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9 April 2009

S U M M O N S

MEETING: Regulatory Board
DATE: 21 April 2009
TIME: 6.00pm
PLACE: Council Chamber, Town Hall, Gosport
Democratic Services contact: Catherine McDonald

LINDA EDWARDS
BOROUGH SOLICITOR

MEMBERS OF THE BOARD

Councillor Hicks (Chairman)
Councillor Carr (Vice Chairman)

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

The Mayor (Councillor Kimber) (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 17 MARCH 2009 [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, 17 April 2009. 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, 17 April 2009).

6. PLANNING APPLICATION FOR THE REDEVELOPMENT OF ROWNER

To consider application K.17671 for Outline Consent for:

The demolition of existing buildings and removal of existing earth bunds and redevelopment to provide new residential accommodation of up to 700 units and a new neighbourhood centre, incorporating a food store (Use Class A1), a café (Use Class A3), and up to 3 retail units (Use Classes A1, A2, A3, A5) and provision of open space and landscaping, and access junctions and associated roads including the re-alignment of Howe Road and new north-south road and car parking.

PART II
Contact Officer:
Pat Aird
Ext 5328

Regulatory Board
21 April 2009

With all matters reserved except for access

At

*Land incorporating Grange Road, Howe Road and Nimrod Drive,
Rowner, Gosport*

7. PLANNING APPLICATION FOR THE REDEVELOPMENT OF
EXISTING SPORTS FACILITIES AND ADJOINING LAND AT BAY
HOUSE SCHOOL AND SIXTH FORM

PART II
Contact Officer:
Debbie Gore
Ext 5455

*To consider planning application K17540 for the redevelopment of
existing sports facilities and adjoining land to provide new school
sports facilities, health and fitness centre, nursery and children's
play facilities with amended access from Browndown Road at Bay
Housing School and Sixth Form Playing Field, Browndown Road,
Gosport.*

8. REPORTS OF THE DEVELOPMENT SERVICES MANAGER

PART II
Contact Officer:
Pat Aird
Ext 5328

*Schedule of planning applications with recommendations.
(grey sheets – pages 1 – 33/1)*

9. ANY OTHER ITEMS

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

AGENDA ITEM NO. 6

Board/Committee:	Regulatory Board
Date of Meeting:	21 April 2009
Title:	Planning Application for the Redevelopment of Rowner
Author:	Development Services Manager
Status:	For Decision

Purpose

To consider application K.17671 for Outline Consent for:

The demolition of existing buildings and removal of existing earth bunds and redevelopment to provide new residential accommodation of up to 700 units and a new neighbourhood centre, incorporating a food store (Use Class A1), a café (Use Class A3), and up to 3 retail units (Use Classes A1, A2, A3, A5) and provision of open space and landscaping, and access junctions and associated roads including the re-alignment of Howe Road and new north-south road and car parking.

With all matters reserved except for access

At

Land incorporating Grange Road, Howe Road and Nimrod Drive, Rowner, Gosport

Recommendation

Having regard to the particulars of application K17671, comprising the submitted plans and documents and the Environmental Statement, that the Secretary of State be advised that the Borough Council is minded to grant Outline Consent subject to the satisfactory completion of a Section 106 Agreement relating to the provision of sports pitches within the Borough and implementation of a management plan for Browdown SSSI and the conditions set out in Appendix 1 of this report.

for the following reason:

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 secure the social and economic regeneration of Rowner and provide an enhanced physical environment that will benefit existing and future occupiers of the Estate without adversely impacting on the environment of the site itself and the wider area. Although there is a minor intrusion into

the Strategic Gap this does not adversely impact on the overall integrity of the Gap. As such the development broadly complies with national and regional planning policy and the policies of the Gosport Borough Local Plan Review set out in Appendix 2 of this report.

1.0 Background

- 1.1 The Rowner Estate was originally built in the 1960's and 70's by the MoD for naval personnel and their families but was sold as surplus to requirements some 20 years later. The environment and layout have not adapted well to private ownership. The Estate contains high levels of deprivation in contrast to the surrounding areas of Gosport. Due to a lack of investment the physical condition of the buildings, particularly the Precinct, has deteriorated over the last 25 years. These factors have contributed to social problems on the estate.
- 1.2 There have been a number of corporate and community initiatives which have been partially successful in addressing these problems and fostering a sense of community but the physical condition of the buildings within the application site remains an issue and there are outstanding socio-economic issues that arise from the poor housing conditions relating to lack of inward investment. Moreover the Rowner community still suffers from high unemployment, a skills deficit, low income and a high proportion of residents with a disability.
- 1.3 Consideration has been given in the past to the redevelopment and/or refurbishment of The Precinct and surrounding buildings in the poorest physical state (paragraph 2.3, below). However these projects have not been found to be financially viable and in isolation would not address the poor layout of other parts of the estate. The bunds which surround it impede pedestrian movement and require the use of foot bridges and routes with no natural surveillance. These accessibility issues have contributed to antisocial behaviour and other crime and disorder problems. Moreover the width of the roads and bunds that border them encourage high speed traffic which adds to the poor pedestrian environment.
- 1.4 The need for housing renewal in addition to the economic requirement to regenerate this part of Gosport has long been recognised but legal issues with ownership and lack of funding have hindered intervention proposals. However, in recent years, Gosport Borough Council entered into partnership with Hampshire Council to find a solution. A feasibility study was undertaken to identify the areas which required intervention and a project manager appointed to make this possible. A consortium was formed comprising existing public owners of the site, the relevant local authorities, a private sector house builder and a national government agency which is providing gap funding.

- 1.5 The Application is made by the Rowner Renewal Partnership. The partners are the Homes and Community Agency, Taylor-Wimpey House Builders and Portsmouth Housing Association. The land is not all under the control of the Partnership.
- 1.6 The proposed redevelopment has been shaped through community consultation. A Community Design weekend was held in November 2007 following a series of workshops. Subsequently there were feed back sessions up until June 2008.

2.0 Relevant History

- 2.1 There is archaeological evidence that the south eastern part of the site was settled in the early medieval period but no records of any subsequent use before it became an airfield in 1910.
- 2.2 Most of modern Rowner was built by the Ministry of Defence in the 1960's as a residential estate for naval personnel. It was disposed of to private owners in the 1980's and since then there has been piecemeal replacement of poor housing stock, particularly in the northern part, and the provision of a community centre.
- 2.3 There was a succession of three applications made in outline for partial redevelopment of the application site between 2000 and 2002. They were for the erection of a Doctors' Surgery and between 14 and 42 dwellings and the re-provision of car parking at the Nimrod Centre and car park at Nimrod Drive on the former NAAFI and Quarter Master Stores. These were not progressed as it was recognised that a more comprehensive scheme was needed to address the issues arising on the wider estate.
- 2.4 In developing a more widespread regeneration proposal it became clear that the scope of the project fell within the type of planning application which would require an Environmental Impact Assessment under the provisions of the Town and Country Planning (Environmental Impact Assessment (England and Wales) Regulations 1999. In these circumstances it is usual for developers to agree with the Local Planning Authority the content or 'scope' of the Environmental Statement. On the 26 September 2007, in response to a formal request from the Rowner Renewal Partnership, the Council issued a scoping opinion agreeing the content of the Environmental Statement. The content of the Environmental Statement submitted with this application is in accordance with the Council's Scoping Opinion.

3.0 The Site and Proposal

- 3.1 The boundary of the application site is shown on the plan attached at Appendix 3. The application site comprises 2 areas. The larger

area includes Nimrod Drive and extends down to the southern end of Howe Road encompassing all the properties that lie between Grange Road and the schools, Napier Close, and Ripon, Blackburn, Ely and Leicester Courts. It also extends along both sides of Howe Road up to Bristol Court including part of the Council nursery and a strip of land within the strategic Gap. The second smaller site comprises an area around the junction of Howe Road and includes the foot bridge. To the west is the Alver Valley which is being developed as a country park and a BMX track.

