

A MEETING OF THE REGULATORY BOARD

WAS HELD ON 12 AUGUST 2008

The Mayor (Councillor Kimber) (ex-officio), Chairman of the Policy and Organisation Board (Councillor Smith) (ex-officio), Councillors Allen (P), Mrs Bailey (P), Carr (P), Carter (P), Dickson (P), Forder (P), Geddes (P), Hicks (P), Mrs Searle (P) and Miss West (P).

53 APOLOGIES

An apology for inability to attend the meeting was received on behalf of the Mayor, Councillor Kimber.

54 DECLARATIONS OF INTEREST

There were none.

55 MINUTES

RESOLVED: That the Minutes of the Regulatory Board meeting held on 15 July 2008 be approved and signed by the Chairman as a true and correct record.

56 DEPUTATIONS

It was reported that a deputation had been received on the following application:-

- Item 6/06 – K16476/1 – 95 Palmyra Road, Gosport

57 PUBLIC QUESTIONS

No public questions had been received.

PART II

58 REPORT OF THE DEVELOPMENT SERVICES MANAGER

The Development Services Manager submitted a report on applications received for planning consent setting out the recommendation in each case (a copy of which is affixed in the Minute Book as Appendix 'A').

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

- 59 K17566 - REDEVELOPMENT OF FORMER CARE HOME TO PROVIDE 14NO. APARTMENTS, 2NO. RETAIL UNITS AND ASSOCIATED EXTERNAL WORKS AND PARKING (CONSERVATION AREA) (as amplified and amended by letters dated 18.6.08, 30.06.08, 24.7.08, 31.07.08, email dated 29.07.08 and plans received 25.07.08 and 31.07.08)
Pier House 1 Marine Parade East Lee-On-The-Solent Hampshire PO13 9LA**

Members welcomed this application for the sympathetic development of this iconic property on the seafront at Lee-on-the-Solent. A Member stated that he had known the property for many years and, having recently been inside the buildings, could see that the current rooms were not suitable for development but that the retention of the façade was an excellent way to retain the character of the property.

RESOLVED: That planning application K17566 – Pier House, 1 Marine Parade East Lee-on-the-Solent be approved, subject to the conditions set out in the report of the Development Services Manager, for the following reason:

- i. That having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the proposal is an acceptable use in this location and will enhance the vitality and viability of the adjacent Shopping centre. The proposal will enhance the historic and architectural character and appearance of the Pier Street Conservation Area and will not have a harmful affect on the Marine Parade Area of Special Character or the amenities of prospective or adjoining occupiers or highway safety conditions in the locality. The proposal also includes measures to promote the use of renewable energy and makes adequate provision for refuse storage, open space and education. As such, the proposal complies with Policies R/DP1, R/DP3, R/DP6, R/DP7, R/DP8, R/DP10, R/BH1, R/BH2, R/CF6, R/S2, R/H4, R/H7, R/OS8, R/T2, R/T4, R/T10, R/T11, R/ENV4, R/ENV10, R/ENV12, R/ENV15 of the Gosport Borough Local Plan Review.

- 60 K8831/24 - PROPOSED SUPPORTED LIVING ACCOMMODATION COMPRISING DEMOLITION OF EXISTING BUNGALOW AND ERECTION OF TWO STOREY L-SHAPED BUILDING (6 UNITS) AND A PAIR OF SEMI-DETACHED BUNGALOWS (2 UNITS) WITH CAR PARKING AND CYCLE AND REFUSE STORAGE (LISTED BUILDING IN CONSERVATION AREA) (as amended by plans received 31.07.08)
Anglesey Lodge Anglesey Road Gosport Hampshire PO12 2DX**

Members were informed that a further objection had been received concerning the siting of the bins for rubbish collection. Officers advised that the Council's contractor required bins to be put out for road collection for this property and that there were no highway safety issues regarding this matter.

