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9 January 2018

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

**MEETING:** Regulatory Board  
**DATE:** 17 January 2018  
**TIME:** 6.00 pm  
**PLACE:** Council Chamber, Town Hall, Gosport  
**Democratic Services contact:** Lisa Young

MICHAEL LAWThER  
BOROUGH SOLICITOR

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### **MEMBERS OF THE BOARD**

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

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

Councillor Allen	Councillor Farr
Councillor Beavis	Councillor Foster-Reed
Councillor Bergin	Councillor Hammond
Councillor Carter	Councillor Hicks
Councillor Ms Diffey	Councillor Raffaelli
Councillor Earle	Councillor Ronayne

## **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).

Regulatory Board  
17 JANUARY 2018

**AGENDA**

1. APOLOGIES FOR NON-ATTENDANCE
  
2. DECLARATIONS OF INTEREST  
*All Members are required 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 6 DECEMBER 2017
  
4. DEPUTATIONS – STANDING ORDER 3.4  
*(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 Monday, 15 January 2018. The total time for deputations in favour and against a proposal shall not exceed 10 minutes).*
  
5. PUBLIC QUESTIONS – STANDING ORDER 3.5  
*(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 Monday, 15 January 2018).*
  
6. REPORT OF THE HEAD OF PLANNING AND REGENERATION  
*Schedule of planning applications with recommendations.  
(grey sheets pages 1-52/1)*  
Debbie Gore  
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 6 DECEMBER 2017 AT 6PM**

The Mayor (Councillor Mrs Batty)(ex-officio); Councillor Hook (ex-officio), Councillors Allen (P), Beavis (P), Bergin (P), Carter (P), Ms Diffey (P), Earle (P), Farr (P), Foster-Reed (P), Hicks, Mrs Hook (P), Jessop (P), Raffaelli (P), Ronayne (P), Wright (P)

It was reported that in accordance with Standing Order 2.3.6, Councillor Miss Kelly had been nominated to replace Councillor Hicks for this meeting.

**72. APOLOGIES**

Apologies for inability to attend the meeting were received from The Mayor and Councillor Hicks.

**73. DECLARATIONS OF INTEREST**

Councillors Farr and Wright declared a non-pecuniary interest in grey pages agenda item 2  
Councillor Carter declared an interest in grey pages agenda item 6 as the applicant was his sister.

**74. MINUTES**

**RESOLVED:** That the Minutes of the Regulatory Board meeting held on 18 October 2017 be approved and signed by the Chairman as a true and correct record.

**75. DEPUTATIONS**

Deputations had been received on the following items:

- Agenda Item 7 – Draft Fareham Local Plan
- Agenda Item 1 of the grey pages - 17/00168/FULL – 1 Beaulieu Place
- Agenda Item 2 of the grey pages – 17/00344/FULL – 63 Jellicoe Avenue
- Agenda Item 4 of the grey pages – 17/00358/FULL – 12 Grafton Close
- Agenda Item 5 of the grey pages – 17/00440/FULL – 131 Brockhurst Road

**76. PUBLIC QUESTIONS**

There were no public questions

**77. CONSERVATION AREA DESIGNATION, HASLAR BARRACKS  
(FORMER IMMIGRATION HOLDING CENTRE)**

Consideration was given to a report of the Head of Conservation and Design requesting that consideration be given to the proposal to designate the Haslar Barracks Conservation Area with immediate effect.

The Board was advised that the Economic Development Board had considered the report and recommended the designation of the Conservation Area and that it was presented to the Regulatory Board to be formalised.

The Head of Conservation and Design advised the Board that there were two factors that made the site particularly important. Firstly, the legacy of buildings relating to the Napoleonic Barracks, and secondly the importance of the site as the Garrison Hospital, in particular how the site was adapted for the latter use shortly after the Crimean War whilst retaining the rigid formality of the barracks

layout. It was therefore important to stress the dual significance as buildings from both phases survive on site and supported the case for designation.

Members congratulated the Head of Conservation and Design on the report and agreed that it was very comprehensive in highlighting the importance of the site.

Members reiterated concern that the site could be altered if consultation were to be undertaken before the designation of the Conservation Area and agreed that designation should be implemented immediately.

It was suggested by Members that the fields adjacent to the proposed area be excavated to ensure they did not contain anything of historical importance.

**RESOLVED:** That Haslar Barracks be formally designated as a Conservation Area, as set out in Appendix A of the report of the Head of Conservation and Design.

## 78. DRAFT FAREHAM LOCAL PLAN 2036

Consideration was given to a report of the Deputy Head of Planning Services (Policy) requesting consideration and approval be given to a response to Fareham Borough Council's consultation on the Draft Fareham Local Plan 2036 (DFLP).

Councillor Philpott was invited to address the Board.

He thanked the Board for allowing him to speak on this subject which was of great interest and concern to residents both in his Peel Common Ward and in his county council division. He advised that he would confine his comments to the proposal HA2 in the DFLP; and to matters not fully covered in the report from the Deputy Head of Planning Services because he believed that his report covered many of the key points and was a report with which he was in complete agreement.

Councillor Philpott advised that he wanted to speak about the context; the Strategic Gap and his concerns in respect of potential implications; access; consultation; and the viability of HA2.

He advised the Board that the National Planning Policy Framework made it clear that Local Plans were required to be kept up to date. A Local Plan would be considered not up to date if the local authority could not demonstrate a five year housing supply and that in August, Fareham Borough Council had lost an appeal over housing at Cranleigh Road in Portchester on the basis that they had failed to demonstrate a five year housing supply. One of the prime purposes of this new Draft Local Plan was to address the shortage of housing supply. Fareham had decided to update their Strategic Housing Land Availability Assessment (published in January 2014) to include areas that, hitherto, they stated they did not wish to see developed. One such site was the land to the east of the new Newgate Lane.

The report of the Deputy Head of Planning Services set out the argument as to why local authorities supported the protection of strategic gaps and why it was important that the authority did not support proposals that would see development in or the erosion of the strategic gap, HA2 was currently wholly within the strategic gap.

In addition, Councillor Philpott advised that he had another concern, which was only touched on in the report, that there was currently a planning application before Fareham Borough Council from Hallam Land who were proposing to build 1,027 houses in the strategic gap at Newlands Farm – less than half a mile from HA2.

Whilst Fareham Borough Council had not included a housing allocation for Newlands Farm within their Draft Local Plan, there was a very real danger that, should it go to appeal, the Inspector may consider that Fareham Borough Council was relaxed about major residential development in the strategic gap.

This would be of significance to Gosport because the Hallam Land application was on the route of the Stubbington Bypass, a road that would be vital to serve as a western relief road taking pressure off the A32 and providing an essential route to the Daedalus Enterprise Zone. Hampshire County Council has given planning permission for the Stubbington Bypass and allocated over £8 million to the project and the Government has pledged a further £25 million.

The purpose of the Stubbington Bypass was, as Newgate Lane, to address the existing transport infrastructure deficit – as set out at 5.15 of the report of the Deputy Head of Planning Services. Councillor Philpott advised that he felt that the inclusion of HA2 in the Draft Local Plan weakened Fareham Borough Council's case for resisting development at Newlands Farm and placed the Stubbington Bypass in jeopardy.

He advised the Board that he had met with senior Highways managers on 15<sup>th</sup> November 2017 and put this point to them and followed it up by writing to Councillor Rob Humby, the Executive Member for Transport at Hampshire County Council.

Councillor Philpott advised the Board that the news of Fareham Borough Council's proposal for Newgate Lane only emerged on 9<sup>th</sup> October 2017 when the Executive of Fareham Borough Council met to discuss their new Draft Local Plan. He advised that when he read the paragraphs relating to HA2 he was horrified. He advised that he had been particularly shocked by the specific proposal relating to the properties at 165 and 167 Tukes Avenue. He advised that he had visited the residents from 163 to 169 Tukes Avenue towards the end of October and that none were aware of what Fareham Council had proposed in their Draft Plan.

Councillor Philpott advised that on 30<sup>th</sup> October 2017 he had written to Fareham Borough Council's Chief Planning Officer expressing outrage at the inference that these two houses were to be demolished to provide vehicular access to a housing estate in Fareham and demanded an apology and a withdrawal of HA2 from the Draft Local Plan.

The Board was advised that one of the residents of the properties had wanted to alert the press and draw attention to their plight and subsequently a photo shoot with the press was arranged for 13<sup>th</sup> November 2017. The resident had asked Councillor Philpott to accompany them and on the same day a letter of apology from Fareham Borough Council was received by the residents of 163-169 Tukes Avenue. The letter blamed the site promoter and offered a meeting at Fareham Civic Offices. On the following day another letter was sent to the same residents from the site promoter also apologising and confirming that it was no longer the intention to seek the demolition of 165 and 167 Tukes Avenue. The letter did, however, state that the developer was now looking at alternative options for access to HA2.

Councillor Philpott advised the Board that on the invitation of one of the residents he had attended a meeting at Fareham Civic Offices on 21<sup>st</sup> November and met with senior planning officers who had repeated their apology. He advised that he had asked them to amend the on-line Draft Local Plan to clarify that it was now no longer Fareham Council's intention to demolish 165 and 167 Tukes Avenue and had been told that they would consult and reply. Subsequent confirmation was received that the on-line Local Plan would be amended and the wording of the addendum appeared at paragraph 5.26 of the report of Councillor Officers.

Councillor Philpott advised that since 21<sup>st</sup> November 2017 he had been attempting to contact the site promoter and had written to him and telephoned him several times leaving messages. He advised that the promoter had responded assuring that he now had no intention of seeking alternative additional access to the HA2 site.

The Board was advised that the decision by Fareham not to pursue a third access left only Newgate Lane and Brookers Lane as potential access points for an estate of up to 475 houses and that the Newgate Lane option was unacceptable for the reasons set out in the report of the Deputy Head of Planning Services. The Brookers Lane option was totally unacceptable to residents of Peel Common who faced the potential of a substantial increase in traffic volumes on unsuitable residential roads,

as well as the possible threat of Brookers Lane being used as a short-cut to Newgate Lane and beyond.

Councillor Philpott advised the Board that the Localism Act 2011 placed an obligation on local planning authorities to “engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local and Marine Plan preparation in the context of strategic cross-boundary matters.” This was known as a “Duty to Cooperate” and although a Duty to Cooperate was not a duty to agree, it was nevertheless a legal duty placed upon a local planning authority.

The Board was advised that when the time came to publish their Local Plan, Fareham Borough Council would have to demonstrate that they had complied with this duty. If they could not then the Local Plan would not be able to proceed and could be declared unsound.

Councillor Philpott advised the Board that the Government guidance was very clear stating that “The duty to cooperate was a legal test that required cooperation between local planning authorities and other public bodies to maximise the effectiveness of policies for strategic matters in Local Plans. The authority would need to submit comprehensive and robust evidence of the efforts it had made to cooperate and any outcomes achieved and this would be thoroughly tested at the examination.”

The Board was advised that in addition to the obligations set out in the Localism Act, the Town and Country Planning Regulations stated:

(1) A local planning authority must—

(a) notify each of the bodies or persons specified in paragraph (2) of the subject of a local plan which the local planning authority propose to prepare, and  
(b) invite each of them to make representations to the local planning authority about what a local plan with that subject ought to contain.

(2) The bodies or persons referred to in paragraph (1) are—

(a) such of the specific consultation bodies as the local planning authority consider may have an interest in the subject of the proposed local plan;  
(b) such of the general consultation bodies as the local planning authority consider appropriate; and  
(c) such residents or other persons carrying on business in the local planning authority’s area from which the local planning authority consider it appropriate to invite representations.

(3) In preparing the local plan, the local planning authority must take into account any representation made to them in response to invitations under paragraph (1).

The Board was advised that Fareham Borough Council had published the agenda of their Executive meeting of 9<sup>th</sup> October 2017 on 29<sup>th</sup> September 2017 and that the first contact, by means of notification, to alert Gosport Borough Council of the content of the report before the Executive, took place on 27<sup>th</sup> September 2017. Councillor Philpott advised that he had found no evidence of any contact to discuss the content of the DFLP prior to this date and concluded that there was scant notification and no meaningful attempt on the part of Fareham Borough Council to consult at any level on this matter with Gosport Borough Council. He advised that in the absence of evidence to the contrary, he contended that Fareham Borough Council had failed in their legal duty to cooperate with Gosport Borough Council.

The Board was advised that the document that appeared on the Fareham Borough Council website as the Draft Local Plan was materially different today to the document that was published on 23<sup>rd</sup> October 2017, as the original document showed three potential points of access and comment has been invited from the public and from other interested parties on that basis. However, even before the end of the consultation period, the document has been altered to show just two points of access. The access via Tukes Avenue had been removed and, according to Fareham Council and the site promoter, no alternative third access point would be identified.

Councillor Philpott advised that the entire Draft Local Plan document relating to HA2 was predicated on there being three access points. The Plan, appended to the report, identified open space, play provision, roads, schools and community facilities, all within the Borough of Gosport and all identified and published without any prior discussion with anyone from Gosport. The facilities at the northern end of Bridgemary appeared in the Draft Local Plan based upon a very clear assumption that access to them can be achieved via the demolition of 165 and 167 Tukes Avenue, which it had

now been advised would not happen.

The Board was advised that this material change impacted upon the entire viability of the HA2 proposal and if there was to be no access to community facilities then there could not be a 475 house estate.

Councillor Philpott concluded by stating that the proposal needed to be scrapped and that Fareham Borough Council would have to look elsewhere to build the 475 houses and advised that he would wish to thoroughly endorse the report and asked Members to support the recommendations.

Councillor Hammond was invited to address the Board. He advised that he agreed with Councillor Philpott's deputation and added that he had received 482 representations from local residents giving their feedback and concerns and had passed them to Fareham Borough Council for consideration.

In answer to a Member's question, Councillor Hammond advised the Board that he had been misadvised on plans to remove other properties in Tukes Avenue.

In answer to a Member's question, the Board was advised by Council Officers that the plan was currently at the Regulation 18 stage and would be subject to a further round of consultation at the Regulation 19 stage to consider soundness. The Plan would then be considered by a Planning Inspector at an Examination in Public who would assess the evidence and representations received. Due to changes in the Government's methodology for calculating housing requirement, FBC may need to undertake a further stage of Regulation 18 consultation before the Regulation 19 stage.

Members sought clarification on the appropriate legal measures that could be taken by the Council and were advised that the initial action would be to respond to the Fareham Borough Council's consultation. Following that, should the Council feel that the correct procedures had not been followed, or that FBC had not taken on board Gosport's concerns, the Council could consider bringing a judicial review to challenge any decision they believed to be incorrect.

Members expressed concern that previous objections to the IFA2 at the Daedalus Enterprise zone had been ignored.

It was clarified that the road currently under construction formed part of the approved works to the southern section of Newgate Lane.

A Member advised the Board that as Ward Councillor for Bridgemary North they had received a large amount of correspondence expressing concern at the proposal and that he had written to Fareham Borough Council regarding the loss of the strategic gap between the Boroughs, the increased use of roads increasing pollution levels and with regard to there being no plan for additional medical or educational facilities. Concern was expressed that medical facilities were already stretched and would not cope with such a large increase in residents.

A Member advised that residents were concerned that if 165-167 Tukes Avenue were not being demolished for access, that other properties were at risk as communication from the developer had been poor, and expressed disappointment that Fareham Borough Council had not consulted with Gosport Borough Council more substantially.

Members thanked officers for their report and reiterated the importance of protecting the strategic gap. It was felt that the plan had also failed to acknowledge the importance of the Daedalus site

Members felt that the recommended representation should be made stronger by the addition of the word 'strongly' at point three of the recommendation and that an additional statement regarding the impact on air quality be included.

Members felt that they wished to challenge the proposal, but were advised that the appropriate action at this stage was to formally respond and await Fareham Borough Council's response. There would be opportunities to challenge the Plan at a later date.

It was proposed and seconded that the response be amended to read the following:

- This Council considers that Fareham Borough Council (FBC) has not fully met its responsibility under the duty to cooperate as the Government expects joint working on areas of common interest to be diligently undertaken for the mutual benefit of neighbouring authorities.
- That in the light of the requirements of the PUSH Spatial Position Statement and the Government's potential new standard methodology for calculating housing requirements, FBC consider whether there is the potential for any additional housing sites which are suitable, available and achievable (Policy H1 and Policy DA1).
- That FBC considers whether there is any potential to increase the affordable housing requirement from 30% (Policy H2).
- That this Council strongly objects to the proposed residential allocation at Newgate Lane for the reasons set out in Section 5 of this Report (Policy HA2) and summarised below:
  - The proposal would physically and visually diminish the long-established Strategic Gap between Gosport/Fareham and Lee-on-the-Solent/Stubbington;
  - The proposal has the potential to negate the benefits being provided by the new improvements to Newgate Lane with a negative impact on traffic flow and increased congestion to the detriment of Gosport residents and the local economy including accessibility to the Solent Enterprise Zone at Daedalus;
  - The proposal has the potential to significantly harm the amenities of local Gosport residents with the introduction of new access points to existing residential areas, which due to the scale of the proposal would potentially lead to a significant increase of traffic on residential roads;
  - The proposal, as described, is very car dependent with no provision for public transport. This would exacerbate the amount of trips using Newgate Lane;
  - Any additional traffic on Newgate Lane is likely to have an impact on the Air Quality Management Area (AQMA) at the north end of Newgate Lane and Gosport Road and this may be difficult to mitigate given the scale of the allocation and limited public transport choice;
  - There is insufficient information on supporting infrastructure required including education, medical and community facilities;
  - There is no provision in the policy to protect the amenities of existing residents in the vicinity.
- That this Council supports the additional employment allocation at Daedalus (Policy SP3) with further comments highlighted in Paragraphs 6.2-6.5 of this Report.
- That this Council supports the following policies:
  - Policy E5: Boatyards which aims to protect important marine sites for employment purposes;
  - Policy INF2: Sustainable Transport which aims to ensure the accessibility of existing highways networks are not harmed and provision is made for public transport and active travel;
  - Policy INF3: Road Network Improvements which safeguards the route of the Stubbington Bypass;
  - Policy D4: Coordination of Development and Piecemeal Proposals which aims to ensure a coordinated approach to development.

