

**A MEETING OF THE REGULATORY BOARD
WAS HELD ON 18 OCTOBER 2017 AT 6PM**

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

It was reported that in accordance with Standing Order 2.3.6, Councillor Miss Kelly had been nominated to replace Councillor Ms Diffey for this meeting.

55. APOLOGIES

Apologies for inability to attend the meeting were received from The Mayor and Councillor Ms Diffey,

56. DECLARATIONS OF INTEREST

Councillors Farr and Wright declared a non-pecuniary interest in agenda item 6
Councillor Allen declared a non-pecuniary interest in agenda item 5

57. MINUTES

RESOLVED: That the Minutes of the Regulatory Board meeting held on 30 August 2017 be approved and signed by the Chairman as a true and correct record.

58. DEPUTATIONS

Deputations had been received on the following items:

- Agenda Item 1 - 16/00599/FULL – Carisbrooke Centre
- Agenda Item 2 - 17/00274/FULL – 58-60 Foster Road
- Agenda Item 4 – 17/00281/FULL – 35 Bury Road
- Agenda Item 5 - 17/00334/FULL – 19 Amersham Close
- Agenda Item 6 – 17/00344/FULL – 63 Jellicoe Avenue
- Agenda Item 7 - 17/00168/FULL – 1 Beaulieu Place
- Agenda Item 8 – 17/00331/DULL – 26 Pier Street, Lee-on-the-Solent

59. PUBLIC QUESTIONS

There were no public questions

60. FAREHAM BOROUGH CONSULTATIONS

D.11/006/17

DETAILS OF THE ACCESS, APPEARANCE, LANDSCAPING, LAYOUT AND SCALE, PURSUANT TO OUTLINE PLANNING PERMISSION REFERENCE P/16/0557/OA, FOR THE INTERCONNECTOR AND CONVERTER STATION, ALL ASSOCIATED BUILDINGS AND SITE INFRASTRUCTURE AND DETAILS PURSUANT TO CONDITIONS 7 (LEVELS), 20 (CONSTRUCTION ACCESS) AND 21 (OPERATIONAL ACCESS) OF OUTLINE PLANNING PERMISSION REFERENCE P/16/0557/OA

D.11/008/17DETAILS OF ACCESS, APPEARANCE, LANDSCAPING, LAYOUT AND SCALE PURSUANT TO OUTLINE PLANNING PERMISSION REFERENCE P/16/0557/OA FOR THE AREA OF PUBLIC OPEN SPACE RELATING TO THE LAND TO THE NORTH OF THE IFA2 INTERCONNECTOR AND DETAILS PURSUANT TO CONDITIONS 35 (HARD LANDSCAPING)

AND 36 (HABITAT CREATION & MANAGEMENT) OF THE OUTLINE PLANNING PERMISSION REFERENCE P/16/0557/OA.

LAND AT DAEDALUS AIRFIELD, LEE-ON-THE-SOLENT

Consideration was given to a report of the Head of Planning Services detailing two Reserved Matters applications that have been received by Fareham Borough Council (FBC) from National Grid IFA 2 Limited (National Grid) pursuant to Outline planning permission for a new electricity interconnector and convertor station at Daedalus that was granted planning permission by FBC in April 2017, under reference P/16/0557/OA.

As a neighbouring authority Gosport Borough Council has been consulted on the proposals by Fareham Borough Council.

Members proposed that stronger comments be made on the application and felt there should be concerns raised about the visual and electromagnetic impact of the proposal in addition to the potential noise and employment impacts.

It was proposed and seconded and subsequently agreed that the consultation response be amended to read as follows:

Notwithstanding the previous concerns raised about the principle of the development and detrimental impact on the Strategic Gap, contrary to Policy CS22 (Development in Strategic Gaps); Gosport Borough Council wishes to Raise Comments on the above consultations on the following grounds:-

Fareham Borough Council must give assurance that the reserved matters proposals and all other details submitted pursuant to conditions imposed on the Outline planning permission should not prejudice the on-going operations of existing occupiers of, or deter potential future specialist employers from locating on, the Solent Enterprise Zone.

In particular Fareham Borough Council must give assurance that:

- a) electromagnetic interference; and/or
- b) radio frequency interference

associated with the operation of the interconnector and the operation of the cables running across the airfield will not prejudice the existing occupiers of, or deter potential future specialist employers from locating on, the Solent Enterprise Zone.

Fareham Borough Council must also give assurance that noise associated with the operation of the interconnector will not cause harm or have a detrimental impact to:

- a) users of the proposed open space; or
- b) the occupiers of neighbouring residential and industrial premises.

RESOLVED: That notwithstanding the previous concerns raised about the principle of the development and detrimental impact on the Strategic Gap, contrary to Policy CS22 (Development in Strategic Gaps); Gosport Borough Council wishes to Raise Comments on the above consultations on the following grounds:-

Fareham Borough Council must give assurance that the reserved matters proposals and all other details submitted pursuant to conditions imposed on the Outline planning permission should not prejudice the on-going operations of existing occupiers of, or deter potential future specialist employers from locating on, the Solent Enterprise Zone.

In particular Fareham Borough Council must give assurance that:

- a) electromagnetic interference; and/or
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associated with the operation of the interconnector and the operation of the cables running across the airfield will not prejudice the existing occupiers of, or deter potential future specialist employers from locating on, the Solent Enterprise Zone.

