

**A MEETING OF THE REGULATORY BOARD  
WAS HELD ON 16 FEBRUARY 2010**

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

**140 APOLOGIES**

Apologies for inability to attend the meeting were received from the Mayor and Councillor Mrs Bailey.

**141 DECLARATIONS OF INTEREST**

- Councillor Carter declared a personal and prejudicial interest in item K17769- 3 Flower Buildings, Marine Parade East, Lee-on-the-Solent
- Councillor Miss West declared a personal and prejudicial interest in item K17000/3 – Site of Former Recreation Centre, Davenport Close
- Councillor Allen declared a personal interest in items K9356/2, K9356/3 – 116-118 Priory Road, Gosport and item K17000/3 - Site of the Former Recreation Centre, Davenport Close, Gosport
- The Director of Planning and Economic Development Services declared a personal and prejudicial interest in items K17379/1 and K17755 – Gosport Marina, Mumby Road

**142 MINUTES**

RESOLVED: That the Minutes of the Regulatory Board meeting held on 19 January 2010 be approved and signed by the Chairman as a true and correct record.

**143 DEPUTATIONS**

It was reported that deputations had been received on the following applications:

K17000/3 – Site of Former Recreation Centre, Davenport Close, Gosport  
K9356/2 and K9356/3 – 116-118 Priory Road, Gosport  
K17379/1 and K17755 – Gosport Marina, Mumby Road, Gosport  
K4465/1 – 58 Milvil Road, Lee-on-the-Solent

**144 PUBLIC QUESTIONS**

No public questions had been received.

## PART II

### **145 K17000/3 OUTLINE APPLICATION – REDEVELOPMENT OF EXISTING SITE TO PROVIDE A COMMUNITY SPORT BUILDING AND 14NO. FOUR BEDROOM DWELLINGS (as amplified by letters dated 29.1.10 and 1.2.10)**

**Site of Former Recreation Centre Davenport Close Gosport Hampshire**

**Note: Councillor Miss West declared a Personal and Prejudicial Interest in this item, left the meeting room and took no part in the discussion or voting thereon.**

**Councillor Allen declared a Personal Interest in this item, remained in the meeting room and took part in the discussion and voting thereon.**

Members were asked to consider an outline planning application submitted for the redevelopment of the former Rowner Recreation Centre at Davenport Close to provide a community sports building and 14no four bedroomed dwellings (as amplified by letters dated 29.1.10 and 1.2.10).

Members were updated that further to the concerns raised about car parking it had been clarified that the only occupier of the Community Sports building would be the Gosport Amateur Boxing Club and therefore officers were satisfied that the proposed car parking provision would be adequate.

Mr Heberd was invited to address the Board. He advised that he resided in Hereford Court and was concerned that the proposed development would block the light to the rear of his property. He expressed concern that the alleyway to the rear of his property would attract anti-social behaviour, creating noise disturbance.

In answer to a Member's question, the Board were advised that the application was for outline consent and that the detailed layout and design of the development would be considered at the reserved matter stage and would be the subject of further public consultation.

Members expressed concern that the dwellings could be constructed and occupied without the Community Sports building being completed and in use. To address these concerns it was proposed that condition 9 be amended to read that:

No more than 7 of the residential dwellings hereby permitted shall be occupied and construction of the remaining 7 dwelling units shall not begin until the community building has been constructed and is available for use.

Members agreed to this amendment.

RESOLVED: That:

a) outline consent application K17000/3 – the site of the former Rowner Recreation Centre, Davenport Close, 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 subject to the conditions set out in the report of the Director of Planning and Economic Development Services, 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 development as proposed will compliment the existing and proposed leisure facilities within the area and assist in the wider regeneration of Rowner and provide an enhanced physical environment that will benefit existing and future occupiers of the Estate without adversely impacting on the environment of the site itself or the wider area. As such, the development complies with policies R/DP1, R/CF8, R/CF9, R/CF10, R/H4, R/ENV/4, R/BH8, R/ENV5, R/ENV10, R/ENV11, R/ENV14, R/ENV15, R/OS8, R/T2, R/T3, R/T10 and R/T11 of the Gosport Borough Local Plan Review; and

b) Condition 9 be amended to read that:

No more than 7 of the residential dwellings hereby permitted shall be occupied and construction of the remaining 7 dwelling units shall not begin until the community building has been constructed and is available for use.

