

A MEETING OF THE REGULATORY BOARD

WAS HELD ON 19 JUNE 2007

The Mayor (Councillor Gill) (ex-officio), Chairman of the Policy and Organisation Board (Councillor Cully) (ex-officio), Councillors Allen (P), Carter (P), Chegwyn (P), Davis (P), Foster (P), Hicks (P), Smith (P), Taylor (P), Train and Ward (P).

It was reported that, in accordance with Standing Order 2.3.6., notice had been received that Councillor Farr would replace Councillor Train for the duration of this meeting.

23 APOLOGIES

Apologies for inability to attend the meeting were received from Councillors Gill, Cully and Train.

24 DECLARATIONS OF INTEREST

- Councillor Taylor declared a personal & prejudicial interest in item 7/01 (K17327 – Land to Rear of 1-7 Rowallan Avenue)
- Councillor Allen declared a personal & prejudicial interest in item 7/05 (K7022/14 – Gosport War Memorial Hospital)
- Councillor Chegwyn declared a personal & prejudicial interest in item 7/06 (K17118/2 – 18B Brodrick Avenue)

25 MINUTES

RESOLVED: That the Minutes of the Regulatory Board meeting held on 21 May 2007 be approved and signed by the Chairman as a true and correct record.

26 DEPUTATIONS

It was reported that a request to address the Board had been received from the applicant on the following applications:-

- Item 7/01 (K17327 - Land to Rear Of 1-7 Rowallan Avenue, Gosport)
- Item 7/06 (K17118/2 - 18B Brodrick Avenue, Gosport)

27 PUBLIC QUESTIONS

No public questions had been received.

PART II

28 TREE PRESERVATION ORDER G.115 – GINGKO BILOBA TREE AT 6 ST MARKS ROAD, GOSPORT, HAMPSHIRE

Members considered the report of the Borough Solicitor and Head of Development Services (a copy of which is attached in the Minute Book as Appendix 'A') which requested the Board to consider whether to confirm, amend and confirm, or not to confirm Tree Preservation Order G. 115 where representations have been received.

RESOLVED: That, in accordance with the provisions of Section 199 of the Town and Country Planning Act 1990 and despite a letter of objection, the Board confirm the Tree Preservation Order G.115 relating to a ginkgo biloba tree at 6 St Marks Road Gosport in Hampshire

29 REPORT OF THE DEVELOPMENT SERVICES MANAGER

The Development Services Manager submitted a report on applications received for planning consent setting out the recommendation in each case (a copy of which is attached in the Minute Book as Appendix 'B').

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

30 K17327 – ERECTION OF FOUR BUNGALOWS FOR THE ELDERLY, ACCESS & PARKING (INCLUDING PARKING FOR 5 ROWALLAN AVENUE) Land to Rear of 1-7 Rowallan Avenue Gosport Hants

Note: Councillor Taylor declared a personal and prejudicial interest in this item, left the room and took no part in any discussion or voting thereon.

Members were advised that the Head of Environmental Health had confirmed the findings of the noise report submitted with the application. In response to a query from the applicant, officers clarified the requirements of Policy R/OS8 of the Gosport Borough Local Plan Review relating to the appropriate provision for public open space facilities. The recommendation had been amended so that age restriction was secured through a condition rather than a legal agreement.

Members discussed the implications the application would have on highway safety. Officers advised that there had been a decrease in road traffic accidents over the last three years.

RESOLVED: That planning application K17327 – Land to Rear of 1-7 Rowallan Avenue, Gosport be approved subject to a Section 106 agreement relating to the payment of a commuted sum towards the provision of outdoor playing space in the Borough, the payment of a commuted sum towards the administration and implementation of a traffic regulation order, and the age of residential occupancy and subject to the conditions set out in the report of the Development Services Manager, for the following reason.

- i. That having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the proposal is at an acceptable density and will provide accommodation for the elderly within an accessible location. There will be no adverse effect on the character and appearance of the area, the amenities of occupiers of adjoining properties, or highway safety. Adequate provision is made for open space, car parking, cycle and refuse storage. As such the development complies with Policies R/DP1, R/H4, R/H8, R/T11 and R/OS8 of the Gosport Borough Local Plan Review.