Fareham Borough Council must also give assurance that noise associated with the operation of the interconnector will not cause harm or have a detrimental impact to:

- a) users of the proposed open space; or
- b) the occupiers of neighbouring residential and industrial premises.

61. REPORTS OF THE HEAD OF PLANNING SERVICES

The Head of Planning Services 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:

- 62. 16/00599/FULL REFURBISHMENT OF THE CARISBROOKE CENTRE INVOLVING: (I) GROUND FLOOR EXTENSION TO THE COOP STORE (53SQ.M.); (II) REFURBISHMENT AND RECONFIGURATION OF THE UPPER FLOORS OF THE WEST AND NORTH WINGS OF THE CENTRE TO PROVIDE 27 ONE BEDROOM AND 1 TWO BEDROOM FLATS (REPLACING THE EXISTING 10 THREE BEDROOM FLATS) INCLUDING THE ADDITION OF 2ND FLOOR TO NORTH WING; EXTERNAL ALTERATIONS AND ENCLOSURE OF EXISTING OPEN STAIRCASES SERVING THE FLATS; (III) CONSTRUCTION OF A PAIR OF SEMI-DETACHED, THREE BEDROOM HOUSES TO SOUTH OF CAR PARK ENTRANCE, AND; (IV) ENLARGEMENT OF CENTRE CAR PARK AND RATIONALISATION OF REAR SERVICE AREAS AND RESIDENTS PARKING SPACES, AND LANDSCAPING TO PROVIDE A TOTAL OF 69 CAR PARKING SPACES AND 44 CYCLE SPACES (as amended by plans received 06.02.17 and 27.09.2017 and amplified by details received 27.09.2017)
Carisbrooke Centre 43-61 Carisbrooke Road Gosport PO13 0QY**

Consideration was given to the report of the Head of Planning Services requesting that consideration be given to planning application 16/00599//FULL.

Lauren Atkins and Matthew Pickup were invited to address the Board.

Lauren Atkins advised that she was the Managing Director of Zionstone Limited, the applicant and owner of the Carisbrooke Centre and that Matthew Pickup was the scheme's Planning Consultant. She advised the Board that she was also accompanied by Mr and Mrs Viney who were the closest residents in proximity to the Carisbrooke Centre, and Morgan Sheldon who was representing the Centre's shop and business owners and operates the Centre's parking management regime.

Lauren Atkins advised the Board that the benefits of the proposal were that it would make the Centre more attractive to customers and businesses and increase the long term viability, and that its redevelopment would provide an important focus for the community for many years to come.

The Board was advised that tenants of the shops did not want to bear the costs of refurbishments through their service charges and that the improvements needed would be a comprehensive refurbishment. The Board was also advised the tenants had been consulted on what they perceived to be the biggest issues and that these had been identified as parking and refuse, and as a result these had been considered during the design process.

The Board was advised that the development would formalise and improve the parking provision, providing 69 spaces for residents and shoppers which would be an increase of 34 spaces. Although there would be more dwellings, the number of bedrooms across the scheme would only be increased by five. In addition, the Board was advised that the existing three bedroom flats have no dedicated amenity space questioning their suitability as family accommodation.

The Board was advised that the detail regarding the proposed phased construction plan and timetable along with details of construction methods and evidence of ownership had already been provided but that any questions were welcomed. She also confirmed that the shops would remain open and parking would still be provided during construction.

Lauren Atkins advised the Board that the application had been submitted as a pre-application enquiry in May 2016 which resulted in several revisions to the number and mix of the dwellings, changes to the car parking and service area and changes to the external appearance of the new and refurbished buildings.

The Board was advised that the formal pre application response was positive and that the proposal was seen as an opportunity to improve the quality of a neighbourhood shopping area. The Board was advised that the scheme was compliant with national guidance and local policies with regard to height, scale, mass and design and also car parking, cycle and refuse storage and layout. In addition the provision of additional floor space was acceptable.

The final proposals had responded to comments from the Highway and Drainage engineers, Environmental Health, Streetscene, waste and cleansing as well as the Police and the Council's ecologist which had demonstrated that bats did not use the buildings for roosting. The Board was also advised that written responses had been provided to Councillor Philpott's concerns.

The Board was advised that the proposal was for the provision of a sustainable and accessible mixed use development within an urban area which was advocated by both Government and Local Plan guidance and that careful consideration had been given to the refurbishment of the Centre and how it met both Local and National Planning policy, whilst address the needs of local people.

In answer to a Member's question, Ms. Atkins advised that the currently all the residential units were occupied.

Councillor Philpott, Ward Councillor for Peel Common was invited to address the Board.

He advised the Board that since the publication of the Planning Officer's report a couple of changes had occurred: over the summer, the owners of the precinct had introduced a two hour parking restriction for customers and a permit system for traders. Whilst this had been beneficial for traders because customers had a greater certainty of finding a parking space, it had also exacerbated the existing shortage of spaces in neighbouring roads as some cars that had previously used the site had been displaced.

The Board was also advised that the Co-op store was now a McColl

Councillor Philpott also advised that, whilst the some of the housing to the east of the site was typically formed of short terraces and simple design, it was not largely true of properties to the south and west as stated in the report. Properties to the south and west were a mixed design of principally semi-detached and detached houses and detached bungalows.