**RESOLVED:** That this Council makes the following representations (as expanded upon within sections 2-8 of this Report) to Fareham Borough Council:

- This Council considers that Fareham Borough Council (FBC) has not fully met its responsibility under the duty to cooperate as the Government expects joint working on areas of common interest to be diligently undertaken for the mutual benefit of neighbouring authorities.
- That in the light of the requirements of the PUSH Spatial Position Statement and the Government's potential new standard methodology for calculating housing requirements, FBC consider whether there is the potential for any additional housing sites which are suitable, available and achievable (Policy H1 and Policy DA1).
- That FBC considers whether there is any potential to increase the affordable housing requirement from 30% (Policy H2).
- That this Council strongly objects to the proposed residential allocation at Newgate Lane for the reasons set out in Section 5 of this Report (Policy HA2) and summarised below:
  - The proposal would physically and visually diminish the long-established Strategic Gap between Gosport/Fareham and Lee-on-the-Solent/Stubbington;
  - The proposal has the potential to negate the benefits being provided by the new improvements to Newgate Lane with a negative impact on traffic flow and increased congestion to the detriment of Gosport residents and the local economy including accessibility to the Solent Enterprise Zone at Daedalus;
  - The proposal has the potential to significantly harm the amenities of local Gosport residents with the introduction of new access points to existing residential areas, which due to the scale of the proposal would potentially lead to a significant increase of traffic on residential roads;
  - The proposal, as described, is very car dependent with no provision for public transport. This would exacerbate the amount of trips using Newgate Lane;
  - Any additional traffic on Newgate Lane is likely to have an impact on the Air Quality Management Area (AQMA) at the north end of Newgate Lane and Gosport Road and this may be difficult to mitigate given the scale of the allocation and limited public transport choice;
  - There is insufficient information on supporting infrastructure required including education, medical and community facilities;
  - There is no provision in the policy to protect the amenities of existing residents in the vicinity.
- That this Council supports the additional employment allocation at Daedalus (Policy SP3) with further comments highlighted in Paragraphs 6.2-6.5 of this Report.
- That this Council supports the following policies:
  - Policy E5: Boatyards which aims to protect important marine sites for employment purposes;
  - Policy INF2: Sustainable Transport which aims to ensure the accessibility of existing highways networks are not harmed and provision is made for public transport and active travel;
  - Policy INF3: Road Network Improvements which safeguards the route of the Stubbington Bypass;

- Policy D4: Coordination of Development and Piecemeal Proposals which aims to ensure a coordinated approach to development.

## **79. REPORTS OF THE HEAD OF PLANNING SERVICES**

The Head of Planning Services 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:

### **80. 17/00168/FULL - RETENTION OF A SINGLE STOREY SIDE EXTENSION 1 Beaulieu Place Gosport Hampshire PO13 0QP**

Consideration was given to the report of the Head of Planning Services requesting that consideration be given to planning application 17/00168/FULL.

The Board was advised that a site visit had been undertaken by Members and that the property had been viewed from the front and the rear.

Mrs Osman was invited to address the Board. She advised the Board that she had found it disappointing that the site visit had taken place earlier than she had been advised in a letter from Planning Services. She advised that when she had raised this with the planning officers, no apology had been offered.

Mrs Osman advised the Board she would have liked the Members to have viewed the extension from her father's property to appreciate the impact that it had and the difficulty he would have in maintaining his property, particularly the gable end roof and that she would be seeking legal advice regarding the insurance position should access become an issue.

Mrs Osman advised that the proposal had been handled poorly and disrespectfully. She advised the Board of the following points

1. The extension was unlawfully built – a previous and valid planning condition was in existence.
2. There was a planning application submitted in early 2015 which included the side extension. The planning application was for a large rear extension, the front porch extension and the side extension with the total extension areas being well over the size of the original bungalow.
3. During the planning process for the three extensions the plans were amended in May 2015, and the side extension was removed from the plans. She advised that she could only assume for the following reasons:
  - a. The number of and size of extensions was too great for the site causing over-development of the site,
  - b. The inclusion of the side extension had a detrimental effect on the street scene, and
  - c. Most importantly the side extension had an adverse impact on the neighbouring property.
4. While that revised application was still being considered the applicants started to build the side extension (unlawfully) and across the boundary of number 3 Beaulieu Place.
5. That another error was accepted by the planners on the original application in that the acceptance of the wrong certificate was listed in the application form – It should have been Certificate B as the construction of foundations was on her father's land.
6. At the very early stages of the unlawful construction, i.e. while foundations were being excavated, the planners were contacted to state and highlight the unlawful development and it was requested that the build be stopped. The planning officer had incorrectly stated it was permitted development.
7. Mrs Osman highlighted that it was not permitted development due to the planning condition on the estate.

8. The condition was subsequently checked and the condition was identified and the construction was not stopped.
9. The Planning department did not listen and they allowed the unlawful development to continue.
10. On completion of the side extension the owners then applied for a Lawful Development Certificate and the outcome was a refusal from Gosport Planning Department.
11. The applicant appealed this decision and lost
12. A retrospective full planning application was submitted to retain an unlawfully built extension that it was felt should have been kept on the original application and felt that the applicant did not do this based on the reasons previously mentioned.

Mrs Osman advised that she felt that in recommending the application be granted permission, it had been considered acceptable for the applicants to build unlawfully and then retrospectively apply for permission and that from a very early stage and before the extension was out of the ground it was known that the side extension was unlawful. Mrs Osman advised that she had advised the planners of this herself.

Mrs Osman advised the Board that she felt that the planners had been negligent in their duty of care to other parties involved with this application and the previous application as they had not approached and dealt with either application in an unbiased way. She advised that she felt that the applicants had received an unprecedented level of support for an unlawful development which constituted over-development of the site and most importantly adversely impacted 3 Beaulieu Place in contravention of Policy LP10 of the Local Plan.

She advised the Board that the application could not be looked at in isolation as it was originally part of the previous application and that the planning department wrongly allowed it to be removed from that application and to be unlawfully built.

Mrs Osman concluded that if Members were in favour of the application the case would be referred to the local government ombudsman on the basis that procedures were not followed correctly and had subsequently caused a detrimental impact on 3 Beaulieu Place including the devaluing of the property.

Members clarified that the purpose of a site visit was to allow them to view the site and they understood that, whilst the neighbours would have appreciated engagement with Members and that it was unfortunate that the visit was undertaken earlier than, the visit had been undertaken by Members satisfactorily and they had had the opportunity to view the extension from their desired vantage points.

Mrs Osman reiterated that she would have liked the opportunity to engage with Members and reiterated her disappointment that she had not received an apology.

The Board were advised that an apology had been issued to Mrs Osman.

Members sought clarification from Mrs Osman as to the boundary line and the foundations for the properties. Mrs Osman advised that the Ordnance Survey boundary line was misleading and that the stepping stone area marked as belonging to the estate belonged to 1 Beaulieu Place.

Mrs Osman advised that the eaves of all properties overhung the neighbouring boundaries.

Officers clarified that the applicant had submitted an application for a Certificate of Lawful Development on the basis that the condition restricting permitted development rights was not enforceable, but this had been refused by the Council and subsequently refused by the Planning Inspectorate on appeal, who held the condition to be enforceable. This did not mean that the development was necessarily unacceptable in planning terms, just that it required a planning application to be submitted and considered in the usual way. The Board was advised that planning legislation made provision for the submission of retrospective applications. The Board was advised

that under normal planning legislation the extension would not require permission, however the condition placed on the estate when it was built meant that planning permission was required.

The Board was advised that the certificate of ownership had been completed correctly for the application under consideration.

Members advised that they had visited the site and that it was possible to get between the gap of the two properties and that in any event access and maintenance issues were not a material planning consideration. From what they had seen, the extension was sympathetic and did not overlook the neighbour's property.

**RESOLVED:** That planning application 17/00168/FULL be approved.

**81. 17/00344/FULL - INSTALLATION OF A FIRST FLOOR REAR ROOF TERRACE INCLUDING BALUSTRADING  
63 Jellicoe Avenue Gosport Hampshire PO12 2PB**

**Councillors Wright and Farr declared non-pecuniary interests, remained in the room and took no further part in the voting or discussion thereon.**

Consideration was given to the report of the Head of Planning Services requesting that consideration be given to planning application 17/00344/FULL.

The Board was advised that a site visit had been undertaken by Members and that the property had been viewed from the front, side and rear of 63 Jellicoe Avenue.

Mr Porter was invited to address the Board.

He advised that he had nothing further to add but was happy to answer any Members' questions.

Members advised that they were surprised that the application had been recommended for refusal and that the proposal was self-contained and would not overlook adjacent properties. Members advised that they had no objection to the proposal and that the site visit had been helpful in allowing Members to view the property.

It was proposed, seconded and agreed that the application be approved, with delegated authority being given to the Head of Planning Services to attach appropriate conditions.

**RESOLVED:** That planning application 17/00344/FULL be approved and that delegated authority be granted to the Head of Planning Services to attach appropriate conditions.

**82. 17/00274/FULL - ERECTION OF 2 DETACHED TWO STOREY THREE BEDROOM DWELLINGS (CONSERVATION AREA IN PART) (as amended by plans received 29.08.17 and 06.11.17 and amplified by the Flood Risk and Surface Water Drainage Strategy received 02.08.17 and Highway Statement received 10.08.17)  
58-60 Foster Road Gosport PO12 2JJ**

Consideration was given to the report of the Head of Planning Services requesting that consideration be given to planning application 17/00274/FULL.

The Board was advised that a site visit had taken place and that Members had viewed the site. Members were advised that the objections to the proposal had been withdrawn in light of an amendment to the siting of the 'Plot 1' dwelling.

Members agreed that the proposal would tidy up the area and welcomed the improvement to the area. **RESOLVED:** That planning application 17/00274/FULL be approved subject to the conditions in the report of the Head of Planning Services.

**83. 17/0358/FULL - RETENTION OF PERGOLA  
12 Grafton Close Gosport Hampshire PO12 4GD**

Consideration was given to the report of the Head of Planning Services requesting that consideration be given to planning application 17/00358/FULL.

The Board was advised that the applicant has submitted a statement and two photographs to support the application because he was unable to attend the Regulatory Board meeting due to work commitments abroad. The submission stated that he was in agreement with the contents of the recommendation within the report, that the difference in height between the pergola and that permissible under permitted development was 30cm, and that, as a permitted development structure, the pergola would still be higher than the 1.8m high boundary fence; and that the pergola has been built to appropriate safety and structural requirements and has been designed to complement the application property.

The Board was advised that the photographs showed the relationship between the pergola and the boundary fence from the application property and that they were on the plan display board.

Mr Savage was invited to address the Board.

He advised that, although he had limited understanding of planning matters, he assumed that by seeking retrospective planning permission, the application would negate Town and County regulation 2362. He advised the Board that the fact remained that the structure was still in contravention of the above regulation with the construction being well over 2.5 metres in height within 2 metres of the boundary of the property.

He advised the Board that having received a letter from planning officers dated 6 October 2017 he had assumed that the application would have been approved unless he challenged the decision through this process. He advised that despite this, the proposal clearly contravened the above regulation and that seeking retrospective planning permission was an easy way out.

Mr Savage advised the Board that he had supplied some extra photographs to further highlight the dominance of the structure, the height and the closeness to his boundary.

Mr Savage advised the Board that his wife had challenged the builder at the time the photograph was taken with regard to the proximity of the structure to the boundary and the height of it. The Board was advised that Mr Savage had also tried to discuss with the homeowner when the builder was still in attendance. He advised the Board that the builder either had no knowledge or was choosing to ignore the *permitted development* criteria as he seemed to be completely non-plussed by their concerns.

The Board was advised that the summer house in the photograph had been chosen and built in 2017 and that Mr Savage had been careful to remain within the permitted development criteria. He advised that all the suppliers contacted prior to selecting the unit had made him aware of the current permitted development legislation, and that this would be the same if you want to buy a pergola in kit form.

Mr Savage advised the Board that the pergola was virtually on top of the boundary as evident from the pictures and it dominated the view from every rear aspect of his property. He advised that it had replaced several mature bushes and trees which had previously allowed some privacy for both properties.

Mr Savage advised that he had made further notes identified from the officer's report and advised that, in paragraph two, there was no hedge of conifers, that it was a mixture of mature bushes and trees. In paragraph three, the pergola been constructed as part of a new development, the

old small decking area was removed and also that it would seem that the quoted height would now be 2.8 meters, being 0.1 deck height and 2.7 pergola.

He advised the Board that the principal issues section of the report did not appear to recognise his submitted pictures by detailing the proximity to the boundary and that he thought that it would have been obvious from the images he had supplied.

Mr Savage advised that from any aspect he did not see the open design of the structure. He concluded by advising that as he had raised the only objection and suffered the biggest impact, he would have thought that he would have received a visit from the planning department and they would have looked at the case from both sides. He stated that it appeared that it was not necessary and that he did not share this opinion as the impact of the structure could only be appreciated from his property and that it seemed that scant regard had been paid to his view or the original compliance to the regulation.

In answer to a Member's question, the Board was advised that the development exceeded the height of a structure that could be erected as permitted development and, as a result, a planning application was required.

Members thanked Mr Savage for his deputation and photographs and acknowledged that the proposal was considered acceptable in planning terms, but felt that it would be beneficial to view the proposal to examine the impact it had.

It was proposed, seconded and agreed that the application be deferred for a site visit.

**RESOLVED:** That planning application 17/00281/FULL be deferred for a site visit.

**84. 17/00440/FULL - DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF TWO STOREY BUILDING COMPRISING 4 ONE BEDROOM FLATS WITH ASSOCIATED PARKING AND CYCLE & REFUSE STORAGE FACILITIES (RESUBMISSION OF 17/00277/FULL) (as amplified by Design & Access Statement received 20.10.2017 and email received 01.11.2017 and amended by plans received 01.11.2017)  
131 Brockhurst Road Gosport Hampshire PO12 3AX**

Consideration was given to the report of the Head of Planning Services requesting that consideration be given to planning application 17/00440/FULL.

Mr Peters was invited to address the Board. He advised that the application had been resubmitted and the proposal had been reduced from a three-storey six- property proposal to a two-storey, four-property proposal that had incorporated the changes required, and that the application should have been approved under delegated authority but was instead recommended for refusal.

Mr Peters advised that he felt that planners should view the development as an opportunity to meet Gosport's housing need and advised the Board that all the necessary supporting documentation had been provided including details of bin stores, and cycle storage. The Board was advised that the proposal fell short of 0.2 of a parking space for visitors and that in acknowledging the highway concerns regarding vehicles reversing on to the A32, a private traffic light system had been proposed.

Mr Peters advised the Board that the building referred to as requiring an ecological survey had been removed. Mr Peters advised that the applicant was willing to make the necessary Special Protection Area mitigation payment.

In answer to a Member's question, Mr Peters advised that the access road to the site had been increased from 2.1 metres wide to 3.5 metres wide and that any larger access road than this would mean that the proposal was not viable.

He advised that the proposed solution was a red/green traffic light system which would have a motion sensor that if activated would give priority to incoming cars and would prevent both cars from using the access way at the same time and prevent the need for cars to reverse out on to the main road. Cars would therefore only exit the site in a forward gear alleviating the highway concern.

Members questioned how the system would work if a car was entering the site from the A32 and a car exiting the site had already passed the sensor point as there would be no way of stopping the car from exiting, and expressed concern that the potential for the cars to meet at the end of the access way was still present.

Members also expressed concern that cars could enter the site with potentially all the spaces occupied which could result in cars having to undertake multiple turns in the car park to exit. In answer to a subsequent question, the Board was advised by Mr Peters that the traffic light system had not yet been considered by Highways and that following the removal of the garage Hampshire County Council still required an ecological survey to be undertaken.

Members sought additional information regarding the reasons for refusal. The Planning Officer clarified that the Local Highway Authority had seen the proposals and had objected to them and had also seen the amended proposals for the private traffic light scheme and had maintained their objections. The Board were also advised that should a car enter the site and find that all the parking spaces were already taken, it would take a significant amount of manoeuvring to be able to turn and exit the site in forward gear.

The Board was advised that the main building should be the subject of an ecological survey as it has the potential to host protected species and that until the applicant agreed to enter into an agreement to pay the Special Protection Area mitigation payment, it remained a reason to refuse the application.

Members acknowledged that the A32 had recently been highlighted as one of the most dangerous roads in Hampshire and that careful consideration should be given to any development along it. In addition the route was used by a high number of school children.

**RESOLVED:** That application 17/00440/FULL be refused for the following reasons:-

1. The proposed development would, by reason of the level of parking provided and the layout of the spaces within the site incorporating inadequate provision for the manoeuvring of vehicles clear of the highway, result in vehicles being likely to reverse out onto the A32, interrupting the free flow of traffic in a manner that would be harmful to the safety and convenience of highway users. As such, the proposal is contrary to Policy LP23 of the Gosport Borough Local Plan 2011-2029.

2. The application has been submitted with insufficient ecological survey information and therefore fails to account for the presence of implications for protected species within the application site. The application, as such, fails to consider the impact of the development upon biodiversity contrary to Policy LP44 of the Gosport Borough Local Plan 2011-2029.

3. The proposal does not make adequate provision to mitigate against the harmful impacts of recreational disturbance resulting from increased residential provision in the area on internationally designated habitat sites, specifically the Portsmouth Harbour and Solent and Southampton Water SSSI/SPA/Ramsar sites which would be detrimental to the protected and other species for which these areas are designated. The proposal is therefore contrary to Policies LP2 and LP42 of the Gosport Borough Local Plan 2011-2029 and the Solent Special Protection Areas Gosport Bird Disturbance Mitigation Protocol 2014.

**85. 17/00468/TPO - CROWN CLEANING TO REMOVE DEAD / DYING / DISEASED AND CROSSING BRANCHES AND REMOVAL TO TRUNK OF LOWEST LIMB ON SOUTH WEST SIDE TO 1 HORSE CHESTNUT TREE (TPO G.1)**

**9 Little Green Gosport Hampshire PO12 2EU**

**Councillor Carter left the room and took no part in the discussion or voting thereon.**

Consideration was given to the report of the Head of Planning Services requesting that consideration be given to planning application 17/00468/TPO.

**RESOLVED:** That application 17/00468/TPO be approved subject to the conditions in the report of the Head of Planning Services.

**86. ANY OTHER BUSINESS**

The Board was advised that there were updates on a number of appeals.

Appeals had been received against the refusal of planning applications 17/00155/FULL 142 Portsmouth Road, Lee on the Solent and 17/00156/FULL Land to the South of Netherton Road.

