

Please ask for:

Catherine McDonald

Direct dial:

(023) 9254 5340

Fax:

(023) 9254 5587

E-mail:

catherine.mcdonald@gosport.gov.uk

1 December 2008

S U M M O N S

MEETING: Regulatory Board
DATE: 9 December 2008
TIME: 6.00pm
PLACE: Council Chamber, Town Hall, Gosport
Democratic Services contact: Catherine McDonald

NB. A Seminar by the Mobile Operators Association on Telecommunications and the Planning System will take place at 5pm in the Council Chamber.

LINDA EDWARDS
BOROUGH SOLICITOR

MEMBERS OF THE BOARD

Councillor Hicks (Chairman)
Councillor Carr (Vice Chairman)

Councillor Allen	Councillor Forder
Councillor Mrs Bailey	Councillor Geddes
Councillor Carter	Councillor Mrs Searle
Councillor Dickson	Councillor Miss West

The Mayor (Councillor Kimber) (ex officio)
Chairman of Policy and Organisation Board (Councillor Smith) (ex-officio)

FIRE PRECAUTIONS

(To be read from the Chair if members of the public are present)

In the event of the fire alarm (single continuous sound) being activated, please leave the room immediately. Proceed downstairs by way of the main stairs or as directed by GBC staff, following any of the emergency exit signs. People with disability or mobility issues please identify yourself to GBC staff who will assist in your evacuation of the building.

IMPORTANT NOTICE:

- If you are in a wheelchair or have difficulty in walking and require access to the Committee Room on the First Floor of the Town Hall for this meeting, assistance can be provided by Town Hall staff on request

If you require any of the services detailed above please ring the Direct Line for the Democratic Services Officer listed on the Summons (first page).

NOTE:

- i. Members are requested to note that if any member wishes to speak at the Board meeting then the Borough Solicitor is required to receive not less than 24 hours prior notice in writing or electronically and such notice shall indicate the agenda item or items on which the member wishes to speak.
- ii. Please note that mobile phones should be switched off for the duration of the meeting.

AGENDA

Recommended
Minute Format

PART A ITEMS

1. APOLOGIES FOR NON-ATTENDANCE

2. DECLARATIONS OF INTEREST

All Members present are required to declare, at this point in the meeting or as soon as possible thereafter, any personal or personal and prejudicial interest in any item(s) being considered at this meeting.

3. MINUTES OF THE MEETING OF THE BOARD HELD ON 11 NOVEMBER 2008 [copy attached]

4. DEPUTATIONS – STANDING ORDER 3.5

(NOTE: The Board is required to receive a deputation(s) on a matter which is before the meeting of the Board provided that notice of the intended deputation and its object shall have been received by the Borough Solicitor by 12 noon on Friday, 5 December 2008. The total time for deputations in favour and against a proposal shall not exceed 10 minutes).

5. PUBLIC QUESTIONS – STANDING ORDER 3.6

(NOTE: The Board is required to allow a total of 15 minutes for questions from Members of the public on matters within the terms of reference of the Board provided that notice of such Question(s) shall have been submitted to the Borough Solicitor by 12 noon on Friday, 5 December 2008).

6. REPORTS OF THE DEVELOPMENT SERVICES MANAGER

*Schedule of planning applications with recommendations.
(grey sheets – pages 1 –32/1)*

PART II
Contact Officer:
Pat Aird
Ext 5328

7. ANY OTHER ITEMS

- which by reason of special circumstances the Chairman determines should be considered as a matter of urgency.

GOSPORT BOROUGH COUNCIL – REGULATORY BOARD

9th December 2008

ITEMS WITH RECOMMENDATIONS

1. Copies of drawings and accompanying planning applications referred to in this schedule will be made available for inspection by Members from 5.00 pm immediately prior to the meeting. Unless otherwise advised, these plans will be displayed in the room in which the Regulatory Board is to be held.
2. The number of objections and representations indicated in the schedule are correct at the time the recommendations were formulated. Should any representations be made after this date, these will be notified to the Regulatory Board during the officer presentation.
3. Copies of all representations received from the public will be made available for inspection by Members in the same way as drawings will be made available, referred to in Note 1 above.
4. An index of planning applications within this schedule can be found overleaf, together with a summary of each recommendation.

INDEX					
<u>Item</u>	<u>Page No</u>	<u>Appl. No.</u>	<u>Address</u>		<u>Recommendation</u>
01.	03-07	K10024/5	40 Bury Road Gosport Hampshire PO12 3UD		Refuse
02.	08-09	K10024/4	40 Bury Road Gosport Hampshire PO12 3UD		Refuse
03.	10-12	K10024/6	40 Bury Road Gosport Hampshire PO12 3UD		Refuse
04.	13-15	K10024/7	40 Bury Road Gosport Hampshire PO12 3UD		Refuse
05.	16-19	K17255/2	27 Rowner Road Gosport Hampshire PO13 9UE		Grant Permission
06.	20-25	K17609	The Sanderson Centre St Johns Close Gosport Hampshire PO12 3UL		Refuse
07.	26-27	K17626	Unit C5 Heritage Business Park Heritage Way Gosport Hampshire PO12 4BG		Grant Permission
08.	28-29	K7618/7	Long Stay Car Park Clarence Road Gosport Hampshire		Grant Permission
09	30-32	K4474/1	112 Portsmouth Road Lee on the Solent Hampshire		Grant Permission

ITEM NUMBER: 01.
APPLICATION NUMBER: K10024/5
APPLICANT: Mr Ray Bezani
DATE REGISTERED: 07.07.2008

**DEMOLITION OF EXISTING GARAGE, OUTBUILDINGS AND BOUNDARY WALLS AND
ERECTION OF A 2 STOREY DWELLING (LAND TO THE REAR OF 40 BURY ROAD)
(LISTED BUILDING IN CONSERVATION AREA) (as amended by email dated 19.11.08
and by plans received 24.10.08 and 19.11.08)**
40 Bury Road Gosport Hampshire PO12 3UD

The Site and the proposal

The application site is located in an established residential area, within the Urban Area Boundary and partially within the Bury Road Conservation Area at the rear of 40 Bury Road, a Grade II Listed Building. The site is an irregular shape approximately 23 metres deep and between 10.5 and 5 metres wide situated on a 'peninsula' between two adopted service roads which merge before taking access from Walton Road. To the west of the site there are the rear gardens of semi-detached two storey gable ended houses fronting Gordon Road. These properties have pedestrian gates in their boundary walls and fences onto the adjoining service road. Numbers 20, 22 and 26 have garages accessed from this service road. There are also garages to the rear of numbers 42 and 44 Bury Road accessed from this part of the rear service road. To the north east of the site is the side elevation to 2 Walton Road, a semi-detached two storey gable ended house. This property has a kitchen window and two smaller windows in its ground floor side elevation. It has bedroom windows in the first floor rear elevation facing south. There is a garage in the rear garden accessed from the service road where it passes along the side of the property. This service road then turns to the east where it provides rear access to numbers 4 to 26 Walton Road and 24 to 38 Bury Road.

The site is part of the curtilage of one of an important group of Grade II Listed Regency villas. It is located immediately to the north of the historic boundary wall to the rear of these buildings that extends to the east of the application site as far as 22 Bury Road. The site contains an irregular shaped garage at its northern end which has a metal up and over door, brickwork and blockwork walls, and a mono pitched corrugated fibre cement and plastic roof. The western boundary to the site is a 1.6 metres high single skin brick wall. The eastern boundary comprises a 1.5 metres high block boundary wall which has a gap in the centre leading to a gravel surfaced parking area serving 40 Bury Road. On the outside of this wall there is a raised planted bed which contains a telephone pole and a 6 metre high twin trunk beech tree. This area is highway land. There is a small timber lean-to shed in the south west corner of the site. The southern boundary comprises the original solid 2 metres high brick boundary wall which has been raised in height to 2.3 metres in single skin brickwork. There is a gap in the centre of the wall which leads into the original main back garden area of 40 Bury Road. There is a lean-to timber shed on the southern side of this wall. The nearest part of the rear elevation to 40 Bury Road is located 27 metres from the application site.