- 3.2 At the northern end of the larger site is a nine storey block with a number of mobile phone masts on the roof. It interlinks with adjacent 2-4 storey blocks. These buildings form The Precinct which is connected by a foot bridge to pedestrian space to the north of Nimrod Drive. The buildings are predominantly residential but there is a shopping precinct at ground floor designated a Neighbourhood Centre. It consists of a raised plaza with an underground car park below. To the west is a large parking area, which is included in the application site, with the Grange Public House and the Nimrod community centre to the south excluded from the application site. Further south are Siskin Infant and Junior schools which include a Sure Start centre and a Youth Club together with a MUGA and playing field available for use by the community. Rowner Recreation Centre, a designated built leisure site but now derelict, lies outside the application boundary.
- 3.3 The second smaller site comprises an area around the junction of Howe Road and includes the foot bridge.
- 3.4 The estate is characterised by a mixture of courts and terraces. It is surrounded by mounds planted with mature trees. These range from 1 to 5 metres in height and create visual and physical barriers. The roads are generally wide and lined with trees. The street lighting no longer meets adoptable standards and causes light pollution.
- 3.5 Grange Road forms the eastern limit of the main site. It takes traffic through from Lee on the Solent up to Bridgemary. The main access points to the Estate from Grange Road are Nimrod Drive and Howe Road but there are a series of small cul-de-sacs opening directly onto Grange Road between these two points. On the eastern side of Grange Road is Fort Sultan with its main access point just to the south of the access into Nimrod Drive. There is a petrol station approximately half way between Howe Road and Nimrod Drive on the western side of Grange Road.
- 3.6 The proposal comprises:
 - Demolition of existing buildings and removal of earth bunds
 - Redevelopment of new residential accommodation of up to 700 units (with a net gain of up to 199 new homes) with an indicative mix of 77 1 bed flats (11%); 252 2 bed flats (36%);

126 2 bed houses (18%); 175 3 bed houses (25%); and 70 4 bed houses (10%) i.e. 53% houses and 47% flats

- Demolition and re-provision of the neighbourhood centre to incorporate a food store up to 1858 sq metres (A1), a café (A3) and up to 3 retail units (A1, A2, A3 and A5).
- Provision of open space and landscaping
- Installation of new access junctions and associated roads including re-alignment of Howe Road and a new North-South road
- Provision of car parking.

3.7 The application is made in outline with all matters reserved except for access. However, in accordance with the legislative guidance contained within Circular 1/06 the application includes:

- Proposed uses and identification of distinct development zones
- The amount of development proposed for each use
- An indicative layout
- Scale parameters i.e. an indication of upper and lower limits for height, width and length of each building proposed

3.8 The proposal is for 2 main access points into the development; both from Grange Road. These are from Nimrod Drive and a realigned Howe Road. There are a 3 further access points from Grange Road:

- To serve the supermarket car park
- To serve the servicing yard of the supermarket
- Connecting Grange Road to Lindburgh Close.

The existing footbridges on Nimrod Drive and Howe Road will be replaced with surface level crossings

3.9 Although consideration of the appearance of the development is reserved, and therefore the details of the design and proposed materials have not yet been submitted, the proposed scale of the development is predominantly 2– 3 storey in height with 3 storey apartment blocks around the new retail store and 4 storey buildings at key points throughout the development. A taller building is proposed at the neighbourhood centre to provide a landmark. It will be 8-10 storeys (27-33 metres high). The new estate will have 5 character areas. These are defined as:

- The Avenue, a wide tree line street with larger 2-3 storey houses including detached and semi-detached properties. Materials will be red brick with artificial slate roofs following a traditional pattern of dual pitches. There will be informal parks along the length of this road.
- The Boulevard which will extend along the length of Grange Road and will be characterised by flats in a contemporary style with the use of a blue brick to give distinctiveness with render on upper floors. Roofs are likely to be mono-pitched.

Balconies will provide private amenity space. Key buildings will act as gateways into the estate. Landscaping will soften the urban edge and provide screening.

- The Neighbourhood Centre will be the heart of the new Rowner and become a public setting for events with public spaces to open up access to existing community buildings. It will have a contemporary urban feel with a vertical emphasis using red/yellow brick and render, glass/metal cladding, and a metal/glass canopy to the retail units. Roofs will be flat or mono-pitched. There will be active uses at ground floor with passive surveillance from the residential units above.
- An ecological edge at the southern end of the site will have the feel of a 'green lane' with lower horizontal buildings integrated into landscaping with a semi rural character to provide a transition to the woodland edge and allow for wildlife mitigation. Materials are likely to be render above a brick base with timber effect cladding and low pitch roofs.
- The main residential areas will be designed to encourage community interaction with shared useable space. Materials in these areas will be mainly red brick with houses built in a traditional style.

3.10 The application is supported by an Environmental Statement (including a Tree Survey and non-technical summary), a Design and Access Statement (including Design Codes), a Transport Assessment, a Flood Risk Assessment, a Retail Statement, a Ground Condition Report, a Statement of Community Involvement, a Sustainability Statement, a Planning Statement (including an Affordable Housing Statement), and a Demolition Waste Management Plan.

4.0 Planning Policy

4.1 Planning Policy Statements and Planning Policy Guidance Notes set out the national framework for consideration of all planning proposals. The principal aim underlying that national guidance is that development should help create sustainable and socially cohesive communities with measures to both adapt to and mitigate against climate change. This is made clear in PPS1. Advice relating generally to residential, economic and town centre development, and regional spatial planning is contained within PPS3, PPG4, PPS6 and PPS12. PPG13 addresses transport issues. Specific advice relating to the countryside, sports facilities and open space, biodiversity and nature conservation, and heritage and archaeology, is contained within PPS7, PPG17, PPS9, PPG15 and PPG16. More technical advice relating to telecommunications, waste planning, renewable energy, pollution control, noise, and flood risk is contained within PPG8, PPS10, PPS22, PPS23, PPS24 and PPS25.

- 4.2 RPG9 was adopted in March 2001. It sets out the strategy for achieving sustainable development within the region by focusing on urban areas. RPG 9 will shortly be superseded by the South East Plan. The draft South East Plan has been subject to Examination in Public and following the publication of the report of the EIP in August 2007 a series of proposed changes were published for consultation in 2008. Policy SP3 of the consultation draft continues to direct development to urban areas. Policy SP4 deals with regeneration and social inclusion and directs local authorities and their partners to focus funding and initiatives to address the extensive regeneration needs of South Hampshire. Policies H1, H3, H5 and SH6 relate to housing provision, density and Affordable Housing. Policy SH1 relates to landscape designations. The Hampshire County Structure Plan is still part of the Development Plan for the area but only some policies have been 'saved'. The only relevant 'saved' policy is the housing allocation to 2011
- 4.3 The Gosport Borough Local Plan review was adopted in May 2006. Whilst the Local Plan Review does not have a specific site allocation policy for the Rowner Renewal Area. The overall vision of the local plan is:

'The Borough will be desirable place to live, work and visit, with the needs of the community being met in a sustainable way.'

