

**AN EXTRAORDINARY MEETING OF THE REGULATORY BOARD
WAS HELD ON 29 MARCH 2012**

The Mayor (Councillor Carter CR) (ex-officio), Chairman of the P & O Board (Councillor Hook) (P), Councillors Allen (P), Mrs Bailey (P), Beavis (P), Geddes, Henshaw (P), Hylands (P), Langdon (P), Philpott (Chairman) (P), Ronayne (P), Scard (P), Smith (P) and Wright.

86 APOLOGIES

Apologies for inability to attend the meeting were received from the Mayor and Councillors Geddes and Wright for whom Councillors Hook and Mrs Searle were substitutes.

87 DECLARATIONS OF INTEREST

- Councillor Beavis declared a Personal and Prejudicial interest in application K17976 – HMS Daedalus
- Councillor Hylands advised that he was aware that the depute on HMS Daedalus was a customer in his Public House, but that he did not consider him to be a personal friend.
- Councillor Mrs Searle declared a Personal and Prejudicial interest in application K18015 – 2 Shaftesbury Road

88 MINUTES

A revised minute number 81 was tabled at the meeting.
RESOLVED: That the revised Minutes of the Regulatory Board meeting held on 06 March 2012 be approved and signed by the Chairman as a true and correct record.

89 DEPUTATIONS

Deputations had been received on the following applications

K17976 – HMS Daedalus
K18015 – 2 Shaftesbury Road

90 PUBLIC QUESTIONS

No public questions had been received.

PART II

**91 OUTLINE PLANNING APPLICATION LAND AT FORMER HMS
DAEDALUS**

Councillor Beavis declared a personal and prejudicial interest in this item and left the room following the deputations and took no part in the voting

thereon.

Consideration was given to the report of the Borough Solicitor considering application K17976 for Outline Consent for an employment led mixed use scheme including up to 69,992m² of commercial floor space in new buildings and reuse of existing buildings (Use Classes B1, B2 and B8); up to 1,075m² 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 1,839m² of community use (Use Class D1); up to 8,320m² of hotel use (Use Class C1); up to 2,321m² 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 including works affecting Listed Buildings and, in part, within a Conservation Area (as amended by revised Design and Access Statement, amended plans, Second Addendum to Environmental Statement, Appropriate Assessment Screening Report, Transport Assessment Supplementary Technical Response, Delivery and Service Plan, and Framework Travel Plan all received 25.01.2012, additional plans received 24.02.12 and revised Heritage Statement and amended plans received 06.03.12) with all matters reserved except for access at Land at HMS Daedalus, Chark Lane, Lee-on-the-Solent, PO13 9FL

Members were informed that following receipt of additional information to clarify points relating to highway and ecological matters the description should also now make reference to additional information received on a number of issues. In addition, Members were advised that following the Government's publication of the National Planning Policy Framework on Tuesday, 27 March 2012 changes were required to be made to the report as published. A written note of updates and amendments following the introduction of the National Planning Policy Framework was provided to the Members at the start of the meeting and included in the minute book as appendix A.

Mr Russell was invited to address the Board. He advised that he had requested to address the Board as a hovercraft enthusiast. He advised that he had no issue with the content of the report, or the recommendation but was concerned at the level of consideration that had been given to the preservation of the hovercraft museum on site.

Mr Russell advised the Board of the history of the hovercraft and the important role they played in recent conflicts and the important role that HMS Daedalus had played in the development and training of hovercraft use .

Mr Russell acknowledged that the report gave credence to the hovercraft on site, but that there was not enough detail on the proposed size of the proposed museum or where it would be located.

Mr Russell advised that he was representing the Hovercraft Society and that they held meetings and seminars at the museum at Daedalus. The Board was advised that there was a growing interest in Hovercrafts and that model hovercraft clubs had been set up and that they were now being created world wide.

Mr Russell reiterated to the Board that he felt the report did not reflect the historical significance of the hovercraft on site.

Mr Russell concluded by advising that if required, he had a team of volunteers that were prepared to assist in the redevelopment of the museum.

