

**A MEETING OF THE REGULATORY BOARD
WAS HELD ON 20 SEPTEMBER AT 6PM
*Subject to approval***

The Mayor (Councillor Mrs Hook)(ex-officio); Councillors Hook (ex-officio), Allen (P), Mrs Batty (P), Beavis, Carter (P), Diffey (P), Earle (P), Farr (P), Foster-Reed (P), Hicks, Jessop (P), Raffaelli, Ronayne (P), Scard (P), Wright (P)

It was reported that in accordance with Standing Order 2.3.6, Councillors Burgess, Mrs Furlong and Hylands had been nominated to replace Councillors Beavis, Raffaelli and Hicks respectively.

39. APOLOGIES

Apologies for inability to attend the meeting were received from The Mayor and Councillors Beavis, Raffaelli and Hicks.

40. DECLARATIONS OF INTEREST

- Councillor Ronayne declared a personal interest in respect of Item 5 of the grey pages because he was the ward Councillor for the application site.

41. MINUTES

RESOLVED: That the Minutes of the Regulatory Board meeting held on 27 July 2016 be approved and signed by the Chairman as a true and correct record.

42. DEPUTATIONS

Deputations had been received on the following items:

- Item 1 of the grey pages 16/00223/FULL – 92 The Avenue, Gosport
- Item 4 of the grey pages 16/00387/FULL – 6 Compton Close, Lee-on-the-Solent
- Item 5 of the grey pages 16/00027/FULL – St Vincent College, Gosport

43. PUBLIC QUESTIONS

The following public question had been received:

“in response to the minutes of the Regulatory Board meeting of the 27th July 2016, where a member sought to revise the minutes of the previous Regulatory Board meeting, that of the 27th June 2016 in reference to Application 16/00059/Full by seeking to dilute the concerns, raised at that meeting regarding said application, from that of being ‘serious concerns’ to just ‘some concerns’ can I ask, who asked for this to be diluted down? Did the Regulatory Board Members in their entirety, set the precedence of voting to amend those minutes so? What criteria/rationales were considered valid, in the decision to vary the concerns expressed by members of the night?”

The question was answered by the Chairman of the Regulatory Board.

PART II

44. REPORTS OF THE BOROUGH SOLICITOR AND DEPUTY CHIEF EXECUTIVE

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

RESOLVED: That a decision be taken on each application for planning consent as detailed below:

**45. 16/00223/FULL – ERECTION OF TWO STOREY FRONT/SIDE EXTENSION
92 The Avenue Gosport Hampshire PO12 2JU**

Consideration was given to the report of the Borough Solicitor and Deputy Chief Executive requesting that consideration be given to planning application 16/00223/FULL.

Mrs Collins was invited to address the Board.

The Board were advised by the Deputy Head of Planning Services that Members had attended a site visit at 2.30pm earlier that day at the property whereby Members had the opportunity to gain access to the site and also view the proposal from within the neighbouring property.

Mrs Collins advised Members that she wished to respond to the objection submitted from the immediate neighbour to her property. She advised that the main objection appeared to focus on loss of light which she felt would be minimal due to the neighbouring property facing east west and the proposed extension ending short of the south west corner.

Mrs Collins further advised Members that the north facing wall between her property and number 90 The Avenue would be painted white.

Mrs Collins advised Members that previously, large gutter-high bay trees had dominated the northern boundary between her property and the neighbouring property and therefore felt that the proposed extension would not have an impact on the loss of natural light to number 90 The Avenue.

RESOLVED: That planning application 16/00223/FULL be approved subject to the conditions of the report of the Borough Solicitor and Deputy Chief Executive.