Specific Local Plan policies which relate to the planning issues set out in section 8 of this report are listed below:

Gosport Borough Local Plan Review, 2006:

R/DP1

General Standards of Development within the Urban Area

R/DP2

Development Briefs and Action Plans

R/DP3

Provision of Infrastructure, Services and Facilities

R/DP5

Demolition of Buildings

R/DP6

Landscape Design

R/DP8

Protection of Trees

R/T2

New Development

R/T3

Internal Layout of Sites

R/T4

Off-site Transport Infrastructure

R/T10

Traffic Management

R/T11

Access and Parking

R/H1
 Allocation of land for housing
 R/H4
 Housing Densities
 R/H5
 Affordable Housing
 R/S2
 Location of Additional Shopping & Leisure Floorspace
 R/S4
 Local and Neighbourhood Centres
 R/S6
 Residential Development at Ground Floor within Defined Shopping Centres
 R/S7
 Use of Upper Floors
 R/S9
 Shopping and Commercial Facades
 R/CF1
 New or Improved Community Health Facilities
 R/CF3
 Provision of Community Facilities on Major Housing Development
 R/CF6
 Provision of Educational Facilities
 R/OS1
 Development Outside of the Urban Area
 R/OS2
 Strategic Gaps
 R/OS4
 Protection of Existing Open Space
 R/OS5
 New Open Space Provision
 R/OS8
 Recreational Space for New Residential Developments
 R/OS10
 Protection of Areas of International Conservation Importance
 R/OS11
 Protection of Areas of National Nature Conservation Importance
 R/OS12
 Locally Designated Areas of Nature Conservation Importance
 R/OS13
 Protection of Habitats Supporting Protected Species
 R/OS14
 Biodiversity Action Plans
 R/BH8
 Archaeology and Ancient Monuments
 R/ENV2
 River and Groundwater Protection
 R/ENV3

Water Resources
R/ENV4
Treatment of Foul Sewage and Disposal of Surface Water
R/ENV5
Contaminated Land
R/ENV11
Minimising Light Pollution
R/ENV12
Air Quality
R/ENV13
Telecommunications
R/ENV14
Energy Conservation
R/ENV15
Renewable Energy

- 4.4 A full list of all the national planning policy guidance and regional and local policies that need to be taken into account in assessing this application are set out in Appendix 2.

5.0 Summary of Consultation Responses

5.1 Head of Economic Prosperity

New employment opportunities will ensure the job density ratio is maintained. Commitment to provide training and/or work opportunities is welcome. Estate manager needs to work with other owners and Management Companies on the estate, to provide a comprehensive estate management solution for Rowner using existing model.

5.2 The Local Highway Authority

No objection subject to completion of a S278 Agreement and conditions requiring the works to construct the new junctions at Howe Road and Nimrod Drive are carried out at the appropriate phase of the development and the signal junction at Grange Road/HMS Sultan is completed before the supermarket is first occupied.

5.3 HCC Lighting

Effectiveness of street lighting may be affected by placement of trees which could impact on adoption of highways.

5.4 Head of Housing Strategic Services

37% provision of affordable homes is acceptable in this case due to the exceptionally high costs of the scheme and the regeneration benefits. 40% shared equity and remainder social rented is agreed.

5.5 Environment Agency

Measures to implement a sustainable urban drainage system and to deal with foul sewage during the life of the development and to

ensure solid waste is removed from surface water during the construction period should be secured by way of planning conditions. Advice given to applicant on legislative requirements for dealing with construction waste.

5.6 Southern Water

Foul sewerage can be connected but inadequate capacity for surface water drainage. Conditions required. Capacity of pumping stations should not be exceeded. No habitable rooms to be sited within 15 metres of a pumping station

5.7 Natural England

Unlikely to have a significant effect on Portsmouth Harbour and Solent and Southampton Water SPA/Ramsar sites or Solent Maritime SAC therefore Appropriate Assessment not required. Strongly advise

- LPA impose EA suggested conditions
- Condition to control provision of 5 year management plan for Browdown SSSI prior to occupation of 502nd dwelling

Advise LPA ensures replacement/repair of fencing along eastern section of Wildgrounds SSSI.

Support information leaflet for Rowner residents to focus activity away from Browdown SSSI. Proposed mitigation methods for bats, breeding birds, reptiles acceptable.

No objection in relation to badgers subject to licensing where required.

5.8 County Education Officer

No education contributions required

5.8 Sport England

No objection

5.9 Fareham Borough Council

No objection

5.10 Head of Streetscene

The Waste & Recycling Strategy reflects pre-application discussions. Allowance should be made for 140 litres of domestic capacity and 140 litres of recycling for 2 bedrooms and above; allowance should be made for 240 litres of domestic capacity and 240 litres of recycling. Details of proposed storage provision will be required.

5.11 Head of Environmental Health

Concerns raised over working hours of construction site; possibility of night time HGV deliveries to food store and associated noise from delivery reversing/manoeuvring HGV's with associated reversing alarms; noise levels generated from fixed plant e.g. refrigeration/a.c. units on commercial unit. Siting of stationary noise sources should

be as far as possible from sensitive receptors and acoustic barriers/sound absorbing enclosures should be used where necessary. Use of site screening/hoarding to adequate height where practicable such that there is no line of sight between noisy activities and receptors. Noise mitigation scheme to be employed for sections of the development e.g. areas overlooking Grange Rd, Nimrod Drive and Howe Road providing suitable internal noise levels within habitable rooms.

5.12 County Archaeologist

There is an early medieval settlement in the south eastern corner of the site, first discovered and partially recorded during the construction of the original housing development. Archaeological deposits may survive in areas not built on at that time. Therefore a condition is needed to require the implementation of a written scheme of investigation.

5.13 Crime Prevention and Design

'Secured by Design' principles need to be considered in detailed design stage including security at rear of properties and in communal areas, natural surveillance of car parks, and appropriate lighting. Consideration needs to be given to speed limits and traffic calming. Request for CCTV

5.14 Head of Leisure and Recreation Services

No objection.

6.0 Letters of representation

6.1 14 letters of objection and 1 petition with 23 signatures against the development but no specific reasons for objection have been received. These are all from individual residents both within the application site and on the surrounding estates with the exception of an objection on behalf of Orange PCS Ltd on the basis that no provision has been made for an alternative location for its equipment. One letter refers to a lease granted to the authors and 301 other residents and states that the proposal will prevent an order of the court from being carried out which could give rise to legal proceedings. The letter concludes by stating that the authors reserve the right to seek judicial review in the High Court if the points raised are not addressed. Four letters refer explicitly or obliquely to an infringement of Schedule 1 Part 1 Article 8 Of Human Rights Act 1998. Other issues raised relate to:

- The ethics of potential supermarket operator
- The adequacy of existing shopping facilities adequate
- The unacceptable design of the houses and the fact they are 'packed in' with inadequate living space
- The lack of information on eco measures e.g. heating systems; solar panels
- Overlooking and loss of privacy from the 10 storey block

- The loss of green spaces and insufficient re-provision
- The loss of housing when there is a current shortfall
- The demolition of houses in a good condition which is wasteful and has a detrimental environmental impact
- The fact that the lack of lifts can be positive in terms of exercise and does not warrant wholesale demolition
- Some of buildings to be demolished have architectural merit
- Refurbishment of the existing would be more appropriate
- It would be more appropriate to build on the former car park and NAAFI site to achieve a significant gain in housing numbers
- The Council should enforce legislation against the landlord to bring housing up to standard
- No one is forced to live on the estate and those who are on housing benefit could easily re-locate
- Social disruption including impact on children's schooling
- Parking provision
- Increased traffic
- The fact that access to existing properties in Gazelle Court has not been properly considered in terms of the impact of adjacent new build and parking – and that a traffic impact assessment is required
- The loss of the foot bridge and impact on safety of pedestrians
- The impact of construction on local residents
- The publicity period was too short
- The development is not in the public interest
- The applicant does not own all the land
- Developer profit
- Existing residents will be financially disadvantaged
- Existing residents will be made homeless
- The secrecy surrounding the preparation of the scheme means residents have not been consulted properly

2 letters of general support have been received with the qualification that:

- The 10 storey block may result in same social problems developing as exist now and the provision of 'exclusive' apartments could be socially divisive
- Open space and landscaping should be of a high quality

Copies of all the letters of representation are available for public inspection up to the Regulatory Board meeting and available for members to refer to throughout the Board meeting.

7.0 Response to Issues raised by Objectors

- 7.1 Of the 14 letters of objection received 4 have expressed the view that the development is an infringement of Schedule 1 Part 1 Article

8 of The Human Rights Act 1998. Specific reference has been made to the fact existing residents will be made homeless and financially disadvantaged because houses elsewhere cost significantly more than properties on the Estate and residents who now own their home outright will be unable to purchase and forced into renting/part ownership or incur the burden of a mortgage debt.