RESOLVED: That planning application K8831/24 – Anglesey Lodge, Anglesey Road, Gosport be approved, subject to the conditions set out in the report of the Development Services Manager, for the following reason:

- i. That having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the proposal is an acceptable use in this location and will preserve the architectural and historic character and appearance of the Conservation Area. The proposal will not harm the setting of the Listed Building, or highway safety conditions in the locality, or the amenities of the occupiers of neighbouring residents, or the interests of archaeology or nature conservation. As such the proposal complies with Policies R/DP1, R/DP6, R/DP8, R/BH1, R/BH2, R/BH3, R/BH8, R/T2, R/T11, R/OS10, R/OS11 and R/OS13 of the Gosport Borough Local Plan Review.

61 K16424/2 - DEMOLITION OF SINGLE STOREY SIDE EXTENSION AND TWO STOREY REAR EXTENSION, INTERNAL ALTERATIONS AND ERECTION OF FOUR STOREY EXTENSION TO PROVIDE 5 NO.ONE BEDROOM FLATS AND 3 NO. TWO BEDROOM FLATS WITH ASSOCIATED PARKING AND BICYCLE STORAGE FACILITIES
11A Brockhurst Road Gosport Hampshire PO12 3AJ

Members were informed that this application had been withdrawn prior to the meeting.

62 K6069/10 - ERECTION OF THREE 1 BEDROOM FLATS WITH ASSOCIATED BIN & CYCLE STORAGE (LAND TO THE REAR OF 116 HIGH STREET) (CONSERVATION AREA) (as amended by plans received 24.07.08)
116 High Street Gosport Hampshire PO12 1DU

RESOLVED: That planning application K6069/10 – 116 High Street, Gosport be approved subject to a Section 106 agreement relating to the payment of a commuted sum towards the provision and/or improvement of outdoor playing space and the payment of a commuted sum towards transport infrastructure, services and facilities, and subject to the conditions set out in the report of the Development Services Manager, for the following reason:

- i. Having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the proposal is at an acceptable density for this particular location and will assist in providing a variety of residential accommodation to meet the housing needs of the Borough. The development will be acceptable within the overall street scene and enhance the character and appearance of the Conservation Area, and will not have a detrimental impact on the amenities of neighbouring or prospective occupiers. Adequate provision is made for open space, transport infrastructure, cycle and refuse storage. As such the development complies with Policies R/DP1, R/DP3, R/BH1, R/BH2, R/H4, R/S3, R/S6, R/S7, R/T4, R/T11 and R/OS8 of the Gosport Borough Local Plan Review.

**63 K6069/11 - CONSERVATION AREA APPLICATION - DEMOLITION OF PART OF THE BOUNDARY WALL AND REMOVAL OF IRON STORAGE SHED (LAND TO THE REAR OF 116 HIGH STREET) (CONSERVATION AREA) (as amended by letter dated 01.07.08 and by plans received 28.07.08)
116 High Street Gosport Hampshire PO12 1DU**

RESOLVED: That Conservation Area Consent K6069/11 – 116 High Street, Gosport be approved subject to the conditions set out in the report of the Development Services Manager, for the following reason:

- i. That having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the demolition of these structures will enhance the character and appearance of the Conservation Area and as such complies with Policies R/DP1 and R/BH2 of the Gosport Borough Local Plan Review.

**64 K16476/1 - ERECTION OF TWO STOREY REAR EXTENSION TO PROVIDE 1NO.TWO BEDROOMED GROUND FLOOR FLAT AND 1NO.TWO BEDROOMED FIRST FLOOR FLAT
95 Palmyra Road Gosport Hampshire PO12 4EE**

Members were informed that a word had been missed from the first sentence of paragraph 1 of the reasons for refusal. It should read '..... for the occupiers of the proposed development.' They were further advised that no Section 106 agreement for the payment of a commuted sum towards the provision and/or improvement of outdoor playing space or transport infrastructure, services and facilities had been made, which constituted a further reason for refusal of this application.