**46. 16/00387/FULL – ERECTION OF SINGLE STOREY SIDE EXTENSION WITH
ACCOMMODATION IN THE ROOF, FRONT AND REAR DORMER WINDOWS,
SINGLE STOREY REAR EXTENSION AND CHANGE OF USE OF LAND TO
PRIVATE RESIDENTIAL GARDEN (as amplified by the plan received 26.08.16
and information received 05.09.2016)
6 Compton Close Lee-on-the-Solent Hampshire PO13 8JP**

Consideration was given to the report of the Borough Solicitor and Deputy Chief Executive requesting that consideration be given to planning application 16/0387/FULL.

Mr Pavin was invited to address the board.

Members were advised by the Head of Planning Services that a further letter of representation had been received since the agenda had been published however this raised no new planning issues. The Head of Planning Services also referred Members to an error at the top of page 15 of the grey pages, 3rd line of paragraph 1, where it said Compton 'Avenue' and it should have read 'Close'. There was no change to the recommendation.

Mr Pavin advised the Board that he lived in Chilcomb Close and that his property backed onto the recreational space in question. Mr Pavin advised Members that residents were first aware of the proposal when the notices were erected on the lampposts displaying the proposed application and advised that interest was very limited until the full extent of plans and the change of use of the land became clear were put forward.

Mr Pavin advised Members that residents' main concerns were in relation to the green recreational area bounded by Compton Close and Chilcomb Close which had always been a public right of way. Mr Pavin advised Members that it was an assumption that the land in question was Council land and had always been maintained by Gosport Borough Council which had included the upkeep of the trees, grass cutting, weeding and signage therefore residents had assumed that this land would remain part

of the original planned estate and not be built on.

Mr Pavin advised Members that the proposal would, if granted, take away a large established lime tree which was taller than the house and not subject to any protection.

Mr Pavin concluded that the proposed building and loss of the tree would have a detrimental impact on the surrounding area and felt that the application should be refused as the land ownership had not been resolved, thus giving away public land to potentially one household.

The applicant Mr Wootton was invited to address the Board. He advised Members that he had been in consultation with Gosport Borough Council for over 2 years to ascertain the ownership of the land.

Mr Wootton advised that following a request to the Land Registry, Taylor Wimpy had been identified as the owner of the land in question. Mr Wootton went on to say that he had purchased a 3 metre strip of grassed area so that it would become part of his property and accommodate the proposed application. Mr Wootton advised Members that the land was currently registered as public free space and therefore at this present time could not erect a fence or restrict public access to the grassed area. Mr Wootton advised the Board that he was currently in the process of changing this to residential use through this application.

Mr Wootton advised Members that careful consideration had been made to ensure that the design of the extension would blend with the streetscene and further advised that a car park management plan had been drawn up to ensure that there would be no impact on existing on-street parking.

Mr Wootton advised Members that there were no current plans to remove the lime tree and it was not necessary to remove it in order to carry out the works proposed under the application.

Following a question from a Member in relation to the retention of the established lime tree Members were advised by the Head of Planning Services that the Council's tree officer had advised that the tree was in a poor state of health and it had been determined that it was not worthy of a preservation order.

Following a question from a Member in relation to the land ownership Members were advised by the Head of Planning Services that land ownership was not a material planning consideration.

RESOLVED: That planning application 16/00387/FULL be approved subject to the conditions of the report of the Borough Solicitor and Deputy Chief Executive.

**47. 16/00027/FULL – CHANGE OF USE OF BUILDING FROM EDUCATION (CLASS D1) TO A MIXED USE FOR EDUCATION, TRAINING AND EXHIBITION HALL (CLASS D1) AND ASSEMBLY AND LEISURE (CLASS D2) AND WEDDING CEREMONIES (SUI GENERIS)
St Vincent College Mill Lane Gosport Hampshire PO12 4QA**

Councillor Ronayne declared a personal interest in respect of this item and left the room.

Consideration was given to the report of the Borough Solicitor and Deputy Chief Executive requesting that consideration be given to planning application 16/00027/FULL.

Mrs Sidwick was invited to address the Board.

Members were advised that there were no updates.