A Member of the Board clarified that at this stage the application was for Outline consent and that the significance of the hovercraft on site was reflected in the Planning Officer's report. In addition, the Board was advised that the commitment to the hovercraft museum had been included in the Daedalus Supplementary Planning Document (SPD).

Mr Russell thanked Member's for their clarification, he advised that he had seen the deputation process as an opportunity to address the Board with his concerns and that he was now satisfied that the correct action would be taken in relation to the Hovercraft Museum. Mr Russell reiterated that a team of volunteers would be available to support the project in future.

Mr Cusdin was invited to address the Board. He advised that he was the Development Director for the Homes and Communities Agency and was representing the land owner.

Mr Cusdin thanked the Officers and the Daedalus Strategy Group for their work to evolve the masterplan and provide input, support, constructive challenges and extensive consultation over the years.

He advised that following the Supplementary Planning Document, the Outline application was a major step forward in unlocking investment for the economic development of the project and for improved access to the site.

Development of the Enterprise Zone would now move forward with the site being seen as open for business in attracting marine and aviation businesses. The Board was advised that the site would generate employment and that there was no intention to remove the Hovercraft Museum as it was an integral part of the site.

Mr Cusdin thanked Officer's for their report and requested that the Board grant permission for the application.

Note: At this point Councillor Beavis left the room and took no part in the discussion or voting thereon.

In answer to a Member's question the Board was advised that further research would need to be undertaken into the re-allocation of business rates as part of the Enterprise Zone package.

Members debated the application and expressed satisfaction with the Outline proposals. They welcomed the opportunities available for the marine and aviation industries and the employment the proposals would bring to the site

helping to alleviate the congestion on the A32.

Members acknowledged that the level of housing proposed was in accordance with the Supplementary Planning Guidance and that the focus of the development should be on an employment led development. This application reflected the provisions of the Supplementary Planning Document and the Local Plan.

Members were advised that it had been confirmed that Fareham Borough Council had resolved to grant planning permission for the parallel planning application submitted to them.

Members welcomed the designation of the Enterprise Zone in the sub region and that the job deprivation in Gosport had been acknowledged. Members thanked Officers for their work on the project and welcomed the economic boost that 3500-4000 jobs would bring to the area. Members also acknowledged the important role that the local Member of Parliament had played in the development of the proposals.

Members recognised the potential for leisure and hotel development on the site that would create a vibrant mix of employment and leisure. The importance of the site focusing on the provision of jobs in the aviation and marine industry was recognised and it was acknowledged that the development should compliment and not reflect the Speedfields retail park.

The improvements to the Peel Common roundabout were welcomed and the Board was encouraged that, on completion of the work, the Daedalus site would be a seven minute journey from the M27.

Members felt that the application formed a significant part of the Gosport jigsaw, complementing the work being undertaken at the Gosport Leisure Park and the Bus Rapid Transport system.

Members recognised that consideration of this application was an historic day for Gosport and unanimously agreed to grant permission.

RESOLVED: That outline application K17976 - Land at HMS Daedalus, be approved subject to the completion of planning obligations (Section 106 agreement) to secure the following:

- 1.) highway and transportation measures including provisions for pedestrians, cyclists, public transport improvements and a Framework Travel Plan;
- 2.) the provision of a training and employment plan;
- 3.) the provision of affordable housing;
- 4.) the provision and/or improvement of open space;
- 5.) the provision of health facilities;
- 6.) the provision of a community facilities;
- 7.) the provision of facilities for a Hovercraft Museum and Search and Rescue Hovercraft;

- 8.) Ecological Surveys and Mitigation Measures;
- 9.) Use of commercial floor space accords with Enterprise Zone provisions;
- 10.) Access to runway by commercial occupiers of the site; and

subject to the conditions in appendix C of the report of the Borough Solicitor 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 will provide an appropriate employment led, mixed use development on the site, will not harmfully impact on features of nature conservation interest, will enhance the Conservation Area and will not harmfully impact the historic and architectural interest of the Listed Buildings. The proposal is acceptable in respect of highway matters, archaeology, contamination, air quality, noise, flood risk, drainage, open space, education, health, leisure and energy efficiency and is in accordance with the Policies set out in Section 4 and Appendix B of the report, as updated and the Daedalus SPD.