- 7.2 The Human Rights Act imported the European Convention of Human Rights (ECHR) into the jurisdiction of Britain's domestic courts. However Britain has recognised the principles of the convention since 1966. The ECHR comprises a number of articles and protocols which together establish the rights of individuals against the state but acknowledge that sometimes the interests of the community must take priority over the rights of the individual. Article 8 provides that everyone has the right to respect for their private and family life, their home and their correspondence and there should be no interference by a public authority except where it is in accordance with the law and is *inter alia* necessary for the protection of the rights and freedoms of others. Planning is essentially the application of a combination of law and policy to balance the right of individuals in respect of their properties in the public interest and this interventionist role has been recognised by the courts as compatible with the provisions of Article 8 of the Human Rights Act. Although the loss of someone's home is not a planning consideration, the application documents set out in detail the measures put in place to ensure that existing residents are either re-housed or helped to find alternative accommodation with the minimum disruption and financial disadvantages and these issues will also be addressed through the Compulsory Purchase process. This is an application for planning permission and if granted will not in itself authorise the compulsory acquisition of properties.
- 7.3 Objectors have referred to the secrecy that surrounded the initial stages of the project and the lack of public consultation. The fact that the conception stages of the project were not made public is not a planning matter. Before submission of the planning application, in accordance with best practice relating to community involvement, local residents were invited to participate in a series of workshops to develop the design principles. Changes were made in response to these events to address concerns and the final scheme is broadly in line with the views expressed by residents. This process is documented in full in the 'Statement of Community Involvement' which accompanies the application. Once the application had been submitted the application was advertised by way of 29 public notices and a Notice in The News. Notice of the submission of the application also appeared on the home page of the Council's web site with a direct link to the pages on which the application documentation was displayed. In accordance with the legislation a period of 21 days from the time the site notices were erected and the Notice published was given for representations to be submitted.

However all representations received up to the date of the Regulatory Board will be reported to the Board and taken into consideration in determining the application.

- 7.4 Some objectors have expressed the view that that the objectives of the proposal could be achieved by refurbishment or a more selective demolition and rebuilding programme. However these types of schemes have been proposed in the past (paragraph 2.3, above) but have not been proceeded with. The applicants contend that a smaller scheme would not address underlying problems with the general layout and the socio-economic problems on the estate which can only be addressed through a more comprehensive regenerative scheme such as the current proposal.
- 7.5 The ethics of the supermarket operator are not a planning consideration. Nor is the profit gained by the developer. Provided the appropriate Notices are served the applicant need not own all the land within the application site. Property Rights are also not a planning consideration. Judicial Review is a separate process.
- 7.6 The other issues raised are considered in more detail in sections 8 and 9 of this report

8.0 Planning Issues

- 8.1 Under the provisions of Section 36(8) of the Planning and Compulsory Purchase Act 2004 all applications should be determined in accordance with the provisions of the Development Plan in force in the local area unless material considerations dictate otherwise. The Local Development Plan in this area is the 'saved' policies of the Hampshire County Structure Plan, RPG9, and the policies within the Gosport Borough Local Plan Review. The relevant policies to this application are set out in sections 4.2 and 4.3 of this report. As the South East Plan has been subject to Examination in Public and a series of proposed changes have been circulated for consultation and the consultation draft will shortly be formally adopted, the South East Plan is a material consideration which carries considerable weight. National planning policy guidance referred to in section 4.1 of this report is also a material consideration. A full list of all the national, regional and local policy guidance and policies which have been taken into consideration in determining this application are listed in Appendix 2 to this report,
- 8.2 The fundamental issue in determining this application is whether this will be a sustainable form of development. This is the key principle set out in Planning Policy Statement 1 (PPS1), the overarching national policy guidance for all planning proposals, and promoted at the regional level through Policy SP4 of the draft South East Plan (as amended by the Secretary of State's Proposed Changes) which directs local authorities and their partners to focus funding and

initiatives to address the extensive regeneration needs of South Hampshire. This objective underlies the overall vision of the Gosport Borough Local Plan Review set out at paragraph 4.3, above.

8.3 This application is unusual in that it provides a unique opportunity to satisfy all the requirements of PPS1 by securing redevelopment which is sustainable, is well designed, maintains and improves the local environment, uses previously developed land, seeks to ensure a better quality of life and is socially inclusive. Therefore although the application is made in outline with only access to be considered in detail at this stage, the planning issues that need to be considered in order to establish whether the principle of the development is sustainable are:

- Whether the development proposed will secure social cohesion
- Whether the development proposed will lead to economic regeneration
- The location of the development in relation to the urban area boundary
- The housing numbers, density and mix
- The provision of affordable housing
- The impact of the retail provision on the retail sector within Gosport and the wider area
- Provision to be made for open space
- Provision of community facilities
- Flood risk and drainage
- Impact on nature conservation and biodiversity
- Impact on the built heritage and archaeology
- Potential for contamination
- Provision to be made for telecommunications equipment

8.4 In addition, although details of appearance, scale, layout and landscaping are reserved, the supporting Design and Access Statement sets out a comprehensive overview of the proposed scheme. It establishes important parameters against which the detailed applications for each phase will be addressed and informs the scope of the conditions which need to be attached to this outline consent. These details are therefore also considered in paragraphs 8.18 – 8.20 of this section of the report not only from an urban design perspective but also to assess the potential for reducing use of resources and in terms of the potential impact on the amenities of existing and future occupiers

8.4 As access is to be determined the acceptability of the submitted details is considered in Section 9 of this report.

8.5 Social Cohesion

8.5.1 The alteration to the pattern of housing tenure will result in a more

balanced community and the alterations to the physical environment have been designed to both improve the housing stock and create a safer and more permeable estate. There will be better access to community facilities through improvements to the existing layout of pedestrian and vehicular routes and the provision of a street frontage for the Grange Public House and the Nimrod Community Centre. The new Neighbourhood Shopping Centre is to be moved so that it is closer to other community facilities to the west of the application site, including the Siskin Junior and Infant schools, the Sure Start centre, and the Rowner Youth club. There will be a public square adjacent to the food store car park which will be available for community events such as the Rowner Carnival. Other public spaces include play areas and informal parks along The Avenue.

8.5.2 The design and layout of the main residential areas will encourage neighbourhood interaction and the removal of the bunds will reduce the inward-looking character of the estate and encourage interaction with the wider community.

8.5.3 These elements of the planning proposal together with the economic regeneration benefits set out in paragraph 8.6, below, and the proposed measures to manage the estate and initiatives to increase the skills level within the local population will promote social inclusion and community cohesion in accordance with the guidance contained within PPS1 and PPS3 and Policy SP4 of the draft South East Plan.

8.6 Economic Regeneration

8.6.1 The Neighbourhood Shopping Centre is currently failing with 8 of the 12 units vacant and is not therefore performing the function required of its designation and fulfilling the shopping needs of local residents for day to day purchases. As such the provision of new retail facilities will have a positive impact on the economic conditions in the locality.

8.6.2 During the construction phase the development is expected to generate 126 construction jobs annually up to 2016. Through other initiatives there will be an investment in training for young people. In addition there are expected to be up to 100 jobs in retail available for local people which emerging national policy set out in the draft of Planning Policy Statement 4 acknowledges can make a contribution to the local economy.

8.6.3 Currently the population profile does not conform to the Gosport average as there is a skew towards younger and older age ranges. In addition there is a higher than average number of households with dependent children and a higher than average number of lone parents. The proposed mix of 1, 2, 3, 4 bedroom flats and houses with tenures ranging from social and private renting to shared and

full ownership and the environmental improvement of the area with increased opportunities for home ownership is likely to encourage a demographic mix which is more reflective of the population profile of the rest of the borough, including more working age adults, to provide a range of more economically active residents who will be able to access the economic opportunities in the area.

- 8.6.4 The improved shopping centre and physical environment together with the change in demographic mix, increased employment opportunities and training and management programme are likely to encourage inward investment resulting in a sustainable form of economic generation which meets the aims of national planning policy guidance set out in PPS1 and PPS6 and complies with the objectives of Policy SP4 of the draft South East Plan and the objectives of SS4 of the Gosport Borough Local Plan Review.