**31 K5156/1 – CHANGE OF USE FROM DRY CLEANERS (CLASS A1) TO ICE CREAM PARLOUR/CAFE (CLASS A3) AND INSTALLATION OF EXTRACTION SYSTEM (CONSERVATION AREA)
8 South Street Gosport Hampshire PO12 1ES**

RESOLVED: That planning application K5156/1 – 8 South Street, Gosport be approved subject to the conditions set out in the report of the Development Services Manager, for the following reason:

- i That having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the development as proposed is acceptable in this location. The proposed use will preserve the character and appearance of the Conservation Area and will not adversely affect the amenities of nearby residents through noise generation or traffic/parking conditions in the locality. As such the proposal complies with Policies R/DP1, R/S3, R/BH1, R/ENV1 and R/ENV10 of the Gosport Borough Local Plan Review.

**32 K17307/1 – ERECTION OF FOUR LOCK-UP GARAGES (as amended by plans received 10.05.07)
1 Hill Park Road Gosport Hampshire PO12 3EB**

There was some concern that the garages would be used for commercial uses and Members subsequently discussed the condition which required that the garages could only be used for domestic storage and parking of a domestic vehicle and not for any business, commercial or industrial purposes whatsoever.

Some Members considered that the safety and convenience of road users would not be maintained or enhanced by the proposal. It was moved that the application should be refused on grounds of there being an adverse impact on traffic management, contrary to Policy R/T10 of the Gosport Borough Local Plan Review. A vote was taken and the proposal was lost.

RESOLVED: That application K17307/1 – 1 Hill Park Road, Gosport be approved subject to the conditions set out in the report of the Development Services Manager, for the following reason:

- i That having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the development as

proposed is acceptable in this location. It is of an appropriate design and will not have a detrimental impact on parking or highway safety or on the amenities of neighbouring residents. As such, the proposal complies with Policy R/DP1 of the Gosport Borough Local Plan Review.

**33 K17379 – USE OF LAND AS ANCILLARY CAR PARK AND BOAT STORAGE WITH REPLACEMENT 2 METRE HIGH BOUNDARY FENCE
Gosport Marina Mumby Road Gosport Hampshire PO12 1AH**

Members were informed that the Environment Agency had requested an informative be attached to the decision notice advising the applicant that consent from the Agency would be required for any works within 15 metres on the landward side of any sea defence.

RESOLVED: That planning application K17379 – Gosport Marina, Mumby Road, Gosport be approved subject to the conditions set out in the report of the Development Services Manager, for the following reason:

- i That having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the proposed use is acceptable in this location on a temporary basis and will enhance the existing marina facility. The proposals will not be harmful to the character or appearance of the designated coastal zone, or wider area, or the amenities of nearby residents, or nature conservation interests, or result in the pollution of controlled waters or adversely affect traffic/parking conditions in the locality. As such, the proposal complies with Policies R/DP1, R/DP4, R/EMP2, R/EMP4, R/EMP7, R/CH1, R/OS10, R/OS11, R/ENV1, R/ENV2, R/ENV10, R/T2, R/T10 and R/T11 of the Gosport Borough Local Plan Review.

**34 K7022/14 – STATIONING OF A PORTACABIN (CONSERVATION AREA)
Gosport War Memorial Hospital Bury Road Gosport Hampshire PO12 3PW**

Note: Councillor Allen declared a personal and prejudicial interest in this item, left the room and took no part in any discussions or voting thereon.

RESOLVED: That planning application K7022/14 – Gosport War Memorial Hospital, Bury Road, Gosport be approved subject to the conditions set out in the report of the Development Services Manager, for the following reason.

- i That having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the development as proposed will facilitate the improvement of a community health facility, have a neutral impact on the conservation area, and will not adversely affect parking or traffic conditions in the locality. It therefore complies with Policies R/BHH1, R/CF1, R/T11 and R/DP1 of the Gosport Borough Local Plan Review

**35 K17118/2 – RETENTION OF EXISTING WORKS AND FURTHER WORKS FOR THE ERECTION OF SINGLE STOREY REAR EXTENSION (as amended by plans received 14.05.07)
18B Brodrick Avenue Gosport Hampshire PO12 2EN**

Note: Councillor Chegwyn declared a personal and prejudicial interest in this item, left the room and took no part in any discussion or voting thereon.