Councillor Philpott advised that he was asking the Board to refuse the application because he did not consider it compatible with Policies LP24, LP27 or LP28 of the Local Plan. He advised that LP24 stated that *'Proposals for new housing developments should include a mix of dwelling types, sizes and tenures.'* He advised that the explanatory notes attached to LP24 gave further details of the percentages in relation to unit sizes that the Council would consider acceptable and stated that only 5-15% of any development should comprise one-bedroom units, and that the proposed percentage for the application was 90%. In addition, he advised the Board that the proportion of three bedroom units should be in the region of 40-45% and that this application reduced the number of three bedroom units from 10 to two. The Board was advised that the guidance on the mix of dwellings derived from the 2014 Strategic Housing Market Assessment and that the Partnership for Urban South Hampshire also encouraged its partners to strive for a mixed balance of housing types with 30% of new properties being family homes. The proposal for this site was just 10%.

Councillor Philpott advised the Board that the report implied that the increase in the number of units would lead to reduced stress on the infrastructure, or at least have a neutral effect. He advised the Board that this would only be true if two thirds of the new properties were to be occupied exclusively by children as 10 family units were being replaced with seven, one-bedroom flats. As a result there would be more adults and by definition more cars.

Councillor Philpott advised the Board that on sites of 10 dwellings or more the Council would seek to secure 40% affordable housing and that, where it could be clearly demonstrated that the provision of 40% was not economically viable, the Council would seek to negotiate a percentage of affordable housing as close as possible to the target level. Councillor Philpott advised that the proposal did not include any provision for affordable housing and the question of viability was based on the applicant's own assessment.

Councillor Philpott expressed concern that there was no evidence that negotiation had taken place to determine whether any percentage of affordable units could be achieved.

The Board was advised that the report referred to significant environmental improvements offered by the proposed scheme, and that one justification of the lack of affordable units related to improvements to the rear service yard. Councillor Philpott advised that the application proposed the removal of garages and their replacement with hardstanding, but he did not feel this could be deemed a significant environmental improvement, or justification for setting aside Policy LP24(2). Councillor Philpott advised that the proposed removal of soft landscaping would alter the character and appearance and result in the loss of some open space, including two trees which were positive features of the site and he felt that this could not be classed as environmental improvements.

Councillor Philpott advised the Board that the shopping parade at Carisbrooke Road was currently thriving and that every unit was filled and that this had been the case for a number of years. Whilst he accepted that this would not normally be a planning consideration, the Board was advised that current tenants of the parade included a music shop and a salon offering homeopathy treatments. Both shops were located in the block earmarked for an additional storey and the noise and disruption of the work could be devastating for the businesses. The work to convert the Co-op to a McColls earlier in the year had taken four days and traders reported lost trade and there were a number of service vehicles in the car park. The construction period for this proposal was estimated to be 18 months.

The Board was advised that, whilst the Construction Environmental Management Plan appeared comprehensive and mentioned Policies LP10, LP22, LP44, LP46 and LP47, there was no mention of Policies LP21 and LP28 safeguarding of the amenity of occupiers of adjoining properties and highway and pedestrian safety, and no corresponding safeguarding for traders.

The Board was advised that the report referred to a better designed entrance point, in the context of additional floor space, but made no mention of the impact the two semi-detached houses would have on the streetscene. Councillor Philpott advised that he felt that referring to the service yard as revamped to in the report gave the impression that there was expansion when it was in fact the opposite taking place and that, contrary to paragraph 8 of the report, the site would appear smaller and more cramped.

Councillor Philpott advised that the report referred to the Council's adopted parking standards and Policy LP23 in allowing for 29 spaces for flats and 16 for traders, leaving 20 spaces for customers, but it was anticipated that demand would be greater than the provision set out. Stress had already been placed on surrounding roads as a result in recent parking regime changes with footpath and grass verge parking becoming the norm. Councillor Philpott advised that he felt that the claim that there would be 50 spaces in front of the shop following the removal of green spaces was ambitious and optimistic and that even with disciplined and careful parking there would be a shortage and that if customers could not park they would shop elsewhere reducing the viability and vitality of the centre.

Councillor Philpott concluded by advising that he felt that the application was contrary to Policy LP24(1) in respect of the mix of dwelling types and LP24(2) in respect of affordable housing provision. He also felt that it was contrary to Policies LP27 and LP28 as it will have a detrimental impact on the

vitality and viability of the neighbourhood centre and the loss of green space and trees would result in a less attractive environment.

In answer to a Member's question the Board was advised by officers with regard to the affordable housing provision that the applicant had submitted a financial viability assessment with their application. The assessment had been independently assessed by the District Valuer as being robust and demonstrated that the proposal would not be viable if it included affordable housing provision and that there was provision in LP24 in such circumstances for the reduction of affordable housing provision.

The Board was also advised by officers that in relation to the limited mix of dwellings proposed the site was currently predominantly three-bedroom flats with no gardens or outdoor space. This is not in keeping with the amenities required by larger family units and smaller units were therefore more appropriate in this location.

In answer to a Member's question, the Board was advised that Council Policies provided a guide and a framework and that each application was carefully considered against them. In this instance it was felt that the proposal provided an appropriate mix of properties given the nature of the development and its location and the character of the surrounding residential area.

