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21 January 2016

S U M M O N S

MEETING: Extraordinary Regulatory Board
DATE: 29 January 2016
TIME: 5.00 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)

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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. 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 Wednesday 27th January 2016. The total time for deputations in favour and against a proposal shall not exceed 10 minutes).
4. PUBLIC QUESTIONS – STANDING ORDER 3.6
(NOTE: The Board is required to allow a total of 15 minutes for questions from Members of the public on matters within the terms of reference of the Board provided that notice of such Question(s) shall have been submitted to the Borough Solicitor by 12 noon on Wednesday 27th January 2016).

5. 15/00183/FULL – 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 G-1-G3 Block Weevil Lane Gosport

PART II
Contact Officer:
Linda Edwards

The purpose of this report is to consider whether to grant permission for planning application 15/00183/FULL.

6. 15/00620/FULL – 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

PART II
Contact Officer:
Linda Edwards

The purpose of this report is to consider whether to grant permission for planning application 15/00620/FULL.

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

Board/Committee:	Regulatory Board
Date of Meeting:	29 January 2016
Title:	Planning Application 15/00183/FULL 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) G1-G3 Block, Royal Clarence Yard, Weevil Lane, Gosport, Hampshire
Author:	Borough Solicitor and Deputy Chief Executive
Status	For Decision

1. Purpose

- 1.1. The purpose of this report is to consider whether to grant permission for planning application 15/00183/FULL.

2. Recommendation

- 2.1 That planning permission is granted subject to the planning conditions set out within Appendix A.

3. Background

- 3.1 This application was considered by the Regulatory Board on 19 January 2016 when Members resolved to defer it so that additional information regarding the provision of vehicular parking could be provided.

4. Assessment

- 4.1 Planning permission has been granted for the development of the application site twice; firstly in 2005 (05/00217/FULL) as part of the wider redevelopment of Royal Clarence Yard and secondly in 2008 (07/00378/FULL) as part of an application to develop the site and the adjacent C and F blocks. With regard to pedestrian and vehicular access the application site stands alone from the remainder of Royal Clarence Yard as it is encompassed by stone walls, which are Grade II listed, and has its own access onto Weevil Lane. On this basis it was not included within the scope of the recently approved 2015 Car Park Management Plan (CPMP).
- 4.2 The proposal includes 38 unallocated parking spaces for 13 dwellings and the table below sets out the comparable position:

	Number of residential units	Car parking spaces on the application site	Spaces per residential unit
As proposed in this application (15/00183/FULL)	13	38	2.9
As approved under the 2015 Car Park Management Plan for 15/00154/FULL	Not included	Not included	Not included
As approved under 07/00378/FULL	12	35	2.9

4.3 The proposal is therefore equal, with regard to the ratio of spaces to unit, to the 2008 permission which is 8 more spaces than advocated by the Gosport Borough Parking SPD 2014.

4.4 The report presented to Members at the 19 January 2016 Regulatory Board is attached at Appendix A. This includes the update provided to Members at the meeting (regarding the response of Environmental Health Officers and subsequent deletion of recommended land contamination conditions). The changes are highlighted in ***bold italics***.

5. Conclusion

5.1 The proposal would provide the same ratio of parking provision as the 2008 permission and exceed the level of provision advocated by the Gosport Borough Parking SPD 2014. Therefore, there would be no harm arising from the proposed car parking provision and it would assist in reducing pressure on the demand for visitor parking spaces in Cooperage Green. Accordingly, it continues to be recommended that planning permission is granted subject to the planning conditions set out within Appendix A.

Legal Services comments:	Contained in the report
Risk Assessment:	Low
Background papers:	Planning Application - https://publicaccess.gosport.gov.uk/online-applications/simpleSearchResults.do?action=firstPage
Appendices/Enclosures:	Appendix A: Report to the 19 January Regulatory Board (including previous update)
Report author/ Lead	David Cranmer, Deputy Head of Development

Officer:	Management
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Appendix A – Report to the 19 January Regulatory Board (including previous update)

Site and 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 ***The application site has been the subject of remediation works and a verification report has been agreed resulting in no requirement for any further investigation or mitigation. A planning condition is required to deal with the discovery of any unexpected contamination.***

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. ***With regard to land contamination the application site has been the subject of remediation works and a verification report has been agreed resulting in no requirement for any further investigation or mitigation. A planning condition is recommended to deal with the discovery of any unexpected contamination.*** 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

Conditions/Reasons:-

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;
- (j) 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.~~

16. 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.

