

**A MEETING OF THE REGULATORY BOARD  
WAS HELD ON 30 MAY 2018 AT 6PM**

The Mayor (Councillor Mrs Furlong) (ex-officio); Councillor Hook (ex-officio), Bateman (P), Mrs Batty (P) Casey (P), Earle (P), Farr (P), Foster-Reed (P), Hammond (P), Herridge (P) Mrs Hook (P), Jessop (P), Miss Kelly (P), Raffaelli (P), Scard (P)

**7. APOLOGIES**

There were none.

**8. DECLARATIONS OF INTEREST**

Councillor Earle declared a pecuniary interest in item 9 of the grey pages and that he would leave the room and take no part in the voting or the discussion thereon.

Councillor Mrs Hook declared a that she knew deputees for agenda items 1 and 7 and the applicant for agenda item 9 informally and would remain in the room and take part in the discussion and voting thereon

Councillor Miss Kelly declared that she knew one of the objectors for agenda item 10 but would remain in the room and take part in the voting and discussion thereon.

Councillors Jessop, Bateman and Scard declared that they knew the deputees for agenda item 1.

**9. MINUTES**

**RESOLVED:** That the Minutes of the Regulatory Board meetings held on 18 April 2018 and 17 May 2018 be approved and signed by the Chairman as a true and correct records.

**10. DEPUTATIONS**

Deputations had been received on the following items:

- Agenda Item 6 – Hangar Homes
- Agenda Item 1 of the grey pages – 17/00498/FULL – 1 Nottingham Place
- Agenda Item 2 of the grey pages – 18/0012/FULL – 20 Bury Road
- Agenda Item 3 of the grey pages – 17/00598/DETS – Daedalus
- Agenda Item 6 of the grey pages – 18/00177/FULL – Land to the South of Howe Road
- Agenda Item 7 of the grey pages – 17/00570/FULL – Site of the Former Crewsaver Building
- Agenda Item 9 of the grey pages – 18/00110/FULL – 37 St Marys Avenue

The Chairman advised that he had received a late request by the application of agenda 18/00082/FULL – Bayside Cabin to make a deputation. The Board agreed that this could be heard.

**11. PUBLIC QUESTIONS**

There were no public questions

**12. LAND WEST OF CONTROL TOWER, SOLENT AIRPORT DAEDALUS**

Consideration was given to a report of the Head of Planning and Regeneration updating the Board following its resolution to grant planning permission for the erection of five mixed use hangars (comprising Class C3 dwelling and Class B1(a) office) with associated access, parking and cycle & refuse storage, reference 17/00496/FULL, made at the meeting of 28<sup>th</sup> February 2018.

An introduction to the item was provided by the Senior Solicitor (Planning and Regeneration) as follows;

1. As stated in the report for this item, Members passed a resolution to grant permission for this planning application at the Regulatory Board meeting on 28 February.
2. Following the meeting, concerns were raised with Officers regarding the validity of the decision that had been reached. The suggestion was made that the decision was at risk of being challenged by way of Judicial Review. Officers investigated the matter further and it was decided to obtain external legal advice on the decision that had been reached. This advice was paraphrased within the report before Members.
3. Whilst the resolution of Members was a valid decision of the Regulatory Board, until a decision notice is formally issued by the Head of Planning and Regeneration there is no actual planning decision that can be challenged by way of Judicial Review.
4. The Borough Solicitor as Monitoring Officer was entitled to keep matters under review and has the duty to ensure that decisions taken by the Council are lawful. The decision to return this matter to the Regulatory Board has not been taken lightly by Officers, but it is one that the Borough Solicitor is empowered to take.
5. Given the circumstances of the case, it is for the best that Members are provided with the opportunity to reconsider the decision as a whole and not be restricted to simply endorsing the decision with additional conditions or asked to refuse the application as per the previous report.
6. Since the publication of the report Planning Officers have undertaken further work with a view to assisting the Board's deliberations and had an update to present.
7. Members were asked note that the additional information which had been submitted by the applicant now legally formed part of the planning application. In the event that the recommendation was refused and the original resolution to grant permission was left untouched, that resolution contains the delegated power for the Head of Planning and Regeneration to attach appropriate conditions as necessary. The Head of Planning and Regeneration could take into account the additional information provided by the applicant when dealing with the conditions.
8. The Board was asked to decide upon the recommendation to reconsider the matter due to the legal advice within the report, additional information provided by the applicant and update by the Officer.
9. If the recommendation was not approved, the matter would be left as it stands, with the resolution to grant planning permission on 28 February endorsed with the reasons for granting as originally stated.
10. If the recommendation was approved, Members would then be entitled to fully reconsider the application for a further determination and may make proposals for voting on as necessary.