Members were also advised that, whilst it was desirable for the application to comprise a mix of dwelling types, there was a shortage of all types and sizes of dwellings in the Borough.

Members were advised that the Highway Authority was satisfied with the parking provision as it had been reconfigured and more spaces had been made available in accordance with the Parking SPD. The additional parking provided would meet the requirements of the proposed additional development, but that it was not possible for this application to address any existing shortfall in parking provision.

Members felt that the proposal was unacceptable as it did not meet Local Plan requirements with regard to the provision of affordable housing and the mix of proposed dwellings.

Members voted on the proposal and it was not approved.

It was proposed and seconded and agreed that the application be refused.

RESOLVED: That planning application 16/00599/FULL be refused as it is contrary to Policy LP24 of the Local Plan because it does not provide an appropriate mix of housing size.

**63. 17/00274/FULL - ERECTION OF 2 DETACHED TWO STOREY THREE BEDROOM DWELLINGS (CONSERVATION AREA IN PART) (as amended by plans received 10.08.17 and 29.08.17 and amplified by the Flood Risk and Surface Water Drainage Strategy received 02.08.17 and Highway Statement received 10.08.17)
58-60 Foster Road Gosport PO12 2JJ**

Consideration was given to the report of the Head of Planning Services requesting that consideration be given to planning application 17/00274/FULL.

Mr Catmore was invited to address the Board.

Mr Catmore advised the Board that he had resided in Foster Road for 53 years and that he was objecting to the proposal because he felt that if the application was approved it would have a detrimental impact on those living at 62 Foster Road.

He advised that this was no different to a planning application in 2008 which was refused because the proposed dwelling would be adjacent to, but fully forward of and in front of number 62 Foster Road.

Mr Catmore advised the Board that the application proposed would result in an identical situation with the same degree of detrimental impact.

He advised the Board that there was a mutual wish to develop the site at 58-60 Foster Road but that it should not be to the detriment of the neighbours at 62. He felt that the Council had previously understood this. He advised the cosmetic treatment of what appeared to be four bricked up windows on the west side would soften the harsh appearance of a vast expanse of brickwork but that the main issue was that of the positioning of the proposed dwelling – this side of the proposed dwelling would tower fully over the front garden of number 62.

Mr Catmore advised the Board that he felt the site was too narrow for two homes and that unlike neighbouring properties there would be no room for an integral garage and that the proposed homes did not create harmony with the neighbouring properties and had the potential for disagreement with a shared driveway.

Mr Catmore concluded that he hoped that Members would consider refusing the application on the basis of the detrimental impact it would have on the neighbouring property.

In answer to a Member's question the Board was advised that in principle Mr Catmore did not object to development of the site but that the objection was to the impact the 'Plot 1' dwelling would have on number 62 Foster Road; it would cast a shadow and block the sun.

In answer to a Member's question, the Board was advised by officers that they were not aware of a previous planning application for the site but would need to check the records to confirm this.

Matthew Pickup was invited to address the Board. He advised that he was the agent for the applicant.

Mr Pickup advised the Board that the proposal was for the construction of two, two-storey, detached houses following the demolition of the site's two existing garage blocks

He advised that the proposal was first submitted as a pre-application enquiry in September 2016 to establish whether officers would support the principle of the development and to seek their views on the initial layout, design and quantum.

The Board was advised by Mr Pickup that the pre-application proposal for two houses was considered to be acceptable in principle by planning officers and that the stepping of the houses to follow the curve respected the character of existing frontage development. Mr Pickup advised that the pre-application advice had commented on design, size, siting of the houses within the plots and the access and parking arrangements.

The Board was advised by Mr Pickup that following resubmission in April 2017 the previously proposed hipped roofs were replaced with gabled elevations and the front projecting gardens were deleted providing more open space at the front of the site for parking and landscaping. Separate vehicle entrances were replaced with a shared access. The proposed 'Plot 2' dwelling was re-sited so that there was only minimal overlap between the proposed house and number 56 to the east addressing possible concerns about overlapping and privacy. The Board was advised that the response from officers had been positive and that a formal application was submitted in June 2017.

Mr Pickup advised that during the course of the consideration of the application, several comments had been made by neighbours occupying the two adjacent properties; occupiers of No.56 had stated that they were concerned about the loss of part of the brick wall along the eastern boundary and the occupiers of No.62 to the west, whilst welcoming the principle of the development, had expressed concerns about the similar design of the two houses, the appearance of the west facing gable wall and the outlook from the front of their property. Further comments had been received from internal consultees regarding design, appearance and detailing and vehicle parking and manoeuvring.

Mr Pickup advised that his client was very keen to try and address the concerns of the site's neighbours. He advised that the plans were revised to indicate a brick wall along the length of the boundary shared with No.56 to the east and that the external materials of the two houses were

amended to give them greater individuality and visual interest. The dwelling in Plot 1 would combine facing brickwork, brick banding and cream rendered elevations; the house in Plot 2 would be finished with facing brickwork together with vertical tile hanging, both dwellings would also be built with recessed 'dummy' windows in their west flank elevations adding interest to their appearance. Mr Pickup was advised that the applicant was aware of Mr Catmore's concerns and, in order to address some of these, would be quite happy to replace the inset red brick panelling with high level windows - which could be achieved via a planning condition.

