

**A MEETING OF THE REGULATORY BOARD  
WAS HELD ON 15 JULY 2014 AT 6PM  
Subject to Approval**

Chairman of the P & O Board (Councillor Hook) (ex-officio), Councillors Allen (P), Bateman (P), Carter C (P), Dickson (P), Ms Diffey (P), Farr (P), Hicks (P), Hazel (P), Mrs Hook (P), Jessop (P), Langdon (P), and Wright.

It was reported that in accordance with Standing Order 2.3.6, Councillor Mrs Batty had been nominated to replace Councillor Wright for this meeting.

**20. APOLOGIES**

Apologies for inability to attend the meeting were submitted on behalf of Councillors Hook and Wright.

**21. DECLARATIONS OF INTEREST**

- Councillor C Carter declared a non pecuniary interest in Item 6 of the agenda – Former Haslar Hospital. He advised that he had been on the Enquiry by Design panel.

**22. MINUTES**

**RESOLVED:** That the Minutes of the Regulatory Board meetings held on 05 June 2014, and 10 June 2014 be approved and signed by the Chairman as true and correct records.

**23. DEPUTATIONS**

Deputations had been received on the following applications:

- Agenda Item 6 – Former Haslar Hospital, Haslar Road, Gosport
- Item 2 of the grey pages – 131 Stoke Road, Gosport

**24. PUBLIC QUESTIONS**

No public questions had been received.

**PART II**

**25. OUTLINE PLANNING, LISTED BUILDING AND VARIATION/REMOVAL OF  
CONDITION APPLICATIONS FOR FORMER HASLAR HOSPITAL**

**Councillor C Carter declared a non pecuniary interest in this item, remained in the room throughout and took part in the discussion and voting thereon.**

Consideration was given to a report of the Borough Solicitor and Deputy Chief Executive detailing Outline Planning, Listed Building and Variation/Removal of Condition Applications for the former Haslar Hospital.

Members were advised that an additional letter of representation had been received in respect of application numbers 12/00591/OUT and 12/00592/LBA. A copy of the Planning Officer's written update in response to the additional letter of representation was distributed to Members.

The letter reiterated concerns about construction traffic and the movement of waste and considered that none of the possible road routes were feasible given the likely harm from noise, vibration and dust over an extended time period and possible weight restrictions relating to Haslar Bridge. The possibility of movement of materials by water was discounted due to physical site constraints. It noted that the proposals were silent on how these issues would be addressed to protect the amenities of the occupiers of properties along the possible routes and that the matter should not be left until the detailed planning stage.

The Planning Officer advised the Board that local residents' concerns were acknowledged but that the details and implementation of a Construction Management Plan for the site was proposed to be secured by planning condition and dealt with through the reserved matters applications. The applicant was not required to provide this level of information at Outline stage. In conclusion, Members were advised that there was no proposed change to the recommendation as set out in the Officer's report.

Mr Terry Powell was invited to address Board. He advised Members that he was a resident of Gilkicker Road and although in principle he did not have any objections to the proposed development of a care home and retained units, he felt that the proposed offices, business units, health centre, hotel, tearooms, restaurant and heritage centre would create an increase in traffic to the surrounding area.

Mr Powell also expressed concerns in relation to large volumes of traffic potentially using Haslar Bridge and the narrowness of Fort Road and Clayhall Road. Mr Powell further advised the Board that he had calculated that there could be at least 1000 vehicles to the site per day.

Mr Powell sought re-assurance that when construction work was taking place Gilkicker Road would not become a "rat run" for heavy plant vehicles.

In conclusion, Mr Powell advised Members that he felt that the A32 was not coping with current traffic demands sometimes taking up to an hour to get into Fareham. He recognised that Newgate Lane was being altered with the inclusion of the Stubington Bypass, however, expressed concerns that houses being built either side meant that there was a possibility people would still travel through Lee-on-the-Solent.

Members of the Board noted that predicted traffic flows would be lower than when the hospital was operational.

Mr Birbeck was invited to address the Board whereby he advised Members that he was the Chair of the Haslar Heritage Group and had been associated with the heritage of the site for the past 50 years, by giving lectures, talks and presentations which provided a historical interpretation of the site.

Mr Birbeck advised Members that he felt Haslar was an 18th century jewel in Gosport's crown and was held in great affection by all those who had worked or were admitted there. Mr Birbeck went on to say that the proposed plans for the site represented part of the country's heritage and offered the opportunity to bring the site back into life, with significant employment opportunities being created.

The Applicant was invited to respond to the Deputations but declined.

