

**A MEETING OF THE REGULATORY BOARD
WAS HELD ON 31 MAY 2017 AT 6PM**

Subject to approval

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

It was reported that in accordance with Standing Order 2.3.6, Councillors Chegwyn, Miss Kelly and Hook had been nominated to replace Councillor Ms Diffey, Hicks and Jessop respectively for this meeting

7. APOLOGIES

Apologies for inability to attend the meeting were received from The Mayor and Councillors Ms Diffey, Hicks and Jessop.

In the absence of the Chairman, the Vice Chairman Councillor Allen chaired the meeting.

8. DECLARATIONS OF INTEREST

- In respect of item 2 of the grey pages of the report of the Head of Planning Services, Councillor Carter advised that he knew the deputation speakers and would be making a deputation himself and therefore would not take part in the discussion or vote.
- In respect of item 3 of the grey pages of the report of the Head of Planning Services, Councillors Allen, Beavis, Hook, Mrs Hook and Raffaelli declared that they knew the applicant, but did not consider that this would affect their judgement and would remain in the room and take part in the discussion and voting thereon.

9. MINUTES

RESOLVED: That the Minutes of the Regulatory Board meetings held on 12 April 2017 and 18 May 2017 be approved and signed by the Chairman as true and correct records.

10. DEPUTATIONS

Deputations had been received on the following items:

- Item 1 of the grey pages 17/00053/FULL – 100 Park Road, Gosport
- Item 2 of the grey pages 16/00593/FULL – Finsbury Cars, Privett Road, Gosport
- Item 3 of the grey pages 17/00113/FULL – 78 Clayhall Road, Gosport
- Item 5 of the grey pages 16/00457/FULL – Land adjacent to 9 Monroe Close

11. PUBLIC QUESTION

There were no public questions

PART II

12. 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:

**13. 17/00053/FULL – RETENTION OF AND FURTHER WORKS TO A DETACHED GARAGE
100 Park Road Gosport Hampshire PO12 2HH**

Consideration was given to the report of the Head of Planning Services requesting that consideration be given to planning application 17/0053/FULL.

Janet Jones was invited to address the Board.

She advised the Board as follows:- that she had no objection to the approved application 16/00317, in accordance with which the garage should have been built. The distance from the fence allowed room for maintenance and the north elevation was plain. The side door and window located in the south elevation allowed the applicant easy access to house, garden and driveway.

However, the applicant has ignored the approved plans, building 2.3metres further to the west and relocating the side door to the north elevation, the applicant has made no effort to submit amended plans to reflect this change prior to the build. This retrospective planning application 17/0053/FULL has only been submitted after a visit from enforcement officers in the very early stages of the build, however, the building has continued to completion. Also, the application incorrectly states that no trees have been pruned in the build and the build had not been started without planning permission, when clearly this was not the case.

The glass side door has been relocated to approximately 1.3m from the boundary fence with 96 Park Road and 4.2 metres from the rear of this property. It opens towards the garden of number 96, which is accessed from patio doors from the ground from the lounge. The boundary fence allows, light, sound and vision through and the plot of 96 Park Road is half the width of the applicants'.

Of the seven other garages with vehicular access from Park Road none have side doors opening towards a neighbour's property. Therefore the side door in the north elevation of no. 100's is out of character with the area.

It's reasonable to expect some activity along the boundary, however, the disproportionate width of the gardens and the unnecessarily close proximity of the side door to the boundary and rear of 96 Park Road property will increase and concentrate activity that would otherwise be spread over the wider area of the garden, having additional negative impact on privacy, over and above general use of the wider garden or a plain north elevation to the garage.

Activity such as using machinery or running a stationary car in the wider area of the garden would allow noise and fumes to dissipate before causing nuisance to neighbours, however, similar activity in the confines of the garage, with the side door open, could concentrate noise and funnel elevated levels of car fumes directly towards the narrow garden and living space of number 96 before it could dissipate.