It is proposed to demolish the existing garage and the west and east boundary walls and erect a 2 storey flat roofed house covering the whole site set around an open courtyard garden. The existing boundary wall at the southern end of the site is to be retained. The existing opening will be bricked up with matching facing brickwork and the faces of the wall renovated to match the original. The new house will have 4 bedrooms, a kitchen, a dining room, a living room, a study, bathrooms, and an integral garage containing a cycle and bin store. The property has been designed with the principle windows overlooking the south west facing semi-circular courtyard garden. This courtyard is to have a brick wall along the west side to the site containing a pedestrian gate. The property will be constructed in facing brickwork with western red cedar cladding and painted white render. Windows will be double glazed powder coated aluminium coloured grey. The outward opening garage doors will be in vertical timber boarding. The roofs will be flat, and vary in height, with parapet walls with powder coated aluminium edge trim. The roofs will be sedum planted 'green roofs'. The amended plans submitted have deleted the originally proposed first floor flat roofed terraces accessible from

two of the bedrooms. These flat roofs are to be retained with soft landscaping to their edges but they will not be accessible from the property. The high level windows in the first floor east elevation are to be obscure glazed. The existing beech tree located in the landscaped strip to the east of the site is to be removed but a new tree is to be planted in the courtyard garden. There will be a further car parking space in front of the garage.

Relevant Planning History

K10024/4 current conservation area application by the same applicant for the demolition of double garage and boundary walls

K10024/6 current planning application by the same applicant for the erection of detached double garage in rear garden

K10024/7 current listed building application by the same applicant for demolition of part of boundary wall, garden shed and greenhouse and erection of detached double garage

Relevant Policies

Gosport Borough Local Plan Review, 2006:

R/DP1

General Standards of Development within the Urban Area

R/DP3

Provision of Infrastructure, Services and Facilities

R/BH1

Development in Conservation Areas

R/BH2

Demolition in Conservation Areas

R/BH3

Development Affecting Listed Buildings

R/H4

Housing Densities

R/T3

Internal Layout of Sites

R/T4

Off-site Transport Infrastructure

R/T11

Access and Parking

R/OS8

Recreational Space for New Residential Developments

R/ENV14

Energy Conservation

Consultations

The Gosport Society	no objection
Building Control	Access for Fire Brigade satisfactory. Storm water sewer running along east side of development, can be dealt with under Building Regulations.
Streetscene (Waste & Cleansing)	Bin requirements 1x240 litre recycling and 1x240 litre domestic. Adequate storage space for bins on site which will need to be placed out for collection at edge of the footway in Walton Road.

Local Highway Authority

Integral garage is suitable for parking a car with a cycle/bin store off to one side. A vehicle can park in front of the garage but it will appear incongruous in this location. The garage doors are shown to open outwards over the highway which is unacceptable in terms of highway safety, and contrary to the Highways Act. Visitor cycle parking must also be provided. No provision is made for visitor car parking, given the nature of Walton Road it may not be convenient to find a space in the immediate vicinity of the site. Transport contributions required.

Response to Public Advertisement

15 Letters of objection

Issues raised:-

- loss of privacy
- use of courtyard garden causing noise disturbance and light pollution
- loss of light to properties located to the west and overshadowing of Walton Road properties
- inadequate car parking for a 4 bed house
- property will not have a proper road frontage
- impact on existing open outlook
- modern 4 bed house of this architectural style/design out of keeping with the character and appearance of the Conservation Area and adjoining Grade II Listed Buildings
- proposed design not in keeping with the design of properties in Gordon Road/Walton Road
- will detract from the character of the area
- visitors parked cars will obstruct service road
- loss of beech tree situated on adjoining HCC land
- 40 Bury Road is being advertised to let as a holiday home with 6 double bedrooms
- further property accessed from Walton Road is unacceptable
- loss of boundary walls to listed building
- overdevelopment with excessive site coverage
- unacceptable overlooking and loss of privacy due to use of proposed roof terraces
- loss of parking for the existing dwelling
- impact on highway safety of additional vehicles in the area entering and leaving Walton Road/Gordon Road
- additional car parking should be provided at the front of 40 Bury Road
- proposal does not enhance the pedestrian or vehicle access to the site
- dust from deliveries/building works will be detrimental to health
- difficult access for emergency vehicles
- previous application K10024/1 refused due to excessive building works as is this proposal
- disruption during building works
- scaffolding on access roads will block access to adjoining properties
- impact on property values
- badgers live in the area
- Regulatory Board should undertake a site visit before making a decision

Principal Issues

1. The application site is located within the Urban Area Boundary and consequently the principle of residential development is acceptable provided that the details accord with the criteria outlined in Policy R/DP1 of the Gosport Borough Local Plan Review. The applicant has demonstrated how energy conservation measures are to be incorporated within the development and as such the proposal complies with Policy R/ENV14 of the Gosport Borough Local Plan Review. The possible

impact on property values is not a material consideration for the Local Planning Authority. The beech tree located to the east of the site which has had works undertaken to it in the past by the Borough Council is in poor condition, poorly located and not worthy of preservation. The previous application referred to, K10024/1, for a change of use and extensions to the property was withdrawn and is not relevant to the current proposal. The inspection of the site has revealed no evidence as to any badger activity on the site. Hampshire Highways have confirmed that a license will be required to erect any scaffolding on the adjoining highway land and this is a matter for them to consider at a future date. Number 40 Bury Road has been inspected and the applicant has confirmed it is being offered to let as a house. Even though this is for holiday purposes it does not constitute a change of use requiring planning consent and as such there is no breach of planning control. Some disruption during building works is inevitable but if this should cause a statutory nuisance then action could be taken under the Environmental Protection Act or by the Police if it related to the obstruction of the highway. Therefore the main issues in this case are the acceptability of the proposed density within such an area, whether the proposal will be acceptable within the overall street scene, whether the proposal will preserve or enhance the character and appearance of the Conservation Area, the impact on the setting of the adjoining Listed Building, the impact on the amenities of nearby and prospective residents, highway safety and the provision of transport infrastructure, car and cycle parking, refuse storage facilities and open space.

2. The existing development at 40 Bury Road has a density of 11 dwellings per hectare (dph) which is below the level of 30 to 50 dph promoted by Policy R/H4. The development will result in a density of approximately 22 dph on the overall 40 Bury Road site. On the application site itself the density will increase to 53 dph. However, this part of Bury Road is characterised by large properties set on large plots and therefore a low density is reflective of the character of the area. A higher density would be out of character and therefore inappropriate in this area contrary to Policies R/DP1 and R/H4 of the Gosport Borough Local Plan Review. The design and position of the building is such that it is not in keeping with the character of the properties located in Gordon Road and Walton Road where it will be viewed from the north surrounded by service roads. These properties are traditional semi-detached houses with pitched roofs. Due to its design and location set back from the properties in Walton Road it will appear out of character and incongruous in the street scene contrary to Policy R/DP1 of the Gosport Borough Local Plan Review.

3. The garage and boundary walls to be demolished are of no merit. The proposed building will be situated immediately to the north of the retained and restored original boundary wall to the important group of Grade II Listed Buildings located to the south. This section of the Bury Road Conservation Area is characterised by detached dwellings facing Bury Road with long rear gardens. In this location it is outside the most sensitive context of these properties and will not have an adverse impact on the setting of the Listed Buildings. The historic layout of the area will not be compromised and as such the important character of the Conservation Area will be preserved. As such the proposal complies with Policies R/BH1 and R/BH3 of the Gosport Borough Local Plan Review.

4. Given the scale, siting, flat roof design and orientation of the building relative to the neighbouring dwellings there will be no loss of light to neighbouring properties. The deletion of the balconies and the use of obscure glazed windows to the east facing elevation will prevent unacceptable overlooking or loss of privacy. However, the site is currently occupied by a single storey garage and the proposed dwelling will be significantly taller than the existing building. Having regard to its height and close proximity, between 5 and 6 metres away from the side elevation and rear garden of 2 Walton Road, I consider that the proposal would have an adverse visual impact in terms of the outlook currently enjoyed by residents of 2 Walton Road contrary to Policy R/DP1 of the Gosport Borough Local Plan Review.

5. The site has restricted amenity space but with appropriate design detailing the courtyard will provide a suitable facility for use by future occupiers. The site provides adequate storage facilities for refuse to the relevant capacity standards with collection from Walton Road.

6. The proposal is for the erection of a 4 bedroom house which will only have a single parking space within the proposed integral garage. The second space in front of the garage will be within the rear service road. In addition the existing 6 bedroom house, 40 Bury Road, will lose all of its existing on site car parking provision as a result of this development which is regarded as being unacceptable. Access to the site will be via a service road which is publicly maintainable highway abutted by brick walls and fences and providing access to a large number of garages serving properties in Gordon Road, Walton Road and Bury Road. Due to the restricted width and absence of turning space it will not be possible to provide safe and convenient access for larger vehicles delivering to and servicing the site. Furthermore these vehicles will likely obstruct the passage of other users. In addition visitor parking will not be available in the immediate vicinity of the property. As such the Proposal is contrary to Policies R/DP1, R/T3 and R/T11 of the Gosport Borough Local Plan Review. Furthermore no detailed provision is made within the proposed development for short term visitor cycle parking facilities contrary to Policy R/T11 of the Gosport Borough Local Plan Review.