60 St Mary's Avenue - An appeal had been received and started against the refusal of planning permission for application 17/00279/FULL.

The Victualler – An appeal against the refusal of planning permission for the tables and chairs has been submitted and the prosecution for failure to comply with the requirements of the Enforcement Notice was proceeding.

The Cordite Building – The appeal against the latest refusal of planning application had been unsuccessful.

20 Woodstock Road – 17/00001/FULL The appeal has been dismissed and the decision to refuse planning permission for the proposed development was upheld.

The meeting concluded at 19.50

CHAIRMAN

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

**17th January 2018**

### **ITEMS WITH RECOMMENDATIONS**

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

<u>Item</u>	<u>Page No</u>	<u>Appl. No.</u>	<u>INDEX Address</u>	<u>Recommendation</u>
01.	03-04/1	17/00358/FULL	12 Grafton Close Gosport Hampshire PO12 4GD	Grant Permission
02.	05-12/1* *	17/00203/OUT	Unit 50 Hoeford Point Barwell Lane Gosport Hampshire PO13 0AU	Grant Outline Consent subject to Conditions / s106
03.	13-24	17/00549/FULL	Carisbrooke Centre 43-61 Carisbrooke Road Gosport PO13 0QY	Grant Permission subject to Conditions / s106
04.	25-32/1	17/00496/OUT	Land West Of Control Tower Solent Airport Daedalus Drive Lee-on-the-Solent Hampshire PO13 9FZ	Refuse
05.	33-38/1	17/00523/FULL	20 Woodstock Road Gosport Hampshire PO12 1RS	Grant Permission subject to Conditions
06.	39-42/1	17/00402/FULL	Land Adjacent 12 Moat Walk Gosport Hampshire PO12 2SP	Grant Permission subject to Conditions
07.	43-46/1	17/00510/FULL	58 Western Way Gosport Hampshire PO12 2NQ	Grant Permission subject to Conditions
08.	47-50	17/00486/FULL	31 Frater Lane Gosport Hampshire PO12 4AU	Refuse
09.	51-53	17/00527/FULL	8 Anglesea Road Lee-On-The-Solent Hampshire PO13 9HD	Grant Permission subject to Conditions

**ITEM NUMBER: 01.**  
**APPLICATION NUMBER: 17/00358/FULL**  
**APPLICANT: Mr Peter Hovington**  
**DATE REGISTERED: 21.08.2017**

**RETENTION OF PERGOLA (as amplified by letter received 05.12.17)**  
**12 Grafton Close Gosport Hampshire PO12 4GD**

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

1. This application was considered by the Regulatory Board on 6th December 2017 when Members resolved to defer it for a site visit to take place prior to the next meeting of the Board.
2. The application property is a detached two storey dwelling on a residential estate. It is located on the southern side of the cul-de-sac, Grafton Close, set back behind a shared parking and access area. The open amenity land to the east of Grafton Close is well screened by a row of substantial trees. To the south of the application property are 3 and 5 Chatham Close and to the west is 10 Grafton Close, all are similar two storey detached properties.
3. The application property has a garden to the south which is broadly triangular in shape and shares boundaries with the rear gardens of 3 and 5 Chatham Close and 10 Grafton Close. The garden is 16m wide and on average 11m deep but this does vary due to the orientation and shape of the space. The rear garden is screened from Grafton Close by the application property. Its attached garage also largely screens the rear garden from 10 Grafton Close. The garden is surrounded by approximately 1.8m high fencing and there was a high hedge of conifers along the south-western boundary with 3 Chatham Close however this has recently been removed. The distance between the rear boundary of the garden and the two storey rear elevation of 5 Chatham Close is approximately 8m. The distance between the rear boundary of the garden and the two storey rear elevation of 3 Chatham Close is approximately 11m. Both properties have single storey conservatories which extend approximately 3.5m into the associated rear gardens.
4. The proposal is for the retention of a pergola which has been built to the rear of the application property's attached garage and next to the rear garden's north-west boundary shared with 10 Grafton Close and the part of the south-west boundary shared with 3 Chatham Close. It has been erected on an existing 0.1m high deck and is constructed from 6 dwarf brick pillars supporting an open wooden frame. The pergola is 2.7m tall from the deck, 11.2m long (north - south) by 4.6m wide (east - west).

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

Nil

### ***Relevant Policies***

Gosport Borough Local Plan, 2011 – 2029:

LP10  
Design  
LP47  
Contamination and Unstable Land

Supplementary Planning Documents:

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

National Planning Policy Framework (NPPF), March 2012

## **Consultations**

Environmental Health

No objection.

## **Response to Public Advertisement**

1 letter of objection

Issues raised:-

- in breach of Town and Country Planning (General Permitted Development) (England) Order 2015 as over 2.5m and within 2m of the garden boundary;
- structure is very close or encroaching on the boundary of 3 Chatham Close
- scale of the proposal dominates the rear aspect of 3 Chatham Close

## **Principal Issues**

1. Planning permission is required because the pergola does not fall within permitted development tolerances. Planning legislation allows for the submission of retrospective applications. Comment has been made that the structure is very close or encroaching on the boundary of 3 Chatham Close, however no evidence has been submitted to substantiate this. As such the validation requirements for the application are satisfied and any boundary issues beyond this are not material planning considerations. Although the application site has the potential for land contamination, it is considered that due to the scale and form of the development it is unlikely contamination would have been encountered during construction and thus that there would have been no impact on human health. The main issues, therefore, are the appropriateness of the design of the proposal, its impact on the appearance of the locality and on the amenities of the occupiers of adjacent properties.

2. The pergola is large but is of a form common to decked areas within gardens. It is open in design allowing light through it. The bricks of the pillars are similar to the application property and the wood is similar in colour to the boundary fencing and decking, although not as weathered. It is not visible from the public realm in either Grafton Close or Chatham Close, with the trees along the eastern boundary screening it from the open space beyond. The pergola is positioned on an existing decked area already used by the occupants of the application property and although may increase the use of the decking, it is not considered that this increase would be above normal residential use and so would not be significant enough to cause harm to the privacy or amenity of the adjacent gardens.. The open design ensures that the pergola does not harm the outlook from, or create a loss of light to, the adjacent gardens. Taking this into consideration the proposal is in compliance with Policy LP10 of the Gosport Borough Local Plan 2011 - 2029.

## **RECOMMENDATION: Grant Permission**

**ITEM NUMBER: 02.**  
**APPLICATION NUMBER: 17/00203/OUT**  
**APPLICANT: Mr William Cartmell Wickham Laboratories**  
**DATE REGISTERED: 04.05.2017**

**OUTLINE APPLICATION - ERECTION OF NEW SCIENCE PARK COMPRISING FOUR 3-STOREY BUILDINGS (COMPRISING 7,500 SQUARE METRES OF NEW OFFICE (Use Class B1(a)) AND RESEARCH AND DEVELOPMENT FLOORSPACE (Use Class B1(b)) WITH 222 ADDITIONAL PARKING SPACES AND 74 CYCLE SPACES (ALL MATTERS RESERVED) (as amended by Transport Modelling Note received 7.11.17 and amended Travel Plan received 13.11.17)**

**Unit 50 Hoeford Point Barwell Lane Gosport Hampshire PO13 0AU**

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

1. The application site, known as Hoeford Point, is a complex of buildings used as offices and for research and development. The site is located at the northern end of Barwell Lane adjacent to Portsmouth Harbour. The site is flanked to the west by Fareham Reach Business Park and to the east by the industrial premises of Seldon Masts. To the south is Regents Trade Park

2. The site contains a mix of single, two and three storey buildings as well as surface car parking and areas of soft landscaping. The site is designated as Employment Land under the Gosport Borough Local Plan. Portsmouth Harbour which is located to the north of the site is the subject of a number of nature conservation designations including a Site of Special Scientific Interest, a Special Protection Area and a Ramsar Site.

3. Outline planning permission, with all matters reserved, is sought for the erection of a new science park comprising 7,500 square metres of Class B1(a) office and Class B1(b) research and development floor space. The development would include the provision of 222 additional car parking spaces together with facilities for the storage of 74 bicycles. Whilst scale and layout are reserved for future consideration indicative drawings have been submitted showing a development of four buildings of two and three-storey scale with the three-storey buildings having undercroft parking to their ground floors.

4. The application is supported by a Design & Access Statement, a Transport Assessment, Stage 1 Road Safety Audit & Travel Plan, a Preliminary Ecological Appraisal, a Flood Risk Assessment, Drainage Strategy and Phase 1 Desk Study. A Transport Modelling Technical Note and amended Travel Plan have been submitted to address issues raised by the Local Highway Authority.

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

12345/70 - outline application - demolition of existing warehouse & erection of warehouse for industrial use (Class B1) & storage/distribution (Class B8) uses - permitted 25.03.2009.

In addition to the above the site has an extensive planning history relating to the longstanding industrial use of the site.

### ***Relevant Policies***

Gosport Borough Local Plan, 2011 – 2029:

- LP1  
Sustainable Development
- LP2  
Infrastructure
- LP3  
Spatial Strategy
- LP10

Design  
LP16  
Employment Land  
LP17  
Skills  
LP21  
Improving Transport Infrastructure  
LP22  
Accessibility to New Development  
LP23  
Layout of Sites and Parking  
LP37  
Access to the Coast and Countryside  
LP42  
International and Nationally Important Habitats  
LP44  
Protecting Species and Other Features of Nature Conservation Importance  
LP45  
Flood Risk and Coastal Erosion  
LP46  
Pollution Control  
LP47  
Contamination and Unstable Land  
LP43  
Locally Designated Nature Conservation Sites

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

National Planning Policy Framework (NPPF), March 2012

**Consultations**

Environment Agency (Hants & IOW)	No objection subject to development being carried out in accordance with the submitted Flood Risk Assessment and the mitigation measures in it.
Natural England	No objection subject to implementation of Construction Environmental Management Plan, the restriction of construction noise levels during bird overwintering season and no increase in surface water run-off.
Southern Water	No objection. Highlight presence of sewers on the site. Recommend conditions relating to foul and surface water disposal.
The Gosport Society	No response received.
Royal Society For The Protection Of Birds	No response received.
Fareham LPA	No objection.

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Hampshire Fire And Rescue Service	No objection.
Local Highway Authority	<p>No objection subject to: financial contribution towards improvements at the A32 Fareham Road/Wych Lane junction; the implementation of a Travel Plan; and, implementation of Construction Traffic Management Plan.</p> <p>The submitted Technical Note addressed concerns raised in respect of the modelling on the A32 junctions with Wych and Lederle Lanes. The site's location offers an appropriate level of accessibility for sustainable transport. Satisfied proposal would not be likely to increase Personal Injury Accidents. Modelling confirms proposal would take existing junctions over capacity and result in increased queuing and delays on A32. This impact can be mitigated through a financial contribution towards improvements to the A32/Wych Lane and A32/Lerderle Lane junctions to be agreed and delivered as part of a wider A32 improvement scheme to increase junction capacities.</p>
HCC Ecology	No objection. Recommends condition to secure Construction Environment Management Plan.
HCC Local Lead Flood Authority	No response received.
Economic Prosperity	<p>This is a proposed new science park. Its aim is to encourage start-up and expanding organisations plus multi-nationals on a site dedicated for the enhancement of science.</p> <p>Proposed investment by one of Gosport's high tech employers and their confidence in the town as a location for start-up and relocating businesses is supported. In addition by establishing a scientific research and development cluster of global importance this will attract new businesses and highly skilled jobs to Gosport that will be significant benefit to the wider local economy.</p> <p>According to the HCA Employment Density Guide (November 2015) as a B1(b) R&amp;D development it would provide space for 120-187 jobs. Given that the scheme is aimed at bioscience, healthcare, food security start-ups and relocating companies most or all of these are likely to be new jobs to Gosport too.</p>

The proposed scheme exceeds the development thresholds for Securing Employment and Training Measures through Planning Obligations (GBC Policy Guidance Note April 2012 and LP17 Gosport Local Plan 2011-2029). Therefore an Employment and Training Plan is required to be adopted for the construction phase and also want to work with the eventual occupiers to maximise employment and training opportunities for residents.

Environmental Health

No objection. Recommends imposition of conditions relating to potential for land contamination.

Eastern Solent Coastal Partnership

No objection subject to development being carried out in compliance with submitted FRA.

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

1 letter of objection

Issues raised:-

- increased queuing and delays on A32.

### ***Principal Issues***

1. The only issue to be considered in the determination of this application is whether the outline proposals are acceptable in principle and whether a development of this quantum can be designed to be acceptable in policy, flooding, nature conservation, amenity and highway terms.

2. The provision of 7,500sqm of office and research and development [Class B1(a) and B1(b)] floorspace would contribute significantly towards the requirement for 84,000sqm of employment floor space to be provided in the Borough during the current local plan period (up to 2029). As such the proposal would accord with Policy LP3 of the Local Plan. The site is allocated as employment land and as such the proposals would also accord with Policy LP16 of the Local Plan. Given the significant contribution the site would make toward meeting the employment needs of the Borough it is considered reasonable and necessary to prevent any new buildings being subsequently converted to a residential use though the imposition of a suitable worded planning condition removing permitted development rights for such a change of use.

3. Part of the site falls within Flood Zones 2 and 3 with predictive mapping indicating that most of the site would be in Flood Zone 2 by 2115. The submitted Flood Risk Assessment (FRA) demonstrates that the floor levels of the proposed buildings could be set above any likely flood level with raised access and egress being provided. This could be achieved by raising the ground floor of the buildings to provide undercroft parking thereby taking the floorspace of the new building above the flood level. The FRA also makes reference to the inclusion of flood resistant and resilience measures being incorporated into the development and to drainage methods being used to reduce the potential for flooding. Subject to the various measures set out in the FRA being secured by the imposition of suitably worded planning conditions, the proposals would be in accordance with Policy LP45 of the Local Plan.

4. Portsmouth Harbour which lies adjacent to the site is designated for its nature conservation importance which includes its use for feeding and/or roosting by a number of protected species of wading birds and waterfowl. The main impact of the proposed development would be associated with the construction of the proposals. The submitted Ecological Appraisal recognises this and recommends the implementation of a Construction Environmental Management Plan (CEMP) to

minimise the potential impact on protected species. The measures within any CEMP would also safeguard the nearby Site of Importance for Nature Conservation (SINC) at Fleetlands which is a feeding ground for Brent Geese. Subject to a CEMP being secured the proposal would accord with Policies LP42, LP43 and LP44 of the Local Plan.

5. Whilst access is a reserved matter, the site is only accessible via Barwell and Lederle Lanes, both of which connect the site to the A32. The proposed development would result in an increase in traffic movements, especially at peak time, such that it would be likely to have a severe impact on the flow of traffic along the A32 by increasing queue lengths. This impact would, in particular, affect the junctions on the A32 with Wych Lane and with Barwell and Lederle Lanes. This impact is recognised by the Local Highway Authority who advise that mitigation measures are required to ensure that the impact of the development does not prejudice the safety or convenience of users of the A32. The Highway Authority advise that the traffic related impact of the development would be mitigated by improvement works to the junctions of A32 with Wych and Lederle Lanes to improve the capacity of those junctions to accommodate additional traffic movements associated with the proposal. These improvement works would be funded by a financial contribution from the developer that can be secured through a suitably worded legal agreement. As the impact of additional traffic associated with the development has the potential to have a severe impact on the highway network, it is considered necessary to impose a planning condition also preventing the occupation of the development until the off-site highway improvement works have been delivered. Subject to these improvements the proposal would accord with the relevant parts of Policies LP21 and LP22 of the Local Plan.

6. The site is in close proximity to the Bus Rapid Transit (BRT) stop on Wych Lane, which has regular bus services to Gosport and Fareham. The site is also accessible to pedestrians and cyclists as there is pedestrian pavement access down Barwell and Lederle Lanes and cycles are in easy reach of the cycle routes along the A32 and BRT. The proposal would therefore accord with Policy LP22 of the Local Plan.

7. The indicative drawings show that safe and convenient access can be achieved for both vehicles and pedestrians and that adequate space can be provided for vehicles to turn in a safe and convenient manner. The indicative layout shows that the development can provide 222 car parking spaces which would meet the standards set out within the Parking SPD. The proposal would therefore accord with Policy LP23 of the Local Plan.

8. At two and three storeys high, the indicated scale of the proposed buildings would be reflective of the surrounding built form and are unlikely therefore to appear incongruous in this important coastal location. Given the size of the plot and its relationship to adjoining premises it is possible for a detached industrial building to be designed and sited so as not to be detrimental to the amenities of the occupiers of adjacent premises. The proposal would therefore accord with Policy LP10 of the Local Plan.

9. Due to the previous use of the land there is potential for contamination to be present on the site. The submitted Phase 1 Desktop Study confirms the likely presence of contaminants and recommends further work be carried out. From the information available it is not considered that ground conditions would preclude the occupancy of the site for industrial purposes. Subject to the imposition of conditions to secure further investigation and if necessary remediation, the proposal would accord with Policy LP47 of the Local Plan.

10. The proposed development would be of a scale that Policy LP17 would require the adoption of an Employment and Training Plan to cover both the construction and future operation of the development. Such measures can be secured through a S106 agreement to ensure compliance with Policy LP17 of the Local Plan.

**RECOMMENDATION: Grant Outline Consent**

Subject to Section 106 agreement relating to

1. a financial contribution towards improvements at the A32 Fareham Road/Lederle Lane junction and the A32 Fareham Road/Wych Lane junction;
2. a Travel Plan and associated set-up and monitoring fees and bond; and
3. an Employment and Skills Plan

**Subject to the following condition(s):-**

1. The development hereby permitted must be begun either before the expiration of three years from the date of the grant of this outline permission, or the expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved whichever is the later date.

Reason - To comply with Section 92 of the Town and Country Planning Act, 1990 (as amended).

2. In the case of any reserved matter, application for approval must be made not later than the expiration of three years beginning with the date of the grant of this outline planning permission.

Reason - To comply with Section 92 of the Town and Country Planning Act, 1990 (as amended).

3. Details relating to the appearance, layout and scale of the proposed industrial building, the means of access thereto and the landscaping of the site, hereinafter called "the reserved matters", shall be submitted to, and approved by, the Local Planning Authority before the development hereby permitted is commenced.