Councillor Edgar was invited to address Board whereby he provided Members with a brief history of his involvement with Haslar Hospital, advising that he received numerous enquiries on a weekly basis from the public in relation to what was happening to the site. Councillor Edgar advised Members that he fully supported the proposed application to develop the site and move Haslar forward.

Further to a Member's question in relation to access to the site and the re-opening of the sea wall, the Head of Development Control advised that detail of the access and associated parking arrangements would be considered under the Reserved Matter applications but the developer had indicatively shown pedestrian access to the sea wall under the Outline application and details of the access would be secured under the Section 106 Agreement. In response to a Member's request, it was confirmed that the matter of removing the boundary treatment at either end of the wall would be raised with Defence Estates

In response to a Member's question the Head of Development Control explained that due to the scale of the development, work would be carried out in phases and this was reflected in the wording of the proposed conditions and heads of terms for the S106 agreement which would also seek to secure delivery of the scheme in a reasonable timeframe.

A Member wished it to be noted that whilst the proposal was supported overall, one area of concern was the lack of affordable housing within the scheme.

Members recognised the importance of retaining the distinctive character of the site and acknowledged Officer's hard work in producing a comprehensive and detailed report.

**RESOLVED:** That the Regulatory Board grant Outline planning permission for application reference 12/00591/OUT, subject to:

- a) appropriate conditions, including those set out in Appendix C of the report;
- b) appropriate planning obligations (S106 agreement) to secure:-
  - i) the phasing and delivery of the development
  - ii) monies from the disposal of the 15 existing ancillary Listed residences to be applied to the refurbishment of the Heritage Assets on the site
  - iii) a Conservation Management Plan detailing how and when the demolition and renovation and refurbishment of the various Heritage Assets on the site and Park will take place and the measures to protect all Heritage Assets during construction
  - iv) the provision and use of Class D1 health facilities, including use by the general public
  - v) the provision and use of Class C2 residential institution uses, including details of the package of care
  - vi) the provision and use of Class D2 leisure facilities to include a community hall and Heritage Centre, to include details of lease arrangements and fit out a Training and Employment Plan;
  - vii) the provision and management of open space and access to the site, including the waterfront, by the public
  - viii) the provision of recreational disturbance mitigation and ongoing management measures, including details of the timing of provision
  - ix) the provision of infrastructure, services and facilities, education and affordable housing, subject to provisions relating to viability and;

- c) delegate authority to the Head of Development Control, in consultation with the Borough Solicitor and Deputy Chief Executive, to determine and impose appropriate conditions and planning obligations, subject to viability assessments

and;

Grant Listed Building Consent for application reference 12/00592/LBA, subject to:

- a) appropriate conditions, including those set out in Appendix D of the report and;
- b) delegate authority to the Head of Development Control, in consultation with the Borough Solicitor and Deputy Chief Executive, to determine and impose appropriate conditions

and;

Grant Planning Permission for the variation/removal of condition application reference 14/00192/VOC, subject to:

- a) appropriate conditions, including those set out in Appendix E of the report and;
- b) appropriate planning obligations (S106 agreement) to secure:-
  - i) monies from the disposal of the 15 existing ancillary Listed residences to be applied to the refurbishment of the Heritage Assets on the site
  - ii) the provision of outdoor playing space, education and affordable housing, subject to provisions relating to viability and;
- c) delegate authority to the Head of Development Control, in consultation with the Borough Solicitor and Deputy Chief Executive, to determine and impose appropriate conditions and planning obligations, subject to viability assessments

## **26. REPORT OF THE BOROUGH SOLICITOR & DEPUTY CHIEF EXECUTIVE**

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

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

### **27. 14/00214/FULL - ERECTION OF 1 NO. DETACHED THREE BEDROOM DWELLING, DETACHED GARAGE AND ASSOCIATED LANDSCAPING AND CAR PARKING (as amended by plan received 14.05.14) Land adjacent to 35 Long Water Drive, Gosport**

Consideration was given to the report of the Borough Solicitor and Deputy Chief Executive requesting that consideration be given to planning application 14/00214/FULL.

Members were advised that there were no updates.

**RESOLVED:** That application 14/00214/FULL – Land adjacent to 35 Long Water Drive, Gosport be approved subject to the payment of a commuted sum towards the provision and/or improvement of outdoor playing space; the payment of a commuted sum towards measures to mitigate recreational disturbance; the payment of a commuted sum towards the provision of transport infrastructure and subject to the conditions in the report of the Borough Solicitor and the Deputy Chief Executive.

