

**A MEETING OF THE EXTRAORDINARY REGULATORY BOARD
WAS HELD ON 4TH FEBRUARY 2014**

The Mayor (Councillor Beavis)(ex-officio); Councillors Allen (P), Ms Ballard(P), Carter CR, Ms Diffey (P), Farr (P), Geddes (P), Gill (P), Hazel (P), Hook (P), Mrs Hook (P), Jessop(P) , Langdon (P), Ronayne (P) and Wright (P).

It was reported that in accordance with Standing Order 2.3.6, Councillor Hazel had been nominated to replace Councillor Carter CR for this meeting.

75 APOLOGIES

An apology for inability to attend the meeting was received from Councillor Carter CR.

76 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

77 DEPUTATIONS

Deputations had been received on the following application:

- Item 1 - 13/00538/FULL – 154 Fareham Road, Gosport

78 PUBLIC QUESTIONS

No public questions had been received.

PART II

79 REPORT OF THE BOROUGH SOLICITOR

The Borough Solicitor submitted a report on applications received for planning consent setting out the recommendation in each case.

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

**80 13/00538/FULL – USE OF LAND AND BUILDINGS FOR FLEXIBLE CLASS B1(B) AND (C), B2 AND B8 USE (INCLUDING OPEN STORAGE) AND TRADE COUNTER USE, EXTERNAL ALTERATIONS TO SOUTHERN ELEVATION AND ALTERATIONS TO EXISTING CAR PARKING AND EXISTING ACCESS FRO LEDERLE LANE (AS AMPLIFIED BY TRANSPORT INFORMATION RECEIVED 14.01.14)
154 FAREHAM ROAD, GOSPORT HAMPSHIRE**

Consideration was given to the Report of the Borough Solicitor and Deputy Chief Executive requesting that consideration be given to planning application 13/00538/FULL.

Members were advised that a local resident has expressed concern about the proposal to operate the Class B Units with Trade Counters without a restriction on opening hours. The resident had therefore suggested that in interests of residential amenity, a planning condition should be used to restrict the times that these units may operate.

It was further advised that the latest planning application seeks permission for the same class B

uses as approved in 2012 under application reference K12345/76 but on this occasion the applicant had made specific reference to Trade Counters in the application description and had identified specific floor areas on the plans in order to provide assurance to prospective occupiers/tenants that they may operate an associated/ancillary Trade Counter from the site in conjunction with a Class B use without breaching planning controls.

The Planning Officers assessment contained within the report was that the provision of associated/ancillary Trade Counter uses would not cause additional harm or disturbance to residential amenity over and above the established and consented Class B uses as approved under planning permission reference K12345/76, which does not include any conditions restricting opening hours. Officers planning judgement was therefore that it was not, reasonable to include a condition specifically restricting the opening hours of the Class B Units with Trade Counters as part of this latest planning application. Conditions were proposed that would control the overall quantum of Class B floorspace at the site that may operate with an associated/ancillary Trade Counter as well as the maximum size of individual Class B Units that would be permitted to operate with associated Trade Counters in order to retain an appropriate mix/balance of uses across the existing employment site.

Mr Neil Holmes was invited to address the Board whereby he advised that he was speaking on behalf of Oceanic Estates who acquired the site in early 2012 and advised Members that planning consent K12345/76 confirmed the use of the site for B uses - (B1 (b) & (c), B2, B8 and B8 Open Storage).

Mr Holmes advised that the proposed application followed the same principle as K12345/76 with 1100sq metres of the front units available for Trade Counter use in connection with the consented Class B uses. He stated that 1100sq metres was approximately 10% of the overall floor area which was, generally, accepted as being ancillary and not requiring planning consent.

Mr Holmes noted the concerns previously raised with regards to traffic generation and advised Members that the application did not generate significantly more vehicular trips than the previous permitted uses, to date, and would be less than the historic trip generation.

Mr Holmes reported that the additional trips generated by the proposed development was around 40 additional trips per day whereas the trips generated by the now demolished offices would be around 1500 a day. In addition, The Highways Authority had scrutinised the applicant's traffic assessment in detail and Members were drawn to Page 5 of the Planning Officers Report whereby it stated "that the impact on the A32/Lederle Junction throughout the working day would be less than the previous Cyanamid site's operation". It was confirmed that the traffic generation calculations were based on the national standard for trip generation analysis – TRICS.

Mr Holmes advised that Oceanic Estates was a long-term investor in employment sites and was currently refurbishing the 127,000sq.ft retained building to bring it up to an acceptable standard for letting to potential Class B use tenants. It was further advised that the proposed Class B uses with associated/ancillary trade counters would widen the opportunities for future employment in Gosport reducing the need to travel out of Gosport to find work.

Mr Holmes reported that Oceanic Estates was now a Stakeholder in the Management Company, with a right to access the whole site from Barwell Lane, resulting in improved access arrangements for the site generally and improving upon the permission granted under reference K12345/76, reducing the need for all vehicles to access the site via the A32/Lederle Lane junction.

Mr Holmes further advised that the proposed application was not a retail use and did not set a precedent for granting retail uses on the site. The application proposed was to increase and broaden the employment opportunities on the site, improve access to the site from Barwell Lane without significantly increasing traffic generation.

In respect to the suggestion that opening hours should be restricted, Mr Holmes advised that this would not be consistent with the existing and consented Class B uses which had no restriction on hours of operation. It was advised that the trade counter element would reduce the likely affect on residential amenity due to the nature of operation of Class B industrial uses.

Members welcomed the clarification on the use of the Barwell Lane access and the full assessment of the traffic generation and the explanation provided in respect of the opening hours and unanimously agreed that the application would be a benefit to Gosport and welcomed the employment opportunities that this site would create.

RESOLVED: That application 13/00538/FULL – 154 Fareham Road, Gosport, be approved subject to the conditions in the report of the Borough Solicitor and Deputy Chief Executive

**81 13/00555/FULL – INSTALLATION OF 4NO. SYNTHETIC SPORTS PITCHES
TOGETHER WITH ERECTION OF 4M HIGH FENCING (AS AMPLIFIED BY
EMAIL RECEIVED 20.0114)
HMS SULTAN, MILITARY ROAD, GOSPORT, HAMPSHIRE**

Consideration was given to the Report of the Borough Solicitor and Deputy Chief Executive requesting that consideration be given to planning application 13/00555/FULL.

Members were advised that the publicity for this application had expired and that no representations had been received in respect of the proposal.

RESOLVED: That application 13/00555/FULL – HMS Sultan, Gosport, be approved subject to the conditions in the Report of the Borough Solicitor and Deputy Chief Executive.

82 ANY OTHER BUSINESS

Members were updated on an appeal decision received in respect of Fine Cars, Lee-on-the-Solent. The appeal was dismissed as the Inspector considered that the noise assessment did not satisfactorily identify and address all relevant impacts and therefore, in taking a precautionary approach, concluded that the development would have a harmful impact on the amenities of the occupiers of adjacent residential properties, in particular those to the north and west. The Inspector did not support the Council's reasons for refusal on the grounds of highway safety or visual impact.

The meeting concluded at: 6.15pm

CHAIRMAN