Reason - To comply with Policies LP10, LP23 and LP41 of the Gosport Borough Local Plan 2011-2029.

4. The development hereby permitted shall be limited to a maximum of 7,500 sq.m of floorspace within use classes B1(a) and B1(b) as described in the Schedule to The Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason - To ensure that the highway mitigation measures and on-site parking provision are adequate for the quantum of development permitted in accordance with Policy LP22 of the Gosport Local Plan 2011-2029.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order amending, revoking or re-enacting that Order with or without modification), the buildings hereby permitted shall only be used for purposes falling within Classes B1, B2 and B8 as described in the Schedule to The Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason - In order to safeguard the continued use of the site for employment purposes and in the interests of the safety and convenience of users of the A32 and to comply with Policies LP16 and LP23 of the Gosport Borough Local Plan 2011-2029.

6. No part of the development hereby permitted shall be occupied until off-site highway works associated with the improvement of the junctions of the A32 Fareham Road with Wych Lane and with Lederle Lane have been completed in accordance with a scheme that shall be submitted to and approved, in writing, by the Local Planning Authority.

Reason - To ensure that traffic generated by the development does not result in increased congestion and delays on the A32 and to accord with Policies LP22 of the Gosport Borough Local Plan 2011-2029.

7. The development hereby permitted shall be carried out in accordance with the Flood Risk Assessment (prepared by Soils Limited and with reference 15749/FRA/Rev1.02 dated January 2017) with the buildings incorporating the flood mitigation and resilience measures set out therein.

Reason - To protect the development and its future occupiers from the risks from flooding and to comply with Policy LP45 of the Gosport Borough Local Plan 2011-2029.

8. No part of the development hereby permitted unit shall be occupied until arrangements for the disposal of foul and surface water have been put in place in accordance with a scheme that shall be submitted to and approved, in writing, by the Local Planning Authority.

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.

9. No percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbAmax - measured at the boundary of the site with the Portsmouth Harbour Special Protection Area shall be undertaken during the bird over wintering period - October to March inclusive - unless otherwise agreed in writing by the Local Planning Authority.

Reason - To mitigate against the potential adverse effects of the development on nearby protected sites in accordance with Policies LP42 and LP44 of the Gosport Borough Local Plan, 2011-2029.

10. a) Development shall not commence until a Construction Environment Management Plan (CEMP) has been submitted to and approved, in writing, by the Local Planning Authority. The CEMP shall include details of all measures designed to protect on- and off-site ecological features in accordance with the submitted Preliminary Ecological Appraisal (ECOSA, April 2017) and should clearly identify roles and responsibilities for implementing the approved strategy.

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

Reason - To conserve and enhance biodiversity in accordance with the Conservation of Habitats and Species Regulations 2010, the Wildlife & Countryside Act 1981, the NERC Act 2006, the NPPF and with Policy LP44 of the of the Gosport Borough Local Plan 2011-2029.

11. No works pursuant to this permission shall commence until there has been submitted to and approved, in writing, by the Local Planning Authority:

(a) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175:2001 - Investigation of Potentially Contaminated Sites - Code of Practice; and, unless otherwise agreed, in writing, by the Local Planning Authority;

(b) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.

Reason - To prevent pollution of the water environment and in the interests of the safety and amenity of future site occupants in compliance with Policy LP47 of the Gosport Borough Local Plan, 2011-2029.

12. The development hereby permitted shall not be occupied/bought into use until there has been submitted to the Local Planning Authority verification by the competent person approved under the provisions of Condition 11(b) that any remediation scheme required and approved under the provision of Condition 11(b) has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Unless otherwise agreed in writing by the Local Planning Authority such verification shall comprise:

a) as built drawings of the implemented scheme

b) photographs of the remediation works in progress

c) certificates demonstrating that imported and/or material left in situ is free of contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under Condition 11(b).

Reason - To prevent pollution of the water environment and in the interests of the safety and amenity of future site occupants in compliance with Policy LP47 of the Gosport Borough Local Plan, 2011-2029.

13. a) If during any stage of the works, unexpected ground conditions or materials which suggest potential contamination are encountered, no further development or site clearance works shall be carried out until an investigation and risk assessment of the identified material/ground conditions

has been undertaken and details of the findings along with a detailed remedial scheme, if required, has been submitted to and approved in writing by the Local Planning Authority.

b) If required the development shall only proceed in accordance with the approved remediation strategy. The remediation scheme shall be fully implemented and, unless otherwise agreed in writing with the Local Planning Authority, shall be validated in writing by an independent competent person as agreed with the LPA prior to the first occupation of the 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 so that the development can be carried out safely without any unacceptable risks to workers, neighbours or off site receptors in accordance with Policy LP47 of the Gosport Borough Local Plan, 2011-2029.

14. a) No development hereby permitted shall commence until a Construction and Traffic Management Plan, to include (but not be limited to) details of: the timing of deliveries; the provision to be made on site for contractor's parking, construction compound, site office facilities, construction traffic access, the turning and loading/off-loading of delivery vehicles within the confines of the site, wheel wash facilities, lorry routing from the strategic road network and a programme of works, has been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be carried out in accordance with the approved Construction and Traffic Management Plan for as long as construction is taking place at the site.

Reason - In the interests of the safety and convenience of users of the surrounding highway network and to comply with Policy LP46 of the Gosport Borough Local Plan, 2011-2029.

15. a) Construction shall not commence until details of facilities to be provided for the parking and turning of vehicles have been submitted to and approved, in writing, by the Local Planning Authority.

b) No part of the development shall be occupied until the approved parking and turning facilities have been provided and made available. The parking and turning facilities shall thereafter be retained.

Reason - To ensure that adequate facilities are made available for car and good vehicle parking, and to comply with Policies LP10 and LP23 of the Gosport Borough Local Plan 2011-2029.

16. a) Construction shall not commence until details of facilities to be provided for secure and visitor cycle parking have been submitted to and approved, in writing, by the Local Planning Authority.

b) No part of the development shall be occupied until the approved cycle parking facilities have been provided and made available. The cycle parking facilities shall thereafter be retained.

Reason - To ensure that adequate facilities are made available for secure and visitor cycle parking, and to comply with Policies LP10 and LP23 of the Gosport Borough Local Plan 2011-2029.

17. a) Construction shall not commence until details of facilities to be provided for the storage and removal of waste have been submitted to and approved, in writing, by the Local Planning Authority.

b) No part of the development shall be occupied until the approved waste storage and collection facilities have been provided and made available. The waste storage and collection facilities shall thereafter be retained.

Reason - To ensure that adequate facilities are made available for storage and removal of waste in order to protect the amenities of the area, and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

**ITEM NUMBER: 03.**  
**APPLICATION NUMBER: 17/00549/FULL**  
**APPLICANT: Ms L Atkins Zionstone Limited**  
**DATE REGISTERED: 24.11.2017**

**REFURBISHMENT OF CARISBROOKE CENTRE COMPRISING: (I) GROUND FLOOR EXTENSION TO SHOP (53 SQ.M.); (II) REFURBISHMENT AND RECONFIGURATION OF UPPER FLOORS OF WEST AND NORTH WINGS OF CENTRE TO PROVIDE 17 ONE BEDROOM AND 8 TWO BEDROOM FLATS INCLUDING THE ADDITION OF 2ND FLOOR TO NORTH WING; EXTERNAL ALTERATIONS AND ENCLOSURE OF EXISTING OPEN STAIRCASES SERVING FLATS; (III) CONSTRUCTION OF 2 SEMI-DETACHED, THREE BEDROOM HOUSES TO SOUTH OF CAR PARK ENTRANCE; AND, (IV) ENLARGEMENT OF CENTRE CAR PARK AND RATIONALISATION OF REAR SERVICE AREAS AND RESIDENTS PARKING SPACES, AND LANDSCAPING (RESUBMISSION 16/00599/FULL) (as amplified by parking plan received 19/12/2017 and phasing plans received 21.12.2017)**

**Carisbrooke Centre 43-61 Carisbrooke Road Gosport PO13 0QY**

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

1. The site is located within the Urban Area Boundary of Gosport and is allocated as an existing Neighbourhood Shopping Centre in the Gosport Borough Local Plan (Policies LP27 and LP28). The existing arrangement of buildings, built in the mid-1960's, comprises two, two storey, shallow pitched roofed linked blocks of accommodation with retail and commercial units occupying the ground floor and a total of 10 three bedroom flats above. Servicing and storage for the commercial units, including the McColls shop, is undertaken from a rear service road which runs along the north and western side of the buildings. This concrete road also provides access to private garages, parking areas for up to 10 vehicles and entrance doors to the individual flats.
2. To the front of the site is a car park with direct access from Carisbrooke Road, which provides 35 spaces for customers of the ground floor commercial units of the Neighbourhood Centre. There are currently no useable cycle storage facilities for customers. Any customers arriving by cycle utilise the metal barrier separating the northern edge of the customer car park from the footway in front of the shops.
3. The site is bounded on its southern edge by a raised grassed mound containing a number of mature trees. Whilst the trees are not protected, or following inspection by the Council's tree officer, considered worthy of a Preservation Order, they do add to the character and amenity of the area by reason of their height and stature, physical presence and providing a visual demarcation between the housing area to the south and the Neighbourhood Centre to the west.
4. There are also a series of footpath links across and around the site providing permeability and connectivity with the surrounding residential development. The family housing to the south and west is formed of a mix of detached, semi-detached and terraced houses of a simple design and standard two storey height. More recently, a housing scheme to the north of the site approved in 1999, under reference K14940/2, and located where the original car park for the Centre was positioned, has been constructed and shares that section of the service road which runs along the northern edge of the site. The ownership of this section of the service road appears to have been transferred to the developer of the new housing at the time of the housing development and is not in the ownership or control of the applicant. The applicant has provided information demonstrating that access rights for the occupiers of the flats and the commercial units exist which includes a turning head suitable for use by larger vehicles (e.g. refuse and service vehicles).
5. As a Neighbourhood Centre, the site plays an important part at the heart of the local community with its role in supporting a sustainable neighbourhood. In addition to the car park (which is frequently full) the surrounding path network makes it accessible on foot and by cycle to the area it serves. Additionally, the site benefits from good public transport links with bus stops on both sides

of Carisbrooke Road immediately opposite the site linking Gosport and Fareham and serving the surrounding community of Bridgemary.

6. The proposal would add an additional 53sq m, of retail floor space to the existing main retail convenience store (McColls) in the north-east corner of the site adjacent to Carisbrooke Road and a total of 25 flats and 2 houses. The proposed single storey extension to the retail unit projects beyond the existing side elevation by 4.6m towards Carisbrooke Road and is mainly glazed.

7. The total of 27 residential units to be provided is made up of an additional 15 flats and two houses. 12 one bedroom and 3 two bedroom flats would be provided at first floor level as a result of converting the existing 3 bedroom flats. A further 7 flats (5 one-bed and 2 two-bed) would be provided in the second floor extension to the main west to east aligned building closest to Carisbrooke Road. The remaining 3 two bedroom flats would be provided in the roof space of this building. The provision of two additional floors of accommodation in this building raises its height from 8.4m to 12.6m giving it the appearance of a 3 storey building with an additional floor of accommodation within the roof space under the new and steeper pitched roof. As the existing 10 flats are all three bedroom, and 15 of the proposed flats are to be one bedroom, the total number of bedrooms in the two main blocks would only increase by three despite the increase in the number of individual flats.

8. On the southern side of the access into the car park, and in front of the area of open space with mature trees, it is proposed to construct a pair of semi-detached two storey, 3 bedroom houses each with two dedicated off road parking spaces and enclosed rear gardens. Two trees will be required to be removed to accommodate the houses and their rear gardens.

9. A total of 69 parking spaces will be provided across the site. The existing total of spaces available at the rear of the site is not clear due to the range of uses, storage and fly-tipping that takes places in and around the rear service road and private storage and parking areas. However, the new frontage car park would be enlarged by removal of some of the soft landscaping and wide concrete pathways at the front of the shops, and by taking a narrow section of the grassed mound on the southern side of the site. The result of these physical alterations is to increase the parking provision at the front of the site from 35 to 50 spaces. A further 15 spaces are shown to be provided at the rear of the site along the rear service road bring the total number of spaces serving the Centre to 65.

10. The proposals include the upgrading and enclosing of the rear entry stairs which provide access to the flats; the removal of a number of tired or dilapidated garage structures, an upgrading of the refuse storage provision for the flats and commercial units and the provision of new cycle store facilities. The service yard for the existing McColls shop which is prominently located in the north east corner of the site will also be refurbished.

11. This application follows the refusal of an earlier scheme where the reason for refusal related to the provision of an inappropriate mix of housing sizes that would fail to meet the housing needs of the Borough. The main differences between this proposal and the previously refused scheme are a reduction in the number of flats being provided from 28 to 25 and a change in the mix of flat sizes from 27 one bed and 1 two bed to 17 one bed and 8 two bed. Externally, the proposals are largely unchanged with the exception of changes to the location of some of the rooflights to account for the amended room configuration.

12. The application is supported by a range of documents including a Planning Statement, Transport Statement, Flood Risk Assessment & Planning Statement for Drainage and Services, Phase I Ecological Assessment, Bat Survey, Arboricultural Implications Assessment and Method Statement and Viability Appraisal. The application has been amplified by the submission of phasing plans setting out how the development would be carried out to ensure that the existing commercial premises could remain open and be serviced with a reduced amount of car parking being maintained.

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## **Relevant Planning History**

K.3804 - outline application for wider area regeneration (77.7 acres of residential development with row of shops and a primary school) - permitted 15.2.65

K.5096 - layout of roads and sewers (phase iv) - permitted 30.4.65

K.5132 - phase 4 of K3804 - 92 houses, 10 shops with flats above, doctors' surgery and garages - permitted 30.9.65

K.14940/2 - erection of 6 houses, construction of new car parking area, closure of existing underpass & construction of retail shop unit (as amplified by letters dated 22.09.98 and 28.10.98) - permitted 08.04.99

16/00599/FULL - refurbishment of the Carisbrooke Centre involving: (i) ground floor extension to the Co-op store (53sq.m.); (ii) refurbishment and reconfiguration of the upper floors of the west and north wings of the centre to provide 27 one bedroom and 1 two bedroom flats (replacing the existing 10 three bedroom flats) including the addition of 2nd floor to north wing; external alterations and enclosure of existing open staircases serving the flats; (iii) construction of a pair of semi-detached, three bedroom houses to south of car park entrance, and; (iv) enlargement of centre car park and rationalisation of rear service areas and residents parking spaces, and landscaping to provide a total of 69 car parking spaces and 44 cycle spaces - refused 20.10.2017 for the following reason:

1. The proposal fails to provide an appropriate mix of dwelling type and sizes and as such would fail to meet the current and future housing needs of the Borough. The proposal is therefore contrary to Policy LP24 (1) of the Gosport Borough Local Plan 2011-2029.

## **Relevant Policies**

Gosport Borough Local Plan, 2011 – 2029:

LP1

Sustainable Development

LP2

Infrastructure

LP3

Spatial Strategy

LP10

Design

LP23

Layout of Sites and Parking

LP24

Housing

LP27

Principal, District and Neighbourhood Centres

LP28

Uses in Centres

LP42

International and Nationally Important Habitats

LP44

Protecting Species and Other Features of Nature Conservation Importance

LP46

Pollution Control

Supplementary Planning Documents:

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

Gosport Borough Council Parking: Supplementary Planning Document: February 2014  
Solent Special Protection Areas Gosport Bird Disturbance Mitigation Protocol 2014

National Planning Policy Framework (NPPF), March 2012

### **Consultations**

Environment Agency (Hants & IOW)	No response received.
Natural England	No objection subject to SPA mitigation being secured.
Southern Water	No objection. Highlights presence of sewer on the site and recommends condition relating to foul and surface water disposal.
Crime Prevention & Design	No response received.
Hampshire Fire And Rescue Service	No objection.
HCC Ecology	No objection. Recommends suggested ecological enhancement measures are secured via condition.
Local Highway Authority	No objection.
Building Control	No response received.
Economic Prosperity	No objection.
Environmental Health	No objection. Note that existing plant and machinery may require alteration to accommodate proposals.
Housing Services Strategic	Confirms need for all types and sizes of accommodation. Recommends that if development capable of providing affordable housing, financial contribution should be sought rather than on-site provision.
Streetscene Parks & Horticulture	No objection. No trees on site are worthy of protection by TPO.
Streetscene Waste & Cleansing	No objection.
HCC Local Lead Flood Authority	No objection.

### **Response to Public Advertisement**

3 letters of objection.

Issues raised:-

- loss of trees;
- loss of light;
- setting precedent for increased height within wider estate;
- increased demand for parking;
- potential impact on adjacent highway; and,
- increased traffic, noise, pollution and disturbance.

### **Principal Issues**

1. The main issues to be considered in the determination of this application relate to matters of the design, scale, massing of the building, the increased height of the buildings in context with the surrounding area and the impact this will have on the amenities of the occupiers of the neighbouring

properties, the continued function of the site as a local centre, the loss of family sized units, the overall mix of unit sizes and the need to provide 40% affordable housing, car parking, access and highway safety, protected species and loss of trees and open space. In particular consideration must be given to whether the proposed mix of housing sizes addresses and overcomes the reason for the refusal of the previous application.

2. The principle of increasing the amount of residential and retail development on the site as part of a wider package of environmental improvements is acceptable in this location, and would accord with Policies LP27 and LP28 of the Local Plan. The proposed increase of 17 residential units in addition to the 10 which are currently on site would accord with Policy LP3 of the Local Plan which seeks to provide an additional 3,060 dwellings over the plan period. However, it should be noted that the Council can demonstrate a five year housing supply and is not reliant on this site being redeveloped in order to achieve its targets.

3. The proposal would result in the provision of 17 one bed and 8 two bed flats together with two three bedroom houses in place of the existing 10 three bedroom flats. Part (1) of Policy LP24 requires that development should include a mix of dwelling types, sizes and tenures to meet the need of Gosport's current and future population. The proposal would replace the existing 3 bedroom family flats with a mix of one and two bedroom flats and two 3 bedroom dwellings. The housing stock in the locality comprises mainly family houses with private gardens. The existing flats have no private external amenity space which makes them less suitable for occupation by families with children who you would normally expect to occupy a three bedroom property. The applicant has advised that whilst around half of the flats are occupied by families, those that occupy the existing flats generally do so for short periods of time. The remainder of the existing flats are occupied in association with some of the ground floor commercial units.