Furthermore, the presence of the shelter, power and light will enable impactful activity to continue for extended periods of time and into the hours of darkness.

Therefore an opening in the north elevation will have an additional harmful impact on the amenity of no. 96 over and above what one would reasonably expect had there been no garage or a plain north elevation to the garage.

This negative impact is contrary to National Planning Policy Framework paragraph 7.56, which states: 'Good design should contribute positively to making places better for people' and also Gosport Borough Local Plan Policy LP10 which states:- 'Proposals will be permitted provided that it

does not cause harm by reason of: loss of light, privacy or outlook; noise, light pollution, smell, air pollution or other adverse impacts'

When approving 16/00317/FULL the planning officer concluded that the north elevation would not have an impact on the privacy of no. 96 in line with Policy LP10 as it was plain and had no opening. However, now the garage has been built, when assessing 17/00053/FULL, the planning officer has concluded that it is in line with LP10 even with an opening.

As a neighbour negatively affected by an opening in the north elevation, such contradictions give the impression that the applicant has gained advantage from railroading the build through to completion, without first seeking an alternative solution through a fair planning process.

Furthermore, now the garage has been built, the planning officer has dismissed the negative impact of noise, light smell and air pollution as an environmental issue, when it is clearly a planning issue as it contradicts the National Planning Policy Framework and Policy LP10 of the Gosport Borough Local Plan.

The situation was completely avoidable had the application chosen to communicate with neighbours, build to the approved plans or submit amended plans for approval before starting the build. Instead, the applicant has chosen to completely disregard the impact on neighbours and ignore the planning process. Such actions undermine the planning process and needlessly destroy good neighbour relationships.

A side door to the south elevation would be located over 10 metres from the southern boundary and even further from the rear elevations of the properties to the south, therefore activity from a door open to the south would have no impact on neighbours, whilst still allowing easy access to the house, garden and driveway.

This would be in line with planning policy and remove any unnecessary harmful impact on no.96 and any approval of this retrospective application should include the enforceable condition that the north elevation of the garage is plain without windows or doors.

Mrs Jones thanked Members for listening to her deputation.

A Member noted that a previous application had been submitted with regard to the proposal and that it had been suggested at that time that negotiations should be encouraged and take place between the applicant and the neighbours. Mrs Jones advised that no approach had been made from either side, and that she would have liked negotiations to take place as prior to the application being submitted she had considered that she had a good relationship with her neighbours and that no attempt had been made to discuss the application with her, despite the garage being located closer to number 96 than the application property no. 100.

In answer to a Member's question, the Board were advised by planning officers that contact had been made with the applicant for clarification as to why the door had been moved to the northern elevation and the answer was that this had been to allow more direct access from the garage to the driveway, without having to negotiate around a corner of the house as would be the case if the door were positioned on the south elevation.

In answer to a further question, Members were advised by planning officers that their assessment was that the application was compliant and acceptable in planning terms with regard to design and the impact on the amenity of the applicants and neighbours.

Members expressed disappointment that they had not seen effort from the applicant and neighbour to reconcile and discuss the application.

RESOLVED: That planning application 17/00053/FULL be approved subject to the conditions of the report of the Head of Planning Services.

14. 16/00593/FULL – CHANGE OF USE FROM CAR SALES TO COMMERCIAL CAR WASHING
Finsbury Cars, Privett Road, Gosport, Hampshire, PO12 2SU

Consideration was given to the report of the Head of Planning Services requesting that consideration be given to planning application 16/00593/FULL.

The Board were advised of an update from the Planning Officer. One additional letter of representation had been received from a local resident, that mainly responded to letters of support for the application and detailed the following;

- Claims that there has been a car wash on the site before are untrue the resident had lived there for 34 years and there had never been a car wash;
- There are another 2 car wash facilities nearby which have been overlooked: at the Sanderson Centre and Morelands Road;
- Both of those car wash facilities are in industrial not residential areas;
- There are 7 local car wash sites, all but one of which have separate entry and exit access points; and
- The houses were here long before the commercial use of the site.

