

**A MEETING OF THE REGULATORY BOARD
WAS HELD ON 20 APRIL 2010**

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

173 APOLOGIES

Apologies for inability to attend the meeting were received from the Mayor and Councillor Ms Ballard.

174 DECLARATIONS OF INTEREST

Councillor Allen advised the Board that he had been in discussion with the applicant of agenda item no 8 and would leave the room for the duration of its discussion and the voting thereon.

175 MINUTES

RESOLVED: That the Minutes of the Regulatory Board meeting held on 16 March 2010 be approved and signed by the Chairman as a true and correct record.

176 DEPUTATIONS

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

K2877/5 – The Wych Way Inn, 163 Wych Lane, Gosport

K2834/2 – 100 Park Road, Gosport

177 PUBLIC QUESTIONS

No public questions had been received.

PART II

178 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:

**179 K2877/5 ERECTION OF REPLACEMENT SINGLE STOREY SIDE/REAR EXTENSION; INSTALLATION OF ATM; AND EXTERNAL ALTERATIONS AND REPLACEMENT OF WINDOWS AND DOORS (as amended by plans received 08.02.10 and amplified by letter dated 19.03.10)
The Wych Way Inn 163 Wych Lane Gosport Hampshire PO13 0NW**

Members of the Regulatory Board had attended a site visit at 8am on the day of the meeting. They had viewed the pedestrian activity of school children and the vehicular activity around the site. Members were advised that the Local Highway Authority had no objection to the amended proposals for the relocation of the ATM and noted that the ATM was unlikely to generate a significant number of trips in its own right. It was also noted that customers were unlikely to park on the highway to use the ATM rather than use the allocated car park.

Mrs Hope declined the opportunity to address to the Board.

Mr Collett was invited to address the Board. He reiterated that the application was for a replacement extension, windows and doors and the installation of an ATM. The conversion of the site to a convenience store was permitted development and was not a consideration for this application.

He advised that the Local Highway Authority had accepted the amended plans for the positioning of the ATM and did not object to the proposal and that the ATM would be used by customers of the convenience store.

Mr Collett advised that he could not clarify the servicing arrangements for the store, but that it was not a consideration for this application.

In answer to a Member's question, the Board were advised that no consultancy had taken place with regard to increased level of lorry movement; however, this did not form part of this application.

Mr Collett concluded by advising the Board that the development was appropriate for, and would improve the appearance of the site and that he endorsed the Officer's recommendation. .

Members acknowledged that the change of use of the site was not for consideration as part of this application, but were concerned at the increased use of the site and car park.

Members expressed concern that the increase in vehicles coming on to the site would create a danger for children crossing the car park whilst walking to school. The Board were advised that a footpath was available for use but Members felt that measures needed to be taken to prevent children crossing the car park whilst walking to school.

Members requested that a 4ft barrier fence be erected along the perimeter of the

car park, along Brewers Lane to prevent children from walking across the car park.

In answer to a Member's question, the Board were advised that further consultation would need to be undertaken prior to attaching a condition to the application requesting the erection of fencing.

It was requested that in addition to the Local Highway Authority, consultation also be undertaken with the Safer Routes to School Partnership.

RESOLVED: That application K2877/5 – The Wych Way Inn, 163 Wych Lane, Gosport be deferred pending consultation with the Local Highway Authority and the Safer Routes to School Partnership with regard to investigations into the installation of 4ft barrier fencing along the length of the car park perimeter at Brewers Lane.

**180 K11748/10 - ERECTION OF DOUBLE GARAGE, BOUNDARY WALLS AND GATES (LISTED BUILDING IN CONSERVATION AREA) (as amended by plans received 19.02.10)
24 Bury Road, Gosport, Hampshire, PO12 3UD**

In answer to a Member's question, the Board were advised that the applicant had made attempts to establish the ownership of the access way. The Local Highway Authority had confirmed that it did not belong to Hampshire County Council. It was felt that the applicant had made every effort to identify any additional owners and that the land was owned by the applicant.