4. Policy LP24 seeks to ensure that housing developments provide a mix of properties that meet the existing and future needs of the Borough. On smaller development sites it is often not practical to meet the requirements of the policy in full. The Council's Housing Services department has advised that there is a need, within the Borough, for dwellings of all sizes and types. Overall it is considered that the amended housing mix would contribute positively towards meeting both the existing and future housing needs of the Borough and as such would accord with the aims and objectives of Part (1) of Policy LP24. It is therefore considered that this proposal has addressed and overcome the reason for the refusal of the previous application.

5. Part (5) of Policy LP24 of the Local Plan states that, 'planning permission will be granted for the re-development of poor quality housing with the replacement of new high quality affordable homes'. The existing site is 'tired' rather than 'poor quality', however, the proposals would improve the appearance of the existing buildings and provide environmental enhancements to the rear service yards, open space, car park and circulation areas. Whilst the current condition of the site has, in part, been due to lack of previous investment in the site by the site owners, the proposed improvements to the appearance of the Centre and its surroundings would be in accordance with Policy LP24(5).

6. A fundamental component of Policy LP24 is the provision of affordable housing. Part (2) of Policy LP24 requires that on developments of 10 or more dwellings a provision is made for 40% affordable housing. In this instance this would equate to the provision of 7 affordable homes that should be secured by a Section 106 Agreement. The applicant has submitted a viability report which concludes that the value of the site and the costs involved in the refurbishment to be able to deliver the scheme, including the environmental improvements, mean that the provision of any affordable housing makes the scheme financially unviable. The applicant's viability submission has been independently reviewed by the District Valuer and verified as being robust. The applicant's viability submission demonstrates that the development as a whole is economically unviable, however, the applicant has advised that they are taking a long-term view on the basis that retaining ownership of the site would allow a suitable return on the necessary investment over a much longer term. Viability changes over time and as such the submitted viability assessment represents the current position. The applicant has advised that the development would be carried out in phases over an 18 month period. In order that the development is carried out in a timely manner and to enable the

viability position to be reviewed if the development was not completed within the stated timescale, a review of the viability of the development could be secured such that if the financial position has improved, a financial contribution towards the off-site provision of affordable housing would be provided. This review mechanism can be secured through a Section 106 legal agreement.

7. The supporting text to Policy LP24 identifies that the need for market housing is primarily 2 and 3 bedroom properties which the site currently delivers and that the need for affordable housing is primarily for 1 bedroom units. The loss of the existing 3 bedroom flats and their replacement by smaller units without delivery of affordable housing could be considered as being in conflict with the identified housing need within the Borough. However, the current housing need of the Borough, as advised by Housing Services, is for properties of all sizes and tenures. As such the proposal would contribute 17 additional residential properties to the housing stock of the Borough. The existing housing stock in the vicinity comprises predominantly family houses with gardens, and as such the provision of smaller dwellings would make a positive contribution towards widening the range of housing sizes in this part of the Borough. Having regard to the foregoing, it is considered that the proposal is in accordance with Policy LP24 of the Local Plan.

8. The additional 53sq m of retail floorspace and the modernised appearance on the prominent corner of the building would introduce a better designed entrance point to the Neighbourhood Centre. The introduction of a glazed wall would create an active frontage to Carisbrooke Road which would visually enhance what is currently a blank and uninspiring elevation. Whilst there would inevitably be some disruption during the construction period, the completed development with refurbished elevations, additional parking, revamped service yards and storage areas would improve the quality and attractiveness of the Centre whilst maintaining the diverse range of units which serve the local community. The proposals are therefore considered to be in accordance with Policies LP27 and LP28 of the Local Plan such that a refurbished centre with improved facilities would stimulate rather than hinder the ability of the commercial units to operate successfully. The applicant has confirmed that the existing commercial units would continue to trade during the redevelopment with a reduced level of parking and servicing continuing to be provided though the construction period. The details of the construction period and associated temporary measures to support the continued operation of the Centre can be managed through a suitably worded planning condition to secure the provision of a Construction Environment Management Plan to ensure the existing centre is not unduly prejudiced in accordance with Policy LP27 of the Local Plan.

9. The proposed additional storey (providing two additional floors of accommodation) to the main wing of the building increases the height and presence of the building within the streetscene in an area surrounded by two storey housing. Given the commercial function of the site at the heart of the community, it is considered that the additional height would give a stronger identity to its role as a Neighbourhood Centre and a commercial destination without it appearing unduly dominant in the streetscene due to the spaces around the building. There would be some additional impact on the occupiers of housing to the north in terms of outlook and some additional shadowing outside the summer months. To a lesser degree, the occupants of houses to the west of the site would be aware of the additional height to the building. However, the separation distances and presence of routes between these units and the orientation of the houses ensures that the impact is limited and would not cause significant harm to the residential amenities of the occupiers of neighbouring properties. The proposals are therefore considered acceptable in amenity terms and in accordance with Policy LP10 of the Local Plan in this regard.

10. The simple form of the extended building with continuous eaves, ridge and gable ends respects the form of surrounding buildings and the existing buildings on site. The enhancements to the appearance of public areas within the Centre would have a positive impact not only on the site but on the character of the wider area. The improvements to private spaces within the site including the facade of the buildings, the external access stairs to the flats, the provision of new cycle and refuse stores and car parking would improve the living conditions for future occupiers of the flats as well as improving security over the existing situation.

11. The use of contrasting but complementary materials and finishes on the rear elevation to the functional aspects (staircases, stores etc.) of the scheme as distinct from the main elevations,

would help break up the massing of the building and improve its appearance. Similarly, the proposed upgrading of the surface treatments to circulation space, parking bays, and provision of upgraded refuse stores and new cycle stores for customers would greatly improve the attractiveness of the site for commercial operators and their customers. The proposals are therefore considered acceptable in design terms and in accordance with Policy LP10 of the Local Plan in this regard.

12. The introduction of two houses to the site frontage would alter the character and appearance of this section of the streetscene and result in the loss of some of the open space, including two trees, which are positive features of the site. However, there is no objection in principle to the provision of housing in this location subject to careful attention to detailing. The footprint and massing of the two houses is similar to that of nearby houses and the alignment allows for a natural continuation of development fronting onto Carisbrooke Road. The semi-detached form, simple eaves and ridgeline, and use of gable ends also reflect the form and design characteristics of the adjacent houses. There are no windows shown in the south side elevation of the proposed houses and therefore the privacy of the occupiers of the adjoining house will not be harmed. The outlook from the north side facing first floor window of the existing house to the south would be affected but as this is a secondary window it is not considered harm would be caused to the amenities of the occupiers of that property. The means of enclosure surrounding the rear gardens would be on raised ground and would enclose a relatively small area of what is currently soft landscaping. The visual amenity value including the long vista along the south side of the site when viewed from Carisbrooke Road will be impacted on and the sense of openness lost to some degree. However, this has to be balanced with the fact that the landscape setting formed by the existing trees would be largely retained, the tall trees to the rear will still be visible in the street scene and the network of paths alongside the open space unaffected. On balance, whilst this element of the scheme would alter the existing open character of this part of the site, the delivery of family housing in this location would be welcomed. The proposals, in this respect, are considered to comply with both Policies LP10 and LP24 of the Local Plan.

13. The parking to the site frontage serving these houses is provided on land which rises up from the road. Whilst the change in levels is not significant it may be necessary for retaining walls to be provided around the parking area up to approximately 300mm high. Details of these and how level access to the front entrances is to be achieved would need to be controlled by condition to ensure it is done with appropriate quality and ease of access for future occupiers. The location of the houses and the parking spaces has been carefully considered such that the Highway Authority have no objection to the proposals and are satisfied that sightlines for vehicles leaving the car park to the north will not be affected. The layout of the houses therefore complies with Policy LP23 of the Local Plan.

14. There are currently 35 formally laid out spaces within the main car park and potential additional spaces around the rear service road which are currently not formally laid out. Historically, plans approved in 1999, under reference K14940/2, showed 39 communal spaces at the front of the site and 10 garages for the 10 flats at the rear of the site making the total provision 49. More recently, due to the placing of recycling facilities and other alterations in the main car park the 39 spaces has reduced to 35. It is therefore reasonable, despite the informality of the existing parking at the rear of the site, to calculate that the existing on-site provision is approximately 45 spaces.

15. The proposals increase the parking across the site from 45 spaces to 69 spaces. To simplify matters, as 4 of those spaces are provided separately to serve the 2 houses, these 4 spaces are considered to be allocated spaces which satisfy the requirements associated with 3 bedroom houses and therefore in accordance with LP23 of the Local Plan. The remaining 65 spaces would be shared between the existing shops, the proposed 25 flats and visitors to the flats. As the parking standards cannot be used retrospectively to make up for shortfalls in existing provision, the required additional parking needs to be based on the new development or net increase in floorspace. The increase in retail floorspace of 53sq m equates to the need to provide an additional 4 parking spaces based on a standard of 1 space per 20sq m or part there-of and 1 space per 300sq m for long term stay for staff.

16. The existing 10 three bedroom flats have a nominal parking requirement for 17 spaces to comply with the adopted standards. The proposed 17 one bed and 8 two bed flats have a parking requirement of 25 spaces plus four visitor spaces. Therefore there is a need to provide an additional 12 parking spaces to serve the residential units and 4 spaces for the increased retail floorspace meaning a total of 16 spaces over and above the existing provision in the main parking area. The proposals increase the parking by 20 spaces, 4 more than the minimum they must provide to satisfy the adopted parking standards as set out in the Parking: Supplementary Planning Document. The provision and retention of the amended car parking can be secured by the imposition of a suitable worded planning condition. The proposals are therefore considered to be in compliance with the parking standards and Policy LP23 of the Local Plan.

17. The application proposes 16 new visitor cycle hoops able to accommodate 32 cycles across 3 locations, 22 in the south west corner to the front and rear of the shops and 10 by the extended retail unit to the north east of the site. At the rear of the commercial units new and segregated refuse stores would be provided for the both the flats and commercial units. An area of hardstanding is allocated as a refuse collection point within 20m of the turning head for refuse vehicles which reduces the existing carry distances for residents, commercial operators and the refuse collectors. The rear service yard which linked to the existing convenience store (McColls) would be refurbished with new means of enclosure and would represent a significant visual improvement to what is currently a poor environment in a prominent location.

18. The site has been assessed for the presence of protected species including bats. Surveys have been undertaken in recent weeks which have indicated that there are no protected species in the buildings. Natural England and the HCC Ecologist have reviewed the survey work undertaken and concluded that the proposals are compliant with Policy LP44 of the Local Plan. Conditions requiring the provision of biodiversity enhancements and habitat mitigation within the wider site area including the provision of bat boxes within the trees on land within the applicants control would be required to satisfy Policy LP44 of the Local Plan.

19. A condition would also be required relating to foul and surface water drainage systems serving the site. Whilst the design of the drainage system will be a matter for other regulatory bodies such as Building Control to approve, the applicant would need to demonstrate that the approved system has no net increase in flows to the existing drainage infrastructure in order to comply with Policy LP39 of the Local Plan.

20. The proposal will introduce 17 new 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. The applicant has provided mitigation in accordance with the Protocol such that the proposal complies with Policies LP42 and LP44 of the Local Plan.

### **RECOMMENDATION: Grant Permission**

Subject to Section 106 agreement relating to

1. a re-evaluation of the financial viability appraisal if construction has not reached 'core and shell' completion within a specified period.

### **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:

Proposed Site Plan - 16.2131.002 Rev.P12;

Proposed Ground Floor Plan - 16.2131.005 Rev.P6;

Proposed First Floor Plan - 16.2131.006 Rev.P6;

Proposed Second Floor Plan - 16.2131.007 Rev.P6;

Proposed Third Floor Plan - 16.2131.008 Rev.P4;

Proposed Plans & Elevations of Houses - 16.2131.011 Rev.P3;

Proposed Elevations - 16.2131.013 Rev.P5;

Site Location Plan - 16.2131.014 Rev.P4;

Proposed Roof Plan - 16.2131.019 Rev.P6.

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. Unless otherwise agreed in writing by the Local Planning Authority, the development hereby permitted shall be carried out in accordance with the phasing plans approved pursuant to Condition 2.

Reason - To ensure that the development is carried out without unacceptably prejudicing the ongoing operation of the shops and other commercial premises within the Neighbourhood Centre and to comply with Policies LP10, LP23 and LP27 of the Gosport Borough Local Plan 2011-2029.

4. a) No development shall commence until details of:

i) all boundary treatments including those to enclose the service yards (including, height, design and material);

ii) samples of all external materials for the alterations to the flats and retail unit;

iii) the position and appearance of proposed external vents, louvres and flues;

iv) any permanent external lighting on the buildings; and,

v) surface materials for car parks, service areas and circulation routes

have been submitted to and approved, in writing, by the Local Planning Authority.

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

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

5. a) No construction above slab level of the houses hereby permitted, shall be carried out until details of all external facing and roofing materials have been submitted to and approved, in writing, by the Local Planning Authority.

b) The development shall thereafter be constructed using the approved materials.

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

6. a) 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:

(i) A plan of the defined working area;

(ii) The location of the site compound and any buildings within it;

(iii) The means of enclosure of the site compound;

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

(v) The provision for wheel washing facilities;

(vi) Measures to control the emission of dust and dirt;

(vii) The method and timing of any piling required;

(viii) Measures to prevent adverse impacts to surface water and ground water;

(ix) Any screening or hoarding; and,

(x) A lighting strategy.

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

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.

7. a) 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.

b) The development shall be undertaken 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.

8. a) Development shall not commence until details of the measures to protect trees during construction, to include the location and type of fencing to safeguard the root protection zone (as indicated in the Arboricultural Implications Assessment and Method Statement by Ecourban Ltd reference 16781 - AIA 4 dated 24/11/17), have been submitted to and approved, in writing, by the Local Planning Authority.

b) The tree protection measures approved pursuant to part a) of this condition shall be fully implemented prior to the commencement of development and the development must thereafter be carried out in accordance with the approved details.

Reason - To ensure, during construction works, the protection of the adjacent trees that are to be retained in order to safeguard the character and appearance of the area in accordance with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

9. a) No part of the development hereby permitted shall be occupied until details of a soft landscaping scheme (to include a plan showing the location of planting and type of species) has been submitted to and approved, in writing, by the Local Planning Authority.

b) The relevant phase of the approved landscaping scheme shall be completed within the next planting season following first occupation of each phase of the development, and any trees or plants which die are removed or become seriously damaged or diseased during the first five years, shall be replaced with others of identical species (or as may otherwise be agreed in writing with the Local Planning Authority) during the next planting season.

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

10. a) No new dwelling hereby permitted shall be occupied until a scheme of ecological enhancement has been submitted to and approved, in writing, by the Local Planning Authority.

b) The approved enhancement measures for each phase shall be undertaken in accordance with the recommendations of an ecological appraisal within six months of the first occupation of any flat within that phase.

Reason - To safeguard protected and other species of recognised ecological value in accordance with Policy LP44 of the Gosport Borough Local Plan 2011-2029.

11. a) The construction of the two dwellings hereby permitted shall not commence until details of any retaining walls, steps or ramps to the front of the houses has been submitted to and approved in writing by the Local Planning Authority.

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

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

12. a) The first of the one and two bedroom flats in each of the phases hereby permitted shall not be occupied until the parking, turning and servicing areas shown on the approved plans for that phase have been provided, and made available for use.

b) The occupation of the last of any of the one or two bedroom flats hereby permitted shall not occur until the all of the parking, turning and servicing areas shown on the approved plans have been provided, and made available for use.

c) The areas shown on site for the parking, turning and servicing of vehicles shall thereafter shall be retained.

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

13. a) The one and two bedroom flats hereby permitted shall not be occupied until long and short stay cycle parking has been provided in accordance with the details shown on the approved plans.  
b) The long and short stay cycle parking facilities shall thereafter be retained for the parking of cycles at all times unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure a satisfactory level of cycle parking is provided on the site and to comply with the NPPF and Policies LP10 and LP23 of the Gosport Borough Local Plan 2011 - 2029.

14. a) No part of the development hereby permitted, shall be occupied until the relevant facilities shown on the approved plans for the storage and collection of waste have been provided.  
b) The waste storage facilities shall be retained in accordance with the approved plans.

Reason - To preserve the character and appearance of the area and to ensure adequate facilities are made available for businesses and residential occupiers in accordance with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

15. a) No new, relocated or altered mechanical plant or equipment installed or altered by reason of this permission shall be brought into use until any noise or vibration associated with its operation has been mitigated in accordance with a detailed scheme that shall be submitted to, and approved in writing, by the Local Planning Authority.

- b) All mitigation measures shall thereafter be retained whilst the relevant plant or equipment remains in situ.

Reason - To protect the amenities of the occupiers of neighbouring residential properties in accordance with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

16. a) 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 the unexpected contamination is to be dealt with has been submitted to and approved, in writing, by the Local Planning Authority.

- b) Development shall thereafter proceed in accordance with the approved 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 so that the development can be carried out safely without any unacceptable risks to workers, neighbours or off site receptors in accordance with Policy LP47 of the Gosport Borough Local Plan 2011-2029.



