

**A MEETING OF THE REGULATORY BOARD  
WAS HELD ON 2 DECEMBER 2014 AT 6PM**

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

It was reported that in accordance with Standing Order 2.3.6 Councillors Philpott, Ronayne and Mrs Wright had been nominated to replace Councillor Dickson, Hazel and Farr respectively for this meeting.

**58. APOLOGIES**

Apologies for inability to attend the meeting were submitted on behalf of The Mayor, Councillors Hook, Dickson, Hazel and Farr.

**59. DECLARATIONS OF INTEREST**

- Councillor Philpott declared a personal interest in respect of item 13/00544/FULL – 159 Elson Road, Gosport (page 3 of the grey pages of the Report of the Borough Solicitor & Deputy Chief Executive). Councillor Mrs Hook declared a disclosable pecuniary interest in respect of item 14/00376/FULL – The Enclosure, Privett Park, Gosport (page 9 of the grey pages of the Report of the Borough Solicitor & Deputy Chief Executive) and advised that she would leave the room and take no part in the discussion or voting thereon.
- Councillors Jessop, Allen, Bateman, Carter, Langdon, Philpott, Ronayne and Hicks declared a personal interest in respect of item 14/00376/FULL – The Enclosure, Privett Park, Gosport (page 9 of the grey pages of the Report of the Borough Solicitor & Deputy Chief Executive). Councillor Bateman declared a personal interest in respect of item 14/00404 – Gosport Marina, Mumby Road, Gosport (page 13 of the grey pages of the Report of the Borough Solicitor & Deputy Chief Executive).

**60. MINUTES**

**RESOLVED:** That the Minutes of the Regulatory Board meeting held on 21 October 2014, be approved and signed by the Chairman as a true and correct record.

**61. DEPUTATIONS**

Deputations had been received on the following items:

- Agenda Item 7 - 14/00320/FULL – Cordite Magazine, Priddys Hard, Gosport
- Agenda Item 8 Item 1 – 13/00544/FULL – 159 Elson Road, Gosport
- Agenda Item 8 Item 3 – 14/00404/FULL – Gosport Marina, Mumby Road, Gosport

**62. PUBLIC QUESTIONS**

No public questions had been received.

## PART II

### **63. VARIATION OF SECTION 106 AGREEMENT RELATING TO LAND AT MUMBY ROAD GOSPORT (PLANNING APPLICATION 14/00076/OUT)**

Consideration was given to a report of the Borough Solicitor and Deputy Chief Executive requesting the Board consider a request to vary planning obligations.

Members were advised that there were no updates to the report.

In response to a Members' question in relation to the Applicant's request to vary the Section 106 Agreement it was clarified by the Borough Solicitor and Deputy Chief Executive that the Section 106 payment for the ecological mitigation would be payable irrespective of the viability assessment and that the existing open space contribution would be used to provide improvements/enhancements to open space in the Borough which may include the Alver Valley Country Park.

**RESOLVED:** That the Board agree to vary the Section 106 Agreement dated 20 August 2014 relating to the development of land at Mumby Road, Gosport (Planning reference 14/00076/OUT) as set out in Paragraph 2.5 of the report of the Borough Solicitor and Deputy Chief Executive.

### **64. 14/00320/FULL – CHANGE OF USE OF FORMER CORDITE MAGAZINE TO 1 NO. THREE BEDROOM DWELLING TOGETHER WITH PART DEMOLITION OF EXISTING BUILDING, ALTERATION TO EXISTING AND INSERTION OF NEW WINDOWS WITH ASSOCIATED HARD LANDSCAPING, ACCESS, CAR AND CYCLE PARKING (AS AMPLIFIED BY INFORMATION RECEIVED 12.08.14, 27.08.14 AND 03.09.14)**

Consideration was given to the report of the Borough Solicitor and Deputy Chief Executive advising the Board of an appeal made against the non determination of application reference 14/00320/FULL.

The Board were advised that there were no updates.

Members were advised by the Head of Development Control that the Applicant had approached the Planning Department for pre-application advice and was advised that a favourable recommendation was unlikely. He proceeded to submit an application despite this advice as he wished the proposal to be formally determined by the Council. Through the statutory consultation process it was identified that inadequate information had been submitted to adequately assess the ecological impacts of the proposal and the applicant subsequently indicated that he wished to submit additional information to try and address the issues raised rather than the Council proceed to determine the application. Insufficient ecological information was submitted and no justification of need for the proposal was provided to outweigh the ecological impacts and when Officers advised that the likely recommendation was to be refusal the applicant decided to appeal for non-determination of the application with the target 8 weeks rather than wait for a formal determination by the Council and appeal at that stage if appropriate.

Dr Hudson was invited to address the Board whereby he advised Members that he was representing local residents who had expressed concerns that the proposed development could potentially have a harmful impact on wildlife habitats and protected species.

Dr Hudson advised the Board that he felt surveys undertaken of the site were inadequate and that the site was likely to be contaminated which should works be approved, could result in additional pollution and toxins to the surrounding areas.

In summary, Dr Hudson felt that the development did not comply with Gosport Borough Council's Local Plan to protect Nature Conservation Areas and asked Members to recommend refusal of the application on the basis of the local residents' concerns expressed.

Members recognised the ecological importance of the site and felt that it was unique to Gosport.

It was further recognised that the land was designated in the Local Plan to protect wildlife and although the building was not listed; it did have historical relevance to the Borough and should be retained.

**RESOLVED:** Members agreed that if an appeal had not been made, the application would have been refused for the reasons set out in paragraph 9.0 of the report of the Borough Solicitor and Deputy Chief Executive.