Mrs Sidwick advised Members that she lived at number 35 Ferrol Road with her husband and two children. Mrs Sidwick referred Members to a photograph that she had circulated which showed the view from her son's bedroom window which overlooked the 'Jervis Building' where it was proposed to hold evening events.

Mrs Sidwick informed Members that LP46 of the Gosport Local Plan clearly stated that “development proposals which are noise generating will not be permitted if the noise has a significant impact on the users of existing neighbouring noise-sensitive development”.

Mrs Sidwick advised Members she felt the proposal would have an adverse impact on noise levels to neighbouring properties and therefore expressed concerns regarding the change of use to allow evening functions for commercial purposes.

Mrs Sidwick advised Members that when she purchased her property as a family home in January 2016, she was aware and accepted the present noise levels generated from the sports ground however Mrs Sidwick advised that the noise levels currently generated did not carry on late into the evening nor occur very often. Mrs Sidwick felt that the amplified theatre effect of the site would result in sound travelling further and be intrusive.

Mrs Sidwick concluded that the proposed application would impact on her quality of life and that, following a stroke in 2011, she struggled with loud noise. Mrs Sidwick felt that should this application be allowed, she had no doubt that at evening and weekends noise levels would be unacceptable resulting in her and her family being unable to sleep.

Mrs Hockaday, Commercial Director of St Vincent College, was invited to address the Board

Mrs Hockaday advised Members that this application would generate an alternative revenue stream to support the College meet educational needs and provide Gosport with a place to hold community events, weddings, social gatherings and indoor art exhibitions.

Mrs Hockaday advised Members that the ‘Jervis Building’ was situated in a quad surrounded by other buildings and felt that noise generated would therefore be restricted to background noise. Mrs Hockaday further advised Members that an acoustic noise impact report had been carried out which had been circulated to Board Members.

Mrs Hockaday further advised that a car parking survey had been carried out and that it had been considered that there would be no impact to parking in the area.

RESOLVED: That planning application 16/00027/FULL be approved subject to the conditions of the report of the Borough Solicitor and Deputy Chief Executive.

**48. 16/00248/FULL – RETENTION OF SINGLE STOREY REAR EXTENSION (AMENDMENT TO 15/00149/FULL) (CONSERVATION AREA)
1 Shell Pier Cottages Hayling Close Gosport Hampshire PO12 4JS**

Consideration was given to the report of the Borough Solicitor and Deputy Chief Executive requesting that consideration be given to planning application 16/00248/FULL.

Members were advised that there were no updates.

RESOLVED: That planning application 16/00248/FULL be approved subject to the conditions of the report of the Borough Solicitor and Deputy Chief Executive.

**49. 15/00633/FULL – ERECTION OF PART TWO STOREY AND PART SINGLE STOREY REAR EXTENSION AND SINGLE STOREY FRONT BAY WINDOW (as amended by plans received 29.04.2016)
45 Woodstock Road Gosport Hampshire PO12 1RS**

Consideration was given to the report of the Borough Solicitor and Deputy Chief Executive requesting that consideration be given to planning application 15/00633/FULL.

Members were advised that there were no updates.

RESOLVED: That planning application 15/00633/FULL be approved subject to the conditions of the report of the Borough Solicitor and Deputy Chief Executive.

**50. 16/00298/FULL – ERECTION OF OUTBUILDING (LISTED BUILDING IN A CONSERVATION AREA) (as amplified by email received 02.09.16)
3 Village Road Gosport Hampshire PO12 2LD**

Consideration was given to the report of the Borough Solicitor and Deputy Chief Executive requesting that consideration be given to planning application 16/00298/FULL.

Members were advised that there were no updates.

RESOLVED: That planning application 16/00298/FULL be approved subject to the conditions of the report of the Borough Solicitor and Deputy Chief Executive.

51. ANY OTHER BUSINESS

There was no other business.

The meeting concluded at 18:45

CHAIRMAN