#### **146 REPORTS OF THE DIRECTOR OF PLANNING AND ECONOMIC DEVELOPMENT SERVICES.**

The Director of Planning and Economic Development Services 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:

#### **147 K9356/2 - DEMOLITION OF EXISTING DWELLING AND ERECTION OF REPLACEMENT THREE STOREY BUILDING COMPRISING 6NO. ONE BEDROOMED FLATS WITH ASSOCIATED PARKING AND AMENITY SPACE (CONSERVATION AREA) (as amplified by ecological report received 24.11.09)**

**116 - 118 Priory Road Gosport Hampshire PO12 4LQ**

**Councillor Allen declared a Personal Interest in this item, remained in the meeting room and took part in the discussion and voting thereon.**

Members of the Regulatory Board had attended a site visit at 10am on the day of the meeting. They had viewed the site from the rear garden and from the front forecourt to appreciate the relationship of the building to the surrounding dwellings.

Mr Patterson was invited to address the Board. He advised that his son owned

120 Priory Road and that he objected to the construction of the replacement building as he felt the design was out of keeping with the Conservation Area.

He expressed concern that the development would create car parking issues as the plan only included 4 car parking spaces in total for the six flats proposed.

Mr Patterson advised the Board that he was concerned that, as the property was adjacent to 120 Priory Road, the redevelopment would cause subsidence and damage to the property.

Mr Patterson also felt that the level of refuse bins required for the development would be unsightly and attract anti-social behaviour, with passing pedestrians knocking them over and emptying the contents.

Mr Tyrrell was invited to address the Board. He advised that he was agent for the application.

He advised the Board that the building in its current state did not contribute anything to, or enhance the Conservation Area. Refurbishing the existing property would not be practical or viable, largely due to the costs involved.

Mr Tyrrell advised the Board that he had consulted with Planning and Conservation Officers at Gosport Borough Council. He advised that the proposal was for a high quality, residential development that exceeded the requirements of the Building Regulations. The development would be energy efficient and include larger windows to increase the utilisation of daylight, thus reducing energy consumption.

The Board were advised that the proposals were sensitive to the Conservation Area.

To address Mr Patterson's concerns, Mr Tyrrell advised that provision had been made for a bin store at the rear of the proposed property and that the excavation of the site would be covered under the Party Wall Act.

In answer to a Member's question, Mr Tyrrell advised that the proposed property would be no wider than and shallower than the existing property. The height of the proposal and impact on the streetscene had also been discussed with the Conservation Officer.

Mr Tyrrell advised that there was no intention to cause damage to Mr Patterson's property and that consideration would be given to these issues at the Building Regulation stage of the development.

In answer to a Member's question, Mr Tyrrell advised that the design of the building was subjective; it had not been the intention of the applicant to construct a new building that looked 100 years old. He reiterated that he had consulted at length with the Conservation Officer with regard to the proposed design to ensure that it enhanced the Conservation Area.

Members debated whether the modern design of the proposal was suitable for this Conservation Area.

RESOLVED: That application K9356/2 – 116-118 Priory 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 the transport infrastructure, services and facilities and subject to the conditions set out in the report of the Director of Planning and Economic Development Services, 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 proposed development is acceptable in this location. Due to its appropriate design, density and layout, the proposed replacement building will enhance the character and appearance of the Hardway Conservation Area. It will not have a detrimental impact on the amenities of neighbouring or prospective occupiers and will not interfere with existing access arrangements. Adequate provision is made for car parking, cycle parking, refuse storage, open space and highway and infrastructure improvement and there will be no impact on protected species. As such, the development complies with Policies R/DP1, R/BH1, R/BH2, R/H4, R/T11, R/OS8, R/OS13, R/DP3 and R/T4 of the Gosport Borough Council Local Plan Review.

**148 K9356/3 - CONSERVATION AREA APPLICATION - DEMOLITION OF EXISTING TWO STOREY DWELLING  
116 - 118 Priory Road Gosport Hampshire PO12 4LQ**

**Councillor Allen declared a Personal Interest in this item, remained in the meeting room and took part in the discussion and voting thereon.**

RESOLVED: That Conservation Area application K9356/3 – 116-118 Priory Road, Gosport, be approved subject to the conditions set out in the report of the Director of Planning and Economic Development Services for the following reason:

- i That having regard to Section 38(6) of the Planning and Compensation Act 2004 and all other material considerations, the building in its current condition does not make a significant contribution to the character of the area. Detailed proposals have been approved for the redevelopment of the site and a condition will ensure the redevelopment will be carried out following the demolition. As such the proposal complies with Policy R/BH2 of the Gosport Borough Local Plan Review.