**28**                    **14/00252/FULL – CHANGE OF USE OF GROUND FLOOR FROM RETAIL (CLASS A1) TO HEALTH AND FITNESS CENTRE (CLASS D2) (as amplified by emails received 24.06.14 and 27.06.14)**  
**131 Stoke Road, Gosport**

Consideration was given to the report of the Borough Solicitor and Deputy Chief Executive requesting that consideration be given to planning application 14/00252/FULL.

Mr Hester was invited to address the Board.

Members were advised that there were no updates.

Mr Hester advised the Board that he was speaking on behalf of the landowner and applicant Milton (BVI) Ltd who were seeking planning permission for a health and fitness centre which would include a crèche.

Mr Hester advised Members that the unit had been vacant for the past 18 months despite active marketing and that the applicant would maintain a window display of goods for sale.

Further to a Member's question in relation to noise disturbances as a result of music and activity particularly at opening times, Mr Hester confirmed that the applicant, as land owner, would continue to maintain control of the operation of the commercial unit and was aware of the relevant Environmental Health legislation.

In response to a Member's question, the nature of the proposed use was clarified.

Mr Hester further advised that he felt the proposed application would not give rise to increased parking demands in the area and that his client was seeking a viable commercial activity whilst bringing employment opportunities to the Borough.

**RESOLVED:** That application 14/00252/FULL – 131 Stoke Road, Gosport be approved subject to the conditions in the report of the Borough Solicitor and the Deputy Chief Executive.

**29.**                    **14/00080/FULL – RETENTION OF AND FURTHER WORKS FOR THE ERECTION OF A DETACHED OUTBUILDING (as amplified by e-mail dated 14.06.14)**  
**27 Vernon Road, Gosport, Hampshire, PO12 3NT**

Consideration was given to the report of the Borough Solicitor and Deputy Chief Executive requesting that consideration be given to planning application 14/00080/FULL.

Members were advised that there were no updates.

In response to a Member's question, officers clarified that the application was for the retention of an outbuilding whose use was ancillary to the residential use on the site and any future commercial use of the building would require planning permission. The building had been referred to as a club room within part of the report as this section was summarising the concerns raised by local residents.

**RESOLVED:** That application 14/00080/FULL – 27 Vernon Road, Gosport be approved subject to the conditions in the report of the Borough Solicitor and the Deputy Chief Executive.

**30. 14/00220/FULL – ERECTION OF SINGLE STOREY REAR EXTENSION  
26 Braemar Close, Gosport, Hampshire, PO13 0YE**

Members were advised that there were no updates.

**RESOLVED:** That application 14/00220/FULL – 26 Braemar Close, Gosport be approved subject to the conditions in the report of the Borough Solicitor and the Deputy Chief Executive.

**31. ANY OTHER BUSINESS**

Members were advised of the outcome of two appeals dealt with by the Planning Inspectorate and that the full reasoning for the decisions would be circulated to Members via the Members Information Bulletin in the normal way.

The appeal at Vicarage, Victoria Square, Lee-On-The-Solent had been allowed as the Inspector considered that the setting of the listed church would be largely unaffected by the proposal or the character or appearance of the townscape and would not be contrary to policies R/DP1 or R/BH3 of Gosport Borough Local Plan Review or the National Planning Policy Framework.

The Inspector did however support the Council in respect of the requirements relating to outdoor playing space, recreational disturbance mitigation and improvements to transport infrastructure services and facilities.

The appeal at Land To The East Of 1A And 1B St. Edwards Terrace, Forton Road was dismissed and the Inspector supported the Councils view that the proposal would harm the character of the area and the appearance of the streetscene as the provision of two single storey bungalows, sited towards the rear of the plot, would be in contrast to the prevailing character of two storey dwellings sited towards the front of the site and, as such, would be contrary to the relevant policies of the Local Plan.

The Inspector also noted that the proposal failed to provide any visitor car parking spaces, in line with the Parking SPD, nor was any evidence submitted to show that there is sufficient on-street car parking capacity to accommodate visitor parking. In this instance, the Inspector concluded that the lack of provision of visitor spaces could be detrimental to the users of this part of Forton Road and the rear service road surrounding the application site. It was also considered that the Flood Risk Assessment submitted by the applicant was inadequate and that noise had not been properly assessed.

Finally, the Inspector agreed that the planning obligations sought by the Council fully complied with the relevant legislation and were sufficiently justified as this application did not make adequate provision for outdoor playing space, transport infrastructure and highway improvements through a Section 106 agreement the proposal is contrary to the relevant parts of the Local Plan.

The meeting concluded at 18:55

Chairman