Mr Pickup advised that he had also discussed with the applicant the possibility of siting the dwelling within Plot 1 further back, to try and alleviate Mr Catmore's concerns but that it would have to be very carefully considered as it would result in a reduction in the size of the rear garden.

Mr Pickup advised that following advice from a Highways consultant the applicant revised the position, size and orientation of each of the dwellings' two proposed parking spaces so as to enable all vehicles to enter, turn and leave the site in a forward gear. The revisions had also resulted in the reduction in the width of the dropped kerb in front of the site from around 27m to 11m enabling two additional on-street parking spaces to be formed.

Mr Pickup concluded by advising that the proposed development would result in the provision of two good quality family homes, in a very sustainable location close to the town centre. The development would be on Brownfield land and would replace two blocks of garages which were currently in use for ad-hoc storage. He advised that the applicant had tried to address the concerns of both the Council's Officers and neighbours and had revised his plans accordingly whenever possible. He requested therefore that planning permission be granted.

In answer to a Member's question the Board was advised that the Officer's report addressed the style and design of the properties in relation to the streetscene and that there was minimal uniformity amongst the other properties in the road. The design of the proposal was such that it included elements of a number of the styles of properties on Foster Road.

Members were advised that proposed relocation of the 'Plot 1' dwelling would require further consultation and consideration as there would be an impact on the size of the garden.

Members proposed that a site visit be undertaken and that consideration be given to the applicant's offer of relocating the 'Plot 1' house further back on the site. This was seconded and approved.

RESOLVED: That planning application 17/002474/FULL be deferred for a site visit and further negotiations as to the position of the dwelling on Plot 1.

**64. 17/00374/FULL - DEMOLITION OF GARAGES AND BOUNDARY WALL AND ERECTION OF TWO-STOREY BUILDING COMPRISING GUEST ACCOMMODATION AND GARAGES TOGETHER WITH BOUNDARY WALL (LISTED BUILDING IN A CONSERVATION AREA)
Anglesey Hotel 24 Crescent Road Gosport Hampshire**

Consideration was given to the report of the Head of Planning Services requesting that consideration be given to planning application 17/00374/FULL.

A Member thanked Officers for their full and detailed consideration of the proposal and welcomed the conditions to be placed on the use of the bedrooms.

RESOLVED: That planning application 17/00374/FULL be approved subject to the conditions in the report of the Head of Planning Services.

**65. 17/00281/FULL - REPLACEMENT OF SINGLE AND TWO STOREY REAR EXTENSIONS AND RE-CONFIGURATION OF LAYOUT TO PROVIDE 6 BEDSITS AND 3 ONE BEDROOMED RESIDENTIAL UNITS (CONSERVATION AREA) (as amended by plans received 05.10.17)
35 Bury Road Gosport Hampshire PO12 3UE**

Consideration was given to the report of the Head of Planning Services requesting that consideration be given to planning application 17/00281/FULL.

Graham Jacobs was invited to address the Board.

Councillor Allen advised that he knew the depute personally and would take no part in the discussion or voting thereon.

Mr Jacobs advised that he was representing the applicant as he could not attend the meeting.

The Board was advised that the site had been purchased at auction in 2013 having previously been used as a halfway house. The property had undergone an extensive refurbishment which proved costly as it had previously been unlawfully entered and vandalised and had a previous reputation for drug use and antisocial behaviour.

Mr Jacobs advised that the applicant was mindful of the neighbours' concerns regarding the site but reassured the Board that the applicant ran the property as a business and did not use rental agents.

Mr Jacobs advised the Board that the applicant had taken on board concerns raised and made a number of changes to the proposal to address these. These included the reduction in the proposal from four two-bedroom flats to three one-bedroom flats, the implementation of extra car parking spaces and the amendment of window design from box to sash. Amendments had also been made to the first floor layout by recessing the staircase to reduce overlooking and the materials of the roof and construction had been amended to reflect the Conservation Area. The extension was smaller than originally proposed.

Mr Jacobs advised that overall the proposal only added one additional bedroom to the site and that Bury Road was well served by public transport.

Mr Jacobs concluded by advising that the existing building was badly designed and an eyesore, he advised that the extension currently had three bedrooms and was proposed to remain as having three bedrooms and that residents would be professional people.

In answer to a Member's question the Board was advised by Mr Jacobs that Hampshire Highways felt that there was sufficient parking in the surrounding roads for visitors and that vehicle ownership at the property was 0.5 vehicles per unit.

The Board was advised by Officers that the proposed level of parking spaces was acceptable as consideration had been given to the provision of off site visitors parking and the public transport options available.

RESOLVED: That planning application 17/00281/FULL be approved subject to the conditions in the report of the Head of Planning Services.

**66. 17/00334/FULL – CONTINUED USE OF LAND FOR RESIDENTIAL DRIVEWAY AND PART RETENTION / PART ALTERATION TO HARD STANDING AND 1.8 METRE HIGH FENCE (AMENDED SCHEME TO 16/00146/FULL AND 17/00208/FULL)
19 Amersham Close Gosport Hampshire PO12 2RU**

Consideration was given to the report of the Head of Planning Services requesting that consideration be given to planning application 17/00334/FULL.

Mr McCallan was invited to address the Board, he advised that he did not wish to add anything but was happy to answer any questions.