8.7 The location in relation to the Urban Area Boundary

- 8.7.1 Most of the application site is within the urban area boundary where the principal of residential development is acceptable. However, a strip of land comprising an earth bund on the southern side of Howe Road lies within the Strategic Gap separating Gosport from Lee on the Solent and an area to the north of the Council's nursery is outside the defined urban area. Under the provisions of policies R/OS1 and R/OS2 development of this type outside Urban Area Boundary would normally be unacceptable.
- 8.7.2 However, a key design principle of this proposal is the removal of the existing earth bunds in order to open up the estate and remove barriers which both limit permeability and create an unsafe environment for pedestrians. The new housing that replaces the bund is linked coherently to the existing urban edge and results in a logical extension into the Strategic Gap with development on both sides of the re-aligned Howe Road and provides passive surveillance of the open space beyond. The proposed development along the south side of Howe Road would not be continuous thereby offering the opportunity of views across the Alver Valley that do not exist at present. A landscape buffer zone softens the urban/rural transition and will limit views of the development from the Alver Valley.
- 8.7.3 Within this context the benefits of allowing this small incursion outside of the urban area boundary and into the Strategic Gap can be justified as the impact is negligible and will be outweighed by the regeneration benefits of the proposed scheme. Moreover emerging Policy SH1 of the South East Plan is likely to discourage local landscape designations of this kind in line with PPS7 which looks to a criteria based approach which targets the features that require protection. The development as proposed will allow views into the Gap and therefore the bunds that are to be removed are arguably

more intrusive and less acceptable within the Gap than sensitively designed buildings which are integrated within the landscape.

8.8 Housing Quantity, Density and Mix

- 8.8.1 The proposed scheme would result in the maximum of a net addition of 199 new dwellings. Whilst the housing provision up to 2016 set in the Local Plan Review policy R/H1 is already exceeded regard has to be had to the emerging South East Plan, a material consideration of considerable weight, which sets the future housing allocation for Gosport. The South East Plan requires Gosport to provide a minimum of 2,500 additional dwellings by 2026. An analysis of the 6 and 10 year supply of deliverable sites which was used to prepare the Housing Trajectory set out in Fig. 2 of the Gosport Annual Monitoring Report 2008 demonstrates that these 199 dwellings are required to allow sufficient flexibility to meet the target in the draft South East Plan.
- 8.8.2 The site area is 15.5 hectares therefore the development will be built out at a density of approximately 45 dwellings per hectare (d.p.h.) across the whole scheme. This density would be within the guide limits of Policy R/H4 of the Gosport Borough Local Plan Review which specifies that residential development should be provided at a density between 30 and 50 dwellings per hectare. Policy H5 of the draft South East Plan requires a density of 40 d.p.h.
- 8.8.3 The quantum of housing proposed will therefore help Gosport meet its future housing requirements and also its target for utilising previously developed land and avoid the need to develop Greenfield sites in compliance with PPS3, RPG9, Policies H1, H5 and SP3 of the draft South East Plan and Policy R/H1 and R/H4 of the Gosport Borough Local Plan Review.

8.9 Affordable Housing

- 8.9.1 Whilst Policy R/H5 of the Local Plan Review seeks the provision of 40% affordable housing on sites of 0.5 hectares or more, or applications for 15 dwellings or more, in exceptional circumstances a reduced proportion of affordable housing is acceptable where unusually high costs of developing the site mean it would no longer be economically viable to proceed with the proposal if 40% of the housing were to be affordable.
- 8.9.2 This application proposes that 37% of the 700 units are to be affordable. The Rowner regeneration project is unique in that it is to be phased so that existing residents can be re-housed within the scheme. This means that nearly 50% of the units in the first phase of development will be affordable. Moreover residents will also be entitled to compensation for the loss of their homes and the disturbance incurred in moving. Both these factors will result in

abnormally high costs in implementing the development, in addition to the costs associated with bringing about significant regeneration benefits through improvements to the community infrastructure, and creating a better urban landscape and a safer environment. In addition Policies H3 and SH6 of the draft South East Plan look for provision of between 30 and 40% affordable homes. As such 37% provision is acceptable in this case.

- 8.9.3 There are to be a range of tenure types. No more than 40% of the affordable units are to be shared equity. There will be special terms for existing owners to purchase on the new estate including low entry level (10-20%) and deferred rental arrangements if their income level is too low to pay the rent and they are not eligible for housing benefit. The remainder will be socially rented. Affordable housing is to be secured by a condition requiring arrangements to be put in place to secure the appropriate level of affordable housing for each phase of the development.

8.10 Retail Impact

- 8.10.1 PPS6 sets out the Government's key objectives for the growth and development of existing centres. It also recognises that in areas that have poor access to shops local authorities should work with local communities to identify opportunities to remedy any deficiencies.
- 8.10.2 The Gosport Borough Local Plan Review identifies a hierarchy of existing centres and designates the Nimrod Drive as a Neighbourhood Centre. However it is recognised that this Centre currently underperforms and has a high number of vacant units. The application proposes to relocate the neighbourhood centre to provide a central facility which reinforces existing community facilities. The proposed Neighbourhood Centre needs to be considered with regard to PPS6, draft PPS6 and the relevant Local Plan policies R/S2 and R/S4.
- 8.10.3 Although this proposal relocates the Neighbourhood Centre it is still within the general vicinity of the existing Centre and serves the same community so for the purpose of applying planning policy it can be considered as an existing centre. PPS6 focuses on the promotion of retail within existing centres but it also considers that it is important to enhance consumer choice by making provision for a range of shopping, leisure and local services to allow genuine choice to meet the needs of the entire community and particular socially excluded groups. This proposal would meet these aims. Draft PPS6 still provides a strong focus on town centre development but suggests that in considering the impact of a proposal on other centre the wider advantages of the scheme should be considered in terms of the benefits to deprived areas and its promotion of social inclusion.

- 8.10.4 Policy R/2 of the Gosport Borough Local Plan Review allows proposals for new retail floorspace provided they are in sites within existing centres. Whilst not a policy requirement, it can also be demonstrated that the quantum of retail floor space proposed will not adversely affect other centres.
- 8.10.5 A study undertaken by GVA Grimley looked at the impact of three scenarios for a food store in Rowner with a floor space of 2787 sq m, 2323 sq m and 1858 sq m. It concluded that the two larger stores whilst clawing back lost trade to out of town stores, particularly the ASDA store in Newgate Lane, would also have an impact on Gosport Town Centre. The smaller store size tested would have impact on existing food retail floor space (principally a 9% impact on Morrisons in Gosport Town Centre) but would still claw back trade from the out of town food stores. The study concluded that a food store of between 1,500 sq m and 1,858 sq m could be supported without significant detrimental impact on the Borough's retail strategy and any impact should be balanced against the wider regeneration benefits that a proposed food store would bring. However the Study indicated the amount of comparison floor space should be limited to prevent an unacceptable impact on Gosport Town Centre.
- 8.10.6 The proposal includes a 1,858 sq m (net) food store but it is intended that 20% of the floor space will be used for comparison goods leaving 1,486 sq m food floor space. Therefore the impact on existing food stores will be less than that tested under the 1,858 sq m scenario and is below the recommended range advised by the retail study. The provision of comparison goods floor space will enable the store provide a range of goods that one would expect to find in a neighbourhood centre. Recognising the Borough Council's concern that the provision of floor space for clothing and footwear within the food store may have an adverse impact on Gosport Town Centre the applicant has agreed to accept a planning condition limiting this to a percentage of the comparison floor space within the store.
- 8.10.7 In addition to the food store the application proposes three independent units (Use Class A1 A2, A3, and A5) and café. If all these units were developed for non A1 uses the proportion of non A1 uses in the centre would only be 17% which is below the maximum 40% figure in policy R/S4.
- 8.10.8 Therefore the quantum of retail floor space is considered acceptable and meets national planning policy guidance contained within PPS6 and the revised draft, and Policies R/S2 and R/S4 of the Gosport Borough Local Plan Review subject to conditions relating the % of comparison floor space and limiting the net floor space of the food store to 1,858 sq m.