17. 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.

18. 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.

Board/Committee:	Regulatory Board
Date of Meeting:	29 January 2016
Title:	Planning Application 15/00620/FULL 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 Yard, Weevil Lane, Gosport, Hampshire
Author:	Borough Solicitor and Deputy Chief Executive
Status	For Decision

1. Purpose

1.1. The purpose of this report is to consider whether to grant permission for planning application 15/00620/FULL.

2. Recommendation

2.1 That planning permission is granted subject to the planning conditions set out within Appendix A.

3. Background

3.1 This application was considered by the Regulatory Board on 19 January 2016 when Members resolved to defer it so that additional information regarding the provision of vehicular parking could be provided.

4. Assessment

4.1 The ability to provide car parking at Royal Clarence Yard is constrained by the approved developments and the heritage assets/designations on the site. A Car Park Management Plan (CPMP) was approved as part of the 2005 (05/00217/FULL) permission and updated and approved at the 15 September 2015 Regulatory Board (15/00154/FULL). The approval of the 2015 CPMP recognised that the standards advocated by the Gosport Borough Parking SPD 2014 could not be retrospectively applied and that, in this instance, the fallback position is the appropriate barometer for assessment. The 2015 CPMP is yet to be implemented.

4.2 The CPMP's approved under the 2005 and 2015 permissions catered for a development of 78 units on the NM7 site as this is the fallback position that could be built out. The 2005 CPMP allowed for one space per unit (albeit 38 of these were some distance away in Cooperage Green) whilst the 2015 CPMP allowed for 0.7 spaces per unit based on an agreed 71% occupancy rate across the North Meadow car park.

4.3 The current application reduces the number of units on NM7 from the previously approved 78 to 55, but retains the same level of parking provision, and the table below sets out the comparable position:

	Number of residential units	Car parking spaces on the application site (NM7)	Permits provided for North Meadow	Permits provided for Cooperage Green	Spaces per residential unit
As proposed in this application	55	12	43	Visitor and 2 nd car permits available on request (subject to demand)	1 space per unit
As approved under the 2005 Car Park Management Plan for 05/00217/FULL	78	12	28	38	1 space per unit
As approved under the 2015 Car Park Management Plan for 15/00154/FULL	78	12	43	Visitor and 2 nd car permits available on request (subject to demand)	0.7 space per unit

4.4 The proposal would therefore, compared to the 2015 CPMP, provide the same number of parking spaces but for 23 less units.

4.5 The report presented to Members at the 19 January 2016 Regulatory Board is attached at Appendix A. This includes the update provided to Members at the meeting (regarding one further letter of representation concerned with the impact upon foul drainage) and the correction of a typographical error at paragraph 5 of the assessment. The changes are highlighted in ***bold italics***.

5. Conclusion

5.1 Having regard to the approved 2015 CPMP the proposal would reduce the number of units (from 78 to 55) whilst maintaining the 55 spaces in the 2015 CPMP. This would assist in reducing the pressure on the unallocated spaces in North Meadow freeing up space for other users. Therefore, it continues to be recommended that planning permission is granted subject to the planning conditions set out within Appendix A.

Legal Services comments:	Contained in the report
Risk Assessment:	Low
Background papers:	Planning Application - https://publicaccess.gosport.gov.uk/online-applications/simpleSearchResults.do?action=firstPage
Appendices/Enclosures:	Appendix A: Report to the 19 January Regulatory Board (including previous update and typographical correction in paragraph 5)
Report author/ Lead Officer:	David Cranmer, Deputy Head of Development Management

Appendix A - Report to the 19 January Regulatory Board (including previous update and typographical correction in paragraph 5)

Site and 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
- ***there is insufficient capacity within the sewerage system and any costs of upgrading it should not fall to existing residents***

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 **six**-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 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. ***The future management and maintenance of the sewerage system is a civil matter between landowners and, in this instance, Southern Water.***

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

Conditions/Reasons:-

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.