In answer to a Member's question, the Board was advised by Officers that highway rights were not a material planning consideration and would need to be considered under separate legislation. It was confirmed that the applicant owned the land.

Members felt that the applicant had made a reasonable compromise compared to what had previously been proposed/implemented on this site.

RESOLVED: That planning application 17/00334/FULL be approved subject to the conditions in the report of the Head of Planning Services:

**67. 17/00344/FULL - INSTALLATION OF A FIRST FLOOR REAR ROOF
TERRACE INCLUDING BALUSTRADING
63 Jellicoe Avenue Gosport Hampshire PO12 2PB**

Consideration was given to the report of the Head of Planning Services requesting that consideration be given to planning application 17/00344/FULL.

James Porter was invited to address the Board, he advised that he was the agent for the applicant.

Mr Porter advised the Board that there had been no concerns raised regarding the development when the applicant had discussed the proposals with the neighbours, nor had any objection been received in the period of public comment.

Mr Porter advised the Board that Jellicoe Avenue was currently undergoing a period of change and that many properties had undergone substantial alteration, remodelling or complete refurbishment and that the proposed rear terrace would be another step in the change and act as a catalyst for further improvement to the property and others in the Avenue.

He advised the Board that the proposal was supported by Policy LP10 which encouraged the reinforcement of locally distinctive patterns of development.

Mr Porter advised the Board that 63 Jellicoe Avenue was sited on a larger than usual plot as there was no 65 Jellicoe Avenue and as a result benefited from increased separation from neighbouring properties.

Mr Porter advised the Board that the Design Guidance Planning Document made reference to recommendations on back to back distances between properties being 21 metres, therefore implying that a separation distance of 10.5 metres between a two-storey window and an adjacent private amenity space was adequate. The Board was advised by Mr Porter that a person standing by the proposed balustrade would be just under 10.5 metres from the edge of 61 Jellicoe Avenue's garage roof which stood at more than 2.3 metres above ground level, which was some 500mm more than a typical boundary treatment.

The Board was advised that there was a separation distance in excess of 24 metres between the proposed terrace and number 7 Northcott Close to the east and that there was a 3 metre high hedge on the boundary which the applicant had no intention of removing. Number 67 Jellicoe Avenue had a separation of more than 11 metres from the balustrade to the edge of their garage roof which was also greater than 1.8 metres in height. There was also a single storey extension on number 67 which increased the physical separation between the proposed terrace and the private amenity space.

Mr Porter advised that beyond the neighbour's garden there were limited views as a result of boundary treatment and that a first floor extension of similar footprint would be acceptable in terms of planning with rear facing windows that would provide similar views to the proposed terrace.

Mr Porter provided the Board with a panoramic photograph from the existing first floor as a reference and advised that he felt the potential for overlooking was limited, at best. The Board was also advised that the access to the terrace would be from one of the main bedrooms, as it was

primarily for the private enjoyment of occupants and less so those visiting. Mr Porter advised the Board that the terrace would provide no greater disturbance to neighbours than the garden

Mr Porter advised the Board that recent planning permissions granted for applications at 54 Jellicoe Avenue and 113 Jellicoe Avenue had used similar designs and material choices on the front elevations and therefore did not consider that the materials were out of keeping with the local area. Mr Porter advised that he believed the terrace had no greater impact on the street scene than previously approved front elevation terraces that were visible from both north and south approaches. He did not believe that the terrace would be overbearing on neighbouring properties and that a first floor extension, though acceptable would have a more overbearing impact on neighbours than the terrace which would be used less frequently.

Members accepted that there was no objection from neighbouring properties and that planning officers who considered the proposal to be unacceptable. It was proposed, seconded and agreed that the item be deferred for a site visit.

RESOLVED: That application 17/00344/FULL be deferred for a site visit

**68. 17/00168/FULL - RETENTION OF A SINGLE STOREY SIDE EXTENSION
1 Beaulieu Place Gosport Hampshire PO13 0QP**

Consideration was given to the report of the Head of Planning Services requesting that consideration be given to planning application 17/00168/FULL.

Debby Osman was invited to address the Board.

She advised that she was objecting to the application at 1 Beaulieu Place as she felt it to be inappropriate and unlawful with disregard to neighbours and advised the Board that the side extension was contrary to a planning condition (reference K4089 Condition 9) which was placed on the estate properties in order to maintain visual space between properties and not allow future development to adversely affect neighbouring properties.

The Board was advised by Mrs Osman that the owners of 1 Beaulieu Place had applied for planning consent for large extensions to their property which included this side extension. These original plans were objected to by the occupants of 3 Beaulieu Place based on the side extension's impact on 3 Beaulieu Place, the spoiling of the street scene and the over-development of the site. The Board was advised that the plans were subsequently revised, during the planning process, and the side extension was removed. The owners of number 3 therefore thought that the side extension was not going ahead and as a result there was no objection by them to the development to the rear.

The Board was advised that the work began on the side extension at the beginning of May, before formal planning permission was granted for the submitted proposal.

Mrs Osman advised the Board that there were no permitted development rights for a side extension on the property and that subsequent investigation into historic documents led to the discovery of an enforceable condition regarding this. The Board was advised by Mrs Osman that it was felt that at this point work should have stopped.

