. Therefore, the proposal is considered, in this regard, to be in accordance with Policies LP42 and LP44 of the adopted Gosport Borough Local Plan 2011-2029.

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:

- 14014 P 100 Rev C
- 14014 P 101 Rev B
- 14014 P 102 Rev B
- 14014 P 103 Rev A
- 14014 P 104
- 14014 P 105
- 14014 P 106 Rev A

Reason - To ensure that the development is completed satisfactorily in all respects and to comply with Policy LP10 of the Gosport Borough Local Plan.

3. No development above slab level shall commence until details of the external materials to be used have been submitted to and approved, in writing, by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

Reason - To safeguard the character of the surrounding area in accordance with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

4. No construction works shall be carried out other than between 0800 and 1800 Monday and Friday, 0900 and 1300 on Saturday's and at no time on Sunday's or Bank Holiday's unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure the amenities of the occupiers of the neighbouring properties are preserved and to comply with Policies LP10 and LP47 of the Gosport Borough Local Plan, 2011 - 2029.

5. The windows at first floor level in the west elevation of the development hereby approved, as shown on drawing reference 140P103 Rev A, shall be non-opening to a height of 1.7m above finished floor level and glazed with obscure glass (minimum of level 3) and shall be retained in that condition thereafter.

Reason - To preserve the amenity of the occupiers of neighbouring properties, and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

6. The development hereby permitted shall not be brought into use until the areas shown on the approved plan for the parking of vehicles, reference 14014P106 Rev A, have been made available, surfaced, and marked out, and these areas shall be retained for that purpose at all times.

Reason - In the interests of highway safety and to ensure adequate parking is provided and retained, and to comply with Policy LP24 of the Gosport Borough Local Plan 2011-2029.

7. No development shall take place until details of the hard and soft landscaping works have been submitted to and approved, in writing, by the Local Planning Authority. These details should include a planting scheme showing species, numbers, densities, heights, and seats of other structures and a future maintenance scheme.

Reason - In the interests of the amenities of the residents and the appearance of the locality, and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

8. The approved hard and soft landscaping schemes shall be completed within the next planting season, and any trees or plants which die are removed or become seriously damaged or diseased during the first five years, shall be replaced with others of identical species (or as may otherwise be agreed, in writing, with the Local Planning Authority) during the next planting season.

Reason - In the interests of the amenities of the residents and the appearance of the locality, and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

9. Prior to occupation of the 5th flat, the amenity areas shown on drawing reference no.7 14014P106 Rev A shall be laid out and thereafter retained in accordance with details to be submitted to and approved by the Local Planning Authority before works above slab level are commenced.

Reason - To provide a satisfactory level of amenity for the occupiers of the site and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

10. The development shall not be brought into use until the facilities for the storage of cycles and refuse have been provided in accordance with approved plans reference 14014P101 Rev B and these facilities shall be retained for that purpose at all times thereafter.

Reason - In order to ensure that adequate cycle and refuse storage is provided in compliance with Policy LP10 of the Gosport Borough Local Plan and the Gosport Parking SPD 2014.

11. No development shall commence until a Construction Environmental Management Plan has been submitted to and approved, in writing, by the Local Planning Authority. This shall include the details of any site compound, the provision for the access, parking and turning of vehicles, measures to prevent mud from being deposited on the highway, timing of deliveries, means of storing deliveries, a programme for construction and a timetable for implementation of these measures. The approved measures shall thereafter be carried out in accordance with the agreed timetable.

Reason - To preserve the amenity of the neighbouring residential properties and the current occupiers of nos.21, 23, 25, 27 and 29 Station Road, and to comply with Policies LP10, LP22, LP44, LP46 and LP47 of the Gosport Borough Local Plan 2011-2029.

12. No development shall commence until a scheme and timetable for the provision of ecological enhancement of the site has been 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 development provides appropriate ecological enhancement in accordance with Policies LP42 and LP44 of the Gosport Borough Local Plan, 2011 - 2029.

13. Before development begins a scheme to dispose of foul water, and details of a surface water drainage scheme for the development, based on sustainable drainage principles shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include details of the following:-

- (a) details of a timetable for the implementation of the foul water disposal scheme,
- (b) information about the design relating to storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- (c) a timetable for the implementation of the surface water drainage scheme;

Thereafter, the foul and surface water drainage schemes shall be carried out and retained in accordance with the approved details.