7. The applicant has confirmed a willingness to enter a planning obligation under Section 106 relating to the payment of a commuted sum towards the provision and/or improvement of outdoor playing space, in accordance with Policy R/OS8 and payment of a sum towards transport infrastructure, in accordance with Policies R/DP3 and R/T4 of the Gosport Borough Local Plan Review for the 5 additional units of accommodation. Without this obligation the proposal is unacceptable.

RECOMMENDATION: Refuse

For to the following reasons:-

1. The proposed development, by reason of its location, density and design would result in an undesirable form of backland development, out of keeping with the established character of the area and appear incongruous in the street scene. As such it is contrary to Policies R/DP1 and R/H4 of the Gosport Borough Local Plan Review.

2. The proposed development would adversely affect the living conditions of the residents of 2 Walton Road by way of visual impact, contrary to Policy R/DP1 of the Gosport Borough Local Plan Review.

3. The rear accessway intended to serve the proposed development does not provide adequately for on site parking and for vehicles to manoeuvre, load and unload in a safe and convenient manner appropriate to a principle means of access. It is of inadequate width to maintain safe and convenient passage for other vehicles. As such the proposal would adversely affect highway safety and the free flow of traffic contrary to Policies R/DP1, R/T3 and R/T11 of the Gosport Borough Local Plan Review.

4. No provision is made within the proposed development for short stay cycle parking facilities contrary to Policy R/T11 of the Gosport Borough Local Plan Review.

ITEM NUMBER: 02.
APPLICATION NUMBER: K10024/4
APPLICANT: Mr Ray Bezani
DATE REGISTERED: 07.07.2008

CONSERVATION AREA APPLICATION - DEMOLITION OF DOUBLE GARAGE AND BOUNDARY WALLS (LISTED BUILDING) (as amended by email dated 19.11.08 and by plans received 24.10.08 and 19.11.08)
40 Bury Road Gosport Hampshire PO12 3UD

The Site and the proposal

The application site is located in an established residential area, within the Urban Area Boundary and partially within the Bury Road Conservation Area at the rear of 40 Bury Road, a Grade II Listed Building. The site is an irregular shape approximately 23 metres deep and between 10.5 and 5 metres wide situated on a 'peninsula' between two adopted service accessed from Walton Road. This backland location is characterised by boundary walls/fences and garages of differing designs serving the surrounding residential properties.

The site is part of the curtilage of one of an important group of Grade II Listed Regency villas. It is located immediately to the north of the historic boundary wall to the rear of these buildings that extends to the east of the application site as far as 22 Bury Road. The site contains an irregular shaped garage at its northern end which has a metal up and over door, brickwork and blockwork walls with a mono pitched corrugated fibre cement and plastic roof. The western boundary to the site is a relatively modern 1.6 metres high single skin brick wall. The eastern boundary comprises a 1.5 metres high block boundary wall which has a gap in the centre leading to a gravel surfaced parking area serving 40 Bury Road.

It is proposed to demolish the existing garage and the west and east boundary walls so that a 2 storey flat roofed house can be built on the site.

Relevant Planning History

K10024/5 current planning application by the same applicant for the erection of a 2 storey dwelling
K10024/6 current planning application by the same applicant for the erection of detached double garage in rear garden
K10024/7 current listed building application by the same applicant for demolition of part of boundary wall, garden shed and greenhouse and erection of detached double garage

Relevant Policies

Gosport Borough Local Plan Review, 2006:
R/BH2
Demolition in Conservation Areas

Consultations

The Gosport Society	no objection
---------------------	--------------

Response to Public Advertisement

7 letters of objection
Issues raised:-
- loss of boundary walls to listed building
- loss of privacy

- loss of light to properties located to the west and overshadowing of Walton Road properties
- inadequate car parking for a 4 bed house
- impact on existing open outlook
- modern 4 bed house of this architectural style/design out of keeping with the character and appearance of the Conservation Area and adjoining Grade II Listed Buildings
- proposed design not in keeping with the design of properties in Gordon Road/Walton Road
- will detract from the character of the area
- visitors parked cars will obstruct service road
- loss of beech tree situated on adjoining HCC land
- 40 Bury Road is being advertised to let as a holiday home with 6 double bedrooms
- overdevelopment with excessive site coverage
- impact on highway safety of additional vehicles in the area entering and leaving Walton Road/Gordon Road
- proposal does not enhance the pedestrian or vehicle access to the site
- dust from deliveries/building works will be detrimental to health
- difficult access for emergency vehicles
- previous application K10024/1 refused due to excessive building works as is this proposal
- disruption during building works
- scaffolding on access roads will block access to adjoining properties

Principal Issues

1. The issues raised by objectors to the proposal have been fully considered within the context of the consideration of planning application K10024/5. The main issues to consider in this case are the contribution the structures make to the character of the area, their historic or architectural interest and if detailed proposals have been approved for the redevelopment of the site.

2. The garage is of a very poor design and does not contribute to the character of the area and is of no historic or architectural interest. The block boundary wall is cracking and the single skin brick wall is relatively modern. Whilst the structures are of no merit they do define the extent of the curtilage of 40 Bury Road. Detailed proposals have not been approved for the redevelopment of the site and as such it would create a gap in the street scene that would have a detrimental impact on the character of the area contrary to Policy R/BH2 of the Gosport Borough Local Plan Review.

RECOMMENDATION: Refuse

For to the following reason:-

1. Satisfactory proposals have not been received for the redevelopment of the site and in the absence of such proposals the creation of a gap in the street scene would be detrimental to the character of the area contrary to Policy R/BH2 of the Gosport Borough Local Plan Review.

ITEM NUMBER: 03.
APPLICATION NUMBER: K10024/6
APPLICANT: Mr Raymond Bezani
DATE REGISTERED: 08.08.2008

ERECTION OF DETACHED DOUBLE GARAGE IN REAR GARDEN (LISTED BUILDING IN CONSERVATION AREA)
40 Bury Road Gosport Hampshire PO12 3UD

The Site and the proposal

The application site is located in an established residential area, within the Urban Area Boundary and Bury Road Conservation Area. The property is a large detached two storey house finished in white render under a plain tiled roof which has a complicated roof form comprising twin frontage gables and hipped elements. It is one of an important group of Grade II Listed Regency villas. The site is approximately 60 metres deep and 11.5 metres wide. The rear garden is approximately 27 metres deep and bounded on all three sides by brick walls of differing designs varying in height between 1.6 and 2.3 metres. Immediately to the north of the original boundary wall to the site there is a further area of land within the ownership of the applicant that contains a double garage and gravel parking area accessed via a service road leading from Walton Road. There is a pedestrian gap in the northern section of the boundary wall to the application site that links to this parking area. There is a timber lean-to shed in the north west corner of the application site. A service road runs to the west of the northern part of the site at the rear of properties fronting Gordon Road. Numbers 20, 22 and 26 have garages accessed from this service road as do 42 and 44 Bury Road. The western boundary to the application site where it adjoins this service road comprises a 1.6 metres high 8.5 metres long red brick wall constructed in a rat-trap bond, which is unusual in this area. To the east of the site within the rear garden of 38 Bury Road there is a brick built garage with double up and over garage doors facing the service road situated to the rear of Walton Road. This garage has a shallow gabled roof form.

It is proposed to demolish 3 metres of the brick boundary wall located along the north west side of the application site and erect a detached double garage in the rear garden with a pea shingle hardstand for two cars in front. The garage is to be located in the north east corner of the site and face west. It is to be 5.84 metres wide and 6.515 metres deep with the ridge of the hipped roof 4.95 metres high. It is to have a metal roller shutter remote control double door at the front with a personal door and window in the southern side elevation. The garage is to be constructed in facing brick under a slate roof with a hardwood door and window.

Relevant Planning History

K10024/4 current conservation area application by the same applicant for the demolition of double garage and boundary walls

K10024/5 current planning application by the same applicant for the erection of a 2 storey dwelling

K10024/7 current listed building application by the same applicant for demolition of part of boundary wall, garden shed and greenhouse and erection of detached double garage

Relevant Policies

Gosport Borough Local Plan Review, 2006:

R/DP1

General Standards of Development within the Urban Area

R/BH1

Development in Conservation Areas

R/BH2

Demolition in Conservation Areas

R/BH3

Development Affecting Listed Buildings
R/BH4
Demolition of a Listed Building
R/T11
Access and Parking

Consultations

The Gosport Society	no objection
Local Highway Authority	Internal dimensions of the garage (6metres x 5.6 metres) are acceptable. It is noted that the garage utilizes a roller shutter door. The garage is set back approximately 4.8 metres from the service road, it would be preferable if this could be increased.