The Board was advised by Mrs Osman that the report of the planning officer highlighted the unlawfulness of the development based on the K4089 condition and the owners of 1 Beaulieu Place subsequently instigated an application for lawful development approval upon completion of the build. This application was refused and a subsequent appeal lost as the Planning Inspectorate considered the condition valid and enforceable.

The Board was advised by Mrs Osman that the original planning condition was in place to safeguard against overdevelopment and disruption to a uniformed streetscene and that the Planning Inspectorate's upholding of the condition reinforced this.

Mrs Osman advised the Board that she disputed the reference in the planning officer's report that there was no need for visual context with neighbouring properties as the new extension had been built below the overhang of number 3 Beaulieu Place and that as a result, there was clearly a need for context, and that the officer had stated that there was a clear division between properties maintaining individual identity. She advised the Board that she felt that this was subjective as the contrived pitched roof had been constructed in such a way that it was not subservient to the front elevation. There had previously been a uniform space of 2.5metres between properties and this had now been reduced to 250mm

The Board were advised that the side extension and pitched roof of the extension made it impossible for the owner of number 3 Beaulieu Place to properly maintain their property on the gable end as there was no room for a person to work on the brickwork and impossible to change or maintain bargeboards at the front of the property. Mrs Osman felt that the development did adversely affect the neighbouring properties and requested that the Board visit the site before making a decision.

Debby Osman advised the Board that she felt the proposal should be looked at from the perspective of the entire site and all previous applications and not only considered from the front elevation as there had been a 102% increase in the footprint of the original bungalow and the original property was now subservient to the extensions.

She concluded by stating that the application was an overdevelopment of the site, that it adversely impacted on number 3 Beaulieu Place, contravening LP10 and stated that the owners had continuously been allowed to flout planning rules and conditions. She felt that the recommendation to grant permission for a side extension was disappointing when the Planning Inspectorate considered that the decision should be upheld.

In answer to a Member's question, the Head of Planning Services advised the Board that the original proposal had included plans for the side extension, but that the agent for the development had subsequently removed the side extension from the planning application as it was believed that the side extension could be completed under permitted development rights.

However, a condition had been placed upon the property when it was built, removing the permitted development rights for a side extension and the applicant was advised of this and requested to submit a retrospective application for the side extension. The applicant had contended that the condition was no longer enforceable and subsequently appealed to the Planning Inspectorate against the Council's refusal to agree that the works were permitted development and issue a Certificate of Lawful Development. The Planning Inspectorate confirmed that the condition to remove permitted development rights was still enforceable and that planning permission was required for the side extension.

Members expressed concern that the applicants had continued with the development after it had been identified that planning permission was required and questioned whether the proposal constituted overdevelopment. It was proposed, seconded and agreed that the application be deferred for a site visit.

RESOLVED: That application 17/00168/FULL be deferred for a site visit.

- 69. 17/00331/FULL - CHANGE OF USE FROM SHOP (CLASS A1) TO HOT FOOD TAKEAWAY (CLASS A5) AND INSTALLATION OF EXTERNAL FLUE TO REAR ELEVATION (RESUBMISSION OF 17/00096/FULL) (Conservation Area)
 26 Pier Street Lee-On-The-Solent Hampshire PO13 9LD**

Consideration was given to the report of the Head of Planning Services requesting that consideration be given to planning application 17/00331/FULL.

The Board was given an update that a further letter of objection had been received objecting to the proposal for another fast food restaurant and the noise and odour that would be generated. The Board was advised that there were no additional issues raised to those set out in the report.

Dr Williams was invited to address the Board. He advised the Board that an application had been made before and had been refused and advised that he was representing all of the owners and residents of Solent Court Mansions that were opposing to the application.

Dr Williams advised the Board that the shop had had a number of uses over the years and that one of the main concerns for this proposal was the significant chimney that was proposed to be installed within two metres of the communal balcony used to access the flats above and onto which the bedroom windows opened.

Dr Williams advised the Board that the prevailing wind circulated around the outside space and that the fumes would not disperse and would enter the flats as a result.

The Board was advised that the block was historic with a distinctive design and Dr Williams expressed concern that the flats were prohibited from having satellite dishes, but that the proposal for a flue attached to the block was apparently acceptable.

Dr Williams advised that the oldest resident of the flats was 98 years old and that the increase in takeaways, the noise, smells, increased traffic and parking problems would be detrimental to all of the residents and requested that the application be refused.

A Member stated that the proposal was for alterations to a long, narrow shop and that the flue would be 25 foot high. They stated that there were already three takeaway shops in the vicinity and that the proposal would have a significant impact on local residents.

In response, Dr Williams expressed concern at the additional traffic levels that would be generated to both the front and the rear of the site, and concern regarding the visual impact of the proposed flue as there was a window between the flats and the unit.

In answer to a Member's question, the Board was advised that the proposed opening hours for the unit were noon until 11pm Monday to Friday, Sundays and bank holidays, and noon until 11.30pm on Saturdays. The Board was also advised that the opening hours could be subject to a planning condition should the Board wish.

Planning officers advised the Board that a joint visit had been undertaken with Environmental Health and the extraction system proposed was considered to be appropriate and fit for purpose.

Members expressed concern that the proposed system of extraction had not taken into account the weather conditions at the site and felt that the odour would be carried back into the flats.