Mr Tutton, Agent for this application, was invited to address the Board. He drew Members attention to developments previously allowed in the vicinity of 95 Palmyra Road, especially to the development of 97 Palmyra Road in 1996, when no parking provision had been made and no objection had been raised by Traffic Management. The area benefited from good bus services to the north, west and south, which, in his opinion, made the provision of car parking unnecessary for this current development and Mr Tutton requested the Board to consider the application in the light of a nil requirement for such provision. Mr Tutton stated that Policy RT11 of the Local Plan Review came into effect the day after the application was registered as being received by Development Control. He also said that he had had no time to produce an ecological report concerning the presence of a bat roost at No 95.

In answer to a Members' question concerning the consideration of density in determining the application for 97 Palmyra Road, it was confirmed that both the policy guidelines and the local situation concerning development density and car parking had changed since that development had been allowed and that each application had to be determined on its own merits. Members were aware from their own local knowledge that there was a problem with on street parking in this area. They were also concerned at the potential negative impact on service vehicles attempting to access the service road to the rear of Palmyra Road should further development take place.

A Member queried the siting of notices informing residents of the proposed development and asked whether officers were aware whether residents to the rear of Palmyra Road knew of the application. Officers replied that not receiving an objection from nearby residents did not constitute a reason why the application could not be considered by the Board.

RESOLVED: That planning application K16476/1 – 95 Palmyra Road, Gosport be refused for the following reasons:

- i. The proposed development by reason of its high density constitutes an overdevelopment of the plot which will result in a poor quality of environment for the occupiers of the proposed development. As such, it is contrary to Policy R/H4 of the Gosport Borough Local Plan Review.
- ii. The proposed development provides no provision for on-site car parking which will result in overspill car parking in the surrounding road network to the detriment of local amenity. No provision is made for visitor cycle parking. The proposal therefore conflicts with Policies R/DP1 and R/T11 of the Gosport Borough Local Plan Review.
- iii. The applicant has not submitted a bat survey and the Local Planning Authority are therefore unable to assess whether the proposed development is likely to have a detrimental impact on this protected species or its habitat. The proposal does not therefore comply with Policy R/OS13 of the Gosport Borough Local Plan Review.
- iv. Adequate provision has not been made for outdoor playing space or transport and highway improvements, nor the payment of a commuted sum in lieu of that provision contrary to Policies R/OS8, R/DP3 and R/T4 of the Gosport Local Plan Review.

**65 K10466/3 - DEMOLITION OF EXISTING SINGLE STOREY REAR EXTENSION, INTERNAL AND EXTERNAL ALTERATIONS TO PROVIDE 1ST AND 2ND FLOOR 1 BEDROOMED FLATS WITH ASSOCIATED PARKING AND AMENITY SPACE AND ERECTION OF SINGLE STOREY REAR EXTENSION (as amplified by e-mail received 28.07.08) (CONSERVATION AREA)
5 Stoke Road Gosport Hampshire PO12 1LT**

Members were advised that a Section 106 agreement had been drawn up but not yet signed as the applicants were out of the country. The 8 week date for determination of the application was 21 August 2008. Delegated authority was sought to refuse the application should the Section 106 agreement not be completed by this date.

RESOLVED: That planning application K10466/3 – 5 Stoke Road, Gosport be approved subject to a Section 106 agreement relating to the payment of a commuted sum towards the provision and/or improvement of outdoor playing space and the payment of a commuted sum towards transport infrastructure, services and facilities, and subject to the conditions set out in the report of the Development Services Manager, for the reason listed below. In the event that the Section 106 is not completed by 21 August 2008, authority be delegated to the Head of Development Control to refuse the application.

- i. That having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the proposed development is acceptable in this location. Due to its appropriate design, density and layout, the proposed development will preserve the character and appearance of the Stoke Road Conservation Area. It will not have a detrimental impact on the amenities of neighbouring or prospective occupiers. Adequate provision is made for car parking, open space, cycle and refuse storage. As such, the development complies with Policies R/DP1, R/DP, R/BH1, R/H4, R/S7, R/T2, R/T11, R/OS8, R/DP3 and R/T4 of the Gosport Borough Council Local Plan Review.

The meeting commenced at 6pm and concluded at 6.26pm

CHAIRMAN