92 REPORT OF THE BOROUGH SOLICITOR

The Borough Solicitor 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:

93 SUBDIVISION OF PROPERTY AND ERECTION OF SINGLE STOREY AND TWO STOREY EXTENSIONS TO PROVIDE 3NO. ONE BEDROOM AND 3NO. TWO BEDROOM FLATS (as amended by plans received 22.12.11 and amplified by e-mail received 22.12.11) (ADJACENT TO CONSERVATION AREA) 2 Shaftesbury Road Gosport Hampshire PO12 1RX

Councillor Mrs Searle declared a personal and prejudicial interest in this item after the debate opened and left the room following the declaration and took no part in the voting thereon.

Members were advised that following the publication of the National Planning Policy Framework all references in the report to Planning Policy Guidance and Planning Policy Statements had been superseded.

Members were advised that the recommendation in the Planning Officer's report was, however, unchanged.

Mr Hall was invited to address the Board. He advised that he was a local resident and resided in Shaftesbury Road. The Board was advised that he objected to the application on the grounds of increased traffic levels, the

appearance of the proposal and the damage to the environment and amenity of neighbours.

Mr Hall informed the Board that he recognised that the proposal comprised one and two bedroom flats and that as a result would be most likely occupied by the elderly, couples and young families and that it was unrealistic to expect that they would not own cars.

Mr Hall reported that the flats would not be large and that the communal space provided was not suitable for potentially 12 adults.

Mr Hall advised that modern life dictated that households required cars and that the parking provision provided would be inadequate. He accepted that the provision of two car parking spaces, bicycle storage and the access to public transport complied with the ideal of car free living but that it was strongly likely the development would lead to an increase in cars in Shaftesbury Road.

The Board was advised that the report detailed the use of car parks in Jamaica Place as alternative parking arrangements, but Mr Hall highlighted that these were 3 hour limit car parks with no return within two hours. The Board was advised that parking provision in Shaftesbury Road was already cramped.

Mr Hall stated that a resident permit scheme existed for residents of Shaftesbury Road and that they were entitled to a one resident permit and one visitor permit. Restrictions were in place from 8am until 6pm and Mr Hall expressed concern that should the proposal be built, the new residents would also be entitled to apply to park in the resident's area. He felt that this would increase the pressure on the 12-16 spaces available to existing residents.

Mr Hall expressed concern that the advertisement for the application had not been placed in a position prominent to those local residents that would be most directly affected by the proposal and that he had concerns that the windows overlooking the existing properties should be obscure glazed.

Mr Hall advised the Board that the use of public transport was unrealistic for those that worked shifts and that the lack of jobs in Gosport meant that a large proportion of residents travelled out of the Borough for work and could not therefore use public transport and that the Bus Rapid Transport System would also not be suitable for these residents.

Mr Hall also advised the Board that he had concerns over the strain the application would place on existing water and sewerage supplies and that the proposal would lead to a high density of residents in a small area. Mr Hall felt that the high surrounding walls would funnel the noise from the development into the existing peaceful gardens and that he felt the proposal constituted garden grabbing and was, therefore, unsuitable.

In answer to a Member's question, Mr Hall clarified the existing parking permit scheme for residents. Mr Hall was also advised that the BRT route would make use of existing buses that would link up with the route in to Bridgemary.

Mr Tutton was invited to address the Board. He advised that he was representing the applicant and was speaking in support of the application and the Planning Officer's recommendation.

Mr Tutton advised the Board that a previous application to erect a two storey block of two flats to the rear of 121-127 Stoke Road had been approved with no car parking provision and no on-site amenity space and that this application was to convert an existing building.

Mr Tutton advised the Board that following an appeal, a development in Palmyra Road had been approved and that the Inspector had positively welcomed the opportunity for car free living.

Mr Tutton informed the Board that there was extensive bus services to the application site and that the development provided an opportunity for car free living. The proposed car parking provision was consistent with the levels of car ownership in the ward.

The Board was advised that the development was not out of keeping with the mix of dwellings in the area and that it reflected the need for one and two bedroomed properties in the Borough.