The Planning Officer advised the Board that in the event that Members were minded to reconsider the matter, Officers had given further consideration to paragraph 2.3 of the report as to how the matter of the potential impact of the proposal on the operation of the airfield could be mitigated. If Members were to remain minded to support the proposal, and notwithstanding the potential issue of needing the co-operation and agreement of the airport operation, a 'Grampian' style condition could be imposed to require the submission, approval and implementation of a scheme of mitigation (which could include the installation of a video camera as referred to in the report).

Mr Day and Mr Tutton were invited to address the Board.

Mr Tutton thanked the Board for allowing him to speak and advised that at the Regulatory Board on the 28<sup>th</sup> February Members had voted 8-6 in favour of the putting aside the Planning Officer's recommendation and agreed to approve the application.

He advised the Board that in the three months following the meeting no decision notice had been issued and that he had subsequently been advised that the Officers had concern regarding the decision and that it may be legally flawed as the reasons for refusal was seemingly inadequate. He advised the Board that he had not had sight of Counsel's opinion and that it was important to recognise the initial wish of the board and that this matter should not be approved.

He advised the Board that whilst Policy LP24 required a density of 30 dwellings per hectare in some instances there would be dwellings that would be less than this. The Board advised was that the design and access statement stated that the proposal was unique and could only be built in the location proposed. The properties would need to be large enough to accommodate the aircraft belonging to the occupants.

Mr Tutton advised that in purchasing properties on an airfield, residents would be fully aware of the potential for noise from it and that policies LP10 and LP46 were not relevant.

He concluded by advising the Board that the fact that the Civil Aviation Authority had not responded with regard to safety and security were matters that were beyond the remit of the Regulatory Board

In answer to a Member's question, the Board was advised by Planning Officers that there were no alternative proposals for the site.

Members sought additional clarification as to the process that was to be undertaken in considering the report as there were new Members on the Board since the previous decision had been made. Members recognised the report needed careful consideration to ensure that the owner was not disadvantaged and also recognised that the land owners had made a public declaration that the land on which the application was proposed was not for sale.

Members were advised that the Officer's report recommended that the decision of the Board on the 28<sup>th</sup> February be reconsidered and that should the Board agree to this, the application would be considered again in its entirety.

The Board was advised that the matter was complex and that it was important that Members had sufficient information to make a decision. The Board was advised that there would be no interest in deferring the application any further and that it was important that a resolution was reached.

The Board was advised that the legal advice received had been paraphrased into the report and that the Board were initially being requested to determine whether or not to reconsider the application, which would either open the application for debate and come to a resolution again, or the original decision would stand.

In answer to a Member's question the Board was advised that the legal opinion and advice was contained in the report of the Planning Officers at paragraph 1.6 to 1.9.

The Board was advised that if the recommendation to reconsider was not agreed changes could not be made to the original resolution if the Board wished to make any changes to the original resolution to approve they would need to agree to reconsider the application in its entirety.

Members accepted that the legal advice provided needed careful consideration and it was clarified that if the Board agreed to reconsider the application they would need to consider the original report, in addition to the subsequent legal issues identified regarding density and noise.

It was proposed, seconded and agreed that appellation 17/00496/FULL be reconsidered.

**RESOLVED:** That application 17/00496/FULL be reconsidered by the Regulatory Board.

A Member advised that they had been a Member of the Board when the item was considered previously and that the legal issues identified reinforced concerns initially raised. It was recognised that potential purchasers should be aware of the noise implications of purchasing a property on an airfield, but that it was incorrect to compare the site to those in America as an American site would have far greater space to position the homes.

It was acknowledged that the airport had great aspirations, it was hoped that commercial flights would soon be in place from Alderney and that the increase in commercial use would increase the noise levels. Concern was expressed that no noise impact assessment was currently available and that as a result the proposal was not future proofed.

Members expressed concern that the employment proposed by the application was at best modest and that the proposal had the potential to restrict the Solent Enterprise Zone, going against the Local Plan.

Members acknowledged that the concept was innovative and that innovative design should be welcomed and encouraged, however, it was felt that the proposals were 88% residential, with little employment and that the proposal went against the Council's policies and were not employment orientated proposals.

Some Members welcomed the proposal and felt that the Council should take risks to allow such a world leading attraction to be placed within the Borough and that the proposal had the potential to bring in employment. It was also felt that the regeneration of the area should include new proposals and that the potential for the proposal should not be ignored. Members felt that the airfield would remain in operation as an airfield, despite the recent loss of the gliding facility.

Other Members felt that the proposal did not fit in with the plan for the Daedalus site that the proposal could not be extended any further to alter it or make it more viable.

Members reiterated that in order to deviate from the Local Plan the benefits of doing so would need to be specifically proven and felt that the taking a risk on an unproven project would mean that the Solent Enterprise Zone could be jeopardised, and that there would be a risk at losing long term jobs for short term benefit. Members did not feel that the concept was not exciting, but felt that the Solent Airport was not the appropriate or suitable place for it.

Members felt that there was not a suitable reason for approval of the application and that it contravened the local plan.