8.11 Open Space

- 8.11.1 Whilst Policy R/OS4 of the Gosport Borough Local Plan Review protects existing open space, Policy R/OS5 allows development which will improve or creates open space subject to criteria. The existing open space on the Rowner estate does not provide a good community resource because of its poor quality. There is currently 8,700 sq m of informal open space and no children's or young persons' play space within the application site.
- 8.11.2 The proposed scheme makes provision on site for 4,200sq m of children's and young person's play space and 5,800 sq m of informal open space. The children's play space will be in the form of a Local Equipped Area for Play and a number of smaller Local Areas for Play. The standard requirements set out in Policy R/OS8 of the Gosport Local Plan for 700 dwellings would be 8,478 sq m of children's and young persons' play space and 4,239sq m of informal open space. Although there is a shortfall in the overall provision in terms of the standard requirements, there is an increase overall in the amount of open space that was previously available on site and moreover there was previously no provision of children's and young persons' play space within the site and the amount to be provided exceeds what would be required to meet the standards for the additional 199 residential units. The proposed scheme will also provide high quality facilities that will provide benefits to the community and in addition there are additional young person's facilities in the area. The adjacent Siskin School provides a Multi Use Games Area. The scheme includes well linked public spaces with both hard and soft landscaped areas to include play areas and public parks. Moreover the proposal includes better links to Home Heath and the Alver Valley, which will therefore facilitate access to these areas. A contribution will be secured through a Section 106 Agreement towards the provision of formal sports pitches. As such the proposal complies with Policy R/OS8 of the Gosport Borough Local Plan Review.

8.12 Community Facilities

- 8.12.1 The proposed neighbourhood centre is close to other community facilities to the west of the application site. These facilities include the Siskin Junior and Infant schools, the Sure Start centre, the Rowner Youth club the Nimrod Community Centre and the Grange Public House. Due to the proximity of these facilities the proposed scheme would meet the requirements of policy R/CF3.
- 8.12.2 The Local Education Authority has confirmed that the existing schools have capacity to accommodate the additional demand arising from the proposed additional dwellings and that there is no requirement for developer contributions. Families will be offered the opportunity to be re-housed on the new development and as such

the educational disruption will be minimal. The proposed would therefore meet the requirements of policy R/CF7.

- 8.12.3 Hampshire Primary Care Trust have confirmed that additional homes have been catered for in provision of primary dental and medical care and that in terms of secondary care increase will have an insignificant effect. As such the proposal complies with Policy R/CF3 of the Gosport Borough Local Plan Review.

8.13 Flood Risk and Drainage

- 8.13.1 The aims of planning policy on flood risk are two fold: to ensure that more vulnerable types of development, such as housing, are located in areas less susceptible to tidal and fluvial flooding; and to use the opportunities afforded by redevelopment to reduce the causes and impacts of flooding, principally through incorporating sustainable urban drainage systems and using green infrastructure for water storage within the ecosystem.

- 8.13.2 The Rowner estate is located within an area identified as Flood Zone 1 where there is an extremely low probability of tidal and fluvial flooding. Therefore housing is regarded as an appropriate use. Measures to reduce run off which might contribute to non-tidal or fluvial flooding within the site are proposed within the documentation submitted with the application and the submission of further details for approval within subsequent 'Details Pursuant' applications and the implementation of the approved measures can be secured by condition. In order to be acceptable the details submitted will have to demonstrate that the drainage systems proposed will:

- control runoff and prevent flooding of property in up to a 1 in 100 year storm event plus 30%;
- ensure that although the rate at which surface water is discharged from the site may vary with the severity of the storm event, the developed rate of runoff will be no greater than the undeveloped rate of the runoff for the same event;
- be designed so that the volumes of surface water leaving the site are no greater than that at pre-development.

The use of permeable surfacing is the principal means of preventing run off and it is not envisaged there will be any need for site works. The Environment Agency and Southern Water have agreed this approach. Hampshire County Council as the Highway Authority have accepted the use of permeable surfacing for roads to be adopted. Conditions are also required to ensure surface and foul drainage does not pollute sites of nature conservation interest including Browndown and Wildgrounds SSSIs particularly during the construction phase. These measures will ensure the proposal meets the requirements of PPS25.

8.14 Nature Conservation and Biodiversity

8.14.1 The closest designated area is Wildgrounds SSSI and Local Nature Reserve but it is fenced with restricted public access. More secure fencing is proposed as part of the proposal and can be secured by condition. Browndown SSSI is approximately 1.6 kilometres distant from the site and most of the designated area is in the ownership of the MoD but there is informal public access. However the impact of the additional residential units will be mitigated by improving accessibility to the amenity and recreational areas within the Alver Valley. In addition a management plan for Browndown SSSI is to be secured by condition. The applicant has undertaken to make a payment of £75,000 towards the implementation of the Management Plan. Further west is Solent and Southampton Water SPA. To the east is SPA/Ramsar site of Portsmouth Harbour to SE and nearly 4kms distant are the Gilkicker lagoons. Natural England have confirmed that there is no evidence currently available to demonstrate these sites will be affected. There are four sites identified by The Brent Geese Strategy document as potential feeding grounds for Brent Geese within 1km of site but these are security fenced and inaccessible to public. Therefore there is no conflict with policies R/OS10 and R/OS11 of the Gosport Borough Local Plan Review.

8.14.2 There are no wildlife designated areas within the site itself. The majority of habitats are man-made and poor quality in ecological terms. There is little evidence of bats on the site as a whole but four buildings support pipistrelle bat roosts therefore a bat licence from Natural England will be required before they can be demolished. Mitigation proposed will be more roosting sites and more sensitive lighting which be secured at the detailed application stages. There is some badger foraging evidence and a sett has been identified near the Council's Nursery. If it is still active it will be closed under licence but as activity is very limited the development will have little impact on the local badger population and new and better foraging areas will be created. There is a negligible habitat value for birds within the application site and by law trees can only be felled if there is no evidence of birds nesting in the bird nesting season. There have been some reptile sightings on the southern edge of the site, in Home Heath and around the Council Nursery. A translocation programme can be secured by condition to ensure the populations are moved out of the development site and Natural England has agreed that this method of mitigation is acceptable. Consequently there is no conflict with Policies R/OS13 and R/OS14 of the Gosport Borough Local Plan Review.

8.15 Built Heritage and Archaeology

8.15.1 In accordance with PPG15 the impact on the Rowner Conservation Area has been addressed by a clear and concise study of the historic development of the area and assessment of available sources on the background history of the area. In terms of historic

buildings and above ground heritage there are no buildings or features of note. Whilst there are Scheduled Ancient Monuments in the vicinity they are outside the visual envelope of the development and as such there will be no impact on their setting and the setting to Grange Farm will be improved.

- 8.15.2 Archaeology is also a material consideration in determining planning applications under the provisions of PPG16. The potential for archaeological deposits to be disturbed during ground works associated with the proposed development has been identified by the Environmental Statement which particularly highlights the early medieval settlement in the south eastern corner of the site, first discovered during the construction of the original housing development. The archaeological recording of this site was undertaken in small areas in between the footprints of the houses which had already been excavated. This meant that the evidence recovered was 'scrappy and indeterminate'. Evidence was recorded for Saxon occupation including rubbish pits, and some evidence of structures, although no house plans could be discerned. Overall the archaeological evidence was taken to be indicative of a settlement the size of a small hamlet. Although the full extent of this settlement was not established in any detail its rough extent is recorded. In light of the illustrative masterplan submitted with the application it appears that the proposed development will involve the construction of new buildings in areas which were previously open spaces, and where therefore archaeological deposits relating to the Saxon settlement may survive. Given the fragmentary nature of the previous investigations of this site and the inconclusive findings any archaeological data is extremely significant in understanding the nature and development of this settlement. A condition is proposed requiring that 'no development takes place within the area of archaeological interest (as indicated in the attached map) until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant'. As such the proposal will comply with Policy R/BH8 of the Gosport Borough Local Plan Review.