Mr Bowers was invited to address the Board.

He thanked Councillors for for the opportunity to address the Board and addressed them as follows:-

He and his wife were the immediate neighbours to the south of Finsbury's and lived in the property most badly affected, although there have been objections from all of the near neighbours.

They have been next door to Finsbury's for 15 years, and have always found them to be a quiet neighbour. Their house has been in that location for almost 90 years, long before there were any neighbours and long before there was any business there. It is not the business use of the site that they objected to, rather it is this long-running application for an inappropriate change of use.

Their objections were based on the detriment and nuisance they and the other neighbours would suffer as well as on road and cycle safety grounds and were all fully explained in the various letters they have written as these applications have been registered. Members will no doubt have read the lengthy correspondence which has been accumulating since this application was first received in July 2016.

Mr Bowers explained that their principal objection was that of noise and disturbance. There will clearly be a detrimental impact on their property, as illustrated by the applicant's own noise report, and even with the mitigation measures in place would be significant. Even though the original report was poorly written and full of inaccuracies it is still clear about the facts of the impact. The plans require hedges in place as well as an acoustic screen, and even then cannot be certain how high the level of noise impact would be. With the application for 7 days a week working there would simply be no respite for them and this would clearly not be reasonable. He could not envisage anywhere where a council would allow noise nuisance 7 days a week in an otherwise entirely residential area.

Mr Bowers went on to say that it was apparent that the general efficiency of the drainage on the site is inadequate. As has been clearly identified, the Bowers' property (and that of their neighbour to the rear) sits at a lower level than the Finsbury's site. This means that chemical-laden water run-off (classified as industrial waste) would inevitably flow into their garden and spread contaminants unchecked. In addition there is no means of capturing or preventing overspray and airborne droplets from landing in their garden in large amounts, depending on wind direction. The noise and contamination would be an unacceptable nuisance created entirely by this change of use.

Lastly Mr Bowers wished to highlight the increased road risk that this application would undoubtedly create. The risk of collisions created by vehicles turning into and out of the site, so close to the roundabout is obvious, and has been identified by both Gosport Borough Council and Hampshire County Council experts. Without turning restriction orders both into and out of the site drivers will simply chose what they consider to be the easiest route.

This increased risk applies both to the road traffic, and more worryingly to the cyclists using the cycle path which runs alongside the site. With drivers already worried about cars accelerating fast off of the roundabout they are likely to be distracted, and will not see cyclists coming from either direction. The risks to cyclists who are often young children should be a major factor in the Board's considerations. Mr Bowers explained that he had had the sad duty of dealing with many road traffic collisions including child cyclists under the wheels of cars and urged the Board strongly to reject anything that would create such a hazard.

Mr Bowers continued that there was a simplistic argument that drivers should not have accidents as they should drive with due care and attention. The 2015 figures for the UK (the latest available) show many thousands of road accidents, with 1732 fatalities, and 186,209 people injured. These are just those reported to police; for every one injury accident there are several other non-injury non-reported accidents. An average of five drivers die every week, along with two pedal cyclists, and the principal causes of all of these accidents are drivers who aren't paying due care and attention, and poorly designed or engineered roads, junctions and turnings.

Mr Bowers concluded that he had covered just a few amongst many objections and urged the Board to accept the Planning Officer's recommendation and refuse the application. If the Board were minded to grant permission, he asked that they do so only with the imposition of all of the conditions and stipulations contained in the various correspondence so as to attempt to minimise the level of unacceptable nuisance to the neighbours. In particular he was keen to seek an assurance over the acoustic screen, the tree / hedge border and the site management plan; and especially would request that the opening hours be limited to less than that requested and the new use not permitted on at least one weekend day to give respite to the neighbours.