**ITEM NUMBER: 04.**  
**APPLICATION NUMBER: 17/00496/OUT**  
**APPLICANT: Mr Peter Day Hangar Homes Ltd**  
**DATE REGISTERED: 10.11.2017**

**HYBRID APPLICATION COMPRISING: (I) FULL APPLICATION FOR ERECTION OF FIVE MIXED USE HANGARS (COMPRISING C3 DWELLING AND CLASS B1(A) OFFICE) WITH ASSOCIATED ACCESS, PARKING AND CYCLE & REFUSE STORAGE FACILITIES; AND, (II) OUTLINE APPLICATION FOR ERECTION OF HANGAR HERITAGE CENTRE (CLASS D1) AND PROVISION OF PLAY AREA (WITH ALL MATTERS RESERVED) (as amplified by additional supporting information received 09.1.2018)**  
**Land West Of Control Tower Solent Airport Daedalus Drive Lee-on-the-Solent Hampshire PO13 9FZ**

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

1. The application site comprises a parcel of land, approximately 0.75 hectares in area, located to the west of the control tower at Solent Airport. The site is broadly rectangular in shape and measures approximately 150 metres wide and 45 metres deep.
2. The site straddles the airfield boundary and abuts the administrative boundary of the Borough with Fareham along its northern edge. To the south the site would abut the northern edge of the section of Daedalus Drive between the roundabout opposite the control tower and the link to Stubbington Lane which is currently under construction. The site is located within the Solent Enterprise Zone and the Daedalus Regeneration Area. The site is close to the recorded locations of a number of protected and notable species including Yellow Horned-poppy, Sea Sandwort, Black Redstart, Wheatear, Shag, Red Fescue, Sea Radish, Butcher's-broom and Early Meadow-grass. The site also forms part of a recognized Solent Wader and Brent Goose Strategy Site.
3. This 'hybrid' application seeks full planning permission for the erection of five mixed use hangars (comprising C3 dwelling and Class B1(A) office) with associated access, parking and cycle & refuse storage facilities, and outline planning permission (with all matters reserved) for the erection of a hangar heritage centre (Class D1) and the provision of a play area.
4. The proposed mixed use live-work hangars would be two-storey buildings comprising a hangar, double garage and office to the ground floor with a four bedroom dwelling above. The applicant has advised that the hangar (109.5 sqm) and double garage (52.5 sqm) would be associated with the residential element of the proposal with only the office (36 sqm) to the ground floor comprising the commercial/industrial element. The proposed buildings would have a footprint measuring 12.7 metres wide by 18.4 metres deep and measure 7.8 metres high. Externally the proposed buildings would sit beneath a curved roof finished in zinc cladding above rendered masonry walls and have the appearance of contemporary hangars.
5. The proposed mixed use hangars would be set behind a new service road off Daedalus Drive with each property having a hardstanding to the front that would provide off-road parking for 4 vehicles. The submitted details indicate that two of these parking spaces would be for the proposed commercial office element of the proposal.
6. The proposed outline element of the proposal relates to the erection of a hangar type structure to be used as a heritage centre relating to the historic military use of the site. The indicative details suggest an existing hangar could be relocated from the northern part of the airfield. The proposed external play area is indicated to be located adjacent to the control tower.

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

11/00282/OUT - EIA - Outline application with all matters reserved except for access - employment-led mixed use scheme including up to 69,992 sqm of commercial floor space in new buildings and

re-use of existing buildings (use classes B1, B2 and B8); up to 1,075 sqm of retail (use classes A1, A2, A3 and/or a4); up to 200 residential units (use class C3); up to 32 units of care accommodation (use class C2); up to 1,839 sqm of community uses (use class D1); up to 8,320 sqm of hotel use (use class C1); up to 2,321 sqm of leisure (use class D2); new and upgraded vehicular and pedestrian access arrangements; hard standing and car parking; open space provision; landscaping; and associated works - permitted 28.01.16

### **Relevant Policies**

Gosport Borough Local Plan, 2011 – 2029:

LP1  
Sustainable Development  
LP2  
Infrastructure  
LP3  
Spatial Strategy  
LP5  
Daedalus  
LP10  
Design  
LP12  
Designated Heritage Assets: Conservation Areas  
LP13  
Locally Important Heritage Assets  
LP23  
Layout of Sites and Parking  
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  
Solent Special Protection Areas Gosport Bird Disturbance Mitigation Protocol 2014

National Planning Policy Framework (NPPF), March 2012

### **Consultations**

BAA Safeguarding	No response received.
Civil Aviation Authority	No response received.
LOTS Airfield	Object on the following grounds: - proposals contravene CAA guidelines relating to taxiway clearances; - proposals do not demonstrate that they would not block views of the runway, final approach or taxiway from the control tower; - proposals breach Border Force requirements require control of access to the airport;

	<ul style="list-style-type: none"> <li>- proposals represent potential fire risk associated with smoking on open balconies;</li> <li>- proposals are sited inside the current holding point;</li> <li>- No Obstacle Limitation Survey has been carried out.</li> </ul>
Natural England	No objection subject to SPA mitigation being provided.
Crime Prevention & Design	No objection. Offers comments on type and nature of fencing to secure airfield.
Fareham LPA	Object. Proposals contrary to Policy LP5 of Gosport Borough Local Plan. This part of the Regeneration Area should be used for aviation or employment purposes. Proposals do not demonstrate operation of airport would not be prejudiced as part of Fareham Borough Council's strategic Development Allocation under Policy CS12 of Fareham Core Strategy.
Hampshire Fire And Rescue Service	No objection.
HCC Ecology	No objection.
Local Highway Authority	Request provision of additional information relating to access for refuse collection vehicle and amended drawings of parking layout. No objection in parking or traffic generation terms. Request financial contribution towards Traffic Regulation Orders to implement parking restrictions in vicinity to protect junctions.
HCC Landscape Planning & Heritage	No objection.
Building Control	No objection. Highlight internal amendments required to comply with Building Regulations.
Environmental Health	No objection. Recommends imposition of conditions relating to land contamination.
Streetscene Waste & Cleansing	No objection.

***Response to Public Advertisement***

5 letters of objection.

Issues raised:

- proposals contrary to published Vision for Daedalus;
- proposals not in accordance with Daedalus SPD or Local Plan;
- potential for adverse impact on Solent Enterprise Zone;
- proposals not supported by landowner due to potential conflict with future plans for airport;
- proposals should not rely on car parking associated with control tower;
- applicant has not consulted with airport operator and not referred to complete correspondence with landowner;
- land owner does not intend to relocate existing hangar to provide heritage hangar;

- do not agree proposed heritage hangar would not generate limited additional vehicular movements;
- concern about impact on operation and safety of airport;
- note comments from airport operator about Border Force requirements;
- loss of view;
- impact on future of airfield;
- increased noise and disturbance;
- proposed housing for wealthy and would not benefit locals;
- inadequate pre-application consultation by applicant;
- proposals contrary to multiple sets of regulations.

41 letters of support.

Issues raised:

- proposals would boost area and economy;
- proposals would provide additional homes;
- help to sustain airfield;
- proposals would benefit students at CEMAST;
- hangar homes successful overseas;
- proposals innovative;
- proposals eco-friendly, attractive and sustainable design;
- would be interested in occupying proposals.

### ***Principal Issues***

1. Whilst it is clear that the land owner does not support the proposals, this in its own right would not be a material planning consideration and could not be a reason for refusal. The applicant's pre-application consultation process is not a material planning consideration. The requirements of the Building Regulations, Civil Aviation Authority, Border Force and other regulatory authorities fall outside of the scope of the planning system and would need to be addressed independently of any planning application. The proposal relates to a development of mixed use hangars comprising residential and office uses. The use of the buildings for other purposes, including the construction of aircraft would need to be the subject of a separate planning application.

2. Therefore, the main issues to be considered in the determination of this application are whether the proposals are acceptable in principle, whether the proposals would prejudice the future of the airfield and Enterprise Zone and whether the proposals are acceptable in design, amenity, highways and ecological terms.

3. The site is located within the Daedalus Regeneration Area where Policy LP5 of the Local Plan promotes a mix of uses including 75,000m<sup>2</sup> of employment floorspace including premises suited for advanced manufacturing and technology clusters including aviation and aerospace uses and the provision of 350 dwellings. Paragraph 7.80 of the supporting text to Policy LP5 notes that an element of residential development could increase activity on the site and assist with the blending of the site into neighbouring residential areas. This puts emphasis upon locating the proposed residential element of the scheme adjacent to the existing housing at the edge of the site and away from the airfield.

4. The Daedalus Supplementary Planning Document (SPD) provides further detail in relation to the mix of uses across the Regeneration Area. Although this part of the regeneration area is not allocated for a specific use in the SPD, the site falls within a character area (no. 8) where the emphasis is to provide a mix of employment premises to suit a range of business needs with uses in this character area being employment-based with opportunities for aviation related business.

5. The priority for this part of the regeneration area is focused on employment-generating uses maximising the benefits of the airfield as an asset. The limited office element of the proposed live-work units has the potential to provide some small scale employment, however no details are provided with the application. The applicant has stated that the live work units could assist in helping to deliver the aspirations of the Council on the Regeneration area by attracting aviation-

related businesses to the area. Whilst this may be the case, there have been a number of successful new aviation-related businesses locating to the Daedalus site most notably within Fareham Borough. This would suggest that the presence of the airfield alone is enough to attract aviation related business. The proposed use would take valuable land allocated for employment-generating uses which could make use of the site's assets to provide significant levels of specialist employment.

6. The applicant has confirmed that the accommodation that would be provided within the proposed live work hangars would be 90% residential with only 10% being given over for employment purposes. It is therefore clear that the proposal is primarily residential in nature. The proposed development would be at a density of approximately 9 dwellings per hectare, which would be significantly less than the minimum density of 30 dwellings per hectare set out in Policy LP24 of the Local Plan. Furthermore the proposed five dwellings would not provide a significant contribution to the Borough's housing needs for a site of this size.

7. The outline planning permission covering the wider Daedalus waterfront area (granted in January 2016) includes provision for up to 2,321 sqm of leisure uses within Class D1 which would include a museum use. The principle of the proposed heritage hangar element of the proposal is therefore potentially acceptable. Whilst it is indicated location adjacent to the control tower would allow it to be readily available to visitors to the airfield, it is considered that such a location would be better suited to an employment-generating use with access for airside operations. The applicant suggests that the proposed aviation-themed play area would serve the proposed development, users of the adjacent cafe, the local community and occupants of future housing to the south. However its proposed location is considered to be inappropriate and ill-considered given its proximity to the airfield boundary and setting within an area of industrial uses.

8. Having regard to the foregoing, the proposal would be contrary to Policies LP5 and LP24 of the Local Plan and would not meet the aims and objectives of the Daedalus SPD. Accordingly the principle of the proposals is not acceptable in this location.

9. In accordance with Policy LP15 the Civil Aviation Authority (CAA) and airfield operator have been consulted. Whilst no response has been received from the CAA, the airfield operator has raised objections on a number of grounds relating to the potential impact of the proposal on the existing and future operation of the airfield. Given the importance of the airfield and its integral contribution to the Solent Enterprise Zone, any potential risk to its continued functionality must be given substantial weight in the consideration of this application. Whilst some of the issues raised fall outside the scope of the planning system, it is clear that the proposal has the potential to adversely affect the operation of the airfield. In the absence of any certainty that the proposal would not prejudice the future of the airfield, and in the context of its contribution to the Enterprise Zone, the application cannot be supported.

10. In design terms the proposed buildings for which full planning permission is sought are considered acceptable with their 'hangar'-like appearance being considered appropriate in this location.

11. The site is located over 300 metres from the edge of the Daedalus Conservation Area and almost 400 metres from the nearest Listed Building (former Dining Rooms and Cookhouse). Given this degree of spatial separation and the presence of substantial hangar buildings in between, it is considered that the proposals would not harm the setting of either the Conservation Area or the Listed Buildings. The proposals are therefore in accordance with Policies LP11 and LP12 of the Local Plan.

12. The proposals would be located adjacent to the boundary of the airfield, and within 200 metres of the main runway. As such future occupiers would undoubtedly be subject to noise and disturbance from airport operations. This would particularly be the case in respect of the external amenity areas. The applicant recognises this issue and advises that the properties would be constructed using materials that have noise attenuating properties with double and triple glazing being used. However, no details have been provided to support the applicant's claim that "there

would be no significant loss of amenity derived from noise". The applicant does note that a supportive 'Noise Impact Assessment' can be provided, if required. Given the importance of the airfield in the context of the Enterprise Zone, it is considered necessary to ensure that the proposals would not prejudice its future operation. The presence of residential dwellings in such close proximity has the potential to do so and in the absence of a Noise Impact Assessment is contrary to Policy LP46 of the Local Plan. The proposals would be located approximately 150 metres from the nearest existing residential property with the intervening land likely to be developed for residential purposes. Given the extent of the spatial separation and the strong likelihood that the intervening land will be developed, the proposal would have no significant impact on the amenities of the occupiers of any neighbouring residential property. The loss of a view of the airfield would not, in this instance, be a material consideration.

13. The layout of the proposed residential accommodation has two bedrooms being located centrally within the building that would take their sole light and outlook from windows in the flank elevation. Due to the arrangement of the proposed properties in a row, these windows would (in four out of the five) look onto the flank of the adjacent property to the east which would contain secondary windows serving a bedroom and the main living space. The spacing between the buildings would be 4.5 metres which is considered to be so close as to fail to provide an appropriate outlook or separation in privacy terms to the detriment of the residential amenities of future occupiers. The proposal is therefore contrary to Policy LP10 of the Local Plan.

14. The proposed access arrangements off Daedalus Drive are generally acceptable, however the Highway Authority have requested additional information relating to access by refuse collection vehicles. Whilst this information has not been provided, it is considered that the site is capable of accommodating larger vehicles to avoid the properties being serviced from Daedalus Drive. The Highway Authority has requested a financial contribution towards the provision of Traffic Regulation Orders in the vicinity of the site to restrict on-road parking around junctions to ensure they remain clear of obstruction. Given the scale of development proposed it is not considered that such a contribution would be necessary to make the development acceptable in planning terms.

15. The element of the proposal for which full planning permission is sought would include the provision of a level of car parking that accords with the Parking SPD. Whilst a number of the spaces are shown smaller than required by the SPD, the site is capable of accommodating spaces of the appropriate size. If the proposal were considered acceptable in other respects, a suitably worded planning condition could be imposed to secure the provision of suitable sized spaces. The proposed double garages are of a size that could accommodate cycle storage. Details are shown on the submitted drawings of facilities for the storage and collection of waste, the provision of which could be secured by a suitably worded planning condition if the proposal were otherwise considered acceptable.

16. The elements of the proposal for which only outline permission is sought have the potential to generate vehicle movements and a demand for parking, however all matters, including access, are reserved for future consideration. Notwithstanding it is considered that the site would be capable of accommodating the heritage hangar and play area without being likely to prejudice the safety or convenience of users of the surrounding highway network. Overall it is considered that the proposal is acceptable in highway terms and would not conflict with Policy LP23 of the Local Plan.

17. The site is located in an area known to be used by protected species (Brent Geese), however given the proximity of the site to the airfield it is unlikely that birds would use this area. The site is within 50 metres of areas that have been identified as providing habitats for a number of protected species. Whilst these are of significant importance, none have been identified on the application site. Having regard to the location and nature of the site and the size of the development proposed, the proposal will not have a detrimental impact on these important habitats and in this respect would comply with Policies LP42 and LP44 of the Local Plan.

18. The proposal will introduce additional dwellings which are 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. The applicant has acknowledged the need to provide SPA mitigation in accordance with the Protocol, but has not confirmed that it would be provided. In the absence of any mechanism to secure the required mitigation, the proposal would have an unacceptable impact on protected species and be contrary to Policies LP42 and LP44 of the Local Plan.

19. Whilst the site lies close to an area where archaeological traces relating to prehistoric activity have been found, investigations have concluded that this area has been extensively disturbed by modern development, mainly connected with the airfield. As such it is considered unlikely that ground works associated with any construction activity would expose interpretable archaeological features. As such the proposal would not conflict with Policy LP13 of the Local Plan.

20. Given the historic use of the site for military purposes there is potential for the site to be affected by both land contamination and unexploded ordnance. If the proposal were considered acceptable in other respects, suitably worded planning conditions could be imposed to safeguard and deal with these issues in accordance with Policy LP47 of the Local Plan.

### **RECOMMENDATION: Refuse**

For the following reason(s):-

1. The proposed predominantly residential development would, by reason of its location adjacent to the airfield boundary, be prejudicial to the future provision of employment in the Daedalus Regeneration Area and the Solent Enterprise Zone, and to existing and future operations of the airfield. The proposal is therefore contrary to Policy LP5 of the Gosport Borough Local Plan 2011-2029 and to the Daedalus SPD.

2. The proposed development would, by reason of its modest density, fail to make an effective and efficient use of land contrary to Policy LP24 of the Gosport Borough Local Plan 2011-2029.

3. The application fails to demonstrate that future residential occupiers would not be subject to excessive noise and disturbance associated with the adjacent airfield and that the introduction of a noise sensitive use would not prejudice the long-term lawful operations of neighbouring premises. The proposal is therefore contrary to Policies LP10 and LP46 of the Gosport Borough Local Plan 2011-2029.

4. The proposed residential accommodation would, by reason of its layout and juxtaposition give rise to an unacceptable outlook from bedrooms and an unacceptable degree of overlooking that would fail to provide an appropriate standard of accommodation to the detriment of the residential amenities of future occupiers and contrary to Policy LP10 of the Gosport Borough Local Plan 2011-2029.

5. The proposal does not make adequate provision to mitigate against the harmful impacts of recreational disturbance resulting from increased residential provision in the area on internationally designated habitat sites, specifically the Portsmouth Harbour and Solent and Southampton Water SSSI/SPA/Ramsar sites which would be detrimental to the protected and other species for which these areas are designated. The proposal is therefore contrary to Policies LP2 and LP42 of the Gosport Borough Local Plan 2011-2029 and the Solent Special Protection Areas Gosport Bird Disturbance Mitigation Protocol 2014.