Members appreciated that the proposal was exciting, but were clear that the legal advice provided raised concerns which had reinforced the Officer's recommendation for refusal.

It was proposed and seconded that the application be refused.

RESOLVED: That application be refused for the following reasons

1. The proposed predominantly residential development would, by reason of its location straddling the airfield boundary, be prejudicial to the future provision of employment in the Daedalus Regeneration Area and the Solent Enterprise Zone, and to existing and future operations of the airfield. The proposal is therefore contrary to Policies LP5 and LP16 of the Gosport Borough Local Plan 2011-2029 and to the Daedalus SPD.

2. The proposed development would, by reason of its modest density, fail to make an effective and efficient use of land contrary to Policy LP24 of the Gosport Borough Local Plan 2011-2029.

3. The application fails to demonstrate that future residential occupiers would not be subject to excessive noise and disturbance associated with the adjacent airfield and that the introduction of a noise sensitive use would not prejudice the long-term lawful operations of neighbouring premises. The proposal is therefore contrary to Policies LP10 and LP46 of the Gosport Borough Local Plan 2011-2029.

4. The proposed residential accommodation would, by reason of its layout and juxtaposition give rise to an unacceptable outlook from bedrooms and an unacceptable degree of overlooking that would fail to provide an appropriate standard of accommodation to the detriment of the residential amenities of future occupiers and contrary to Policy LP10 of the Gosport Borough Local Plan 2011-2029 and the adopted Design SPD.

5. The proposal fails to demonstrate that safe and convenient access would be provided to serve the range of vehicles likely to visit the site. The proposal is therefore potentially prejudicial to the safety and convenience of future occupiers of the site and the users of the adjacent road network. The proposal is therefore contrary to Policies LP10 and LP23 of the Local Plan and to the Parking Supplementary Planning Document.

### **13. REPORTS OF THE HEAD OF PLANNING AND REGENERATION**

The Head of Planning and Regeneration submitted a report on applications received for planning consent setting out the recommendation.

The Board was advised that in relation to agenda items 3 and 4 17/00599/OUT and 17/00600/LBA an additional letter of representation and a petition in opposition to the proposal had been received.

The applicant had also submitted additional supporting information relating to ecology and flooding that required further consideration by both officers and consultees.

As it was not possible for the additional information to be fully considered before the meeting and it was anticipated that once the additional materials had been considered consultees and Officers may come to the view that the proposals could be supported and a positive recommendation could be presented to the Board, the item was deferred for consideration at a future meeting of the Regulatory Board.

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

#### **14. 17/00498/FULL - ERECTION OF A TWO STOREY DWELLING AND AMENDED ACCESS FOR 1 NOTTINGHAM PLACE (as amended by plans received 24.01.2018 and amplified by plans received 01.03.2018) 1 Nottingham Place Lee-On-The-Solent Hampshire PO13 9LZ**

Councillors Mrs Hook, Jessop, Bateman and Scard declared that they knew the depute, they remained in the room and took part in the discussion and voting thereon.

Consideration was given to the report of the Head of Planning and Regeneration requesting that consideration be given to planning application 17/00498/FULL.

The Board was advised that Members had attended a site visit at the property.

Julia Carter was invited to address the Board.

She thanked the Board for inviting her to speak. She advised that Mr Roberts had invited her to view the initial plans but that there had been no subsequent contact. She advised that the design and access statement had not been updated with the amendments and that she felt the spiral staircase was not appropriate for the proposal and was more suited to blocks of flats.

She advised that she could not think of any other properties with a similar concept for a staircase, and the obscure glazing on the landing and questioned whether the enforcement of the obscure glazing was sustainable as there was no condition enforcing its continued use.

She advised the Board that in addition to overlooking the garden, the proposal would not just provide access to the property's garden, but would overlook the neighbouring property. She advised the Board that the application had been amended to include a shared drive and that as one of the properties was tenanted it was not clear what the future of the property would be.

The Board was advised that the shared drive was not sustainable and reversing from the property would create a hazard particularly as a large number of learner drivers used the road.

She advised the Board that the staircase did not fit in with the established character of the area and that it was detrimental to the amenity of the neighbouring property

In answer to a Member's question the Board was advised that spiral staircases were traditionally used for access to upstairs flats or apartments, whereas this was to give access to the garden from the 'upside down' house.

Mr Roberts was invited to address the Board, he advised that he would like to address the concerns identified

He advised that careful consideration had been given to the proposal and that it was designed to be low carbon and using passive house principles and he advised that talks with neighbours had taken place before the application had been submitted. The Board was advised that the Local Plan had been given careful consideration and that pre application advice had been sought before the application was submitted. He advised that they had been honest in their approach and would answer any questions posed.

In answer to a Member's question the Board was advised that the spiral staircase would allow for direct access to the garden from the upstairs of the property without having to go through the garage, which needed to be a full length garage to accommodate their bicycle storage.