RESOLVED: That application K11748/10 –24 Bury 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 Compulsory Purchase Act 2004 and all other material considerations the proposed development is acceptable in this location. It is of an appropriate design, does not have any detrimental impact on the amenities of adjoining residents, highway safety, this Listed Building or its setting and will enhance the character and appearance of the Conservation Area. As such the development complies with Policies R/DP1, R/BH1, R/BH3, R/T11 and R/ENV10 of the Gosport Borough Local Plan Review.

**181 K11748/11 – LISTED BUILDING APPLICATION - DEMOLITION OF EXISTING GARAGE, ERECTION OF DOUBLE GARAGE AND GARDEN WALLS ALONG WITH NEW GATES IN EXISTING GARDEN WALL (CONSERVATION AREA) (as amended by plans received 19.02.10)
24 Bury Road, Gosport, Hampshire, PO12 3UD**

RESOLVED: That listed building application K11748/10 –24 Bury 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 Compulsory Purchase Act 2004 and all other material considerations the development 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.

**182 K2834/2 - OUTLINE APPLICATION - ERECTION OF DETACHED BUNGALOW AND GARAGE
100 Park Road, Gosport, Hampshire, PO12 2HH**

Members were advised that as the application proposed a new dwelling, it required a Section 106 agreement which was yet to be completed. It was requested that, should the Board agree with the Officer's recommendation, the following two additional reasons for refusal be included.

- The proposed development does not make adequate provision for outdoor playing space, contrary to Policy R/OS8 of the Gosport Borough Local Plan Review.
- The proposed development does not make adequate provision for transport, infrastructure, services and facilities contrary to Policies R/DP3 and R/T4 of the Gosport Borough Local Plan Review.

Officers also requested that authority be delegated to the Head of Development Control to negotiate and complete a Section 106 agreement for the payment of commuted sums towards outdoor playing space and transport infrastructure, services and facilities in the event that an appeal is received following refusal of the application by the Board should Members agree with the Officer's recommendation.

Mr Little was invited to address the Board. He advised that he resided at 112 Park Road, adjacent to the site. He distributed photographs of the proximity of the access way to the proposed development to his property.

He advised that he had concerns with regard to the location of the proposed access and its proximity to his property, in particular that four windows of his property would overlook the access way.

Mr Little felt that the dimensions given for the access way were inaccurate and that it was too narrow and, as a result, would be unsuitable for larger vehicles and unsafe for pedestrians. He also felt that visibility for vehicles exiting the access way would be poor.

He expressed concern that the removal of a tree from the rear of 100 Park Road would reduce the privacy of the rear garden and disturb the wildlife established in the garden.

He also felt that the additional noise, lighting and bins would compromise the security of existing residents.

Mr Little concluded by advising the Board that he was concerned as to how the proposed development would have an impact on his son's Cerebral Palsy.

Ms Jones was invited to address the Board. She advised that she resided at 96 Park Road and that there were a number of concerns that had been identified in the letters of representation.

Ms Jones considered the proposed development to be intrusive and that it would result in a loss of privacy not only to the residents of Park Road, but to those of Ewer Common and Mount Pleasant Road. Ms Jones also highlighted that the proposed property would not benefit from any degree of privacy as it would be overlooked by surrounding properties on all sides.

Ms Jones advised that the large central area of rear gardens was an important feature of the properties that provided a safe and secure area for children to play and a haven for wildlife.

Ms Jones concluded by advising the Board that residents were concerned that should the proposal be approved, it would set precedence for other similar developments within the area and have a detrimental impact on the character and amenity of surrounding properties.

Mr Day was invited to address the Board. He advised that he was the applicant and that he resided at 114 Park Road and owned 100 Park Road. He also advised that he had previously seen the photos distributed by Mr Little.