Mr Tutton advised the Board that a unilateral undertaking towards open space and transport contributions had been completed on 28 March 2012. He advised that following the release of the National Planning Policy Framework, Policy PPS3 had been revoked and that the development was sustainable and requested that it be approved.

Mr Tutton reported that the development in Palmyra Road had been approved even with the proposed loss of the existing car parking space and reiterated that the Planning Inspector had positively welcomed car free residential occupation.

The Board was advised that the application encouraged the use of public transport and was in a good location, with good access to bus services. Mr Tutton felt it was old fashioned to dismiss the potential of car free developments.

Mr Tutton confirmed to the Board that there had been no objection to the proposal from the Local Highway Authority.

In answer to a Member's question the Board was advised that the parking permits in question were valid for the lay-by situated outside the existing properties in Shaftesbury Road.

Members were advised that when considering car ownership levels within the Town ward, as shown by Census information, the proposed development provided a slight under provision for car parking. Officers clarified, however, that there are no car parking standards and the acceptability of the proposed car parking arrangements must be considered on a site specific basis. . Officers clarified that the spaces on Shaftesbury Road were not considered as part of

the application. It was felt that the proposed parking spaces were acceptable given the location of the development as it was served well by local services and facilities and had good access to public transport links. It was also noted that there was secure storage for bicycles which would encourage sustainable alternatives to the private motor car.

The Board was advised that following appeals at 121-127 Stoke Road and 95 Palmyra Road the Inspector had accepted that the proposed developments were sustainable as they were well served by public transport links.

Note: At this point Councillor Mrs Searle left the room and took no part in the discussion or voting thereon.

Members debated the proposals and accepted that the Town Ward had one of the lowest levels of car ownership in the Borough. Members expressed sympathy for Mr Hall and acknowledged that there was a potential increase in demand for car parking spaces in the area.

Members expressed concern regarding the provision for car parking on site. They expressed sympathy for Mr Hall and the existing residents of Shaftesbury Road. They noted that the parking proposals were significantly less than deemed adequate for a development of this size. Members were advised that consideration had been given to the use of the short stay car parks in Jamaica Place as provision for visitors parking and that as a result the Local Highway Authority deemed the parking provisions acceptable.

Further clarification was sought in relation to the parking permit scheme utilised by residents of Shaftesbury Road. Members were advised that details of the scheme would be available following consultation of the Traffic Regulation Order for the land in question.

A Member expressed concern that the proposal would create increased car parking problems and proposed that a site visit would be useful to gain a clear insight to the area.

Members acknowledged that there were already car parking problems in the vicinity of the proposed development and voted on the proposal for a site visit. Members voted against this proposal.

Members debated the proposal further; they acknowledged that the National Planning Policy Framework recognised that new developments should not include residential gardens and that the local planning authority should resist approving inappropriate developments that harm local areas. Members recognised the need for green sustainable developments but felt that the proposal was unacceptable in view of its size, location and scale.

Members felt that the concerns raised by Mr Hall were not old fashioned and felt the proposal would lead to the site being overdeveloped and would be incongruous to the existing streetscene.

Members felt that the proposal was contrary to Policy R/DP1 and that it would create a high density development in close proximity to existing properties. Furthermore, they felt the proposal was oppressive and overbearing and would increase overlooking of the existing properties. Members felt that this would be detrimental to the living conditions of local residents.

It was proposed that the application be refused for these reasons.

RESOLVED: That application K18015 –2 Shaftesbury Road Gosport, be refused for the following reasons:

- i) The proposed development represents an undesirable overdevelopment of the plot that would create an incongruous and overbearing feature in the streetscene, to the detriment of the character and visual amenity of the locality and the setting of the adjacent Stoke Road Conservation Area contrary to Policy R/DP1 of the Gosport Borough Local Plan Review; and
- ii) The proposed development by reason of its height, mass, proximity to number 4 Shaftesbury Road and the position of the windows would be oppressive and overbearing to the occupiers of this dwelling and would increase the propensity to overlook the rear garden. The proposal would, therefore, be detrimental to the residential amenities of the occupiers of this dwelling, contrary to policy R/DP1 Gosport Borough Local Plan Review.

The meeting commenced at 6.00pm and concluded at 7.35pm.

CHAIRMAN