Mr Roberts advised the Board that the screen would be retained and that investigations were being made to construct the screen from metal rather than glass.

In answer to a Member's question, the Board was advised that not having the spiral staircase would impact on the planned use of the home.

In answer to an additional question, the Board was advised that moving the proposed property closer to the main house would create additional problems with the shared driveway.

In answer to a Member's question, Planning Officers advised that the new property proposed provided two off road spaces, one within the garage and that the existing property retained the three spaces required.

Members were advised that it was possible to delegate powers to the Head of Planning and Regeneration to attach conditions relating to the material for the screening of the staircase.

Some Members expressed concern that the proposal was out of character and that the staircase would affect the amenity of the neighbouring properties, concern was also expressed that a metal screen could present additional problems as it could reflect light causing more of a disturbance to the amenity of neighbours.

It was proposed, seconded and agreed that a condition be added to the application ensuring that the screening for the spiral staircase was opaque.

**RESOLVED:** That planning application 17/00498/FULL be approved subject to an additional condition being attached to the application requiring screening of the staircase to be opaque and that authority be delegated to the Head of Planning and Regeneration to word and attach appropriate conditions.

15. **18/00012/FULL - ERECTION OF A SINGLE STOREY REAR EXTENSION AND ROOF EXTENSION; INSTALLATION OF DORMERS, A THIRD FLOOR WINDOW AND ROOF LIGHTS; AND INCREASE IN HEIGHT OF LIFT TOWER TO FACILITATE THE CREATION OF 5 NEW BEDROOMS TO INCREASE THE NUMBER OF RESIDENTS FROM 29 TO 34 (CONSERVATION AREA) (RESUBMISSION OF 17/00323/FULL) (amended by plans received 02.03.18 and 08.05.18 and amplified by information received 08.05.18)**  
**Hazeldene Rest Home 20 Bury Road Gosport Hampshire PO12 3UD**

Consideration was given to the report of the Head of Planning and Regeneration requesting that consideration be given to planning application 18/0012/FULL.

Members had undertaken a site visit to the property.

Mr Christie was invited to address the Board. He thanked the Board for allowing him to speak and advised that he was representing the neighbouring properties of 18/18A Bury Road. He advised that the photographs provided at the previous Board had been produced freehand and had meant to indicate the impact of the proposal.

He advised that he had numerous concerns including the substantial chimney stack and the eaves extending across the boundary. He expressed concerns that the parking provision would be in the front garden and that as the properties were on the boundary of number 20, the east face of the property was prominent and that the proposal would increase the mass, reducing the light to the properties and overbearing the patio and garden of 18a.

He advised that he appreciated that the glass would have maximum obscurity and that some windows would not open but the windows that did open did create noise and whilst the neighbours were sympathetic to the needs of the residents, the noise was distressing to the neighbours.

Mr Critchley and Mr McGregor were invited to address the Board.

Mr McGregor advised that that the care home was a small family owned care home that offered specialist dementia care. He advised the Board that there would be a 36% increase in over 85 year olds by 2025 which would increase the demand for care home spaces. In Gosport the population of over 65's had increased by 17% and the numbers of 85 year olds and 65 year olds in Gosport would be increasing too.

The Board was advised that the application would allow the home to be comfortable and safe for residents in the last chapter of their lives, this would allow for five new rooms, with wet rooms, a lounge, storage for Motability scooters and activity room. This would allow the residents to move from one end of the property to the other safely this would encourage additional physical activity. He advised that measures had been taken to muffle the noise, but it was acknowledged that the area surrounding the home was densely populated and noise would also generate from other properties.

Mr Critchley advised that he hoped that Members could appreciate from the site visit the quality care provided, but acknowledge that the current set up of the home restricted mobility and activity for the residents.

He advised the Board that 3D drawings had been provided and that the proposal included a dormer which was a shower room with obscure glass to protect modesty and privacy and also provide ventilation. He advised that Velux windows were to be used and were popular for this type of development but that residents wouldn't be able to reach the windows, he also advised that the height

of them restricted the width they were allowed to open. He advised that the residents could not overlook the neighbouring properties.

In answer to a Member's question, the Board was advised that the glass was proposed to be more obscure than required and that there was a requirement for some of the windows to open to allow for ventilation.

In answer to a further question, the Board was advised that the additional parking at the front of the property would not affect the amenity of adjoining residents, would provide better access for emergency vehicles and would reduce the amount of vehicles that travelled underneath the building.

The Board was advised that every effort would be made to ensure that the windows were as obscure as possible and were open as little as required

It was proposed, seconded and agreed that the windows overlooking numbers 18/18a be fixed and obscure and that the front facing windows would be allowed to open.

**RESOLVED:** That planning application 18/0012/FULL be approved, be approved subject to an additional condition being attached to the application requiring the windows in the east facing dormer be fixed and obscure glazed and that authority be delegated to the Head of Planning and Regeneration to word and attach appropriate conditions.

