

**A MEETING OF THE REGULATORY BOARD
WAS HELD ON 14 JULY 2009**

The Mayor (Councillor Mrs Searle) (ex-officio), Chairman of the P & O Board (Councillor Hook) (ex-officio), Councillors Allen (P), Mrs Bailey (P), Carr (P), Carter (Chairman), Dickson (P) Forder, Geddes (P), Hicks (P), Miss West (P) and Wright (P).

It was reported that, in accordance with Standing Orders, notice had been received that Councillors Langdon and Foster-Reed would replace Councillors Carter and Forder respectively for this meeting.

It was noted that, in the absence of the Chairman, Councillor Carter, the meeting would be chaired by the Vice-Chairman Councillor Geddes.

38 ELECTION OF VICE CHAIRMAN

RESOLVED: That Councillor Allen be appointed Vice-Chairman and that he Chair the meeting for the duration of minute nos. 45 and 46.

39 APOLOGIES

Apologies for inability to attend the meeting were received from the Mayor and Councillors Carter and Forder.

40 DECLARATIONS OF INTEREST

- Councillor Hicks declared a personal interest in item 6/3 – K17540/1 Bay House School and Sixth Form
- Councillor Foster-Reed declared a personal interest in item 6/3 – K17540/1 Bay House School and Sixth Form
- Councillor Allen declared a personal interest in item 6/3 – K17540/1 Bay House School and Sixth Form

Councillor Geddes declared a personal and prejudicial interest in items 6/1 and 6/2, applications K5744/20 and /21 – The Anglesey Hotel, Gosport

41 MINUTES

RESOLVED: That the Minutes of the Regulatory Board meeting held on 16 June 2009 be approved and signed by the Chairman as a true and correct record.

42 DEPUTATIONS

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

- K5744/20 K5744/21 – Anglesey Hotel, 24 Crescent Road, Gosport
A request to make a deputation had been received late and the Board agreed to receive the deputation on application:
- K17540/1 – Bay House School, Gomer Lane, Gosport

43 PUBLIC QUESTIONS

No public questions had been received.

PART II

44 REPORTS 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 attached in the Minute Book as Appendix 'A').

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

- 45 **K5744/20 - ALTERATIONS AND EXTENSIONS TO EXISTING HOTEL (AMENDMENT TO PLANNING CONSENT K5744/18) (LISTED BUILDING IN CONSERVATION AREA) (as amended by Design and Access Statement and plans received 26.03.09)
Anglesey Hotel 24 Crescent Road Gosport Hampshire PO12 2DH**

Note: Councillor Geddes declared a Personal and Prejudicial Interest in this item, left the meeting room and took no part in the discussion and voting thereon. Councillor Allen chaired the meeting for this item.

Members of the Regulatory Board had attended a site visit at 10am on the day of the meeting and viewed the site from the rear yard and from St Mark's Road.

Mr Holley was invited to address the Board. He advised that his concerns were with the rerouting of the fire escape.

Members were advised that the current proposal related only to the increased depth of the extension and that planning permission had been granted for the fire escape in its current position under application K5744/16.

Members were advised that there would have been no objection to the application from officers had it originally been submitted with the alterations

and extension as now submitted.

Members recognised the need for additional hotel space in Gosport.

RESOLVED: That application K5744/20 Anglesey Hotel 24 Crescent Road Gosport be approved subject to a section 106 agreement relating to the payment of a sum towards the funding of a traffic regulation order and subject to the conditions set out in the report of the Development Services Manager, for the following reasons:

- i That having regard to Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations the development is acceptable in this location. There is an identified need for additional hotel accommodation in the Borough and the extension is of an appropriate design, and will not have any detrimental impact on this Listed Building or its setting or the amenities of nearby residents or traffic/parking conditions in the locality, and will enhance the character and appearance of the Conservation Area. As such the development complies with Policies R/DP1, R/DP3, R/BH1, R/BH3, R/CF11, R/T4 and R/T11 of the Gosport Borough Local Plan Review.

- 46 K5744/21 - LISTED BUILDING APPLICATION - ALTERATIONS AND EXTENSION TO EXISTING HOTEL (AMENDMENT TO LISTED BUILDING CONSENT K5744/19) (CONSERVATION AREA) (as amended by Design and Access Statement and plans received 26.03.09)
Anglesey Hotel 24 Crescent Road Gosport Hampshire PO12 2DH**

Note: Councillor Geddes declared a Personal and Prejudicial Interest in this item, left the meeting room and took no part in the discussion and voting thereon. Councillor Allen chaired the meeting for this item.

RESOLVED: That listed building application K5744/21 –Anglesey Hotel, 24 Crescent Road, Gosport be approved subject to the conditions set out in the report of the Development Services Manager, for the following reasons:

- i That having regard to Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations the development is acceptable in this location. It is of an appropriate design and does not have any detrimental impact on this Listed Building or its setting. As such the development complies with Policy R/BH3 of the Gosport Borough Local Plan Review.

- 47 K17540/1 - TEMPORARY USE FOR CAMPING AND CARAVANS (MAXIMUM 6 DAYS PER YEAR) (as amplified by information received 02.07.09)
Bay House School And Sixth Form Gomer Lane Gosport Hampshire PO12 2QP**

Note: Councillors Allen, Foster-Reed and Hicks declared Personal Interests in this item but remained in the meeting room and took part in the discussion and voting thereon.

Members were advised that consultation responses had been received from Natural England and the Environment Agency. There were no objections from either organisation subject to conditions. Officers circulated a revised list of conditions to reflect these responses.