In answer to a Member's question the Board was advised that existing takeaways had lower height extraction systems which had been in place for a number of years, so were perhaps not as effective as more modern systems. The extraction system for this application had been proposed because it would be the most effective in removing smells from the unit and away from the residents. It was a modest size and would be painted matt black to make its appearance more appropriate. The Board were also advised that there were a number of fixtures already attached to the rear of the properties including flues and fire escapes and that the proposed system was appropriate in the location.

A Member expressed concern that the information provided by the applicant stated that the proposal only anticipated that the flue would be 98% effective. The Board was advised that the specification of the flue was high and that proper maintenance would ensure that the flue worked effectively.

The Board was advised that following installation, if there were any issues with the effectiveness or maintenance of the system, Environmental Health would investigate.

Members felt that the proposal for the site was unacceptable with regard to the proposed use and the proposed extraction system. They felt that the flue was located too close to the access for the residents of the flats and that the appearance of it above the roofline was inappropriate. It was also felt that the unit did not lend itself to a fast food unit and it would affect the amenity of local residents.

Members suggested that the item be deferred to allow members to visit the site, this was proposed, seconded but not agreed. It was subsequently proposed and seconded that the application be refused as the proposal was contrary to Policy LP10 of the Local Plan and would have a detrimental impact on the local area and neighbouring residents and that the odours from the site had not been properly mitigated.

RESOLVED: That application 17/00331/FULL be refused for the following reason:-

The proposal fails to demonstrate that odour produced by cooking operations associated with the proposed use would be satisfactorily mitigated such that the residential amenities of the occupiers of neighbouring properties would not be affected contrary to Policy LP10 of the Gosport Borough Local Plan 2011-2029.

**70. 17/00143/FULL - ERECTION OF A PART NINE, PART EIGHT, PART FOUR, PART THREE & PART TWO STOREY BUILDING (WITH SEMI-BASEMENT PARKING AREA) TO PROVIDE 10 NO. ONE BEDROOM FLATS AND 39 NO. TWO BEDROOM FLATS, WITH ASSOCIATED ACCESS, CAR PARKING, REFUSE AND CYCLE STORAGE & LANDSCAPING (as amended by plans received 07.06.17 and 30.06.17)
Site Of Former Crewsaver Building On Land To The North Of Harbour Road Mumby Road Gosport Hampshire PO12 1AQ**

Consideration was given to the report of the Head of Planning Services requesting that consideration be given to planning application 17/00143/FULL.

Members were advised that there were no updates.

In answer to a Member's question regarding external cladding, the Board was advised that Building Control had raised no objection.

In answer to a Member's question the Board was advised that previous consent had been granted for 31 flats. Members were advised that the application had been accompanied by a viability assessment and that provision could be made for a payment of a sum to contribute towards offsite provision of affordable housing. The viability assessment had been independently reviewed by the District Valuer who had assessed the maximum amount that could be paid towards affordable housing without affecting the viability of the scheme.

Members were also advised that a Community Infrastructure Levy payment would also be required from the applicant if this scheme were to be approved and implemented.

A member expressed concern that there were only 46 car parking spaces proposed which equated to 0.94 spaces per unit and that this did not meet the Parking: Supplementary Planning Document (SPD). Planning Officers advised that the SPD was for guidance and that the applicant had submitted a Transport Statement that was robust and supported the level of parking provision based on the accessible location of the site and its access and proximity to public transport. The Board was advised that potential occupants of the building were less likely to need a vehicle as a result of the location and would also be aware of the level of available parking before purchasing or occupying.

Members expressed concern that a number of developments were not including affordable housing and expressed concern at the overspill of cars as a result of the number of car parking spaces. Members felt that previous applications in Alver Village and Royal Clarence Yard had been approved with a reduction in car parking spaces and then significant parking problems had become

apparent following occupation. Members felt that as a number of the proposed properties were two-bedroom there would potentially be two cars per property.

Members expressed disappointment that the proposal now included a tower block as neighbouring properties had been purchased without this proposal in place and approval would impact on views from those properties.

Members were advised that the SPD made provision for amendments to requirements for car parking spaces in locations that were sustainable and where there were viable alternatives to the private motor car. The Board was advised that the submitted Transport Statement was robust in supporting this deviation from the SPD.

Members nevertheless felt that the provision of parking was not acceptable and it was proposed, seconded and agreed that the application be refused as it did not meet the provision for car parking in the Parking: Supplementary Planning Document.

RESOLVED: That application 17/00143/FULL be refused as it does not meet the parking standards set out in the Parking Supplementary Planning Document

71. ANY OTHER BUSINESS

The Board were advised that there were updates on a number of appeals.

Appeals had been received against the refusal of planning applications 17/00155/FULL 142 Portsmouth Road, Lee on the Solent and 17/00156/FULL Land to the South of Netherton Road.

60 St Mary's Avenue - An appeal had been received and started against the refusal of planning permission for application 17/00279/FULL.

The Victualler – An appeal against the refusal of planning permission for the tables and chairs has been submitted and the prosecution for failure to comply with the requirements of the Enforcement Notice was proceeding.

The Cordite – The appeal against the refusal of planning application had been upheld.

20 Woodstock Road – 17/00001/FULL The appeal has been dismissed and the decision to refuse the proposed work was upheld.

The meeting concluded at 20.32

CHAIRMAN