16. **17/00598/DETS- DETAILS PURSUANT TO CONDITION 5 OF PLANNING PERMISSION K17976 (11/00282/OUT) - EIA - OUTLINE APPLICATION WITH ALL MATTERS RESERVED EXCEPT FOR ACCESS - EMPLOYMENT-LED MIXED USE SCHEME INCLUDING UP TO 69,992 SQM OF COMMERCIAL FLOOR SPACE IN NEW BUILDINGS AND RE-USE OF EXISTING BUILDINGS (USE CLASSES B1, B2 AND B8); UP TO 1,075 SQM OF RETAIL (USE CLASSES A1, A2, A3 AND/OR A4); UP TO 200 RESIDENTIAL UNITS (USE CLASS C3); UP TO 32 UNITS OF CARE ACCOMMODATION (USE CLASS C2); UP TO 1,839 SQM OF COMMUNITY USES (USE CLASS D1); UP TO 8,320 SQM OF HOTEL USE (USE CLASS C1); UP TO 2,321 SQM OF LEISURE (USE CLASS D2); NEW AND UPGRADED VEHICULAR AND PEDESTRIAN ACCESS ARRANGEMENTS; HARD STANDING AND CAR PARKING; OPEN SPACE PROVISION; LANDSCAPING; AND ASSOCIATED WORKS**

**DETAILS OF LAYOUT, SCALE, APPEARANCE AND LANDSCAPING PURSUANT TO PHASE 2 - ERECTION OF 200 RESIDENTIAL UNITS (CLASS C3) AND ASSOCIATED PUBLIC REALM, LANDSCAPING AND CAR PARKING (CONSERVATION AREA) (as amended by plans received 27.03.2018) Land At Former HMS Daedalus (Waterfront East And West) Lee-On-The-Solent Hampshire**

Consideration was given to the report of the Head of Planning and Regeneration requesting that consideration be given to planning application 17/00598/DETS

Members were advised that an additional letter of representation had been received and that the matters raised in the further representation related to the means of access to the development which was considered and approved as part of the Outline planning permission.

Mr Stephenson was invited to address the Board.

He advised that he represented the residents of Drake Road and expressed concern at the parking arrangements for the proposal. He expressed concern that the existing development on

the site had presented an issue and advised that the proposed frontage of the new properties would increase the problems. He advised the Board that he wished to see strong boundary definition and that he felt that increasing the communal green space would reduce the need for private gardens. He also requested that there be some formal logistics planning for the build including details of dust suppression to protect the intrusion of dust and vehicles to the surrounding properties.

Kate Ives was invited to address the Board. She thanked the Board for the opportunity to address the Board and thanked planning officers for their hard work on the proposal.

She advised the Board that she was accompanied by the architect and representatives of Homes England and that Wates were pleased that the application was now at a point to be considered. She advised that great consideration had been given to the proposal particularly relating to open space and parking. She advised the Board that the brickwork had been amended to ensure that it complimented the surrounding area and that 40% of the proposal would be affordable housing.

The Board was advised that the remaining 60% would not be for overseas purchasers or investors and that the properties were being built to support the local housing need.

The Board was advised that engagement had taken place with the local community and that as a result of the proposal a regional office had been opened in Havant and that the construction manager for the development lived in Lee on the Solent.

The Board was advised that following consultation the space between the properties and the number of parking spaces available had been revised and that improvement had been made to the service road. The Board was advised that the proposal was committed to meeting the needs of local residents and that where possible those to be employed on the site would come from the surrounding area as Wates believed strongly in the importance of a good work life balance.

In answer to a Member's question, the Board was advised that the outline permission previously granted made provision for a section 106 agreement to be made with regard to infrastructure and facilities.

In answer to an additional question, the Board was advised that amendments had been made to address parking concerns and that rear access proposals had been removed for properties close to Drake Road and that the positioning of some properties had been amended to reduce impact. The Board was advised that none of the first floor window were rear facing to prevent overlooking on the south east corner of the western plot and that the proposal complied with the SPD.

In answer to a Member's question, the Board was advised that the flats would be 3 storey blocks with 9 flats per block.

**RESOLVED:** That planning application 17/00598/DETS be approved subject to the conditions contained in the report.

17. **18/00177/FULL- ERECTION OF 37 DWELLINGS WITH ASSOCIATED CAR PARKING AND LANDSCAPING TO INCLUDE NEW ACCESS TO ALVER VALLEY COUNTRY PARK AND CREATION OF ADDITIONAL CAR PARKING TO REAR OF FOXGLOVE HOUSE (PHASE 1B OF THE ROWNER RENEWAL PROJECT) (as amplified by surface water drainage statement received 11.05.18 and amended by plans received 18.05.18)**

## Land South Of Howe Road Gosport Hampshire PO13 8GS

Consideration was given to the report of the Head of Planning and Regeneration requesting that consideration be given to planning application 18/00177/FULL.