Response to Public Advertisement

1 letter of objection

Issues raised:-

- the proposal will alter the boundary of a Grade II Listed Building located in a conservation area which would detract from the character of the conservation area
- 40 Bury Road is advertised as a self catering holiday home with 6 double bedrooms, this proposal will not provide adequate car parking for such a use and result in overflow car parking in Walton Road
- the application is for the construction of a double garage where the property already has a garden that extends back towards Walton Road, this is presently used for car parking and also contains a double garage

Principal Issues

1. The timber shed located in the north west corner of the site is of no architectural or historic merit and its removal will enhance the appearance of the Conservation Area. Therefore the main issues in this case are the acceptability of the design of the garage, whether the proposal will preserve or enhance the character and appearance of the Conservation area, the impact on the setting of the Listed Building and the impact on the amenities of adjoining residents and highway safety.
2. The proposal relates to the demolition of a Listed Wall situated within the Bury Road Conservation Area as well as for the erection of a detached garage. The wall appears to be contemporary with the Listed Building and forms the north west corner of the boundary to its original rear garden. As such, the wall is of historic and architectural significance, forming part of the original boundary to the property. The loss of the wall would have an adverse impact on the historic character and setting of the Listed Building and would neither preserve nor enhance the character of the Conservation Area. The proposal is therefore considered unacceptable and contrary to Policies R/DP1, R/BH1, R/BH2, R/BH3 and R/BH4 of the Gosport Borough Local Plan Review.
3. The garage is not in keeping with the historic character of the area. The roof is too high and metal roller shutter doors are inappropriate and unacceptable in such a location. The garage is therefore considered unacceptable in design terms and will have a detrimental impact on the visual amenities of the area contrary to Policies R/DP1, R/BH1 and R/BH3 of the Gosport Borough Local Plan Review.
4. Given the siting of the garage at the end of the garden and relative to neighbouring properties there will be no detrimental impact on the amenities of adjoining residents.

5. There is adequate space within the service road adjacent to the proposed entrance to the site for cars manoeuvre in and out of the site. The garage is of sufficient size for its purpose and additional parking spaces will be available on the hardstand located in front of it. It will also be able to accommodate long stay cycle parking in accordance with minimum standards. As such the proposal will not be detrimental to highway safety and complies with Policy R/T11 of the Gosport Borough Local Plan Review.

RECOMMENDATION: Refuse

For to the following reasons:-

1. The loss of the wall would have an adverse impact on the historic character and setting of the Listed Building and would neither preserve nor enhance the character of the Conservation Area. The proposal is therefore considered unacceptable and contrary to Policies R/DP1, R/BH1, R/BH2, R/BH3 and R/BH4 of the Gosport Borough Local Plan Review.

2. The garage is not in keeping with the historic character of the area. The roof is too high and metal roller shutter doors are inappropriate and unacceptable in such a location. The garage is therefore considered unacceptable in design terms and will have a detrimental impact on the visual amenities of the area contrary to Policies R/DP1, R/BH1 and R/BH3 of the Gosport Borough Local Plan Review.

ITEM NUMBER: 04.
APPLICATION NUMBER: K10024/7
APPLICANT: Mr Raymond Bezani
DATE REGISTERED: 08.08.2008

**LISTED BUILDING APPLICATION - DEMOLITION OF PART OF BOUNDARY WALL,
GARDEN SHED AND ERECTION OF DETACHED DOUBLE GARAGE (CONSERVATION
AREA)**

40 Bury Road Gosport Hampshire PO12 3UD

The Site and the proposal

The application site is located in an established residential area, within the Urban Area Boundary and Bury Road Conservation Area. The property is a large detached two storey house finished in white render under a plain tiled roof which has a complicated roof form comprising twin frontage gables and hipped elements. It is one of an important group of Grade II Listed Regency villas. The site is approximately 60 metres deep and 11.5 metres wide. The rear garden is approximately 27 metres deep and bounded on all three sides by brick walls of differing designs varying in height between 1.6 and 2.3 metres. Immediately to the north of the original boundary wall to the site there is a further area of land within the ownership of the applicant that contains a double garage and gravel parking area accessed via a service road leading from Walton Road. There is a pedestrian gap in the northern section of the boundary wall to the application site that links to this parking area. There is a timber lean-to shed in the north west corner of the application site. A service road runs to the west of the northern part of the site at the rear of properties fronting Gordon Road. Numbers 20, 22 and 26 have garages accessed from this service road as do 42 and 44 Bury Road. The western boundary to the application site where it adjoins this service road comprises a 1.6 metres high 8.5 metres long red brick wall constructed in a rat-trap bond, which is unusual in this area. To the east of the site within the rear garden of 38 Bury Road there is a brick built garage with double up and over garage doors facing the service road situated to the rear of Walton Road. This garage has a shallow gabled roof form.

It is proposed to demolish 3 metres of the brick boundary wall located along the north west side of the application site and erect a detached double garage in the rear garden with a pea shingle hardstand for two cars in front. The garage is to be located in the north east corner of the site and face west. It is to be 5.84 metres wide and 6.515 metres deep with the ridge of the hipped roof 4.95 metres high. It is to have a metal roller shutter remote control double door at the front with a personal door and window in the southern side elevation. The garage is to be constructed in facing brick under a slate roof with a hardwood door and window.

Relevant Planning History

K10024/4 current conservation area application by the same applicant for the demolition of double garage and boundary walls

K10024/5 current planning application by the same applicant for the erection of a 2 storey dwelling

K10024/6 current planning application by the same applicant for the erection of detached double garage in rear garden

Relevant Policies

Gosport Borough Local Plan Review, 2006:

R/BH4

Demolition of a Listed Building

R/BH3

Development Affecting Listed Buildings

Consultations

Ancient Monument Society	no response
Council For British Archaeology	no response
Society For The Protection Of Ancient Buildings	no response
Twentieth Century Society	no response
The Georgian Group	no response
The Gosport Society	no objection
The Victorian Society	no response

Response to Public Advertisement

1 letter of objection

Issues raised:-

- the proposal will alter the boundary of a Grade II Listed Building located in a conservation area which would detract from the character of the conservation area
- 40 Bury Road is advertised as a self catering holiday home with 6 double bedrooms, this proposal will not provide adequate car parking for such a use and result in overflow car parking in Walton Road
- the application is for the construction of a double garage where the property already has a garden that extends back towards Walton Road, this is presently used for car parking and also contains a double garage

Principal Issues

1. The timber shed located in the north west corner of the site is of no architectural or historic merit and its removal will have no detrimental impact on the setting of the Listed Building. Therefore the main issues in this case are the acceptability of the demolition of the boundary wall, the design of the garage and their impact on the setting of the Listed Building.
2. The proposal relates to the demolition of a Listed Wall situated within the Bury Road Conservation Area as well as for the erection of a detached garage. The wall appears to be contemporary with the Listed Building and forms the north west corner of the boundary to its original rear garden. As such, the wall is of historic and architectural significance, forming part of the original boundary to the property. The loss of the wall would have an adverse impact on the historic character and setting of the Listed Building. As such the wall should remain intact. The proposal is therefore considered to be unacceptable and contrary to Policies R/BH3 and R/BH4 of the Gosport Borough Local Plan Review.
3. The garage is not in keeping with the historic character of the area. The roof is too high and metal roller shutter doors are inappropriate and unacceptable in such a location. The garage is therefore considered unacceptable in design terms and will have a detrimental impact on the setting of the Listed Building contrary to Policy R/BH3 of the Gosport Borough Local Plan Review.

RECOMMENDATION: Refuse

For to the following reasons:-

1. The loss of the wall would have an adverse impact on the historic character and setting of the Listed Building. The proposal is therefore considered to be unacceptable and contrary to Policies R/BH3 and R/BH4 of the Gosport Borough Local Plan Review.
2. The garage is not in keeping with the historic character of the area. The roof is too high and metal roller shutter doors are inappropriate and unacceptable in such a location. The garage is therefore considered unacceptable in design terms and will have a detrimental impact on the setting of the Listed Building contrary to Policy R/BH3 of the Gosport Borough Local Plan Review.