Mr Day advised that, in response to the objections identified, the proposed development would not be overbearing as it was single storey and that 96 Park Road already overlooked the site, as it was a three storey town house.

He advised that the existing properties in Park Road were not uniform in appearance or size and that backland building had been approved at a number of other sites within Gosport Borough.

Mr Day advised that the dwelling would be suitable for one family would not lead to an increase in noise. Car parking for the dwelling would be either in the garage or on the driveway and not increase the levels of cars parked in Park Road. In addition, any wildlife disturbed would return to the area.

Mr Day concluded by advising the Board that there was a shortage of housing in Gosport and particularly a shortage of bungalows.

Councillor Mrs Cully as Ward Councillor for the Town Ward was invited to address the Board. She advised that she had been asked to address the Board on behalf of local residents. Concern had been expressed that the proposed development would impact on the privacy of properties adjacent to the proposed development site and that backland building on the site would create a precedent in the area. Residents felt that the conservation of the gardens in the area was important and they strongly agreed with the Officers' recommendation of refusal.

Members felt that backland development was out of character and out of keeping with the area and supported the Officers' recommendation of refusal.

RESOLVED: That outline application K2834/2 – erection of a detached bungalow and garage 100 Park Road, Gosport, be refused for the following reasons:

- i. The proposed development, by reason of its location and means of access, would result in an undesirable form of development, out of keeping with the established pattern of residential development in the locality and would therefore be detrimental to the character of the area and prejudicial to the amenities of existing and prospective residents, contrary to Policy R/DP1 of the Gosport Borough Local Plan Review.
- ii. The use of the access to the site to serve a new dwelling, by virtue of its close proximity to 112 and 100 Park Road and associated activity relative to the boundary with 96 Park Road, would be detrimental to the amenities of adjoining residents, contrary to Policy R/DP1 of the Gosport Borough Local Plan Review.

and that additional reasons for refusal be included as below:

- iii. The proposed development does not make adequate provision for outdoor playing space, contrary to Policy R/OS8 of the Gosport Borough Local Plan Review.
- iv. The proposed development does not make adequate provision for transport, infrastructure, services and facilities contrary to Policies R/DP3 and R/T4 of the Gosport Borough Local Plan Review.

And that authority be delegated to the Head of Development Control.....S106

**183 K17320/4 - ERECTION OF A 3 STOREY BLOCK (WITH 2 STOREY ELEMENT AT THE SOUTH EASTERN END) OF 9NO. TWO BEDROOM, 2NO.ONE BEDROOM AND 3NO.3 BEDROOM APARTMENTS WITH AMENDED ROOF DESIGN, ROOF TERRACE AND ASSOCIATED CAR AND CYCLE PARKING (AMENDED SCHEME TO K.17320/3) (as amended by plans received 29.03.10 and 31.03.10)
6 , 7, & 8 Marine Parade East Lee-On-The-Solent Hampshire PO13 9LA**

Members were advised that an amendment was proposed to condition 6 of the recommendation as the details of boundary treatment were not set out fully on the submitted plans. Condition 6 was to be amended to read as follows:

No development above slab level shall take place until full details of the hard landscaping works have been submitted to and approved, in writing, by the Local Planning Authority and these works shall be carried out as approved. These

details shall include samples of all surfacing materials and boundary treatment.
Reason - In the interests of amenity and the appearance of the locality, and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

RESOLVED: That application K17320/4 – 6, 7 & 8 Marine Parade East, Lee-on-the-Solent, 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 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 is acceptable in this location and the design reflects the existing character of Marine Parade East. It will not have a significant impact on the amenities of adjoining residents and adequate provision is made for car parking, off site transport infrastructure, cycle parking, refuse storage, and open space. As such it complies with Policies R/DP1, R/DP3, R/DP10, R/H4, R/T4, R/T11, R/CF6 and R/OS8 of the Gosport Borough Local Plan Review and the Marine Parade Supplementary Planning Document.