Reason - To ensure that there is adequate provision for foul drainage from the site and to prevent the increased risk of flooding, to protect water quality, habitat and amenity, and ensure future maintenance of the surface water drainage system, and to comply with Policies LP10 and LP39 of the Gosport Borough Local Plan.

ITEM NUMBER: 08.
APPLICATION NUMBER: 15/00466/GR3
APPLICANT: Gosport Borough Council
DATE REGISTERED: 15.09.2015

REGULATION 3 - INSTALLATION OF NEW CAR PARK, ALTERATIONS TO EXISTING CAR PARK AND ACCESS, INSTALLATION OF PATHS AND CYCLEWAY WITH ASSOCIATED BARRIERS, LANDSCAPING AND DRAINAGE (as amplified by e-mail dated 17.11.15 and amended by plan received 04.01.16)

Alver Valley Country Park Car Park Grange Road Gosport Hampshire PO13 8AS

The Site and the proposal

1. The site is located on the west side of Grange Road and is accessed from an existing junction providing vehicular access to this site and the Waste Recycling Centre (WRC). The site is located within the Alver Valley Country Park. Within the site is a tarmac service road leading to an existing car park, with forty two spaces, with a further service road to the north of the car park providing access to the wider Country Park. There is an existing concrete wall that runs along the northern boundary of the car park and there are existing planted build outs between some of the spaces. Access to the wider Country Park is restricted by vehicle barriers and concrete pipes used as temporary obstructions. The remainder of the site is a mix of planted areas containing trees and shrubs, with a grassed area in its southwest corner. There are pathways leading from the car park to the south and west and there is an unmade pathway, leading from Grange road to the existing internal service road within the site. The site is identified within the Gosport Borough Local Plan 2011-2029 as being outside of the Urban Area and in the Settlement Gap.
2. There is a wooded area to the north of the site which forms the Aldermoor Site of Importance for Nature Conservation (SINC) and to the west and southwest of the site is the Browndown Common SINC. The Alver Valley County Park extends to the north, south and west of the site. On the edge of the site to the south and east is the existing WRC which is surrounded by earth banks and planting. Within the Country Park and to the southeast is the existing BMX track. On the opposite side of Grange Road, to the east, are the existing playing fields of HMS Sultan.
3. The proposal is for the alteration and extension of the existing car park with associated works. It is proposed to extend the car park to its west and south. It utilises the existing opening, currently obstructed by concrete pipes, at the western end of the existing car park for access and a new control barrier would be installed at this point. Beyond this six parking spaces and an area for motorcycles would be provided along the north side of the existing roadway with the remainder of the new spaces, fifty three in total, provided in curved arrangement approximately in line with the southern boundary of the WRC. The car park would be surfaced with a mix of a granular type 1 material and gravel. Pathways linking the existing and proposed car parks would be provided, with areas of the existing shrub and tree planting within the site being removed and cut back.
4. The alterations to the existing car park include the removal of existing planted build outs, to provide nine additional spaces, painting of the existing concrete wall and the provision of road humps. The existing junction with Grange Road would be altered to provide separate lanes for those vehicles wishing to enter the car park, from those accessing the WRC. New barriers are proposed to prevent access for high vehicles into the car parks and existing buildouts are being removed and reconfigured to control vehicle movements in and out of the site. Amended plans have been received which reposition the proposed buildout at the entrance to the car park from the southern side of the access road to the northern side, so that there is free access into the car park with those vehicles exiting the site having to give way.
5. The internal service road on the north side of the existing car park would be used as a cycle track. A new cycle track would be provided extending from this service road to Grange Road through the existing trees on the north side of the vehicular access to the site. An amended plan

has been received to confirm the final position of this track which is along the line of the unmade path that currently exists through this area.

6. New fencing would be provided around the outer boundary of the car park extension with bollards on pathways to prevent vehicular access into the Country Park. A gate on the existing roadway would be provided to prevent vehicular access to the west of the site.