**149 K17379/1 – CONTINUED USE OF LAND AS ANCILLARY CAR PARK AND BOAT STORAGE AREA (FURTHER TO EXPIRY OF TEMPORARY PERMISSION K/17379)  
Gosport Marina Mumby Road Gosport Hampshire PO12 1AH**

**Note: The Director of Planning and Economic Development Services**

**declared a Personal and Prejudicial Interest in this item, left the meeting room and took no part in the discussion.**

Mr Boissier was invited to address the Board. He advised that he was the Chief Executive of Premier Marinas, the owner and operator of the site.

Mr Boissier advised that Premier Marinas had owned the site for a number of years and were fully supportive and committed to working with the Council towards the Masterplan for the waterfront area.

Members welcomed that the application was for a temporary period of up to 5 years.

RESOLVED: That application K17379/1 – Gosport Marina, Mumby Road, Gosport, be granted temporary consent for continued use of land as an ancillary car park and boat storage area subject to the conditions set out in the report of the Director of Planning and Economic Development Services 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 proposed continued use is acceptable in this location on a temporary basis and will enhance the existing marina facility. It will not prejudice the future comprehensive redevelopment of the area. The proposals will not be harmful to the character or appearance of the designated coastal zone, or wider area, or the amenities of nearby residents, or nature conservation interests, or result in the pollution of controlled waters or adversely affect traffic/parking conditions in the locality. As such, the proposal complies with Policies R/DP1, R/DP4, R/EMP2, R/EMP4, R/EMP7, R/CH1, R/OS11, R/ENV2, R/ENV10, R/T2, R/T10 and R/T11 of the Gosport Borough Local Plan Review.

**150 K17755 – 152 BOAT DRYSTACK FACILITY WITH ASSOCIATED CONCRETE HARDSTANDING, PONTOONS AND 4NO. PILES FOR A TEMPORARY PERIOD OF 5 YEARS (as amended by plans received 7.1.10)**

**Gosport Marina Mumby Road Gosport Hampshire PO12 1AH**

**Note: The Director of Planning and Economic Development Services declared a Personal and Prejudicial Interest in this item, left the meeting room and took no part in the discussion.**

RESOLVED: That application K17755 – Gosport Marina, Mumby Road, Gosport, be granted temporary consent for 152 boat drystack facility with associated concrete hardstanding pontoons and 4no. piles for temporary period of 5 years be approved subject to the conditions set out in the report of the Director of Planning and Economic Development Services 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 acceptable in this location on a temporary basis and will enhance the existing marina facilities. It will not prejudice the future comprehensive redevelopment of the area or be harmful to the character or appearance of the designated coastal zone, or wider area, or the amenities of nearby residents, or the nature conservation interests of the site, or result in the pollution of controlled waters or adversely affect traffic/parking conditions in the locality. As such, the proposal complies with Policies R/DP1, R/DP4, R/EMP2, R/EMP4, R/EMP7, R/CH1, R/OS11, R/ENV2, R/ENV10, R/ENV11, R/T2, R/T10 and R/T11 of the Gosport Borough Local Plan Review.

**151 K17770/1 – USE OF BUILDING 40 AS CLASS B1 OFFICE (PREVIOUSLY ANCILLARY OFFICE) FOR A TEMPORARY PERIOD OF 5 YEARS**  
**Royal Hospital Haslar Haslar Road Gosport PO12 2AA**

Members were advised that one letter of representation had been received raising concerns about applications K17770/1 and K17770 with regard to the proposals setting a precedent for the future development of the site and the potential for increased traffic generation.

Members were advised that change of use applications had been considered in the light of the level of traffic generated when the site was fully operational and that they were for temporary permission whilst the Masterplan for the site was being developed.

RESOLVED: That change of use application K17770/1- Royal Hospital Haslar, Haslar Road, Gosport, be granted temporary consent subject to the conditions set out in the report of the Director of Planning and Economic Development Services for the following reason:

- i. The change of use of the ancillary offices to Class B1 offices on a temporary basis will not prejudice the implementation of any comprehensive proposals for the site and will not have a harmful effect on highway safety conditions in the locality or the amenities of other prospective occupiers of the site or the character or appearance or setting of the listed buildings or the wider Conservation Area or the historic garden. Moreover, the proposal will allow the use of this important building to be continued thereby reducing the risk of deterioration. As such, the proposal complies with Policies R/CF2, R/EMP6, R/DP1, R/T11, R/BH1, R/BH3 and R/BH6 of the Gosport Borough Local Plan Review.