Mr Scrivener was invited to address the Board and advised that he was a sound specialist and that there was existing noise from the site in its permitted use as a car sales garage. He advised that there was already ancillary use as a car wash and that by approving this application the Board would therefore be able to place conditions on the use of the site and restrict the times that the car wash was operational. He advised the Board that the application was to change the use of half of the site to a car wash facility and that consideration of the application would also allow the Board to restrict the commercial activities on the site including the limiting of hours.

Mr Scrivener advised the Board that there would be mitigation measures in place in the form of acoustic screening and fencing and enclosed vacuuming.

Mr Bell was invited to address the Board, he advised that he was representing the agent and that he was formally a Chief Highways Engineer for a local authority and had been involved in a number of high profile projects including working with the Department of Transport and on Safer Routes to Schools projects.

Mr Bell advised the Board that it would be perverse to suggest that there would be no increase to the traffic entering and exiting the site, but advised that the proposal was not to implement a new entry and exit point, but utilise the existing one for the existing commercial use.

The Board were advised that cyclists currently used the existing path every day and that the current usage did not currently present a problem.

Mr Bell advised the Board that he had tried to find the road safety audit for both the implementation of the cycle path and the implementation of the additional crossing point, but these were unavailable, presumably because they did not exist and/or were considered unnecessary as there was little risk to highway safety for pedestrians and cyclists.

Mr Bell also advised the Board that the existing entry and exit points to the garage were kerbed, with priority given to vehicles entering and exiting the site.

Mr Bell stated that the car wash facility in Grange Road had a designated way in and way out and that any cars waiting to use this proposed facility would have sufficient space to wait for the service off of

the highway. He also noted that the Highway response included no concern regarding surface water on the application site .

In answer to a Members question, Mr Scrivener advised the Board that the average noise and the maximum noise would be similar as the noise would be continuous, rather than stop start.

A Member expressed concern that the noise report had stated that the impact to the amenity of the neighbours would only be considered non adverse if the neighbours were sat in their house with double glazed windows closed.

Mr Scrivener advised that the mitigation measures proposed would reduce the noise to a level that would not be deemed to have an adverse impact on neighbours in line with paragraph 123 of the National Planning Policy Framework. He also added that there was noise from the existing use of the garage that could not be regulated. He concluded by advising that he felt the likely noise from the proposed change of use was acceptable when taken with the proposed mitigation measures in place.

In answer to a Member's question, Mr Bell advised the Board that he believed there would be a marginal increase in the traffic to and from the site as a result of the proposal.

Councillor Carter was invited to address the Board.

Councillor Carter stated that if the Board were minded to go against the Planning Officer's recommendation of refusing the application, the site would then be used for car sales, car maintenance, MOT testing and a car wash and that there was no clear differentiation between the activities on the site.

He advised the Board that Mr Bowers was also experienced in road safety matters and that as a County Councillor himself he could see that the proposal was dangerous. It was a major route for young people travelling to school, and was in extremely close proximity to a major roundabout, which in itself could present an issue with car indicators failing to self-correct after the roundabout but before the entrance into the car wash leading to confusion over the intent of drivers. In addition, he advised the Board that the site was located just before an increase in the speed limit from 30mph to 40mph and that drivers often increased their speed in anticipation of this as they exited the roundabout. He expressed concern that drivers travelling to use the facility from the west would not use the roundabout to turn round, but would turn right across the road, increasing the risk of an accident.

In answer to a Member's question, the Board were advised by Planning Officers that the application was for a manual car wash, rather than an automatic and that it would be labour intensive.

Members debated the proposal and felt that the noise and impact on the amenity of the neighbours would be unacceptable even with the proposed mitigation measures.

Some Members also expressed concern at the likely impact the proposal would have on road safety, citing the increase in traffic to the site, the proximity of the site to the roundabout and the cycle path situated on the pavement in front of the garage and its use by school children. It was unanimously agreed that the proposal be refused.