And that condition 6 of the report of the Director of Planning and Economic Development Services be amended to read

No development above slab level shall take place until full details of the hard landscaping works have been submitted to and approved, in writing, by the Local Planning Authority and these works shall be carried out as approved. These details shall include samples of all surfacing materials and boundary treatment.
Reason - In the interests of amenity and the appearance of the locality, and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

**184 K11595/1 – REMOVAL OF EXISTING LIGHTING COLUMNS AND THE INSTALLATION OF 6NO. 15 METRE HIGH GALVANISED STEEL LIGHTING COLUMNS AND LIGHTS TO SERVE THE EXISTING TRAINING PITCH (CONSERVATION AREA) (as amplified by details and plan received 08.02.10)
Gosport & Fareham Rfc Dolphin Crescent Gosport Hampshire PO12 2HE**

Members were advised that additional information had been provided detailing the colour and angling of the floodlights, but condition 4 of the report of the Director of Planning and Economic Development Services was still required as part of the recommendation.

RESOLVED: That application K11595/1 – Gosport and Fareham RFC Dolphin Crescent, 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 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. It is of an appropriate design and will preserve the character and appearance of the Conservation Area and this historic park. It will not have a detrimental impact on the amenities of nearby residents in terms of light pollution or the adjoining important areas for Nature Conservation. As such the development complies with Policies R/DP1, R/BH1, R/BH7, R/OS3, R/OS4, R/OS12 and R/ENV11 of the Gosport Borough Local Plan Review.

**185 K1870/7 - OUTLINE APPLICATION - PART DEMOLITION OF EXISTING BUILDING AND ERECTION OF 1NO. DETACHED TWO STOREY DWELLING
142 Portsmouth Road Lee-On-The-Solent Hampshire PO13 9AE**

In answer to a Member's question, it was clarified that the application was for an additional dwelling on the site.

RESOLVED: That outline application K1870/7 – 142 Portsmouth 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 2004 and all other material considerations, the development as proposed has an acceptable residential density and will not have a detrimental impact on the character or visual amenity of the area, the amenities of adjoining or prospective occupiers or highway safety. Adequate provision is made for open space, transport infrastructure, car and cycle parking and refuse storage. As such, the proposal complies with Policies R/DP1, R/DP3, R/H4, R/T4, R/T11 and R/OS8 of the Gosport Borough Local Plan Review.

**186 K4352/5 - CHANGE OF USE FROM MIXED USE COMPRISING BAR, NIGHTCLUB AND RESIDENTIAL ACCOMMODATION TO A MIXED USE COMPRISING A GROUND FLOOR BAR/RESTAURANT, FIRST FLOOR RESTAURANT AND FUNCTION ROOM AND 9NO. BEDROOM HOTEL (CONSERVATION AREA) (as amended by plan received 17.03.10 and amplified by e-mails received 29.03.10 and 31.03.10)
Waterfront Quay 74 High Street Gosport Hampshire PO12 1DR**

Councillor Allen left the room and took no part in the discussion of this item and the voting thereon.

Members were advised that a letter of objection had been received identifying concerns that the proposals had not been discussed with neighbouring residents and business owners, that there was no car parking provision on site and that the building work would be disruptive. Officers clarified that the application had been publicly advertised and that there was no existing car parking provision on the

site or proposed as part of the application and that possible disturbance during construction works was not a planning issue.

RESOLVED: That application K4352/5 – 74 High Street, 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 the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the development as proposed is acceptable in this location. It will enhance the vitality and viability of the High Street, contribute to the daytime and evening leisure economy and provide additional employment opportunities for residents of the Borough. The proposal preserves the character and appearance of the High Street Conservation Area and will not adversely affect the amenities of nearby residents through noise or smell generation or traffic and parking conditions in the locality. The proposed uses do not pose an increased risk to people and property as a result of flooding and will not have an adverse impact on nature conservation interests. The proposal therefore complies with PPS9 and PPS25 and Policies R/DP1, R/BH1, R/S2, R/CF11, R/T11, R/ENV10 and R/OS11 of the Gosport Borough Local Plan Review.