The Head of Environmental Health had confirmed that there was no risk to human health from the landfill to the users of the site for this purpose and the proposal would neither create new pathways for contamination nor allow the build up of gases.

Officers advised that an additional 19 letters of representation had been received most of the issues raised were listed and addressed in the report of the Development Services Manager. The potential issue of odours from both the toilets and cooking had also been raised. Officers advised that the area to be occupied by tents, caravans and the toilet block could be controlled by condition so that there was sufficient distance from residential properties to ensure that odours from these sources would not have a significant impact on residential amenities of adjacent occupiers. In addition objectors were concerned that users of the site would not use the pedestrian and vehicular accesses indicated in the application and cause damage to adjoining properties trying to use alternative ways into and out of the site. Officers advised that this issue could be dealt with by a condition requiring security fencing.

Members were advised that other issues relating to the Stokes Bay Folk Festival, previous breaches of the licence, and the potential for vandalism, hooliganism and alcohol or drug abuse, including the potential for discarded needles were not planning considerations.

Mr Yeomans was invited to address the Board. He advised Members that from the officer updates He was now aware that some of his concerns were not planning considerations but he was concerned about the character and personal connections of the applicant.

He advised the Board that although there had been consultation from Gosport Borough Council regarding the application, there had been none from the organiser of the event. He was concerned that there would be noise issues from cars arriving on site and the transit of in excess of 1000 people to and from the festival site.

A Member advised Mr Yeomans that the Regulatory Board was a quasi judicial body and that every application considered was treated on merit.

In answer to a Member's question, Mr Yeomans advised that the proposed site for camping was significantly closer to residents than the Kingfisher

Caravan Park and that when that the Caravan and Camping Club had used the site, due to the high standards of self regulation, there were never any issues.

Members queried the number of caravan and tent units that would use the site and officers confirmed that this would be determined by the Caravan Site Licence.

A question was raised regarding the safety of the large number of pedestrians who would be using Privett Road and that the access to the site would be close to both Milford and Whitecliff Courts and Galemoor Avenue. Concern was also expressed that residential amenity would be affected should those attending the festival continue to make noise on their return to the site and that this was contrary to policy R/DP1 of the Gosport Borough Local Plan Review. The noise management plan confirmed the potential for noise nuisance.

Members debated the use of an alternative venue for the camping and caravanning site and whether this had been explored by the applicant. They were advised that it would not be possible to refuse the application using the reason that there was a more acceptable alternative site.

A Member advised the Board that consultation with the Police had confirmed that there were no reports of any breaches of law and order at the previous year's event.

In answer to a Members question, the Borough Solicitor advised that there would always be a risk of incurring costs in the event of an appeal against a refusal and that the sum of any costs would be dependent on the individual case. Members were also reminded that the application was for the use of the site for camping and caravanning only and that the identity of the applicant was not a planning matter nor a material consideration.

It was proposed that the application be refused as the proposed use would result in a large number of people coming and going from the site through a residential area which would result in disturbance to occupiers of the properties in that area and a loss of their residential amenity contrary to Policy R/DP1 of the Gosport Borough Local Plan Review.

RESOLVED: That application K17540/1 – Bay House School And Sixth Form, Gomer Lane, Gosport, Hampshire be refused for the following reason

- i The proposed use will result in a large number of people coming and going from the site through a residential area which would result in disturbance to occupiers of the houses in that area and a loss of their residential amenity contrary to Policy R/DP1 of the Gosport Borough Local Plan Review.

**48 K17699 - EXTENSION OF EXISTING CHILDMINDING SERVICE TO CATER FOR UP TO 9 CHILDREN (as amplified by e-mails received 25.06.09)
17 Ensign Drive Gosport Hampshire PO13 9XE**

RESOLVED: That application K17699 – 17 Ensign Drive, Gosport, Hampshire be approved subject to a section 106 agreement relating to 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 reasons:

- 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 increase in the number of children minded at the site will not have a detrimental impact on the residential character of the area, the amenities of the occupiers of the adjoining dwellings, traffic conditions in the locality or highway and pedestrian safety. Provisions have been made for highway and infrastructure improvements and the proposal therefore complies with Policies R/DP1, R/CF5, R/ENV10 and R/T11, R/DP3 and R/T4 of the Gosport Borough Local Plan Review.

**49 K12995/17- EXTENSION TO EXISTING ROCK REVETMENT COMPRISING EXCAVATION OF BEACH MATERIALS, EXTENSION OF EXISTING EAST WEIR WALL, DEPOSITION OF 2M DEPTH OF ADDITIONAL ROCK AND USE OF COUNCIL CAR PARK AS COMPOUND
No.1 Military Training Establishment Fort Monckton Fort Road Gosport Hampshire PO12 2AT**

Members welcomed the fact that the delivery of materials for the site would be by sea.

RESOLVED: That application K12995/17 – No.1 Military Training Establishment Fort Monckton Fort Road, Gosport, Hampshire be approved subject to the conditions set out in the report of the Development Services Manager, for the following reasons

- 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 will not diminish the appearance of the coastal zone or setting of the Scheduled Ancient Monument visually or physically, and will not be detrimental to landward or seaward views or the character and appearance of the area, or the interests of nature conservation, or the highway safety or coastal access. Furthermore the proposal will reduce the risk of flooding. As such, the development complies with Policies R/T2, R/CH1, R/CH2, R/DP1, R/BH8, R/OS1, R/OS11 and R/ENV10 of the Gosport Borough Local Plan Review and Policy NRM4 of The South East Plan.

The meeting commenced at 6.00pm and concluded at 7.13 pm

CHAIRMAN