RESOLVED: That planning application 16/00593/FULL be refused for the following reasons:-

1. The location of the site on a busy roundabout and the intensification of vehicular activity associated with the proposed commercial car wash business would increase the likelihood of road traffic collisions and introduce additional conflict with pedestrians and cyclists using the adjoining cycle/footway to detriment of highway safety and contrary to Policies LP10 (2) and LP23 of the Gosport Borough Local Plan 2011-2026.
2. The proposed commercial car wash business, by reason of its scale, operating times and the level of activity associated with it in immediate proximity to the boundary of residential properties represents an unneighbourly form of development resulting in levels of noise and disturbance which would be harmful to the amenities currently enjoyed in their rear private garden areas by the occupiers of

**15. 17/00113/FULL – RETENTION OF PLAY EQUIPMENT AND THE ERECTION OF AN ADDITIONAL FENCE ALONG THE SOUTHERN BOUNDARY (RESUBMISSION OF 16/00401/FULL) AND EXTEND THE HOURS OF PERMITTED USE UNDER 16/00401/FULL (as amplified by garden management plan received 10.05.17)
78 Clayhall Road, Gosport, Hampshire, PO12 2AJ**

Consideration was given to the report of the Head of Planning Services requesting that consideration be given to planning application 17/00113/FULL.

The Board were provided with an update from the Planning Officer as follows:-

Three letters of objection had been received, post the submission of a Garden Management Plan (two were from individuals who have already made representations). The issues raised were as follows:-

- previous planning permission conditions were not complied with
- why are the Council reconsidering this application and renege on its previous decision?
- no mention of height of children to use play equipment
- the public house is not a special case it is a business like any other in Gosport and exists solely to make money for the Brewery
- no evidence that the tenants of the public house considered the neighbours
- no confirmation that the Garden Management document will be adhered too
- breach of the rules by a clear disrespect of parking in the area and have reported to the police and approval of the application will increase this
- increase the noise, litter and rowdiness related to the public house
- walnut tree was felled in the first week of the building works for the extension
- the Garden Management plan would now mean that the garden and play equipment can be used on a Saturday morning
- reason for no complaints in the last two months is because the garden has been closed and members should be aware that the various Statutory Noise Nuisances were officially witnessed at approximately 1900 and 1930; and at approximately 2000
- in previous application Environmental Health were concerned with the ability to manage children via staff training

Mrs Karen Alexander was invited to address the Board, but was not in attendance.

Mr Chris Best was invited to address the Board. He advised that he was representing his daughter who was the landlady of the Fighting Cocks.

Mr Best advised the Board that the current restrictions of the children's play area closing at 6pm was being adhered to, but as a result families were leaving the premises early and were not able to enjoy their dinner at the pub. He felt that this was disappointing as the aim of the Fighting Cocks was to provide a safe, family-friendly facility and experience, especially coming in a week where two more Public Houses in Gosport had closed.

Mr Best advised that the new equipment was well managed and resourced and was lower in height than the equipment previously there. Mr Best advised that the garden management plan would include detailed plans to close the garden at 8pm Monday to Thursday, at 9pm Friday to Sunday, with the exception being use by smokers. Mr Best advised that the wellbeing of neighbours was, to them, as important as the wellbeing of their customers.

Mr Best advised the Board that there would be greater levels of signage advising patrons of restrictions, and that children using the play equipment must be supervised by an adult and that the play area was only suitable for children under the age of 11 with no more than 10 children using it at a time. In addition signage would advise that there was to be 'no climbing trees and no ball games' and that the pub was in a residential area and to respect neighbours.

Mr Best concluded by advising that it was the intention of the pub to host monthly meetings with residents to discuss any concerns, on the last Tuesday of the month, either at the pub itself or at an alternative venue.