8.16 Contamination

- 8.16.1 PPG23 requires LPA's to have regard to the potential for development to cause pollution because of contamination on the site or through the uses proposed. Whilst it is known that asbestos is present in some of the properties and there is the potential for unexploded material from WW1 when the land was in use as an airfield, this will be dealt with under other legislation during the demolition process. There are a number of former landfill sites within the vicinity of the Rowner Estate so there is a potential for landfill gas to be generated. However, if this is found to be an issue there are building construction techniques that minimise the

possibility of landfill gas entering any enclosed structures on the site which can be incorporated into the development. Use of waste materials on site and the management of construction waste are controlled through other legislation.

- 8.16.2 During the construction phase there is likely to be emission of dust/particulates but the impact this will have on air quality can be controlled through the Environmental Health Legislation. Measures to reduce the impact on residential amenity are set out in paragraph 8.20.1, below. The use of bunds will prevent contamination from spillages
- 8.16.3 In use the new development will not introduce additional sources of contamination.
- 18.16.4 Consequently there is no conflict with Policy R/ENV5 of the Gosport Borough Local Plan Review.

8.17 Telecommunications

PPG8 relates to telecommunications development and Policy ENV 13 of the Gosport Borough Local Plan Review sets out the criteria for locating such equipment. The proposal includes the demolition of Livingstone Court on the roof of which are a number of telecommunications masts. However, if an alternative location cannot be found for this equipment off site, there is an 8-10 storey building proposed which could be designed to accommodate the existing masts to comply with Policy R/ENV13 and this can be addressed at the appropriate phase through the 'Detailed Pursuants' applications. At this outline stage a condition requiring alternative arrangements to secure the re-location of telecommunications equipment prior to demolition of the existing host site would address this issue.

8.18 Urban Design

- 8.18.1 The pattern of proposed development will create a series of character areas which should ensure that a 'standard' approach to the built form and style of buildings would be avoided. The proposed landmark buildings, through routes, key areas of public open space, and a strongly defined urban edge at the southern end of the site, will enhance the built form and make a positive contribution to the area. As such the indicative layout and scale parameters are considered acceptable and comply with Policy R/DP1 and R/H4 of the Gosport Borough Local Plan Review.
- 8.18.2 At the southern edge of the site the proposed landscaping alongside the open space to the south will reinforce the transition from urban edge to the open space of the Alver Valley. Full details of how this will be achieved will be a key element of that phase of the project.

Careful screening for the flats north of the nursery is necessary to ensure a building in that location is not too visible or overbearing within the 'semi-rural' context of the Nursery and Grange Farm in order to address the issues raised by extending into the Strategic Gap.

- 8.18.3 A robust approach to the detailed design of each phase, guided by the Design Code, will be necessary and sufficient detail is provided at this stage for this to be achievable and to comply with Policy R/DP1.
- 8.18.4 The local community has been involved in the design and quantum of development in compliance with Policy SP4 of the draft South East Plan.

8.19 Energy Efficiency

8.19.1 PPS1 and PPS22 relate to energy use. The existing buildings have a poor energy performance and thermal properties. Even refurbished properties fall short of modern standards. The current layout does not use topography and orientation to maximise use of solar energy. The proposed orientation will maximise solar gain and frontages on street with minimal exposed backs to reduce energy use in compliance with Policy R/ENV14 of the Gosport Borough Local Plan Review.

8.19.2 Features are proposed within the development which will assist in mitigation of and adaptation to climate change. Suggested measures include

- Shaded green space and cover
- Green roofs and vegetated walls
- Air flow
- Passive cooling
- Gas condensing boilers
- Meters
- Passive ventilation
- Energy efficient homes
- Reduction in waste
- Re-use of demolition materials
- Use of sustainable and recycled building materials
- Rainwater harvesting

These measures can be secured by conditions requiring further details on a phase by phase basis. In addition a condition requires renewable energy sources to be considered at the detailed stage. As such the proposal complies with Policies R/ENV14 and R/ENV15 of the Gosport Borough Local Plan Review.

8.20 Amenity

- 8.20.1 During the demolition and construction phase the main concern is the impact on residents from noise, dust and vibration. Conditions are therefore proposed to regulate the phasing of both demolition and construction to ensure that disruption is minimised. The location of the compound used to store equipment and manage the development programme and the way it is screened will also help to reduce noise, dust and vibration and therefore conditions requiring these details are also proposed. In this way the requirements of PPS23 and Policies R/DP1, R/ENV10 and R/ENV12 can be addressed. If noise and dust becomes a statutory nuisance it can be dealt with through the Environmental Health legislation.
- 8.19.2 The separation distances shown on the submitted plans are acceptable in terms of the impact on light, privacy and outlook of both existing and proposed dwellings and as such the scale parameters and indicative layout are acceptable and comply with Policy R/DP1. The new lighting scheme will be designed to reduce light pollution and details will be required to be submitted by condition on a phase by phase basis to comply with Policy R/ENV11 of the Gosport Borough Local Plan Review.
- 8.19.3 There are no restrictions on the opening hours of the existing retail units and it would therefore be unreasonable to restrict the opening hours of the proposed supermarket. Moreover late night opening would add to the natural surveillance in this area. To deter vandalism and to comply with Policy R/DP1 of the Gosport Borough local Plan CCTV cameras are proposed which can be secured by way of condition. In view of the location of the supermarket there is unlikely to be disturbance to residents from deliveries in the early morning or late at night. At the detailed application stage the positioning of the delivery bays will be carefully considered and further conditions could be imposed to ensure the bays were sealed to comply with Policy R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review. If noise from reversing vehicle alarms becomes a nuisance this could be controlled under the Environmental Health legislation.

9 Access and Transport

- 9.1 PPG13 sets out government guidance in relation to transport issues. PPS1 addresses sustainability issues in relation to development as a whole and including advice on accessibility. PPS3 examines accessibility in relation to housing development. PPS6 is concerned with accessibility and retail development. Local Plan policies set out the requirements in relation to transport assessments and travel plans (R/T2), internal layout of sites (R/T3), off site transport infrastructure (R/T4), traffic management (R/T10), and access and parking (R/T11).
- 9.2 In terms of Access the main issues to be considered are whether

there is capacity within the existing transport network; whether the proposal will be sustainable in terms of traffic generation; whether the proposed Access arrangements are acceptable from a highway safety perspective and whether the development will be accessible to all without reliance on the private car. Parking provision and the layout of roads and paths for pedestrians and cyclists including space for turning and loading of vehicles need to be considered in general terms within the context of the policies in the Development Plan but will be considered in detail on a phase by phase basis.

- 9.3 Whilst Policy R/T2 and R/T4 of the Local Plan require a Travel Plan and a contribution towards off site transport infrastructure from development of this size, the County Council and Central Government have invested in public transport schemes to deliver improvements to the transport network within Gosport which will help to mitigate the impact of this development and therefore investment by the County Council and Central Government in this scheme will enable the development to proceed without the need for contributions towards transport infrastructure or a Travel Plan.
- 9.4 The level of residential car parking provision is based on current car ownership data within Gosport as a whole but does allow for an aspirational increase. However taken with the commercial provision it is still low enough to assist in minimising the number of new vehicular trips generated by the development. Given the location of the supermarket within the development the majority of shoppers will come from the local area and may well arrive on foot or by cycle. In any event, the additional traffic generated by the development will be spread across the day, rather than being concentrated at the peak times for local congestion, and will seek to divert traffic already travelling to supermarkets either within Gosport town centre or further afield. As such this is a sustainable form of development which complies with government guidance in PPS1, PPS3, PPS6 and PPG13 and Policy R/T2 of the Gosport Borough Local Plan Review.
- 9.5 The Transport Assessment submitted with the application recommends that some local junction improvements are carried out to deal with congestion issues at those junctions at peak times. These improvements are not considered to provide any significant benefit to the users of the highway or the development. There is congestion at local junctions but the mechanism for addressing the congestion is through improvements to public transport. A condition will ensure that works to improve the capacity of the junction of the access road with Grange Road opposite HMS Sultan are carried out before the supermarket is brought into use. As such the proposal complies with Policy R/T2.
- 9.6 The proposed layout is structured around a new North-South link between Nimrod Drive and the re-aligned Howe Road to the South

running parallel with Grange Road. This allows the creation of a permeable grid fronted by buildings to overlook public spaces. The estate is currently provided with a wealth of interconnecting roads, cycle routes and footpaths but the layout is confusing. Due to separation of pedestrian and vehicular traffic, which was a feature of estates built in the 1960's, many of the courts do not have direct access to a highway and postal addresses are therefore confusing. There are many cul-de-sacs and garage courts with no natural surveillance which has led to crime and disorder issues. The pedestrian routes also have no means of natural surveillance with blind corners, foot bridges and low level of activity. The indicative layout demonstrates that these issues can be addressed by the proposed scheme and details of the designs of the roads and footpaths can be secured by condition. Consequently the internal road lay out will meet the criteria set out in Policy R/DP1 and R/T3 of the Gosport Borough Local Plan Review.