**187 K17734 - ERECTION OF TWO STOREY REAR EXTENSION AND SINGLE STOREY FRONT EXTENSION
44 Fitzroy Drive Lee-On-The-Solent Hampshire PO13 8LZ**

RESOLVED : That application K17734 – 44 Fitzroy Drive, 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 development as proposed is acceptable in this location. It is of an appropriate design and will not have any detrimental impact on the street scene, amenities of adjoining residents or highway safety. As such the proposal complies with Policies R/DP1 and R/T11 of the Gosport Borough Local Plan Review.

**188 K17789 - CHANGE OF USE OF ALBERT BLOCK (BUILDING 25) AND THE SENIOR RATES MESS (BUILDING 36) FROM ANCILLARY RESIDENTIAL ACCOMMODATION TO STUDENT ACCOMMODATIONS (SUI GENERIS) FOR A TEMPORARY PERIOD OF 5 YEARS (CONSERVATION AREA)
Royal Hospital Haslar Haslar Road Gosport Hampshire PO12 2AA**

Members were advised that a letter of representation had been received expressing concern that the site was not suitable for student accommodation for the following reasons:

- 1.) Poor transport links;
- 2.) Inadequate facilities;

- 3.) Separation distance from University;
- 4.) Safety and security at the site.

It also questioned whether the development would preserve Listed buildings on the site.

Members were also advised that a request had been made to extend the expiry date of the temporary consent to 31 July 2015, to accommodate the conclusion of the academic year.

Concern was expressed that the residential use of the site would increase traffic levels. Members were advised that as the proposal was for student accommodation, car ownership was anticipated to be low. In addition, a shuttle bus would run from the site to the ferry.

Members acknowledged that vehicle movement to the site was greater when the site was previously used as a hospital and that bringing the buildings back into use would prevent them falling into disrepair.

RESOLVED: That change of use application K17789 –Royal Hospital Haslar be granted temporary consent subject to the conditions set out in the report of the Director of Planning and Economic Development Services for the reasons below

- I The change of use of the existing ancillary accommodation to sui generis student accommodation 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 the buildings which form an important part of the historic setting of the hospital 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.

And that the expiry date of the temporary consent be extended until 31st July 2015 to accommodate the academic year for students.

189 K17778 – REGULATION 3 – RETENTION OF EXTERNAL ALTERATIONS TO REDUCE EXISITING OPENING AND INSTALLATION OF REPLACEMENT DOORS UNIT 7 WILMOTT LANE DEPOT WILMOTT LANE GOSPORT HAMPSHIRE PO12 3RY

RESOLVED: That regulation 3 application K17778 – Unit 7, Wilmott Lane Depot, Wilmott Lane, Gosport be approved subject to the conditions set out in the report of the Director of Planning and Economic Development Services for the reasons below:

- 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 is acceptable in this location and as such

complies with Policy R/DP1 of the Gosport Borough Local Plan Review.

**190 K17784 – REGULATION 3 – INSTALLATION OF EXTERNAL WALL
CLADDING/INSULATED RENDER SYSTEM
1-12 BRIDGE HOUSE GREGSON AVENUE GOSPORT HAMPSHIRE
PO13 0UX**

RESOLVED: That regulation 3 application K17784 – 1-12 Bridge House, Gregson Avenue, be approved subject to the conditions set out in the report of the Director of Planning and Economic Development Services for the reasons below:

- 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 is appropriate in terms of design, the effect on the street scene and energy conservation. As such the proposal complies with Policies R/DP1 and R/ENV14 of the Gosport Borough Local Plan Review.

The Chairman thanked Members of the Regulatory Board and Officers for their work during the past Municipal Year.

The meeting commenced at 6.00pm and concluded at 7.16 pm

CHAIRMAN