ITEM NUMBER: 05.
APPLICATION NUMBER: K17255/2
APPLICANT: Mr Ian Power
DATE REGISTERED: 23.07.2008

CHANGE OF USE FROM RETAIL SHOP (USE CLASS A1) TO VETERINARY SURGERY WITH ANCILLARY USE FOR SALE OF PET FOOD, PET TOYS AND ASSOCIATED PRODUCTS (USE CLASS D1) (as amended by plan and revised Design and Access Statement received 10.10.08)

27 Rowner Road Gosport Hampshire PO13 9UE

The Site and the proposal

The application site is located within a parade of 7 shops on the southern side of Rowner Road which form part of the Rowner Road Local Shopping Centre. The Shopping Centre is made up of two separate precincts located either side of the Rowner Recreation Ground and comprises a total of 14 units. The application site falls within the westernmost precinct towards the junction with Rowner Lane. The precinct is two stories high and contains commercial premises at ground floor with residential flats above. The application unit has recently been refurbished as part of application K.17255/1 and has a pitched roof design with smooth rendered walls. It comprises a commercial premises at ground floor level with three first floor flats above. The ground floor unit is currently vacant having last been occupied by Alldays Stores Limited for retail use under Use Class A1. The remaining units within the parade comprise three takeaway establishments (Use Class A5), a hairdresser and a dry cleaners (Use Class A1). The adjoining unit, number 25, is also currently vacant and was last used as a pharmacy under Use Class A1. The Rowner Road Local Shopping Centre is split into two separate precincts each containing seven units. The application site falls within the western half of the centre while numbers 5-19 Rowner Road are located approximately 160 metres to the east.

The site has two vehicular accesses, one for entry and one for egress. Customer parking is provided at the front of the site, adjacent to the Rowner Road frontage and comprises a total of nine spaces. There is a large service area at the rear of the parade which provides resident and employee parking. The yard also includes a double garage, the eastern half of which forms part of the application site. Separate bin stores for commercial and domestic waste are located adjacent to the adjoining garage court on the north western side of the site. 8 visitor cycle hoops were approved under application K.17255/1, including 5 hoops at the front of the premises and 3 hoops at the rear.

Opposite the site and on the northern side of Rowner Road is Hampson's Car Sales. Abutting the parade on its eastern side is Rowner Copse, a designated Conservation Area. The land beyond the copse is identified on the Proposals Map of the Local Plan Review as an Urban Gap, Existing Open Space and a Site of Importance for Nature Conservation (SINC). Immediately to the west of the site is a garage court serving the semi detached bungalows in Masten Crescent. The rear gardens of numbers 20, 22 and 24 Masten Crescent abut the western boundary of the Local Shopping Centre.

The application is for a change of use from retail (Use Class A1) to a veterinary surgery (Use Class D1) with ancillary sales of pet food, pet toys and associated products. Amended plans have been received showing a revised internal layout. The unit will be subdivided to provide a customer waiting area, reception and administrative office at the front of the premises with a staff room, treatment/consultation rooms, utility room, store room, imaging room, cat and dog wards and a pharmaceutical counter at the rear. The waiting area will include a small display of retail products which will be available for purchase from the reception area. The surgery will be open to the public from 8.30am - 7.30pm Monday to Friday and 8.30am - 5.30pm on Saturdays, employing five full time staff. Clinical waste will be stored in the garage in the rear yard before collection by specialist waste contractors. General refuse will be stored in the existing commercial refuse area on the north western side of the site. The veterinary surgery will use the existing customer and employee parking

which is shared between all the units in the precinct. No animals will be kept at the premises overnight.

Relevant Planning History

K17255 outline application - redevelopment and enhancements forming 2no. flats over 27, re-instatement of flat over 31, removal of canopy, extension to shops and hard/soft landscaping works permitted 24.11.06

K17255/1 retention of existing and further works for general refurbishment and formation of 3 flats over 27 and reinstate flat over 31 remove canopy extension to shops at rear permitted 20.07.07

Relevant Policies

Gosport Borough Local Plan Review, 2006:

R/DP1

General Standards of Development within the Urban Area

R/S4

Local and Neighbourhood Centres

R/S5

Non 'Class A' Uses in Shopping Centres at Ground Floor

R/T11

Access and Parking

R/ENV10

Noise Pollution

Consultations

Streetscene (Waste & Cleansing)	Number of storage containers required will depend on the volume of waste and frequency of collection.
Local Highway Authority	The change of use is unlikely to result in increased trips. Transport contribution not required. No objection
Building Control	no objection
Environmental Health (Pollution & Environment)	no objection

Response to Public Advertisement

nil

Principal Issues

1. The main issues in this case are the impact of the proposed change of use on the vitality and viability of the Rowner Road Local Shopping Centre, the amenities of the occupiers of adjoining properties, highway safety and the acceptability of parking and refuse arrangements.

2. Despite being recently refurbished the application premises are currently vacant and have not been successfully let for sole retail use. At present, 35.7% of the 14 units of the Rowner Road Local Shopping Centre comprise non A1 Uses. The proposed development would increase this figure to 42.9% which slightly exceeds the 40% threshold as set out in Policy R/S4. However, the proposal would bring a vacant unit back into use, operating 6 days a week and would improve the mix of

uses available to residents of the Borough. Furthermore, an element of retail is retained through ancillary sales of pet produce and the proposal will not therefore prejudice the dominant function of the Local Shopping Centre as a shopping precinct. The proposal will improve the vitality and viability of the Local Shopping Centre and the retention of a window display will ensure the continuity of retail frontage is maintained. In light of the above, the change of use is acceptable and complies with Policies R/DP1, R/S4 and R/S5 of the Gosport Borough Local Plan Review.

3. The proposed opening times are similar to other premises within the precinct and the comings and goings of customers will not result in additional disturbance to the occupiers of the adjoining properties, including the first floor flats. A condition is required to prevent animals being kept at the site over night in order to preserve the amenity of the occupiers of the first floor flats in terms of noise disturbance. Subject to the above condition, the proposed use is acceptable in this location and complies with Policies R/DP1 and R/ENV10 of the Local Plan Review.

4. The proposed development will not result in a significant alteration to the traffic characteristics of the locality or create additional traffic congestion in the local road network. There are nine customer parking spaces at the front of the site and this is sufficient to serve both the proposed and existing uses. The development will not therefore result in overspill parking in the local road network to the detriment of local amenity and will not be detrimental to highway safety. 8 visitor cycle stands have been implemented under the previous approval and this is an adequate provision to serve the requirements of the proposed veterinary surgery and first floor flats. In light of the above, the proposal complies with Policy R/T11 of the Gosport Borough Local Plan Review.

5. Commercial waste is to be stored in the existing bin store on the north western side of the site which has adequate capacity to serve all units in the precinct. Clinical waste is to be collected by an approved contractor. Although the entry and exit points to the site are somewhat restricted, service vehicles are currently able to access and service the site in a safe and convenient manner. The waste management requirements of the proposed veterinary surgery are not dissimilar to other units within the precinct and the proposal will not therefore jeopardise current servicing arrangements. It therefore complies with Policy R/DP1 of the Gosport Borough Local Plan Review.

6. A tree survey has been submitted with the application. However, the proposal is for a change of use only and does not include external building works. Therefore, there will be no impact on the health or amenity value of any trees.

RECOMMENDATION: Grant Permission

Reasons for granting permission:

1. 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 improve the vitality and viability of the Rowner Road Local Shopping Centre and will preserve its retail function. It will not be detrimental to the amenities of nearby occupiers, the traffic and parking conditions in the locality or the existing refuse arrangements. As such, it complies with Policies R/DP1, R/S4, R/S5 and R/T11 of the Gosport Borough Local Plan Review.

Subject to the following conditions:-

1. The development hereby permitted must be begun within a period of three years beginning with the date on which this permission is granted.

Reason - To comply with Section 91 of the Town and Country Planning Act, 1990 (as amended).

2. The shop windows on the front elevation of the premises shall be used for display purposes at all times.

Reason - To ensure the continuity of retail frontage is retained, and to comply with Policies R/DP1 and R/S4 of the Gosport Borough Local Plan Review.

3. No animals shall remain on the premises over night.

Reason - To preserve the residential amenity of the occupiers of the first floor flats and to comply with Policies R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review.