Dr Lotay, the applicant, was invited to address the Board. Dr Lotay expressed concern about how the application had been processed and detailed his understanding of the previous planning application history. He believed the approach of the planners had been inconsistent throughout the application. The Chairman advised that the matter would have to be resolved through other channels as the Board could only consider planning issues.

Officers made clear to Members certain aspects of the application, such as the design of the windows, and the chairman clarified that the recommendation was in accordance with the proposal put forward by the applicant.

RESOLVED: That planning application K17118/2 – 18B Brodrick Avenue, Gosport be approved subject to the conditions set out in the report of the Development Services Manager, for the following reason.

- i. That having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the development as proposed by reason of its design, siting and orientation, will not have a detrimental impact on the neighbouring properties or the visual amenities of the area. As such, it complies with Policies R/DP1 and R/DP7 of the Gosport Borough Local Plan Review.

**36 K14531/1 – ERECTION OF A FIRST FLOOR REAR EXTENSION
28 Leamington Crescent Lee-On-The-Solent Hampshire PO13 9HN**

RESOLVED: That planning application K14531/1 – 28 Leamington Crescent, Lee-On-The-Solent be refused for the following reason.

- i. That the proposed first floor rear extension and roof, by reason of building mass and orientation, would result in an unreasonable loss of daylight and sunlight to the adjacent property, 26 Leamington Crescent, to the detriment of residential amenity, contrary to Policies R/DP1 and R/DP7 of the Gosport Borough Local Plan Review.

**37 K17264/1 – ERECTION OF A TWO STOREY AND SINGLE STOREY REAR EXTENSION, ACCOMMODATION IN THE ROOF AND A SIDE CONSERVATORY (as amended by plans received 31.05.07)
3 Newbroke Road Gosport Hampshire PO13 9RT**

RESOLVED: That planning application K17264/1 – 3 Newbroke Road, Gosport be approved subject to the conditions set out in the report of the Development Services Manager, for the following reason.

- i. That having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act and all other material considerations, the development as proposed by reason of its location, design and orientation, will not have a detrimental impact on the neighbouring properties or the visual amenities of the area. As such, the proposal complies with Policies R/DP1 and R/DP7 of the Gosport Borough Local Plan Review.

**38 K5466/8 – ERECTION OF COVERED EXTERNAL AREA PLUS ASSOCIATED WORKS, BOUNDARY FENCE AND NEW RAMPED ACCESS TO PREMISES
The Seahorse Broadsands Drive Gosport Hampshire PO12 2TJ**

In light of possible future applications, Members considered the impact that smoking shelters could have on the amenities of local residents.

RESOLVED: That planning application K5466/8 – The Seahorse, Broadsands Drive, Gosport be approved subject to the conditions set out in the report of the Development Services Manager, for the following reason:

- i. That having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the development as proposed by reason of its design, siting, orientation and existing use, will not have a detrimental impact on the amenities of neighbouring residents or the operation and level of car parking provision. As such, the proposal complies with Policies R/DP1, R/DP7 and R/T11 of the Gosport Borough Local Plan Review

**39 K11698/1 – ERECTION OF TWO STOREY SIDE EXTENSION
21 Testcombe Road Gosport Hampshire PO12 2EL**

RESOLVED: That planning application K11698/1 – 21 Testcombe Road, Gosport be approved subject to the conditions set out in the report of the Development Services Manager, for the following reason:

- i. That having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the development as proposed is acceptable in this location and as such complies with Policies R/DP1 and R/DP7 of the Gosport Borough Local Plan Review.

**40 K17361 – REMOVE RAILINGS FROM ENCLOSED BALCONY
Flat 10 Freshwater Court 25 Marine Parade West Lee-On-The-Solent
Hampshire PO13 9BB**

RESOLVED: That planning application K17361 – Flat 10 Freshwater Court, 25 Marine Parade West, Lee-On-The-Solent be approved subject to the conditions set out in the report of the Development Services Manager, for the following reason:

- i. That having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act and all other material considerations, the development as proposed will not have a detrimental impact on the visual amenities of the area or the building. As such, the proposal complies with Policies R/DP1 and R/DP7 of the Gosport Borough

Local Plan Review

41 ANY OTHER BUSINESS

There was no other business to discuss.

The meeting commenced at 6pm and concluded at 6.52pm

CHAIRMAN