Relevant Planning History

K8971/3 - Regulation 4 - Construction of car park - permitted 17.06.92

K16510 - Regulation 3 - Outline application for the development of the Alver Valley for recreational purposes - permitted 13.09.05

Relevant Policies

National Planning Policy Framework (NPPF), March 2012

Gosport Borough Local Plan, 2011 – 2029:

- LP1
Sustainable Development
- LP3
Spatial Strategy
- LP8
Alver Valley
- LP10
Design
- LP44
Protecting Species and Other Features of Nature Conservation Importance
- LP46
Pollution Control
- LP47
Contamination and Unstable Land

Consultations

Environmental Health	No objection.
Local Highway Authority	No objection subject to amendments to allow free flow entry into the site currently obstructed by pinch point. Conditions relating to a Construction Method Statement and completion of the highway works in accordance with the submitted plans are required.
Streetscene Parks & Horticulture	No trees of significant value or worthy of retention/protection appear to be at threat from the proposed works.
HCC Ecology	No objection. A condition requiring the mitigation measures to be carried out should be imposed.
HCC Local Lead Flood Authority	No objection.

Response to Public Advertisement

2 letters of objection

Issues raised:

- entry to the car park is usually restricted by queues for the recycling facility which will get worse if the BMX club use this car park
- the BMX club should have their own parking area
- provision of pay and display parking will mean people to park in the surrounding areas and will not encourage people to use this site
- the closing of accesses into the Alver Valley walk would be detrimental to users

Principal Issues

1. Issues regarding the management of the car park and whether the facilities are charged for are not matters that can be considered as part of the determination of this application. The provision of a separated car park for the BMX track does not form part of the current proposals which must be considered on their merits. The main issues for consideration are, therefore, whether the proposals are appropriate in this location would have a detrimental impact on occupiers of neighbouring properties, or on the visual amenities of the surrounding area, whether they would impact on highway safety or have a detrimental impact on features of nature conservation interest.

2. Whilst the site is located in the Settlement Gap, Policy LP3 of the Gosport Borough Local Plan 2011-2029 indicates that recreation uses are appropriate in such locations. Policy LP8 of the Gosport Borough Local Plan 2011-2029 also seeks to support proposals for country park facilities. The car park would provide improved facilities for the continued use of the Alver Valley Country Park for recreational purposes and these proposals are, therefore, consistent with the aims and objectives of Policies LP3 and LP8 of the Gosport Borough Local Plan 2011-2029.

3. The planting within the existing car park has become overgrown and does not provide a welcoming environment. Similarly the existing concrete wall surrounding some of the parking spaces and the overall appearance of the car park is need of improvement. The proposed works, including the shrub clearance would provide a more open appearance within the existing car park and would be a physical and visual enhancement to the area. The proposed cycle track would be along the line of the existing unmade path and would be largely screened by existing vegetation and is visually acceptable in this location. The design and position of the proposed car park extension ensures that the hard surfaced and developed areas are contained within this northeast part of the site and whilst visible from within the Country Park, the facilities would not be visible from the wider public areas. The surfacing materials for the proposed car park are of more natural materials which would also allow for water penetration when compared to the existing tarmac areas. The car park barriers proposed would be the most substantial structures forming part of the car park works. Although they would be visible from within the Country Park their mass is not visually intrusive. They are required for management reasons and would in part replace others already on site and their appearance is considered to be acceptable. The landscaping areas identified around the proposed car park extension are considered to provide an acceptable level of planting to help soften its impact. Whilst these works would be undertaken as part of the overall management and maintenance of the Country Park it is considered appropriate to impose a condition requiring the planting to be undertaken. Overall, having regard to the above, the proposals are appropriate for this location and would not have a detrimental impact on the appearance area, providing improved facilities for the continued use of the Country Park and are, therefore, considered to comply with Policies LP3, LP8 and LP10 of the Gosport Borough Local Plan 2011-2029.

4. The proposed car park would be in excess of 120m from the closest residential properties situated to the north of the existing woodland. The existing car park already generates activity in this location and having regard to the existing activity in this location, the separation distances and intervening woodland to those properties, the enlarged car parking area would not have a detrimental impact on the occupiers of the closest properties in terms of noise and disturbance and would in, therefore, comply with Policies LP10 and LP46 of the Gosport Borough Local Plan.