Members were updated that there was an amendment to paragraph 2 of the report and that the total number of properties was 500.

The Board was advised that since the publication of the agenda an additional letter of representation had been received detailing concerns regarding the noise nuisance and the access via a temporary pathway. The Board was advised that the recommendation had a condition attached to ensure the reinstatement of the access to the Alver Valley Country park and that the temporary footpath could not be controlled.

Alice Davidson was invited to address the Board. She advised that the proposal formed part of the wider Rowner Regeneration project of mixed use residential led development as a partnership between Gosport borough Council, Hampshire County Council, Taylor Wimpy and Vivid Homes. The Board was advised that this application formed the final part of the project.

The Board was advised that in 2009 outline consent had been granted for the 700 properties for the whole development and that the proposal for this site was originally for 29 flats, 18 one bedroomed and 11 two bedroomed and that they would all be available on the open market.

The proposal had been revised based on the current market demands and it was now proposed that the block of flats be replaced with 36 houses, three of which would be affordable housing and one flat. There would be new access points and new access to the car park and the properties would be 2-2.5 storeys high and there would be a mixture of two and three bedroomed properties.

The Board was advised that there would be 77 parking spaces, 68 of which would be allocated.

Members were advised that the proposal formed part of the wider Rowner Regeneration project and that the project as whole met the requirements of the Gosport Borough Local Plan including the provision of affordable housing. There was not required to be any provision for affordable housing within this element, however, three units had been offered.

The proposed units reflected the market need for two and three bedroom properties and were acceptable in accordance with acceptable policy.

In answer to a Member's question, the Board was advised that there was no requirement to make provision for a garden centre, but that the development would provide the entrance way for the area earmarked for the proposed garden centre.

Members requested that it be ensured that the elements of the proposal including roads and lighting be completed prior to the occupation of the properties.

In answer to a Member's question, it was reiterated that the overall requirement for affordable housing had been met across the whole project. Members welcomed the proposal and the finalisation of the Rowner Regeneration project.

**RESOLVED:** That application 18/00177/FULL be approved subject to the conditions contained in the report.

**18. 17/00570/FULL - ERECTION OF A PART NINE, PART EIGHT, PART FOUR, PART THREE & PART TWO STOREY BUILDING (WITH SEMI-BASEMENT PARKING AREA) TO PROVIDE 6 ONE BEDROOM FLATS AND 41 TWO BEDROOM FLATS, WITH ASSOCIATED ACCESS, CAR PARKING, REFUSE AND CYCLE STORAGE & LANDSCAPING (as amended by plans received 8.2.18) (RESUBMISSION OF 17/00143/FULL)**

## **Site Of Former Crewsaver Building Land To The North Of Harbour Road Mumby Road Gosport Hampshire PO12 1AQ**

Consideration was given to the report of the Head of Planning and Regeneration requesting that consideration be given to planning application 17/00570/FULL.

The Board was advised that two additional letters of representation had been received and that the matters raised in the further objections were the same as raised in other representations that were reported and addressed within the Officer's report to the Regulatory Board.

Mr Downing was invited to address the Board. He advised that he resided in Viewpoint and that the proposal initially agreed for the site was a modest development which residents did not object to. He advised that the proximity of the new proposal was such that it was felt residents could look into each other's windows and that the proposal should reflect the stance of Seaward and Harbour Towers. He felt that the proposal was driven by money and that more consideration should be given to reflecting the maritime heritage of the area.

In answer to a Member's question, Mr Downing advised the Board was advised that the overriding objection to the proposal was the proximity of it to Viewpoint.

Mr Pickup was invited to address the Board. He advised the Board that initial proposals for the site had been submitted in 2015 when 31 flats with 42 car parking spaces had been approved. A subsequent application had been submitted in 2017 for 49 flats, with 47 spaces, this had been refused and was currently going through the appeal process.

The Board was advised that the proposal presented was for 47 flats with 47 parking spaces and that this was considered acceptable as the site was accessible and sustainable and that the bus station and ferry terminal were in close proximity as was the High Street.

Members expressed concern that the proposal would still not provide enough parking spaces as it only allowed for one space per dwelling and expressed concern that the spaces were smaller than would be acceptable for modern cars. In addition, concern was expressed that the car parking area was also subject to flooding.

Mr Pickup advised that the flood risk had been mitigated and that should any flooding occur it would be of a tidal nature and that mitigation measures were in place to address this and reduce the flow of any water..

Members expressed further concern at the level of parking provided on site, they acknowledged that there was not any additional parking within the vicinity and that as a result people would most likely park in a dangerous way. Members felt that it was unrealistic to expect that properties would only have one vehicle, particularly as the properties were two bedroomed. Members also expressed concern that the proposal would place additional strain on the surrounding services.