ITEM NUMBER: 06.
APPLICATION NUMBER: K17609
APPLICANT: THE SANDERSON CENTRE
DATE REGISTERED: 03.09.2008

DEMOLITION OF OUTBUILDINGS AND ERECTION OF FOUR STOREY BUILDING COMPRISING 6NO. TWO BEDROOM FLATS AND 2NO. ONE BEDROOM FLATS WITH ASSOCIATED PARKING AND AMENITY SPACE (as amended by plans received 13.10.08 and amplified by letter received 24.10.08)

The Sanderson Centre St Johns Close Gosport Hampshire PO12 3UL

The Site and the proposal

The application site is located on the northern side of the Sanderson Centre complex, on an Existing Employment Site as defined within the Proposals Map of the Gosport Borough Local Plan Review. The Sanderson Centre is a large development of two and three storey light industrial buildings with a variety of mansard, lean-to and gabled roof styles. The northern elevation of the main factory unit has ground and first floor windows facing onto the application site. To the north of the application site is 1-3a St Johns Close, a recently approved development of 6 flats. The property is a three storey building of red brick and render under a monopitched roof with a refuse store adjacent to the southern elevation. The building contains 2 ground floor, 2 first floor and 2 second floor windows in the southern elevation fronting the application site. Further north is a terrace of 7 two storey houses constructed from buff brick under a gabled grey tiled roof. To the north east of the site is Whiteacres Close which consists of 6 three storey blocks containing 48 flats. The flats are constructed from red brick and render with hipped grey tiled roofs and square bays. The flats have no amenity space but are served by a large private car parking area. To the west of the application site is 12 Lees Lane, a three storey development comprising a total of 9 flats. There are a number of windows in the rear. To the north-west are numbers 10 and 11 Lees Lane, a pair of two storey semi detached Victorian dwellings. Both properties have first floor windows in their rear elevations, although the window at number 11 is obscure glazed. Whites Place car park and Forton Road Local Shopping Centre are within 1 minutes walk of the site. The Shopping Centre contains a variety of commercial uses at ground floor level with mainly residential use above.

The application site consists of three commercial units, two of which are currently occupied employing a total of seven staff. It is proposed to demolish the existing units and erect a four storey building comprising a total of 8 flats (6 x 2 bedrooms and 2 x 1 bedroom). The development will have an overall height of 12 metres and will be constructed using a combination of brick, render and grey metal cladding. There will be windows in all elevations with the entrance in the eastern side of the building. The building will front an existing yard area which is currently used for parking and servicing. The north western corner of the proposed development would be approximately 7 metres from the side elevation of 1-3a St. Johns Close while the southern elevation will be sited approximately 12 metres from the three storey northern elevation of the Sanderson Centre. There will be a separation distance of approximately 30 metres between the opposing rear elevations of the application building and 12 Lees Lane.

The development provides a total of nine car parking spaces, as well as facilities for 8 long stay and 8 short stay cycle parking spaces. Amended plans have been submitted increasing the size of the proposed bin store which is to be located on the southern side of the site. Communal amenity space is provided to the rear and south west of the flats and measures 310 square metres. The proposal includes a small area of soft landscaping at the front of the building as well as a designated bin collection area.

Details of the current employment levels within the Sanderson Centre and a survey report detailing the structural condition of the buildings have been submitted with the application. It is proposed to relocate the 7 employees currently operating from the site to other units within the Sanderson Centre.

Relevant Planning History

K17367 erection of 4no. two bedroom flats and 2no. one bed flats with car and cycle parking permitted 30.07.07

Relevant Policies

Gosport Borough Local Plan Review, 2006:

- R/ENV5
- Contaminated Land
- R/DP1
- General Standards of Development within the Urban Area
- R/EMP3
- Protection of Existing Employment Sites from Inappropriate Development
- R/H4
- Housing Densities
- R/T2
- New Development
- R/T11
- Access and Parking
- R/DP3
- Provision of Infrastructure, Services and Facilities
- R/T4
- Off-site Transport Infrastructure
- R/OS8
- Recreational Space for New Residential Developments

Consultations

Economic Prosperity

Objection

The latest available data from the Industrial Estates Register indicated that there were 113 businesses operating from the Sanderson Centre and not 85 as referred to in the application documents. The Council is committed to protecting and maintaining existing employment land allocations as well as achieving net additional floor space. The Sanderson Centre makes a useful and valued contribution to the economy of Gosport in offering local business space and employment opportunities.

The application site is approximately 1,000 square metres. Using English Partnerships Job Density guide, it could typically provide for between 20-31 jobs - depending on whether it is being used for warehousing or general office/business purposes. It is possible the existing employees can be relocated elsewhere within the Centre. However, that in itself does not justify converting employment space to residential. There is no evidence, that profit generated through the proposed residential development is intended for investment in the remainder of the site.

Streetscene (Waste & Cleansing)	no objection
Building Control	Disabled access must be considered
Environmental Health (Pollution & Environment)	Removal of the buildings must be done in such a way as to that the risk, to residents and the public, involved in their demolition is minimised. Before construction works are commenced, the site should be the subject of a contaminated land report. A condition should be attached to any permission restricting the use of construction machinery between the hours of 8am-6pm, Monday to Friday.
Streetscene (Waste & Cleansing)	no objection
Local Highway Authority	Objection The provision of 8 long stay parking spaces falls short of the minimum requirements. A total of 14 spaces should be provided. Transport contribution not required.

Response to Public Advertisement

nil

Principal Issues

1. The main issues in this case are the acceptability of the principle of residential development within an Existing Employment Site, the design and density of the proposal and the impact on the visual amenity of the locality, the amenities of adjoining and prospective occupiers, the adequacy of servicing and parking arrangements and the provision for cycle parking, refuse storage, open space and transport contributions.

2. Policy R/EMP3 of the Local Plan Review states that development proposals for non-employment uses on Existing Employment Sites will not be permitted. The applicant considers the redevelopment of the site for commercial purposes economically unviable and refers to competition from other industrial sites within the Borough. However, these operate under different tenure/pricing arrangements to the Sanderson Centre and are not directly comparable. The Sanderson Centre makes a valuable contribution to the mix of units within the Borough and provides affordable units that appeal to specific sectors of the market. The applicant has stated that 85 units are currently occupied. Although the full number of businesses cannot be calculated from publicly accessible viewpoints, it is apparent from a site visit that at least 90 businesses are operating from the Centre. Furthermore, the latest available data from the Industrial Estates Register suggests that 113 businesses were operating from the Centre in March 2008. It therefore continues to provide an important function in offering local business space and employment opportunities, adds to the diversity of the local economy and reduces the need for out commuting. Although the application site does not presently provide a high employment density, this is not reflected throughout the remainder of the site. Furthermore, there is clear evidence to suggest that there is a continued demand for employment space within the Borough. The Harbour Economic Development Forum's commercial property database received 28 new enquiries for office and industrial space in the second quarter of 2008/09, of which 16 have a requirement for space between 0-1999 square metres. Having regard to this and the Council's commitment to retaining and increasing

employment land and job opportunities within the Borough, the proposed residential development is inappropriate within the Existing Employment Site and contrary to Policy R/EMP3 of the Local Plan Review. It is acknowledged that the current buildings are structurally unsound but this cannot be considered adequate justification for residential redevelopment and a departure from Local Plan policy. The applicant has indicated that the existing staff will be relocated within the Centre. However, no supporting information has been provided to substantiate these claims.

3. There is a broad range of building styles in the locality. However, the proposed building largely reflects the detailing of the adjacent flatted development 1-3a St. Johns Close. The use of both brick and render helps to break up the overall mass of the building whilst the large areas of glazing to the entrance and stairwell adds visual interest. At four storeys high, the building is taller than the adjacent properties. However, the fourth floor is set back from the principal elevation by 1.8 metres and the stepped design will ensure the building does not appear overbearing when contrasted with the adjacent built form. Moreover, due to the relationship of the proposed building with the high gabled roofs of the Sanderson Centre and the flats at the rear of the site, the proposal will not be easily visible from Lees Lane. The development will not appear incongruous or be detrimental to the streetscene and would improve the outlook from a number of adjoining buildings. The proposed cycle and bin stores have simple designs and are similar to others in the vicinity. Appendix B of the Gosport Borough Local Plan Review suggests for general guidance that the provision of 25 square metres per unit of accommodation would provide a functional area of communal amenity space. The proposed development provides 310 square metres of amenity space for 8 flats which exceeds these guideline figures. The Design and Access Statement makes reference to provisions for level access. However, the main entrance is stepped and it is therefore unsuitable for disabled users, contrary to Policy R/DP1 of the Local Plan Review.

4. The proposed development would result in a residential density of 67 dwellings per hectare (dph) which exceeds the guideline density range of 30-50 dph as set out in Policy R/H4 of the Local Plan Review. However, this Policy makes provision for higher density housing in locations that are close to principle or district shopping centres, or are in areas with good access to public transport. Due to the proximity of the application site to the facilities in the Forton Road Local Shopping Centre and the availability of 7 plus buses an hour into Gosport Town Centre, the slight increase in density is acceptable in this location. There are other high density developments within the locality and in light of the above, the proposal accords with Policy R/H4 of the Local Plan.