**152 K17770 – TEMPORARY USE OF 15 ANCILLARY RESIDENTIAL UNITS TO 15NO. DWELLINGS (CLASS C3) FOR A TEMPORARY PERIOD OF UP TO FIVE YEARS (LISTED BUILDINGS IN CONSERVATION AREA) (as amplified by emails receive 28.1.10 and 29.1.10 and plans received 1.2.10)**  
**Royal Hospital Haslar Haslar Road Gosport Hampshire PO12 2AA**

RESOLVED: That temporary consent application K17770 – Royal Hospital

Haslar, Haslar Road, Gosport, be approved subject to the conditions set out in the report of the Director of Planning and Economic Development Services for the following reason:

- i. The change of use of the ancillary dwellings to Class C3 residential dwellings on a temporary basis will not prejudice the implementation of any comprehensive proposals for the site and will not have a harmful effect on highway safety conditions in the locality. A satisfactory living environment will also be provided for prospective occupiers and the proposal will allow these historically important buildings to be brought back into use thereby reducing the risk of deterioration. As such, the proposal complies with Policies R/CF2, R/DP1, R/T11, R/BH1, R/BH3 and R/BH6 of the Gosport Borough Local Plan Review.

**153 K17769 – CHANGE OF USE FROM SHOP (CLASS A1) TO HOT FOOD TAKE-AWAY (CLASS A5) (CONSERVATION AREA)  
3 Flower Buildings Marine Parade East Lee-on-the-Solent  
Hampshire PO13 9LB**

**Note: Councillor Carter declared a Personal and Prejudicial Interest in this item, left the meeting room and took no part in the discussion or voting thereon. Councillor Geddes chaired the meeting for the duration of minute number 153.**

RESOLVED: That change of use application K17769 – 3 Flower Buildings, Marine Parade East, Lee-on-the-Solent, be approved subject to the conditions set out in the report of the Director of Planning and Economic Development Services 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 proposed change of use is acceptable in this location. The development will enhance the leisure related provision of facilities for both visitors and tourists in this seafront location. It will not have any detrimental impact on the design of the building and will preserve the character and appearance of the Lee-on-the-Solent Conservation Area. It will not have a detrimental impact on the traffic or parking conditions in the locality, the amenities of nearby residents through noise or smell generation, or adjacent uses. As such, the proposal complies with Policies R/DP1, R/BH1, R/OS1, R/CH1, R/S8, R/CF10, R/T11 and R/ENV10 of the Gosport Borough Local Plan Review.

**154 K4465/1 ERECTION OF CAR PORT AND REPLACEMENT GARAGE ON SIDE OF PROPERTY AND REAR CONSERVATORY (as amplified by email received 16.12.09)  
58 Milvil Road Lee-on-the-Solent Hampshire PO13 9LX**

The Board agreed that Mrs Newsome of 60 Milvil Road be allowed to address the Board.

Mrs Newsome advised the Board that she was concerned about the level of car movements that would pass her lounge window. She used the window for ventilation and was concerned about the noise levels and pollution that would result from the proposal.

Mrs Newsome also expressed concern that the proposal would result in the sunlight to her property being reduced.

In answer to a Member's question Mrs Newsome advised that she thought that there were 2 cars and a van used by the residents of 58 Milvil Road.

Mrs Goodall was invited to address the Board. She advised that she was the owner of 58 Milvil Road and that she felt the application had been designed to improve and enhance the appearance of the property.

She advised that the existing garage was decaying and that it was narrow and impractical for vehicle storage. It was intended that the car port would allow Mr Goodall's employment van to be kept away from the front of the property.

The Board were advised that the design of the carport was to a high standard and that the roof would be made of Perspex to allow light through. In addition, suitable drainage would be installed.

Mrs Goodall advised that the van would only be used 4 days a week and that the proposed garage would only be a few inches higher than the garage currently in place.

In answer to a Member's question, Mrs Goodall advised that in addition to Mr Goodall's employment van, the Goodall's owned one car. The Board were advised that a car belonging to Mr and Mrs Goodall's daughter, who was currently working abroad, was being kept off-road at 58 Milvil Road.

Members acknowledged the concerns of Mrs Newsome but recognised that Mr and Mrs Goodall had worked hard to ensure the design was acceptable.

RESOLVED: That application K4465/1 – 58 Milvil Road, Lee-on-the-Solent, be approved subject to the conditions set out in the report of the Director of Planning and Economic Development Services for the following reason:

- i. That having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act and all other material considerations, the development as proposed will not have a detrimental impact on the appearance of the dwelling, the character or visual amenity of the locality, the amenities of the occupiers of adjoining properties, or on local parking and traffic conditions. As such, the development complies with Policies R/DP1 and R/T11 of the Gosport Borough Local Plan Review.

The meeting commenced at 6.00pm and concluded at 7.00 pm

CHAIRMAN