In answer to a Member's question, the Board were advised by Mr Best that pub was making a clear commitment to improving relationships with neighbours. This was being undertaken by educating staff and customers, sending letters outlining plans and acknowledging that mistakes had been made previously that needed rectifying.

A Member stated that as wWard Councillor they had received a large number of complaints about the Pub and its customers. Mr Best advised the Board that the aim of the pub was to be a family friendly one; as a large site it was one of only a few public houses suitable for special events and was therefore more than just a day to day pub. It was acknowledged that this could cause additional noise and disruption to neighbours but the pub was going to great lengths to address this. They were working hard to ensure that neighbours' amenity was respected and had previously given neighbours opportunity to meet with them to discuss issues, but the neighbours had been unwilling to attend.

In answer to a Member's question the Board were advised that there were no restrictions on the use of the previous play equipment. The Pub and the garden had been on the site for a long time.

In answer to a further question, the Board were advised that there was an enforcement notice outstanding on the play equipment that would be withdrawn if this application were to be approved. , If this proposal were to be refused then enforcement action would continue.

Members stated that when the application had previously been considered, there had been some confusion with regard to the ownership of the fence and it had now been confirmed that only part of it was the responsibility of the Brewery. The southern boundary fence was owned by the adjacent residential properties.

A Member requested that consideration be given to extending the fencing required to the eastern side of the plot to protect the privacy of the occupants of 27 St Francis Road as the visual access to the garden of the property from the equipment and garden was a concern to residents.

The applicant confirmed that they were happy to undertake this and it was proposed and seconded that an additional condition reflecting this be added.

RESOLVED: That planning application 17/00013/FULL be approved subject to the conditions of the report of the Head of Planning Services plus an additional condition requiring additional fencing to be erected along the eastern boundary.

**16. 16/00602/FULL – ERECTION OF BUILDING TO PROVIDE NO. TWO BEDROOM FLATS WITH ASSOCIATED PARKING, BIN AND CYCLE STORAGE AND LANDSCAPING (as amended by plan received 23.01.17)
Land Rear of 107 Elson Road, Gosport, Hampshire, PO12 4AA**

Consideration was given to the report of the Head of Planning Services requesting that consideration be given to planning application 16/00602/FULL.

The Planning Officer updated the Board that planning application reference 16/00438/VOC, referred to in the report as 'pending', had now been approved. :The Planning Officer also advised that as a result an additional condition was required relating to control over construction times to safeguard the amenity of local residents.

A Member advised the Board that on paper there did not appear to be any issue with the proposal. Upon closer inspection, however, concerns had been raised as to the impact the proposal would have on residents in terms of impact on amenity as a result of building work and the increased car journeys to the site from Elson Road, which was not only on a school route but had a tendency to be

a fast stretch of road. In addition, it was felt that the proposal could place strain on the parking spaces available.

One of the most significant concerns from Members was the effect the development would have on the residents of Elson Lane and Elson Road, particularly the overlooking of and the loss of light to properties. The Board was advised that this could not be appreciated without viewing the proposed site from the gardens in question. It was therefore proposed and seconded that the application be deferred for a site visit.

Members welcomed the proposal for a site visit and the opportunity to view both the highway concerned and the potential impact on local residents. Neighbours from the local area present at the meeting confirmed that they would allow Councillors to access their property and garden as part of the site visit.

In answer to a Member's question the Board were advised that a small structure shown on the plan was a lean-to abutting the site that had been in position for a number of years. The applicant and the owner of the lean-to had reached an agreement whereby the area where the lean-to was located would be the last to be developed allowing time for the owner to remove their contents.

RESOLVED: That planning application 16/00602/FULL be deferred for a site visit.

**17. 16/00457/FULL – CHANGE OF USE OF LAND TO GARDEN (as amplified by email received 17.10.16)
Land adjacent 9 Monroe Close Gosport Hampshire PO12 2RT**

Consideration was given to the report of the Head of Planning Services requesting that consideration be given to planning application 16/00457/FULL.