5. The rear elevation of 12 Lees Lane will be approximately 30 metres to the west of the application building. This exceeds the guideline separation distances as set out in Appendix B of the Gosport Borough Local Plan Review. Given this relationship and the orientation of the properties, the proposal will not have a detrimental impact on the occupiers of these flats in terms of loss of light or privacy. Moreover, the proposed development will improve the outlook from the rear windows of these flats. The proposed development will not extend beyond the rear elevation of 1-3a St. Johns Close and due to the layout of the buildings the side elevations will not be directly opposed. All but one of the windows in the side elevation of 1-3a St Johns Close are obscure glazed and the clear glazed window is located at ground floor level behind a 3.5 metre high bin store. In light of this, and given the separation distance between the buildings, there will not be an unacceptable impact on the amenities of the occupiers of 1-3a in terms of loss of light, outlook or privacy. Due to the orientation of the properties there would no loss of light to any windows in the northern elevation of the Sanderson Centre. The separation distance is sufficient to ensure that there is no loss of outlook. Although the Sanderson Centre may overshadow the southern elevation of the proposed building, the windows in the front and rear elevations (serving habitable rooms) will receive unrestricted morning and afternoon sunlight. However, given the location of the windows in the proposed southern elevation in relation to the existing windows in the factory's northern elevation, there will be an unacceptable level of mutual overlooking, to the detriment of the amenities of the existing and prospective occupiers and contrary to Policy R/DP1 of the Local Plan Review.

6. The census data for the Leesland ward shows that car ownership comprises an average of 0.9 cars per household, the second lowest in the Borough. The proposed development provides a total of 9 parking spaces which equates to 1.25 spaces per unit, slightly higher than the ward average.

There is additional space to park at least 4 vehicles in St John's Close adjacent to the western elevations of 8-15 and 16-24 Whiteacres Close. The proposal is therefore unlikely to result in overspill in the local road network to the detriment of local amenity. Access to the site is via St. Johns Close and the existing entrance to the Sanderson Centre. The entrance is of adequate width to allow two vehicles to pass and for safe and convenient access by refuse and emergency service vehicles. The buildings to be demolished are currently being used as commercial premises and the introduction of 8 new flats will not therefore result in a significant alteration to the traffic characteristics of the locality or additional traffic congestion on the local road network. The proposal will not be detrimental to highway safety therefore, or result in additional disturbance to adjoining occupiers. The existing parking arrangements for the Sanderson Centre will be unaffected. Amended plans have been received revising the design of the proposed bin store and it is now capable of accommodating the required number refuse bins. The proposal provides adequate and convenient facilities for visitor cycle parking. However, the provision of 8 long stay spaces does not meet the requirements for secure cycle parking as set out in Appendix E of the Gosport Borough Local Plan Review. The proposal is therefore unacceptable and contrary to Policy R/T11 of the Local Plan Review.

7. The site has a former industrial use and asbestos has been found within the application buildings. In accordance with Policy R/ENV5 of the Local Plan Review, applicants are required to carry out a site assessment and submit a report of the findings in order to establish the nature and extent of contamination. A contamination report has not been submitted in support of the application and the risks from contamination have not therefore been fully identified and assessed, nor have practicable and effective measures been put forward to treat, contain or control contaminants. The site's suitability for residential development is therefore currently unknown and as such the proposal is contrary to Policies R/DP1 and R/ENV5 of the Gosport Borough Local Plan Review.

8. The applicant has submitted a unilateral planning obligation under Section 106 relating to the payment of a commuted sum towards the provision and/ or improvement of outdoor playing space as required by Policies R/OS8 and R/DP3 of the Gosport Borough Local Plan Review. However, the unilateral agreement is not suitably worded and is not considered unacceptable. Without this obligation the proposal is contrary to Policies R/OS8 and R/DP3 of the Local Plan Review. Due to the existing use of the site, the proposal will not result in a net increase in trip generation and therefore transport contributions are being sought.

RECOMMENDATION: Refuse

For to the following reasons:-

1. The proposed development is located on an Existing Employment Site where development for non-employment uses is not permitted. The proposed residential development is inappropriate and unacceptable in this location, contrary to Policy R/EMP3 of the Gosport Borough Local Plan Review.
2. The proposed development will result in an unacceptable level of overlooking between the windows in the proposed southern elevation and the existing windows in the northern elevation of the Sanderson Centre, to the detriment of the amenities of existing and future occupiers and contrary to Policy R/DP1 of the Local Plan Review.
3. The proposal does not make satisfactory provision for visitor cycle storage or access for people with disabilities, contrary to Policy R/DP1 and R/T11 of the Gosport Borough Local Plan Review.

4. The possible risks from contamination have not been fully identified and assessed and therefore the suitability of the site for residential development and possible impact on adjoining land and surface and ground waters are currently unknown. As such, the proposal is contrary to Policies R/DP1 and R/ENV5 of the Gosport Borough Local Plan Review.

5. Adequate provision has not been made for outdoor playing space or transport and highway improvements, nor the payment of a commuted sum in lieu of that provision, contrary to Policies R/OS8 and R/DP3 of the Gosport Borough Local Plan Review.

ITEM NUMBER: 07.
APPLICATION NUMBER: K17626
APPLICANT: Fruit Basket Limited
DATE REGISTERED: 10.10.2008

USE OF BUILDING FOR STORAGE AND DISTRIBUTION (USE CLASS B8)
Unit C5 Heritage Business Park Heritage Way Gosport Hampshire PO12 4BG

The Site and the proposal

The application site is located within Heritage Business Park, to the north of Fort Brockhurst. Site C1 was approved under application K.15833/9 which granted planning permission for the erection of an industrial building comprising 5 units. The building was constructed from brickwork with metal cladding to the external walls and pitched roof. It has a combined floor area of 975 square metres. The application property, Unit C5, is sited at the eastern end of the building.

Condition 17 of the permission restricted the use of Site C1 to Classes B1 and B2. However, application K.15833/14 sought a variation of this condition and permission was granted for an open B Class use in 2005. However, Condition 1 of the permission requires that at least 40% of the gross building floorspace of Site C1 is retained for B1 and B2 uses.

The applicant, 'The Fruit Basket', is a locally based fruit and vegetable retailer that is seeking to expand its delivery operations. It is therefore proposed to use Unit C5 for storage and distribution purposes under Use Class B8. The company will employ 8 staff at the site comprising one administrator, one warehouse manager, two fruit pickers, one packager and 3 drivers. Deliveries would be made six days a week, between the hours of 6am - 2pm. On site operations will for the most part include loading, unloading and fruit picking. A lorry will deliver produce to the premises approximately three times a week. Parking for Site C1 is provided at the front of the building and comprises a total of 22 spaces, including van and disabled parking bays. Secure and visitor cycle parking for all 5 units has been provided under application K.15833/9.

Relevant Planning History

K15833 outline application - erection of business/industrial development (B1, B2 And B8) and associated car parking and

landscaping with access off Heritage Way/ Gunners Way permitted 26.02.02

K15833/9 erection of industrial building (Unit C1) bin and cycle stores, associated access and parking off Heritage Way permitted 25.05.04

K15833/14 erection of industrial building (Unit C1), bin and cycle stores, associated access and parking off Heritage Way relief from condition 17 - use restrictions (K15833/9) permitted 10.08.05

Relevant Policies

Gosport Borough Local Plan Review, 2006:

R/DP1

General Standards of Development within the Urban Area

R/EMP1

Allocation of Land for Employment

R/T11

Access and Parking

R/EMP7

Low Employment Generating Uses

R/T3

Internal Layout of Sites

Consultations

Streetscene (Waste & Cleansing)	no objection
Local Highway Authority	Transport contribution not required. No objection

Response to Public Advertisement

nil

Principal Issues

1. The principle of industrial development (Class B1, B2 and B8) in this location has been established by planning consent K.15833/14. Condition 1 of the permission requires that at least 40% of the gross building floorspace of Site C1 should be retained for B1 and B2 uses. The proposed B8 use would maintain the required balance between uses and the proposal therefore fully accords with the terms of the restrictive floorspace condition. Condition 10 of the original outline planning permission (K.15833) requires that not less than 40% of the floorspace of the entire estate should be used for B1 and B2 uses. The site has developed in such a way that an overall 60:40 split throughout the site has been maintained and the proposal meets the aims of the restrictive condition. Notwithstanding the above, as this application is for "full" planning permission, it is not legally bound by the conditions of the original outline consent. Policy R/EMP7 of the Local Plan Review seeks to restrict 'low employment generating uses', such as warehousing and distribution except where they are ancillary to the existing business use. The proposed B8 use will be incidental to the main use of the business park under Classes B1 and B2 and would generate a total of 8 full time jobs. This represents a significantly higher job density than is normally associated with B8 distribution uses. The proposed use is therefore appropriate in this location and is economically sustainable, in accordance with Planning Policy Guidance Note 13 (PPG13) and Policy R/EMP7 of the Local Plan Review.