5. Pedestrian access from the existing car park to the Alver Valley walk and wider Country Park would not be closed, however, vehicles being able to travel further west than they can at present. The proposed pathways would provide the same or improved levels of access into the wider site and are considered to be appropriate. The proposed shared cycle path follows an existing pathway and would provide an appropriate and separate link for pedestrians and cycles from vehicles accessing the Country Park. The alterations to the existing junction would allow vehicles to enter the car park in a separated lane from those entering the WRC and this should prevent queuing onto the carriageway from additional use of the car park. The amended plans have addressed the concerns raised by the Local Highway Authority regarding vehicles entering and exiting the site and this would mean vehicles are free from the existing carriageway. The proposals would not have a detrimental impact on highway safety and are, therefore, considered appropriate and in compliance with Policy LP23 of the Gosport Borough Local Plan 2011-2029.

6. The accompanying Ecological Assessment indicates that there is unlikely to be a potential for a detrimental impact on features of nature conservation interest, subject to appropriate mitigation for birds, reptiles and amphibians being provided which is set out in the report. The mitigation primarily relates to the timing of works and taking a precautionary approach. Enhancement measures in the form of a wildlife meadow are indicated, however, whilst this area is likely to fall outside of the application site itself, it would be within the Country Park and within the applicants ownership. It is considered appropriate to include conditions requiring these mitigation and enhancement measures to be implemented and the proposal will not therefore result in harm to any features of interest for nature conservation and complies with Policy LP44 of the Gosport Borough Local Plan 2011-2029.

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: 5301-PL-001; 5301-PL-002; 5301-PL-003 A.

Reason - To ensure that the development is completed satisfactorily in all respects and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

3. Before development commences a Construction Traffic Management Plan (CTMP) for the development, hereby approved, shall be submitted to and approved, in writing, by the Local Planning Authority. The CTMP shall contain details of:

(a) The provisions to be made for the parking of contractors, site operatives, employees and visitors;

(b) Access and egress for plant, machinery and deliveries;

(c) Protection of pedestrian routes during construction;

(d) Location of temporary site buildings, compounds, construction material, and plant storage areas;

The development must be carried out in accordance with the approved details.

Reason - To safeguard highway and pedestrian safety and to prevent pollution in accordance with Policies LP23 and LP46 of the Gosport Borough Local Plan 2011-2029.

4. Prior to the first use of the new car park, hatched red on approved plan 5301-PL-003 B, full details of the soft landscaping works shall be submitted to and approved, in writing, by the Local Planning Authority. These details should include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant sizes, the proposed number/densities and an implementation programme.

Reason - In the interests of amenity and the appearance of the locality, and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

5. The soft landscaping scheme, approved under condition 4, shall be provided within the first planting season following the first use of the new car park, hatched red on approved plan 5301-PL-003 B, unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - In the interests of the future visual amenity of the locality and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

6. The provision of the car park barriers, gates and access road/footpath bollards, hereby approved, shall be completed before first use of the new car park, hatched red on approved plan 5301-PL-003 B and, thereafter, be retained unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - In order to prevent unauthorised access to the adjacent land and control the use of the car park and to comply with Policy LP23 of the Gosport Borough Local Plan 2011-2029.

7. The works shall be carried out in accordance with the ecological mitigation measures contained within the Hampshire County Council Ecology Appraisal dated March 2015, unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure appropriate protection and provision is given to the ecology on the site and to comply with Policy LP44 of the Gosport Borough Local Plan 2011-2029.

8. The ecological enhancement measures contained within the Hampshire County Council Ecology Appraisal dated March 2015 shall be implemented in accordance with a timetable to be submitted to and agreed, in writing, by the Local Planning Authority before first use of the new car park (hatched red). The works shall be carried out in accordance with the approved timetable, unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure appropriate protection and provision is given to the ecology on the site and to comply with Policy LP44 of the Gosport Borough Local Plan 2011-2029.

9. The highway junction improvement works, hereby approved, shall be implemented before any part of the new car park, hatched red on approved plan 5301-PL-003 B, is brought into use.

Reason - To provide satisfactory access and in the interests of highway safety and to comply with Policy LP23 of the Gosport Borough Local Plan 2011-2029.