Mrs Booker was invited to address the Board. She advised that she was representing 80 local residents. She advised that addressing the Board was not a vendetta, but that the residents had legitimate concerns regarding personal safety and that it had been recognised in the application that there was a covenant on the land allowing only for the planting of flora and fauna.

Mrs Booker advised the Board that she would not normally get involved in such matters, but had concerns for the safety of both pedestrians and cyclists that used the footpath, despite it clearly being marked no cycling. She expressed concern that the land would be block paved to allow additional turning space for cars or that the height of the planting would not be policed.

The Board were advised that the land and path were currently open plan and that many people complimented the estate for its open outlook, in addition, concern was expressed that access to the lamppost and underground utilities for neighbouring properties would be restricted.

Mrs Booker advised that two trees had been removed from the land and felt that the approval of this application would set a precedent for changes of use to other patches of land on the estate.

Councillor Edgar was invited to address the Board. He advised that although it was no longer part of his ward, he had served the area as a Councillor previously for 13 years.

He advised the Board that he knew the residents well and that when the estate was built, it was marketed as having open spaces in a shift from the terraced housing in existence elsewhere in the Borough at the time.

Councillor Edgar advised that residents on the estate enjoyed open plan living and that the Board should resist applications to grant permission for patches of land sold off by the developer to be converted in to gardens as it was felt this was antisocial and not in keeping with the originally proposed use of the land.

Councillor Edgar also expressed concern as the route was a main route to and from both Gomer and Bay House Schools and that the path became very busy and would therefore be safer left open.

Councillor Edgar advised the Board that he felt it was important that designated open spaces should remain exactly that, particularly as that is what the properties were sold as having. He felt that the approval of the proposal would affect the whole characteristic of the estate.

In answer to a Member's question, the Board were advised that this plot, in addition to others, had remained under the ownership of Percy Bilton, the developer, who had now decided to sell off the land. The Board were advised that there were situations in which objects such as lampposts were erected and maintained on privately owned land, often leading to confusion as to land ownership. The Board were advised that access to the lighting column would be maintained in the event that the application was approved.

Mr Brewer was invited to address the Board. He advised that he was the applicant and owner of 9 Monroe Close. He advised the Board that when he purchased the property, the stretch of land in question was overgrown and unmaintained. He had maintained the land since he had purchased 9 Monroe Close and purchased the land in question in 2016 and that he had applied for the change of use of the land to allow him to maintain the land legally. He advised the Board that he had not acquired the land in an underhand way and that he had always allowed access to the lamp column. He advised that he had consulted a tree surgeon with regard to the trees on the land who had advised that one of the trees was deceased and the other diseased. He was advised to remove them as recent storms had uprooted trees on the estate, including in Monroe Close, and should these be uprooted he could be liable.

Mr Brewer advised that the visibility within the road was reduced as a result of large vehicles blocking the turning area and that his proposal was for a small hedge to be planted, which would still allow complete visibility along the pathway. He also advised that currently people walked across the land, allowed their dogs to foul on the land and that he hoped this application would allow him to address this, tend to the land legally and be a good neighbour in maintaining the land in a pleasant way.

In answer to a Member's question, the Board were advised that the application was for a change of use of the land, from designated open space, to private garden. The Board were also advised that there was no requirement for planning permission to plant a hedge as the land in question belonged to the applicant. Members were advised that the planting of the hedge was agricultural and did not require planning permission.

In answer to an additional question from Members, the Board were advised that it was not uncommon for utilities to be underground and that this did not present an issue if they were easily accessible.

It was confirmed that Mr Brewer owned the land in question.

Planning Officers clarified that Mr Brewer did not need planning permission to plant a hedge, unlike other applications received for development on the estate which had been for hard boundary treatment. The application for the change of use of the land was acceptable in the opinion of the Planning Officer, subject to conditions that would control the level of planting.