In answer to a Member's question the Board was advised that the proposal had been accompanied by an affordable housing viability statement and that this had been independently assessed by the District Valuer, this detailed the affordability of affordable housing on the site, or a contribution to affordable housing elsewhere. It was confirmed that the assessment had been verified and was a true reflection of what was possible based on the development. The assessment contribution had been identified as £250,000 and this had been agreed by the applicant. Members were advised that it was not common practise to negotiate the figure as it had been agreed independently by the valuer.

Members reiterated concerns regarding the parking provision, it was felt that the lack of spaces would increase the ingress and exit movements to and from the site as people would not be able to park and that this as a result increase the risk to highway safety. In addition, whilst acknowledging

that spaces were unallocated, Members felt that this could place those with disability and accessibility needs in a position at which they could not park their cars near to their properties.

Members felt that it was unacceptable to say that the proposal was acceptable as it has access to public transport as Mumby Road was only serviced by a bus every two hours and was outside the 400 metre zone defined as accessible in the Local Plan.

In answer to a Member's question, the Board was advised that the proposal was for an increased number of flats to make the proposal viable as it was felt that 31 flats may not be enough.

Members reiterated their concerns regarding parking surrounding and for the proposal. They stated that there was no available on street parking in the surrounding area and that there was potential for 88 adults to be residing in the building. Members expressed sympathy for neighbouring residents in Viewpoint that had bought their properties with permission in place for a smaller development and were now presented with a proposal for larger and closer block.

Members felt that should the parking standards provided be lower than the SPD, there should be sufficient justification for it to do so and felt that the proposal fell short of that.

Members expressed concern that there was no parking for motorbikes or mobility scooters and that provision had not been made to future proof the development by providing wider spaces and potentially spaces for electric cars.

Members were advised that should the applicant submit an appeal against a refusal of the proposal, it would be difficult to provide evidence to substantiate this as the applicant had provided a transport plan that appeared robust and took into account that the proposal was in one of the most accessible areas in the Borough. Planning Officers advised that they did not consider that the proposal would cause harm to the neighbouring area in terms of highway safety or the amenity of residents.

Members were advised that there was the potential for two of the spaces to be allocated as disabled should residents need them.

Members advised that they were not comfortable with the proposal for the site and advised that there were soon to be additional double yellow lines on Harbour Road which would reduce parking levels further. Members acknowledge that it was important to reach a resolution and accepted that a site visit would not be the appropriate as there was currently nothing located on the site. Members felt that amendments should be made to the SPD to tighten parking provision for developments.

Members were advised that there was no additional information that could be added to the report or the application and the SPD provided guidance on what was acceptable and that the document provided flexibility where sufficient justification was provided. The Board was advised that the proposal site was such that there were many other transport options available locally that could reduce the need for parking provision. Members were advised that to substantiate a refusal of the application, evidence of harm would need to be provided.

Members advised that it had been clear from the consultation on the Town Centre redevelopment that members of the public did not favour tower blocks in the town centre.

It was proposed and seconded that the proposal be refused Notwithstanding the submitted justification to reduce the level of parking provided set out in the Parking SPD, as the proposal would, by reason of the limited number and restricted size and layout of the semi-basement car park, make inadequate provision for the parking of cars to meet the likely demand from future occupiers of and visitors to the site (including, importantly, persons with restricted mobility). The site and proposal was not considered to be sufficiently well served by public and alternative modes of transport (such as bicycles and scooters) to justify the level of parking proposed. Furthermore the lack of adequate parking would be likely to lead to increased vehicle movements detrimental to the safety and convenience of users of the local highway network, and lead to an increased demand for limited on street parking harmful to the amenities of existing and future occupiers. The proposal ws

therefore contrary to Policy LP23 of the Gosport Borough Local Plan 2011-2029 and to the adopted Parking Supplementary Planning Document.

More journeys would be made as a result of the insufficient parking and there would be an increase in illegal parking in the area.

Members were advised that there would be two spaces suitable in dimension to be allocated as disabled spaces, Members requested that the objection to the proposal on the grounds of insufficient parking remain part of the reason for refusal.

RESOLVED: That application be refused for the following reasons;

Notwithstanding the submitted justification to reduce the level of parking provided below that set out in the Parking SPD, the proposal would, by reason of the limited number and restricted size and layout of the semi-basement car park, make inadequate provision for the parking of cars to meet the likely demand from future occupiers of and visitors to the site (including, importantly, persons with restricted mobility). The site and proposal is not considered to be sufficiently well served by public and alternative modes of transport (such as bicycles and scooters) to justify the level of parking proposed. Furthermore the lack of adequate parking would be likely to lead to increased vehicle movements detrimental to the safety and convenience of users of the local highway network, and lead to an increased demand for limited on street parking harmful to the amenities of existing and future occupiers. The proposal is therefore contrary to Policy LP23 of the Gosport Borough Local Plan 2011-2029 and to the adopted Parking Supplementary Planning Document

## **19. 18/00110/FULL ERECTION OF A PART SINGLE / PART TWO STOREY REAR EXTENSION – 37 ST MARYS AVENUE GOSPORT PO12 2HU**

Councillor Earle declared a pecuniary interest, left the room and took no part in the discussion or voting thereon.