**ITEM NUMBER: 05.**  
**APPLICATION NUMBER: 17/00523/FULL**  
**APPLICANT: Mr Frank Boyle DEX Homes**  
**DATE REGISTERED: 17.11.2017**

**DEMOLITION OF EXISTING DWELLING AND ERECTION OF TERRACE OF 3 THREE BEDROOM HOUSES AND 1 TWO BEDROOM MAISONETTE OVER AN UNDERCROFT VEHICULAR ACCESS FROM WOODSTOCK ROAD WITH ASSOCIATED PARKING, REFUSE AND CYCLE STORAGE (RESUBMISSION OF 17/00001/FULL)  
20 Woodstock Road Gosport Hampshire PO12 1RS**

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

1. The site is located on the east side of Woodstock Road. The existing property is a detached two-storey house with front and rear gardens. The house has a single storey flat roof projection on its north elevation, with a canopy over the existing front door. The property is set off of the side boundaries by approximately 1.5m to the northern boundary and 7.5m to the southern boundary. It is set back from Woodstock Road by approximately 6m and has a rear garden that is 18m deep. There is an existing dropped kerb towards the northern end of the frontage, leading to a hardstand at the front of the house. In the southeast corner of the rear garden is a gated access leading to an adopted service road.
2. The properties to the north of the site are two storey semi-detached houses, primarily brick with ground floor bay windows and set back from the highway by approximately 1.8m. Number 24 is located directly to the north and has a hard surfaced parking area adjacent to the boundary with a 1.8m fence between the rear gardens. This property has its main door and dining room and bedroom windows towards the rear of its south elevation with further windows serving these rooms on the east elevation. The south facing windows face the flank of the existing building at a distance of approximately 5.75 metres. To the south and on the opposite side of Woodstock Road are terraced houses set back approximately 1.8m from the highway, the majority of which have single storey bay windows and are constructed of brick, with some render. The adjacent property to the south (no 18) abuts the boundary of the site. There are records of a protected species, the Pipistrelle bat, within 50 metres of the site.
3. The proposal is for the demolition of the existing house and the erection of a terrace of 3 two-and-a-half storey three bedroom houses and 1 two bed maisonette over an undercroft vehicular access with associated parking, refuse and cycle storage. The properties would be in a terrace, set back 1.6m from the highway, 0.2m from the northern boundary and 1m from the southern boundary. The two storey element of the terrace would be 9.1m deep with a 1.9m deep single storey projection on the rear elevations. Ground floor bay windows are proposed on the front elevation along with rooflights. Pitched roof dormer windows are proposed within the roof on the rear elevation, with projecting firewalls to each property. Rooflights are also proposed within the lean-to roofs over the single storey rear projections. Windows are proposed at ground and first floor level in the side elevations to serve en-suite and other bathrooms. A pathway is proposed along the side boundary to the southernmost dwelling. To the rear of the dwellings would be 9m long gardens, beyond which would be the parking and turning area. Eight car parking spaces are proposed within this area accessed from Woodstock Road via an undercroft below the proposed maisonette.
4. This application follows the refusal of an earlier scheme where the main reasons for refusal related to inadequate parking and access arrangements to the detriment of highway safety. The main differences between this proposal and the previously refused scheme relate to the undercroft access and the layout of the parking area. The layout of the parking area has been amended such that each space can be accessed and egressed independently with tracking details having been submitted to demonstrate this. The undercroft access has been amended to enable vehicles to pass clear of the highway.

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### **Relevant Planning History**

16/00339/FULL - demolition of existing dwelling and erection of a terrace of four no. 3 bedroom dwellings with associated parking, refuse and cycle storage - refused 03.10.2016

17/00001/FULL - demolition of existing dwelling and erection of terrace of 3no. three bedroom houses and 1no. two bed maisonette over an undercroft vehicular access with associated parking, refuse and cycle storage (resubmission of 16/00339/FULL) - refused 15.02.2017 - appeal dismissed 16.08.2017

### **Relevant Policies**

Gosport Borough Local Plan, 2011 – 2029:

LP10

Design

LP23

Layout of Sites and Parking

LP24

Housing

LP42

International and Nationally Important Habitats

LP44

Protecting Species and Other Features of Nature Conservation Importance

Supplementary Planning Documents:

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

Gosport Borough Council Parking: Supplementary Planning Document: February 2014

Solent Special Protection Areas Gosport Bird Disturbance Mitigation Protocol 2014

National Planning Policy Framework (NPPF), March 2012

### **Consultations**

Natural England	No objection subject to SPA mitigation.
Crime Prevention & Design	No response received.
Hampshire Fire And Rescue Service	No response received.
HCC Ecology	No objection subject to SPA mitigation. Suggest imposition of condition to secure ecological enhancement measures.
Local Highway Authority	No objection. Amended layout addresses and overcomes objection to previous application.
Building Control	No objection.
Streetscene Waste & Cleansing	No objection.

### **Response to Public Advertisement**

4 letters of objection

Issues raised:-

- no different to previously refused scheme;
- too many properties proposed;
- design not in keeping;

- access and parking inadequate;
- no capacity for additional on-street parking;
- lack of garden space;
- increased overlooking and loss of privacy;
- increased traffic on Woodstock Road;
- increased noise and pollution;
- increased flooding and exacerbation of drainage issues;
- wall to rear not been replaced.

### ***Principal Issues***

1. The main issues to be considered in the determination of this application are whether this amended proposal is acceptable in highway terms, thereby overcoming the reason for the refusal of the previous application, and whether the proposal remains acceptable in design, amenity and ecological terms. The site is not located in an area known to be at risk from flooding. The provision of adequate drainage would be dealt with under the Building Regulations.

2. The principle of the redevelopment of the site to provide four dwellings has been previously considered acceptable with the site being of sufficient size to accommodate this number of dwellings with an appropriate layout that respects the prevailing character of the area.

3. The majority of parking for the existing terraced properties is on-street, albeit that there are rear service roads where some rear parking may be available. The parking SPD requires off-street provision for new developments and in this instance the 3 three bedroom dwellings and 1 two bedroom maisonette proposed would generate a requirement for nine parking spaces, including visitor provision. The proposal only makes provision for 8 spaces to the rear of the properties with no identified provision for visitor or overspill parking. The site is served by an existing vehicular crossover which would be altered to provide access to the proposed development. However, there would be no overall loss of existing on-street parking. As part of an, ultimately unsuccessful, appeal against the previous refusal the applicant provide evidence demonstrating that sufficient on-street capacity existed to meet any demand for visitor parking. This evidence was accepted by the Inspector determining the appeal. Whilst no evidence has been submitted with this application it is considered that, given the contemporaneous nature of the appeal, a refusal on the ground of the failure to provide on-site visitor parking could not be sustained.

4. The layout of the parking area is arranged for it to be possible for vehicles to manoeuvre to enable them to enter and leave in a forward gear. The dimensions of the parking spaces and turning area in this scheme meet the requirements set out in the adopted Parking SPD with the submitted tracking plans demonstrating that manoeuvring into and out of each space could be done in an appropriate manner. Furthermore the undercroft access has been altered such that vehicles can pass clear of the highway boundary. The amendments to the site layout have therefore fully addressed and overcome the reason for refusal relating to the failure to provide acceptable access and turning arrangements such that this revised proposal complies with Policy LP23 of the Local Plan. The site is adjacent to an adopted service road leading to Cranbourne Road. Whilst there is an existing gated access from the site onto this service road, the proposal does not indicate this would be used to serve the proposed development.

5. Although there is a mix of external treatments within this part of Woodstock Road, with the exception of the application site, the prevailing character is two storey terraced, or semi-detached properties with courtyard frontages and single storey bay windows. The proposal would be in keeping with this character, appearing as a terrace with the same set back as the adjacent properties and incorporating single storey bay windows. The design of the proposal, whilst of simple appearance, would be appropriate for this location. The proposed pitched roof rear dormer windows, are of an appropriate scale for the terrace. The proposed materials are brick with a tiled roof, the same as the neighbouring properties. The provision of the fire walls to the roofs would add additional visual interest to the terrace and replicate the detailing of surrounding buildings.

6. The rear gardens proposed for the three houses are considered to provide an acceptable level of amenity space for future occupiers. However, consideration must be given to permitted development rights that would allow the erection of rear extensions that could result in the loss of up to half the garden area. It is considered reasonable and necessary to remove permitted development rights for such extensions to ensure that adequate garden space is retained. Whilst the proposed maisonette would not be provided with any external amenity space, given the sites proximity to Walpole Park (250 metres to the east), this would not be a sustainable reason to withhold permission. The submitted drawings indicate suitable provision being made for the storage of waste. Appropriate provision is indicated for cycle storage to serve the proposal. The provision of these facilities can be secured through the imposition of suitably worded planning conditions. The proposals are, therefore, considered to be of an appropriate design and layout and would not have a detrimental impact on the character and appearance of the area, in compliance with Policy LP10 of the Local Plan.

7. The properties have been designed to follow the existing street pattern, with only bathroom and en-suite windows on the side elevations which can be secured as being obscure glazed and fixed to 1.7m above finished floor level, through the imposition of a suitably worded planning condition. There is already mutual overlooking between the existing houses and those on the opposite side of Woodstock Road and as views would be across the public highway, this is considered an acceptable relationship. There are only the open areas of the commercial properties to the east (the rear) of the site and, therefore, the proposal would not have a detrimental impact on the neighbouring occupiers in terms of loss of privacy. Due to the orientation of the site the only property likely to be affected by the proposal in terms of loss of light and outlook would be number 24 Woodstock Road to the north. This property has windows on its southern elevation, however, these are towards the rear of this elevation. The existing property is situated directly in front of those existing windows, with the two storey element some 8m away. Whilst the two storey element of the proposed terrace will be closer than existing at approximately 4.5m from those windows, due to the existing relationship and the fact that there are additional windows on the east elevation, serving the same rooms, the proposal would not have a harmful impact on the occupiers of the property in terms of loss of light or outlook. The use of the proposed access is not considered likely to be so intensive as to cause significant harm to neighbouring occupiers. The proposals are therefore considered to be in compliance with Policy LP10 of the Gosport Borough Local Plan 2011-2029 in this respect. It is inevitable that building works would give rise to a degree of localised noise or disturbance, however this could not be a reason to withhold permission and any statutory nuisance would be dealt with by Environmental Health.

8. The proposal will introduce additional dwellings which are 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. The applicant has provided mitigation in accordance with the Protocol such that the proposal complies with Policies LP42 and LP44 of the Local Plan.

9. The submitted ecological assessment concludes that there would be no impacts on ecological interests but includes recommendations for ecological enhancements which can be secured by condition. The site is within 50 metres of areas that have been identified as providing habitats for protected species, namely the Pipistrelle bat. The Ecological Survey submitted with the application recommends that ecological enhancement measures, in the form of a bat box, be incorporated into the development. This can be secured through the imposition of a suitably worded planning condition. Whilst these are of significant importance, none have been identified on the application site and having regard to the location and nature of the site and the size of the development proposed, the proposal will not have a detrimental impact on these important habitats in compliance with the NPPF and Policy LP44 of the Local Plan.

### **RECOMMENDATION: Grant Permission**

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**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: 16018-PL-301; 16018-PL-302; 16018-PL-303; 16018-PL-304; 16018-PL-305; and, 16018-PL-309.

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

3. a) The development hereby permitted shall not be occupied until the facilities for the parking and manoeuvring of vehicles shown on the approved Block Plan have been provided.

b) The parking and turning areas shall thereafter be retained for the parking and manoeuvring of vehicles 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.

4. The development hereby permitted shall not be occupied until a visibility splay measuring 2.0 by 2.0 metres has been provided to each side of the access where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.

Reason - In the interests of highway safety.

5. Any access gate(s) to be provided across the vehicular access hereby permitted shall be set back, and thereafter retained, a minimum distance of 9 metres from the boundary of the access with the highway and shall be hung to open inwards (away from the highway).

Reason - To enable a vehicle to safely draw off the highway and pass any vehicle egressing the site in the interests of highway safety.

6. a) The development hereby permitted shall not be occupied until:

i) the long stay cycle storage facilities shown on the approved plans have been provided; and,

ii) short stay cycle storage facilities have been provided in accordance with a detailed scheme that shall be submitted to and approved, in writing, by the Local Planning Authority.

b) The approved cycle storage facilities shall thereafter be retained.

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

7. a) The development hereby permitted shall not be occupied until the facilities for the storage of refuse and recyclable materials shown on the approved plans have been provided.

b) The approved refuse storage facilities shall thereafter be retained.

Reason - In order to protect the amenities of the area, and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

8. The development hereby permitted shall be carried out in accordance with the ecological enhancement measures detailed within the Ecological Assessment (EcoSupport, June 2016) unless otherwise agreed in writing by the Local Planning Authority.

Reason - To conserve and enhance biodiversity in accordance with the Conservation of Habitats and Species Regulations 2010, the Wildlife & Countryside Act 1981, the NERC Act 2006, NPPF and with Policy LP44 of the of the Gosport Borough Local Plan 2011-2029.

9. Notwithstanding the details shown on the approved plan, all windows at first and second floor level in the north facing (flank) elevation of the building hereby permitted, shall be non-opening and glazed with obscure glass (minimum of level 4 or any other equivalent specification that shall be agreed in writing by the Local Planning Authority) to a height of 1.7 metres above finished floor level and shall thereafter be retained in that condition.

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

10. Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order amending, revoking or re-enacting that Order with or without modification), no extension to the rear of the dwellings hereby permitted shall be erected without prior express permission from the Local Planning Authority.

Reason - In order to safeguard the amenities of the occupiers of the dwellings given the limited rear garden depth by ensuring the provision of an appropriate amount of external space and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

**ITEM NUMBER: 06.**  
**APPLICATION NUMBER: 17/00402/FULL**  
**APPLICANT: Mr Ben Guppy**  
**DATE REGISTERED: 09.11.2017**

**CHANGE OF USE OF LAND FROM AMENITY TO RESIDENTIAL GARDEN (USE CLASS C3), RETENTION OF GARDEN SHED AND ERECTION OF ADDITIONAL GARDEN SHED AND 2M HIGH FENCE AND GATE**

**Land Adjacent 12 Moat Walk Gosport Hampshire PO12 2SP**

***The Site and the proposal***

1. The application site is a piece of land which wraps the east, south and west of 12 Moat Walk. However the land subject to this application is the part of the site to the south of Moat Walk. This piece of land measures approximately 7m (north-south) by 25m (east-west). It was originally part of the open space within the estate but has been informally used as the side garden for no. 12 for a number of years. The site has been identified as being within 50m of a site that contains Knotted-hedge parsley, a protected species.

2. The house, 12 Moat Walk, is a two storey end terrace dwelling with a walled rear garden to the east with a detached garage and parking beyond. The land south of no. 12 has a mature mixed hedge along the south and east boundary which is between 2 - 2.5m wide and approximately 2m high but with sections higher than this. The hedge also wraps around the west edge of the site leaving an approximately 2.5m gap between its edge and the front corner of the house. This gap has been partially obscured with planting in the past but this has been cut back by the applicant as part of garden maintenance. There is a garden shed on the land along the eastern boundary which requires planning permission as it is outside of the residential garden of 12 Moat Walk.

3. This application site is within a residential estate which includes terraces of properties facing landscaped open spaces. To the west (front) of the site is an approx. 10m wide open space with a row of properties opposite that are set back behind 4m deep front gardens. To the south of the site, on the opposite side of the hedge, is a 2m wide walkway, Churcher Walk, with another row of properties set back behind 6m front gardens. To the east is Churcher Close and the houses on the opposite side of the road are between 15m - 20m away from the application site.

4. The proposal is to formally change the use of the land to the south of no. 12 from open space into residential garden for 12 Moat Walk; to retain the existing shed at the eastern end of the site; to erect an additional wooden shed 1.8m wide by 2.4m long by 2.2m high in the south-west corner of the site behind the existing hedge; and to erect a 2m high wooden fence and gate between the south-west corner of no. 12 and the site's southern boundary.

***Relevant Planning History***

K5014/1 - 183 houses and garages (stage 2) - permitted 28.04.65

Condition 8

Notwithstanding the provisions of the T. & C. General Dev. Orders 1950 & 1960 no structures of any type shall be erected on the land other than at the rear of the dwelling houses without the consent of the L.P.A.

***Relevant Policies***

Gosport Borough Local Plan, 2011 – 2029:

LP10

Design

LP44

Protecting Species and Other Features of Nature Conservation Importance

LP45

Flood Risk and Coastal Erosion  
LP47  
Contamination and Unstable Land

Supplementary Planning Documents:

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

National Planning Policy Framework (NPPF), March 2012

### **Consultations**

Environmental Health

No objection.

### **Response to Public Advertisement**

4 letters of objection

Issues raised:-

- deeds of the properties in the estate are restrictive
- the application does not provide an accurate impression of the proposal
- the need for the shed is vague
- future potential for more buildings to be erected on the site
- change of outlook from properties on Moat Walk
- loss of view from Churcher Walk
- second shed would be visible as hedge is not evergreen
- second shed would create a loss of light for 3 Churcher Walk
- concern that additional shrubbery will be removed
- impact on wildlife
- water run-off from the roof of the second shed would impact the paths around the site

### **Principal Issues**

1. The wording of and compliance with the contents of deeds are civil matters, however condition 8 of permission K5014/1 restricts the development of structures allowed as permitted development to the rear of the properties only. As such planning permission is required for any structures to the side or front of the properties. The submitted plans are accurate for the purposes of validating the planning application and there is no requirement for the applicant to justify the need for the sheds. The future intentions for the piece of land cannot be taken into account and this application can only be considered in relation to what is proposed. The main issues, therefore, are the appropriateness of the change of use and the design of the sheds and fence; the proposals' impacts on the appearance of the locality, the amenities of the occupiers of adjacent properties, protected species / habitats and water run-off.

2. The application site is a piece of land which for at least 20 years has been bordered by the existing hedge. The key amenity value is the verdant nature of the hedge and not the physical access to or use of the land itself. Taking this into account it is considered that the formal change of use of the land to residential garden for 12 Moat Walk would be acceptable but conditions are recommended to retain the hedge and to restrict development to the side of no. 12. Subject to these conditions, the proposal would therefore comply with Policy LP10 of the Gosport Borough Local Plan 2011 - 2029.

3. The shed proposed for retention is screened by the hedge to the east and south, it is not considered to constitute a visual intrusion so would also comply with Policy LP10 of the Gosport Borough Local Plan 2011 - 2029.

4. The proposed 2m high fence and gate would reduce the view into the site which was, until recently, largely obscured by planting. Although a section of the fence and a gate would be visible within this gap it is considered to be of domestic form and construction. The proposed second shed

is also domestic in form and would predominantly be screened by the existing hedge. It is noted that the hedge would have to be trimmed to allow the second shed to be built, however it would still allow for a 2m width along the southern boundary and it is considered this width would offer acceptable visual screening. Taking this into consideration the proposed fence, gate and second shed would be considered appropriate in a domestic setting and would comply with Policy LP10 of the Gosport Borough Local Plan 2011 - 2029.

5. Although the proposal may require some trimming of the inside edges of the hedge to accommodate the shed, it would not reduce it to less than 2m in width thereby retaining the visual screening it offers. It is noted that the hedge is a mix of evergreen and deciduous species and in winter coverage will be less, however the brick side wall of 12 Moat Walk can already be partially seen through these gaps from Churcher Walk and it is considered that the proposed second shed would not materially alter this view. Equally the shed would not be significantly taller than the existing hedge and would be set back from the hedge and into the site from Churcher Walk by 2m, so would not create any additional loss of light for properties on the opposite side of Churcher Walk.