2. Access, refuse and parking arrangements were considered acceptable under the original outline consent and accord with Policies R/DP1, R/T3 and R/T11 of the Local Plan Review.

RECOMMENDATION: Grant Permission**Reasons for granting permission:**

1. 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 appropriate to the site and will retain an acceptable level of employment generating floorspace within the estate. Appropriate facilities are available for parking and refuse storage and there is adequate turning space to allow safe and convenient manoeuvring for delivery vehicles. As such the proposal complies with Policies R/DP1, R/EMP1, R/EMP7 and R/T11 of the Gosport Borough Local Plan Review.

Subject to the following conditions:-

1. The development hereby permitted must be begun within a period of three years beginning with the date on which this permission is granted.

Reason - To comply with Section 91 of the Town and Country Planning Act, 1990 (as amended).

DC/UNI-*form* Template

Principal Issues

1. The main issues for this application are the acceptability of the design on the visual amenities of the area, the impact on residential amenity and the impact on access and parking.
2. The proposed railings are positioned on the same alignment as the existing wall, and are similar in design to the existing metal fencing within the car park. The proposal will not affect the residential section of the car park and will therefore not have a detrimental impact on the appearance of the surrounding area or residential amenities.
3. The replacement of the wall with railings will maintain a visual link between Clarence Road and King Street, retaining the current pedestrian access onto King Street. As no additional access points will be created, access and parking facilities within the car park will not be affected.

RECOMMENDATION: Grant Permission

Reasons for granting permission:

1. 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/T11 of the Gosport Borough Local Plan.

Subject to the following conditions:-

1. The development hereby permitted must be begun within a period of three years beginning with the date on which this permission is granted.
Reason - To comply with Section 91 of the Town and Country Planning Act, 1990 (as amended).

ITEM NUMBER: 09.
APPLICATION NUMBER: K4474/1
APPLICANT: Mr Peter Bull
DATE REGISTERED: 01.10.2008

ERECTION OF SINGLE STOREY SIDE EXTENSION (as amended by plan received 22.10.08 and 14.11.08)
112 Portsmouth Road Lee-On-The-Solent Hampshire PO13 9AF

The Site and the proposal

The application site is on the north side of the east-west section of Portsmouth Road, east of its junction with South Place. The property is a south facing, 4.2 metre high bungalow, with a 1 metre band of render at the ground floor and pebble dash above. It has a flat roof, set behind a 0.5 metre parapet wall, which contains a roof garden. On the front elevation is a bay window, porch and three other ground floor windows. On the western side boundary are two small windows, either side of guttering. On the rear elevation is a 3 metre high conservatory, rear door in the original house and external staircase to the roof garden. In the rear garden is a shed on the west boundary. The dwellinghouse is set back from the road by 6 metres with 3 parking spaces along the west elevation of the property. Along the east and west boundaries are 1.5 metre high fences, sloping down to 1 metre towards the front boundary on the western side. On the south boundary is a 1 metre high wall and on the east boundary a small tree. The bungalow is set off the western boundary by 2.5 metres.

To the east the attached property is 110 Portsmouth Road. This is a semi-detached bungalow, identical in proportion, style and height to 112 Portsmouth Road, but rendered and painted. On the front elevation there are three windows and a front door. To the west the adjacent property is 116 Portsmouth Road. This is a detached south facing, two-storey house, with a rear conservatory. The property is set back from the road by 8 metres, 2 metres behind the front elevation of 112 Portsmouth Road. It has a north-south pitched roof, with gable ends, and a projecting east facing gable and cat-slide roof, facing its boundary with 112 Portsmouth Road. On the front elevation are two ground floor windows, one with adjacent glass door, double sliding doors and two first floor windows. On the western side elevation is one obscure glazed kitchen window towards the rear, and a small first floor window. To the rear is 13 Clifton Road, a detached property, over 40 metres from the application property and separated from it by their respective gardens. The street as a whole is characterised by a mixture of detached and semi-detached properties, of varied design and set back from the road by 5-8 metres.

The application is for a single storey side extension to the west of the bungalow. The proposed extension will be positioned 0.2 metres behind the existing front elevation and 1.2 metres forward of the rear elevation. The extension will be 0.6 metres from the side boundary, allowing access to the rear garden and bin storage. There is a small gap between the extension and the rear part of the original side elevation of the bungalow to retain the existing windows and allow for access to the guttering and man-hole. The existing boundary fence will be retained. The height, design and materials used will match that of the existing bungalow with a flat roof behind a parapet wall on the front and side elevations. There will be no parapet wall on the rear elevation, allowing for the discharge of rainwater and connection to existing drainage system. The extension will have a front elevation window, and small side elevation window. One car parking space will be retained and the 2 lost will be re-provided in the front garden which is already hard-surfaced.

Relevant Planning History

K4474 Installation of front bay window permitted 21.02.64

Relevant Policies

Gosport Borough Local Plan Review, 2006:

R/DP7

Additions, Extensions and Alterations

R/DP1

General Standards of Development within the Urban Area

Consultations

Local Highway Authority

The parking plan provided does not demonstrate that parking can be achieved to the front of the house, as the gate pier would not permit a vehicle to turn into the site with the depth of forecourt available. The layout therefore only provides 1 parking space. However widening the access gate to at least 4 metres would allow a car to turn into the site and provide 2 car parking spaces therefore meeting the demand for onsite car parking.

Response to Public Advertisement

1 letter of objection

Issues raised:-

- Reduced light and overshadowing of kitchen window
- Have not been shown plans by their neighbours, as stated in application form
- Height of side wall and the need for parapet

Principal Issues

1. The application was advertised to all adjoining neighbours by letter. Although applicants are encouraged to discuss proposed extensions with neighbours this cannot be required. The main issues are therefore the acceptability of the design of the side extension and the impact it will have on the visual amenities of the area, whether adequate provision is made for parking and the impact on neighbouring properties in respect of light, outlook and privacy.

2. The side extension to the bungalow has been designed to match the existing bungalow through the inclusion of a parapet wall and flat roof, which will be in keeping with the character of this property in proportion and scale. The proposed materials are acceptable as they match the original property.

3. Having regard to the existing relationship between 112 Portsmouth Road and 116 Portsmouth Road, the presence of an obscure glazed side elevation window in number 116 and the orientation of the properties, the side extension will only increase overshadowing by a small proportion in the early mornings. As the window in number 116 is obscure glazed, there will be no impact to the outlook of this adjacent property. The insertion of a side elevation window in the extension will be conditioned to be obscure glazed and non-opening in order to maintain the amenity of both properties. The extension will therefore not be detrimental to the privacy, light and outlook of number 116. Considering the location of the extension relative to 110 Portsmouth Road and the length of the garden between 13 Clifton Road and 112 Portsmouth Road, this proposal will have no detrimental impact on the light, outlook or privacy of these properties.

4. Currently there are three car parking spaces at the property. The 2001 Census data for Lee Ward details that there are an average of 1.25 cars per household, with 33.55% of households

owning 2+ cars. The amended plans show three parking spaces to the front of the property. Due to the gate piers and depth of forecourt it would not be possible to turn a vehicle onto the site unless the access is widened to at least 4 metres. However, this alteration can be conditioned.

RECOMMENDATION: Grant Permission

Reasons for granting permission:

1. 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.

Subject to the following conditions:-

1. The development hereby permitted must be begun within a period of three years beginning with the date on which this permission is granted.

Reason - To comply with Section 91 of the Town and Country Planning Act, 1990 (as amended).

2. The materials to be used shall match in type, colour and texture, those on the existing dwelling unless otherwise agreed in writing with the Local Planning Authority.

Reason - To ensure satisfactory visual relationship of the new development to the existing, and to comply with Policies R/DP1 and R/DP7 of the Gosport Borough Local Plan Review.

3. The window on the west facing side elevation shall be non-opening and glazed with obscure glass and shall be retained in that condition.

Reason - To preserve the amenity of the adjoining property, and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

4. Before the development is first brought into use the parking area shown on the approved plans shall be provided together with an access point with a minimum width of 4 metres.

Reason - In the interest of highway safety and to ensure adequate car parking facilities are provided and retained, and to comply with Policy R/T11 of the Gosport Borough Local Plan.