#### **65. 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:

#### **66. 13/00544/FULL - RETENTION OF AND FURTHER WORKS FOR THE ERECTION OF A TWO STOREY REAR EXTENSION AND SINGLE STOREY REAR EXTENSION (AS AMENDED BY PLANS RECEIVED 06.11.14) 159 ELSON ROAD, GOSPORT, HAMPSHIRE, PO12 4AB**

**Councillor Philpot declared a personal interest in respect of this item.**

Consideration was given to the report of the Borough Solicitor and the Deputy Chief Executive requesting that consideration be given to planning application 13/00544/FULL.

Members were advised that there were no updates.

Mr Macpherson was invited to address the Board whereby he advised Members that he resided at 157 Elson Road.

Mr Macpherson advised the Board that he felt the proposed development was too large and overbearing for the surrounding area. He proceeded to circulate photographs to Members and a copy was provided to the Applicant detailing the work undertaken to date and advised that the materials on the brick work did not match the original dwelling.

Mr Macpherson felt that the Applicant was proposing multiple occupancy within the property and requested that Members of the Board undertake a site visit.

The Applicant Mr Batt was invited to address the Board. He advised Members that he acquired the property in 2012 and applied for planning permission for a two storey extension and lean to with the proposed extension reflecting the depth of the original two storey

projecting element to be demolished. He advised that the proposed two storey extension was wider than the original. .

Mr Batt further advised that to address concerns he had reduced the size of the proposed single story extension.

Mr Batt further advised that the Builders had extensively looked to match the bricks to the existing dwelling however; this type of brick had been discontinued. In relation to the photographs circulated, Mr Batt advised that builders had been refused access via the neighbouring property leading to the brickwork being constructed over hand and not pointed in the formal way. .

Members were advised that the pointing of the brickwork was a Building Control matter and not a Planning consideration.

**RESOLVED:** That planning application 13/00544/FULL – 159 Elson Road be approved subject to the conditions of the report of the Borough Solicitor and Deputy Chief Executive.

**67. 14/00404/FULL – CONTINUED USE OF LAND FOR BOAT STORAGE AND CAR PARKING TO INCLUDE RETENTION OF EXISTING AND THE ERECTION OF NEW DRY STACK FACILITY (152 BOATS IN TOTAL) WITH ASSOCIATED CONCRETE HARDSTAND, TOGETHER WITH THE RETENTION OF EXISTING PONTOONS AND 4NO, PILES (AS AMPLIFIED BY EMAIL AND SUPPORTING INFORMATION RECEIVED 12.11.14) GOSPORT MARINA, MUMBY ROAD, GOSORT, PO12 1AH**

**Councillor Bateman declared a personal interest in respect of this item.**

Consideration was given to the report of the Borough Solicitor and Deputy Chief Executive requesting that consideration be given to planning application 14/00404/FULL.

Members were advised that there were no updates.

Mr Haddock was invited to address the Board whereby he advised that in principle he supported the application however, he expressed concerns in relation to the potential conflict of operations between the two companies and the increased volume of boats that could be stored on site.

Mr Boissier Deputy Chairman of Premier Marinas was invited to address the Board. He advised that he was speaking on behalf of the Applicant.

Mr Boissier emphasised Premier Marina's commitment to invest at Gosport Marina and advised that this application was for the renewal of the temporary consent application granted in 2010 as part of an overall investment plan of the site centring on maintaining marine employment and enhanced employment and occupier opportunities within the Town Centre. Mr Boissier further advised Members that the dry stack within the Marina had been operational for 5 years and had proven to be a popular facility.

In relation to a Members question concerning the delayed erection of part of the dry stack that was granted in 2010, Mr Boissier clarified that due to the economy now improving and the site now being at full capacity, the 2<sup>nd</sup> stack was required to meet the growing demands.

Members expressed concerns that isolated applications for the Waterfront site were being considered without a comprehensive master plan. It was clarified by the Borough Solicitor and Deputy Chief Executive that the Local Plan set parameters for the proposed waterfront regeneration and the proposal was consistent with this.

**RESOLVED:** That application 14/00404/FULL – Gosport Marina, Mumby Road be approved subject to the conditions of the report of the Borough Solicitor and Deputy Chief Executive.

**68. 14/00376/FULL – RETENTION OF AND FURTHER WORKS TO EXISTING TWO STOREY DETACHED BUILDING AND RETENTION OF SINGLE STOREY DETACHED BUILDING (AS AMPLIFIED BY E-MAIL RECEIVED 11.11.14)  
THE ENCLOSURE, PRIVETT PARK, PRIVETT ROAD, GOSPORT**

**Councillor Mrs Hook declared a disclosable pecuniary interest in respect of this item; she left the meeting room and took no part in the discussion or the voting thereon.**

**Councillors Jessop, Allen, Bateman, Carter, Langdon, Philpott, Ronayne and Hicks declared personal interests in respect of this item .**

**Due to Councillor Mrs Hook leaving the meeting room, Councillor Jessop proceeded to Chair the meeting.**

Consideration was given to the report of the Borough Solicitor and Deputy Chief Executive requesting that consideration be given to planning application 14/00376/FULL.

Members' of the Board were advised that there had been 8 letters of objection and 1 letter of observation to the proposal. It was further reported that only 5 letters of objection were referred to in the report in error but all of the issues raised within the 8 representations had been referred to and addressed within the report.

Following a Members question in relation to how long the building had been in place, it was confirmed by Officers that the building had been in situ since 23<sup>rd</sup> May 2014. It was further confirmed that Building Control had advised that the building complied with the Fire Regulations.

**RESOLVED:** That planning application 14/00376/FULL – The Enclosure, Privett Park, Privett Road be approved subject to the conditions of the report of the Borough Solicitor and Deputy Chief executive.

**69. ANY OTHER BUSINESS**

There was no other business

The meeting concluded at 7:30PM

CHAIRMAN