Members accepted that the applicant did not need planning permission to plant a hedge and also acknowledged that the site in question was much smaller in size than others on the estate previously considered by the Board. Members felt the proposal would not set a precedent as any subsequent applications would be considered on a case by case basis.

RESOLVED: That planning application 16/00457/FULL be approved subject to the conditions of the report of the Head of Planning Services.

18. **17/00153/FULL – DEMOLITION OF BUILDING AND ERECTION OF REPLACEMENT DWELLING AND DETACHED DOUBLE GARAGE (CONSERVATION AREA) (as amended by plan received 19.05.17)
Delden, Fort Road, Gosport, Hampshire, PO12 2DT**

Consideration was given to the report of the Head of Planning Services requesting that consideration be given to planning application 17/00153/FULL.

The Board were advised that two additional letters of representation had been received from previous objectors; the new issues raised were of concerns over the impact of construction traffic using the Crescent Road access upon adjacent trees in Crescent Gardens. Planning Officers therefore recommended that condition 3 of the report be amended to include the requirement for the provision of tree protection measures to ensure that the trees within Crescent Garden would not be harmfully affected by construction traffic. Planning Officers also advised the Board that the applicant had requested that the wording of the final condition be amended to allow details of the screening to the roof terrace be agreed rather than a blanket requirement for the use of obscure glazing. The Planning Officers confirmed that an amended condition as sought would be appropriate

In answer to a Member's question, the Board were advised that the road in question was a private road and that access and ownership of it was a private legal matter. The accessibility of the road to construction traffic was not a consideration for the Board. Members felt that a sub clause should be added to condition 3 to agree the route of the construction traffic.

RESOLVED: That planning application 16/00457/FULL be approved subject to the conditions of the report of the Head of Planning Services including an amendment to condition 3 regarding tree protection measures and construction traffic and condition 9.

19. **17/00114/DETS - REGULATION 3 – DETAILS PERSUANT TO APPLICATION 15/00465/OUT - PROVISION OF RECREATION FACILITIES – ACCESS, APPEARANCE, LANDSCAPING, LAYOUT AND SCALE.
Alver Valley Country Park Western Gateway, Cherque Way, Lee-on-the-Solent,**

Consideration was given to the report of the Head of Planning Services requesting that consideration be given to regulation 3 application 17/00114/DETS.

Members welcomed the proposal.

RESOLVED: That Regulation 3 application 17/00114/DETS be approved subject to the conditions of the report of the Head of Planning Services.

20. **17/00055/GR3 – REGULATION 3 – INTERNAL AND EXTERNAL ALTERATIONS TO CONVERT GROUND FLOOR OFFICE INTO 1 NO. ONE BEDROOM FLAT AND 1 NO. TWO BEDROOM FLAT (LISTED BUILDING IN CONSERVATION AREA)
84 North Street, Gosport, Hampshire, PO12 1DJ**

Consideration was given to the report of the Head of Planning Services requesting that consideration be given to Regulation 3 application 17/00055/GR3.

RESOLVED: That Regulation 3 application 17/00055/GR3 be approved subject to the conditions of the report of the Head of Planning Services.

21. **17/00056/LBA– LISTED BUILDING APPLICATION – INTERNAL AND EXTERNAL ALTERATIONS TO FACILITATE THE CONVERSION OF THE BUILDING INTO RESIDENTIAL ACCOMMODATION (CONSERVATION AREA)
84 North Street, Gosport, Hampshire, PO12 1DJ**

Consideration was given to the report of the Head of Planning Services requesting that consideration be given to listed building application 17/00056/LBA.

RESOLVED: That listed building application 17/00056/LBA be approved subject to the conditions of the report of the Head of Planning Services.

22. ANY OTHER BUSINESS

There was none.

The meeting concluded at 20.02

CHAIRMAN