6. The proposed fence would be a new feature to the frontage of the application site but it would have a domestic context and would not have an overbearing impact on the properties on Moat Walk. Taking this into consideration along with the already proposed condition to retain the hedge the proposal would not harm the amenity of the occupants of surrounding properties so complies with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

7. There is only anecdotal evidence that the site may be used by various types of wildlife including foraging badgers. The hedge also has a high probability of use for nesting birds. However, whilst badgers are protected, there is no physical evidence that badgers reside on the site. The hedge will be retained to ensure that animals can gain access underneath it and birds can nest within it.

8. The site is also located close to an area which has been identified as the habitat for a protected species of flora. Whilst this is of significant importance the site has been maintained as lawn for a significant period of time and as such is not conducive to the propagation of that species. The proposal is not considered to have a detrimental impact on the nearby important habitat or on protected species and so would comply with Policy LP44 of the Gosport Borough Local Plan, 2011 - 2029.

9. There is a concern that the proposed second shed would create a significant amount of run off onto the surrounding paths. However the shed will be surrounded by a proportionally large area of permeable surfaces, grass and soil, which would work as a natural soak away so is not considered to create a net increase in surface water run-off to the detriment of the surrounding area and therefore comply with Policy LP45 of the Gosport Borough Local Plan, 2011 - 2029.

### **RECOMMENDATION: Grant Permission**

#### **Subject to the following condition(s):-**

1. The remaining development hereby permitted, comprising the provision of the new western positioned shed and the enclosure of the frontage by a fence and gate, 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:

1 plan received on the 20.10.17 showing the proposed site layout;

4 plans received on the 09.11.17 showing: 'Existing Front / Proposed Front'; 'Existing Side / Proposed Side'; 'Existing View / Proposed View / 3D View / Shed'; and 'Existing Rear / Proposed Rear'

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 hedge within the green hatched area on the approved plan received on the 20.10.17 showing the proposed site layout shall be maintained with a minimum depth of 2m and a minimum height of 2m unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure the development protects the visual amenity of the site and the amenity of occupants of adjacent properties and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

4. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order amending revoking or re-enacting that Order with or without modification) no additional extensions or outbuildings to the side of dwelling 12 Moat Walk shall be built without the granting of express planning permission from the Local Planning Authority.

Reason - To ensure the development protects the visual amenity of the site and the amenity of occupants of adjacent properties and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

**ITEM NUMBER: 07.**  
**APPLICATION NUMBER: 17/00510/FULL**  
**APPLICANT: Mr & Mrs Goulding**  
**DATE REGISTERED: 07.11.2017**

**ERECTION OF PART TWO STOREY AND PART THREE STOREY REAR EXTENSION AND INSTALLATION OF SIDE DORMER WINDOW (as amended by plans received 29.11.2017)**  
**58 Western Way Gosport Hampshire PO12 2NQ**

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

1. The application site comprises a two-storey detached dwelling on the south side of Western Way, three plots in from the eastern junction with Kennedy Crescent. This built-up residential area of Gosport is characterised by two storey detached dwellings. The properties in the area are of traditional appearances but feature individual designs, and a range in use of materials.
2. The application property is a three/four bedroomed house, with a narrow but long footprint that spans almost the whole site width but has a narrow depth of accommodation. It is constructed with a brown brick ground floor with a white rendered first floor elevation. The roof is tiled. The front garden is open and mainly laid to provide car parking and turning area. The former integral garage has been incorporated into the existing accommodation (utility and study / bedroom). A timber store lies to the eastern side of the building.
3. The application site is at highway grade at the front and then at the rear the site drops steeply to the main usable garden area. The difference in levels prevents direct and level access from the existing rear of the house to the rear garden area. The rear of the house has had a large timber decking area laid at the buildings ground floor level, and this stands on piers being higher and above the slope to the main garden. A brick air raid shelter lies in the garden, and the decking area was built partly over the top of the near side of the shelter.
4. The proposed works would make minimal alterations to the front elevation, reducing the window opening serving the current utility area as this is converted into a smaller larder to the kitchen. A dormer window to the side sloping roof area to serve a bedroom was also sought by the amended plans of 29-11-2017. The main extension is to the rear of the building where the footprint is more than doubled in overall building depth and internal works alter the room configuration and activities. The proposal would require the removal of the existing rear garden brick built air-raid shelter and the existing large decking.
5. From the rear the ground floor is extended along two-thirds of the building width from the east. The first third provides a new dining area with bi-fold doors facing along the garden to enable access to a new projecting decking balcony area. This deck area is enclosed by a glass panel balustrading and the dining room has a ridged roof to match that on the host dwelling. The middle third is an open void with a staircase down and an internal glass balcony overlooking the basement accommodation from the dining room to the east and the hallway passage doors within the main dwelling. The final third to the west is outside and provides a patio area accessed from new bi-fold doors from the existing living room.
6. The first floor area has an extension projecting out from the rear elevation over the middle third of the building and over the ground floor void to the basement level. This first floor extension is shown with an internal bi-fold door to the additional 4th bedroom being created. This also has a small ensuite facility. The extension is roofed in a style to match the host dwelling.
7. The basement creates new floor space across the whole width of the building. This provides for a new utility area with external door to the eastern side of the property and a family room across two-thirds of the elevation, under the new first floor dining room and the open internal void at ground floor level. The western third is to provide a guest bedroom (bedroom 5) under the ground floor

patio area above. The eastern third to the family room has a large window looking out to the garden and under the ground floor new decking area. The middle third section to the family room provided bi-fold doors to provide level access to the garden of the site.

8. The proposed basement works would lie within 1.3m of the common boundary to the property to the west and 3.3m to the common boundary to the property to the east. The land along both boundaries slopes down with the boundary fence lines following the slopes. The eastern side has a stepped arrangement built into the slope, the western side is just the slope of the land and some shrubbery. In constructing the proposed basement level there would be a need to underpin the host dwelling and construct the retaining walls before the removal of the slope bank to accommodate the extension. This work would be covered under the Building Regulations and is not a planning consideration.

9. In support of the application is a letter dated 21 December 2017 from the agent providing clarification on the structural stability of the removal of the sloping band to the rear and its replacement with the proposed lower level / basement accommodation. The concern of occasional flooding in the lower garden area is also indicated to be considered for improvement.

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

Nil

### ***Relevant Policies***

Gosport Borough Local Plan, 2011 – 2029:

LP1

Sustainable Development

LP2

Infrastructure

LP3

Spatial Strategy

LP10

Design

LP23

Layout of Sites and Parking

LP44

Protecting Species and Other Features of Nature Conservation Importance

Supplementary Planning Documents:

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

Gosport Borough Council Parking: Supplementary Planning Document: February 2014

National Planning Policy Framework (NPPF), March 2012

### ***Consultations***

Nil

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

1 letter of objection

Issue raised:-

- no objection to the look of the proposed extension but have concern on potential land stability due to excavating close to the rear building wall and neighbouring house

## ***Principal Issues***

1. The application site is located within the Urban Area Boundary, where the principle of residential development is acceptable. The main issues in this case are whether the proposal can be accommodated on the site without harming the character or visual amenity of the locality, or the amenity of surrounding properties. The stability of land would not be a material planning consideration, but given the proximity of the works to the neighbouring property, would be addressed under the Building Regulations and under the Party Wall Act.
2. The character of the area is of road-front-facing detached dwelling houses of various designs and styles. The existing dwelling covers the majority of the width of the plot and given the proposed location of the works at the rear, any impact on the character and appearance of the locality would not be harmful.
3. The extension is to the rear of the building facing along the very long 65m private garden. The extension would span the width of the dwelling house and project into the garden area, making optimal use of the steep slope behind the house to create an additional half floor of accommodation at the garden level / house basement level. Due to the garden length and the stepped arrangement of the extensions, the site is capable of accommodating the rear extensions to provide for a relatively large dwelling house on the site. This would be in keeping with the scale and size of other properties in the immediate area. In design terms the proposal therefore complies with Policy LP10 of the Gosport Borough Local Plan 2011-2019.
4. The impact of the proposal on the amenity of the occupiers of the neighbouring property would be slight, particularly due to the stepped arrangement of the extensions to avoid a significant impact on neighbouring properties through overlooking, loss of light or visual building bulk. Due to the positioning of the visual three-storey extension element within the central part of the elevation, the proposal would not result in substantial harm to the amenities of neighbouring occupiers in terms of loss of light, outlook, or privacy.
5. The lower level basement accommodation would need to be built into the existing sloping bank of land immediately to the rear of the host dwelling. The rear wall of the dwelling would require underpinning and new retaining walls for the basement constructed as the sloping bank is removed. This would protect the host dwelling and the neighbouring land forming the boundaries with both neighbours (1.3m to the west and 3.3m to the east respectively) to remain undisturbed and not be subject to any land slip or erosion.
6. The provision of a new elevated decking area would open up potential overlooking to the neighbouring property's rear garden but this has been addressed with the addition of a solid screen along the eastern side of the raised decking platform. A similar solid screen to the western patio terrace area provides similar privacy screening to the neighbour along this boundary.
7. The addition of a dormer window to replace a roof-light to the eastern roof slope would add to the articulation of this roof slope and not result in any significant overlooking of the neighbouring property at No.60, which has ground floor garage windows and a picture staircase window facing the application site. In amenity terms the proposal therefore complies with Policy LP10 of the Gosport Borough Local Plan 2011-2019.
8. Whilst there is a change from a three / four-bedroom property to one with four / five bedrooms, this would be unlikely to generate a requirement for any additional on-site parking provision. There is no proposed alteration to the vehicle access or parking available on the site which can accommodate four cars. The proposal therefore complies with Policy LP23 of the Gosport Borough Local Plan 2011-2019.

## **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:

- 1077/3 - location plan, site plan, proposed elevations and proposed ground floor plan

- 1077/4 - proposed first floor plan

- 1077/5 - proposed basement cellar plan

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

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

Reason - To ensure satisfactory visual relationship of the new development to the existing, and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2019.

4. The 1.8 metre high, solid privacy screen panels to be located on the eastern side edge of the elevated decking platform and the western side of the patio terrace over the basement accommodation as hereby permitted shall be installed prior to these outdoor open areas being brought into use. The privacy screens must be retained as approved with a solid panel finish.

Reason - To minimise the potential for overlooking of adjacent properties to protect the residential amenities of neighbouring occupiers in accordance with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

5. No external lighting shall be installed on the elevated decking platform, and no lighting excepting a soffit fitted down lighter shall be installed on the patio terrace unless details are otherwise first submitted and agreed, in writing, by the Local Planning Authority.

Reason - To ensure a satisfactory visual relationship of the new development to the existing, to ensure the amenity of the occupants of neighbouring properties is maintained and to comply with Policies LP10 and LP44 of the Gosport Borough Local Plan 2011-2029.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order), no windows shall be constructed at first floor level in the west side elevation of the extension hereby permitted, without the prior consent in writing of the Local Planning Authority.

Reason - In order to protect the amenity of the occupiers of the nearby properties and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

**ITEM NUMBER: 08.**  
**APPLICATION NUMBER: 17/00486/FULL**  
**APPLICANT: Mr & Mrs Sparks**  
**DATE REGISTERED: 25.10.2017**

**ERECTION OF TWO STOREY SIDE AND REAR EXTENSION (RESUBMISSION OF 17/00370/FULL)**  
**31 Frater Lane Gosport Hampshire PO12 4AU**

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

1. The application site, located on the western side of Frater Lane, comprises the curtilage of no 31 Frater Lane. The application property is a narrow fronted, two-storey semi-detached dwelling with a gabled front elevation (shared with the adjoining semi-detached dwelling). The property has a two-storey flat roof projection to the rear and two-storey bow projection to its east facing front and south facing side elevations.
2. The site is flanked to the north by the adjoining property no 33 which shares the existing two-storey flat roofed projection to the rear. To the south is no 29, a similar two-storey semi-detached dwelling. To the west (the rear) is a service road offering vehicular access to garages and the rear of neighbouring properties in Frater Lane, Anthony Grove and Cedar Close. To the east (front) of the site is the junction of Orchard Close with Frater Lane.
3. Planning permission is sought for the erection of a two-storey rear and side extension that is 'L-shaped' in plan and would wrap around the existing two-storey rear projection. The extension would provide enlarged living space to the ground floor with an enlarged third bedroom and additional fourth bedroom above. The extension has an overall depth of 7.2 metres of which 2.95 metres would project beyond the rear of the existing rear projection. The extension has a width of 7.1 metres of which 3.2 metres would project to the side of the existing dwelling. The extension has a hipped roof with a flat crown that would be subordinate to the roof of the existing building. The rear elevation of the proposal would include four large portrait windows to the ground and first floor and large bi-folding doors to the ground floor. The extension is indicated to be finished in materials to match the existing property.
4. This application follows the refusal of a previous application. The main differences between this and the previous application are that the wrap around element of the extension projects further forward by approximately 1.7 metres and that the previous mix of hipped and gabled roof has been replaced by a simpler hipped roof that would wrap around the existing with a flat crown.

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

17/00370/FULL - erection of two storey side and rear extension - refused 27.09.2017 for the following reason:

The proposal would, by reason of its unsympathetic design, in particular its siting, variable roof pitch's and pattern of fenestration to the rear elevation, appear as an incongruous feature at odds with the recipient building and out of character with the wider area to the detriment of visual amenity. The proposal is therefore contrary to Policy LP10 of the Gosport Borough Local Plan 2011-2029 and to the Design Guidance Supplementary Planning Document.

### ***Relevant Policies***

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

National Planning Policy Framework (NPPF), March 2012

**Consultations**

Nil

**Response to Public Advertisement**

Nil

**Principal Issues**

1. The main issue is whether this revised proposal is acceptable in design terms and whether it addresses and overcomes the previous design reason for refusal. Other issues to consider are whether the proposal would impact on the amenities of the occupiers of neighbouring properties and whether there are any parking implications associated with an increase in the number of bedrooms.

2. The existing dwelling has a narrow and deep footprint with its fenestration and architectural detailing giving its appearance a strong vertical emphasis. The scale of the side projection is disproportionate and somewhat at odds with the character of the recipient dwelling, however the 7.8 metre set back from the front elevation and 16 metre set back from the site frontage would reduce its visual impact such that any harm to the contextual streetscene associated with the scale and mass of the extension would be limited. The proposed roof would have a pitch to match that of the existing dwelling; however, the scale of the flat crown is such that it would be poorly related to the recipient building. The extent of the flat roof over the extension would appear as an incongruous and unsympathetic addition that would be at odds with the host building. The rear elevation of the proposal would mask the original building such that its form would be lost. Whilst the proposed fenestration would give a degree of verticality to the rear elevation, the large bi folding doors would provide a strong horizontality to the rear elevation. This revised proposal therefore does not address or overcome the reason for the refusal of the previous application. Accordingly, this proposal is unacceptable in design terms such that it would be contrary to Policy LP10 of the Local Plan and to the Design SPD.

3. Whilst the proposed extension would project to the rear of adjacent properties and closer to the neighbouring property to the south, the degree of rear projection, orientation and lateral separation is such that it would not result any significant loss of light or outlook and would not appear unduly overbearing. The proposed means of fenestration would not result in any significant increase in overlooking of neighbouring properties. The proposal is therefore considered acceptable in amenity terms and in this regard would be in accordance within Policy LP10 of the Local Plan.

4. The property has a driveway that is capable of accommodating three vehicles, albeit in a tandem fashion. The on-site parking provision therefore accords with the requirements of the Parking SPD for a four bedroom dwelling. The proposal is in accordance within Policy LP23 of the Local Plan.

**RECOMMENDATION: Refuse**

For the following reason(s):-

1. The proposal would, by reason of its unsympathetic design, in particular its siting, roof configuration and pattern of fenestration to the rear elevation, appear as an incongruous feature at odds with the recipient building and out of character with the wider area to the detriment of visual

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amenity. The proposal is therefore contrary to Policy LP10 of the Gosport Borough Local Plan 2011-2029 and to the Design Guidance Supplementary Planning Document.



**ITEM NUMBER: 09.**  
**APPLICATION NUMBER: 17/00527/FULL**  
**APPLICANT: Mr & Mrs Richard & Kim Catt**  
**DATE REGISTERED: 13.11.2017**

**ERECTION OF SINGLE STOREY SIDE/REAR EXTENSION, FRONT PORCH AND GARAGE**  
**8 Anglesea Road Lee-On-The-Solent Hampshire PO13 9HD**

***The Site and the proposal***

1. The application site is located on the eastern side of Anglesea Road. The property is a two storey detached dwellinghouse constructed of red brick and uPVC windows. At the front of the property there is a porch and garden enclosed with a brick wall. There is also a garage and driveway on the right hand side of the property. The neighbour to the south, 6 Anglesea Road, has an attached garage which is built up along the southern boundary. At the rear are a single storey extension and a garden which is approximately 21m long. The area along Anglesea Road has various types of dwellings including bungalows and semi-detached properties but they are all constructed of similar materials.

2. The proposal is for a single storey extension to take the place of the existing rear conservatory and merging with the new garage via the western elevation of the property forming an 'L' shape. The extension incorporating the garage would be 10.5m in depth, 9m long with a maximum height of 3.5m and an eaves height of 2.2m. The front porch is also to be replaced with a depth of 1.2m, height of 3.5m and length of 2.7m with a pitched roof.

3. This application is being referred to the Regulatory Board for decision as the applicant is employed by the Council.

***Relevant Planning History***

99/00486/FULL - erection of single storey rear extension - permitted 01.06.99

***Relevant Policies***

Gosport Borough Local Plan, 2011 – 2029:  
LP10  
Design

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

National Planning Policy Framework (NPPF), March 2012

***Consultations***

Nil

***Response to Public Advertisement***

Nil

***Principal Issues***

1. The main issues are the appropriateness of the design and proposal, and its impact on the appearance of the locality and the amenities of the occupiers of adjacent properties.

2. The proposal would be subservient to the application property and in keeping in terms of materials. It is not out of character with the surrounding residential area and so the proposal is therefore considered appropriate to the location and would comply with Policy LP10 of the Local Plan 2011-2029.

3. The proposal would only include windows at a ground floor level and therefore would not harm the amenity of the occupants of the properties adjoining or adjacent to the application property in terms of privacy. Whilst the single storey extension would project closer to the southern boundary, it would not be any deeper or higher than the existing conservatory so there would be no harmful loss to light or outlook in accordance with Policy LP10 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:

Sheet 1 of 2

Sheet 2 of 2

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.