Consideration was given to the report of the Head of Planning and Regeneration requesting that consideration be given to planning application 18/00110/FULL.

Mr Duffy was invited to address the Board.

He advised that he was a neighbour to the property and that he had been invited to view initial plans but had not seen any subsequent plans. He advised that he had sent letters of objection to both the Planning Officers and the applicant as he had concern at the loss of light the proposal would have on his and neighbouring properties.

He advised the Board that the properties were north/south facing and that there was currently no two storey rear extensions on that side of the road, only single storey extensions and conservatories and that as a result there were no properties with shadowing or light loss issues.

He advised the Board that his property currently received sunlight to the rear between the hours of 8-10.30am and in the evening after 4.30pm and that should the proposal be approved that the evening sunlight that he had enjoyed for 40 years would be gone.

He advised that the proposal for 1.9m extension would extend shadow over 3.9m of his garden and that the proximity of the proposal to his property was also unacceptable.

Amanda Bright was invited to address the Board. She advised that she was the owner of number 37 and that she had moved in to the property a year ago.

She advised the Board that the layout of the property was not acceptable for their lifestyle and that the renovations were required to improve it.

The Board was advised that all options had been considered and that the proposal had been reduced in size from 5m to 3m on the ground floor level and from 4m to 2m on the first floor to reduce overshadowing.

She advised the Board that she disagreed that the proposal would overshadow the neighbouring gardens and also disagreed that any light loss would be significant.

**RESOLVED:** That application 18/00110/FULL be approved subject to the conditions contained in the report.

## **20. 18/000/82 - ERECTION OF EXTENSION TO CAFE (DEPARTURE FROM LOCAL PLAN) BAYSIDE CABIN STOKES BAY ROAD GOSPORT**

Consideration was given to the report of the Head of Planning and Regeneration requesting that consideration be given to planning application 18/000/82/FULL.

Mr Chalk was invited to address the Board

The Board was advised that since the publication of the agenda 5 additional letters of support had been received.

Mr Chalk advised the Board that the building had become a community hub and that the replacement of the white marquee on the site had led to it being available for year round use.

He advised the Board that the structure was confined to the garden area and that it was well used for many recreational events including cycling and running. He advised the Board that Gosport Borough Council had a profit share with regard to the site and would benefit as a result. He advised that there had been no complaint from Gosport Borough Council's Property Services as the landlord of the sites and that the look was similar to the neighbouring static caravan.

In answer to a Members question the Board was advised by Mr Chalk that the structure was metal framework and glass and that it was not considered permanent. Mr Chalk apologised for not consulting the Planning Office sooner.

Members questioned why the proposal did not reflect the design of the existing building and Mr Chalk advised that cost had been too prohibitive to reflecting the shape of the existing building.

Mr Chalk advised that the building had been constructed in January 2018 and that the lack of planning permission had been a misunderstanding and that a window of opportunity for the construction of the building had become available. He advised that if he had not taken it, it would not have been able to be constructed until 2019.

In answer to a Member's question the Board was advised that the structure was a kit form and could be dismantled.

Members debated the design and the location of the proposal and agreed that the current structure was an improvement on the temporary white marquee.

Members were advised that the planning application for the existing building had been recommended for refusal as it was outside of the Urban Area Boundary and located within the Strategic Gap, but had been approved by the Regulatory Board.

Members expressed disappointment that the application was retrospective and concern that this may encourage other structures to be built within the Borough and along Stokes Bay without planning permission.

Members were advised by Planning Officers that should they wish to approve the proposal, they would need strong and robust planning reasons to do so, as the application fell within the Settlement Gap.

Members debated the proposal further and accepted that the proposal would enhance the business already on site, Members also felt that the design of the structure was subjective and that the proposal would enhance a facility already present, rather than add a new one.

It was proposed and seconded that the application be deferred for a site visit.

RESOLVED: That application 18/00082/FULL be deferred for a site visit

**21. 18/00127/FULL - ERECTION OF TWO STOREY SIDE/REAR EXTENSION WITH UNDERCROFT PARKING AND REAR DORMER - 26 WOODSTOCK ROAD GOSPORT**

Councillor Miss Kelly advised that she knew the objector to the proposal but remained in the room and took part in the discussion and voting thereon.

Consideration was given to the report of the Head of Planning and Regeneration requesting that consideration be given to planning application 18/00127/FULL.

A Member advised that the objector to the proposal had withdrawn their objection and felt that the proposal would add to the kerb appeal of the street.

RESOLVED: That planning application 18/00127/FULL be approved subject to the conditions contained in the report.

**22. ANY OTHER BUSINESS**

The Board were advised that the appeal for 1 Fieldhouse Drive had been considered and the refusal had been upheld.

The meeting concluded at 22.36

CHAIRMAN