- 9.7 Whilst there would be some disruption during construction the established routes would be replaced with a more legible network which gives a higher level of surveillance and safety with pedestrians taking priority. Conditions will ensure that the access via Howe Road is phased so that the new junction is constructed before the old road is closed in order to comply with Policy R/T2, R/T3 and R/T10 of the Gosport Borough Local Plan Review.
- 9.8 Cycle parking is to be provided within back gardens and sheds of houses and the flats will have secure cycle parking within buildings or outside in secure areas. In total there will be 1051 cycle spaces for the residential development and 33 spaces and stands for the neighbourhood centre. There are existing cycle lanes on both Grange Road and Rowner Road. The development therefore complies with Policy R/T11 of the Gosport Borough Local Plan Review.

10 Conclusion

The proposed uses and the amount of development proposed for each use meet national, regional and local policy for the reasons explained above. The scale parameters and indicative layout are acceptable both in terms of the impact on the character and amenity of the area and the amenities of existing and proposed residents. The details relating to access will not adversely impact on the highway network or the safety and convenience of users of the highway and provide means of access for all without reliance on the private car. The proposed redevelopment will secure the physical and economic regeneration of Rowner by significantly improving the living conditions of the residents and enabling them to access the facilities without fear. It will lead to greater social cohesion within the estate and wider area. The physical regeneration is being undertaken in conjunction with other initiatives by the Rowner

Neighbourhood Management Scheme (RNMS) targeting young people and adults of working age to increase social and economic opportunities. As such it is in compliance with the aims and objectives of the national, regional and local policies referred to throughout this report and listed in section 4 and Appendix 2.

Financial Services comments:	N/A
Legal Services comments:	None
Service Improvement Plan implications:	None
Corporate Plan:	Rowner improvements
Risk Assessment:	N/A
Background papers:	(i) Application details and submitted plans and documents (ii) GVA Grimley Study
Appendices/Enclosures:	3: list of conditions; list of policies; location of application site.
Report author/ Lead Officer:	Pat Aird

K17671 Rowner Redevelopment

Conditions.

1. The development hereby permitted must be begun either before the expiration of five years from the date of the grant of this outline permission, or the expiration of three years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved whichever is the later date.

Reason - To comply with Section 92 of the Town and Country Planning Act, 1990.

2. In the case of any reserved matter, application for approval must be made not later than the expiration of eight years beginning with the date of the grant of this outline planning permission.

Reason - To comply with Section 92 of the Town and Country Planning Act, 1990.

3. The development hereby permitted shall not be commenced until a surface water drainage scheme for the site, based on sustainable drainage principles (SUDS) and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include

- (i) a timetable for its implementation having regard to the construction phasing plan approved under condition 7.
- (ii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable urban drainage scheme throughout its lifetime.

The SUDS shall be implemented and thereafter managed and maintained in accordance with the approved details and timetable.

Reason - To prevent increased risk of flooding in the interests of the safety and amenity of future occupants and ecology of the River Alver and the Wild grounds SSSI and Apple Dumpling SINC in compliance with Policies R/DP1, R/OS11, R/OS12, R/OS13, R/OS14, R/ENV2, R/ENV4 and R/ENV5 of the Gosport Borough Local Plan Review.

4. The development hereby permitted shall not be commenced until a scheme to dispose of foul drainage has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include

- (i) a timetable for its implementation having regard to the construction phasing plan approved under condition 7.
- (ii) a management and maintenance plan for the lifetime of the development

The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details and timetable.

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Reason – To ensure that there is adequate provision for foul drainage from this site and other developments in the area having regard to the degree of nutrient removal required by the Habitats Directive and to comply with Policies R/DP1, R/OS11, R/OS12, R/OS13, R/OS14, R/ENV2, R/ENV4 and R/ENV5 of the Gosport Borough Local Plan Review.

5. The development hereby permitted shall not be commenced until a scheme to treat and remove suspended solids from surface water run-off during construction works has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved throughout the construction period of the development.

Reason - To prevent risk of contamination in the interests of the safety and amenity of future occupants and ecology of the River Alver and the Wild grounds SSSI and Apple Dumpling SINC in compliance with Policies R/DP1, R/OS11, R/OS12, R/OS13, R/OS14, R/ENV2, R/ENV4 and R/ENV5 of the Gosport Borough Local Plan Review.

6. The development hereby permitted shall not be commenced until a phasing plan for demolition has been submitted to and approved by the Local Planning authority in writing. The demolition shall take place in accordance with the approved phasing plan for demolition unless otherwise agreed in writing with the Local Planning Authority.

Reason – In the interests of the amenity of the area and to comply with Policies R/DP1 and R/DP5 of the Gosport Borough Local Plan Review.

7. The development hereby permitted shall not be commenced until a phasing plan for construction has been submitted to and approved by the Local Planning authority in writing. The development shall be carried out in accordance with the phasing plan for construction unless otherwise agreed in writing with the Local Planning Authority.

Reason – In the interests of the amenity of the area and to comply with Policies R/DP1 and R/DP5 of the Gosport Borough Local Plan Review.

8. Each demolition and construction phase of the development hereby permitted shall not be commenced until a scheme for the construction of the site compound for that phase has been submitted to and approved by the Local Planning Authority in writing. Such a scheme shall include the location of the compound and any buildings within it, the height, design and method of construction of all means of enclosure, and the height and design including details of fenestration of any portable building, provision to be made for parking of employees vehicles, the location of plant storage, and provision for waste storage and disposal. The compound shall be constructed in accordance with the approved details before demolition or construction related to that phase is commenced and shall be retained as approved until the development within each phase of demolition and construction has been completed unless otherwise agreed in writing with the Local Planning Authority.

Reason – In the interests of the amenity of the area and to comply with Policies R/DP1 and R/DP5 of the Gosport Borough Local Plan Review.

9. Each demolition and construction phase of the development hereby permitted shall not be commenced until a scheme for wheel washing facilities for construction and demolition site vehicles has been submitted to and approved by the Local Planning Authority in writing. The scheme shall be implemented as approved and adhered to throughout each phase of demolition and construction unless otherwise agreed in writing with the Local Planning Authority.

Reason – In the interests of highway safety and the amenity of the area and to comply with Policies R/DP1 and R/DP5 of the Gosport Borough Local Plan Review.

10. Notwithstanding the provisions of Schedule 1 Part 4 Classes A and B of the Town and Country Planning (General Permitted Development) Order 1995) or any replacement or re-enactment thereof, no buildings, moveable structures, works, plant or machinery required temporarily in connection with and for the duration of the development hereby permitted shall be stored on the application site other than within the compound approved under condition 5 of this permission.

Reason – In the interests of the amenity of the area and to comply with Policies R/DP1 and R/DP5 of the Gosport Borough Local Plan Review.

11 Each demolition and construction phase of the development hereby permitted shall not be commenced until hoardings have been erected around the part of the site to be demolished or constructed within that phase in accordance with details submitted to and approved by the Local Planning Authority in writing. Such details shall include the measure to be incorporated into the design of the hoardings to reduce the impact of noise, dust and vibration on adjacent occupiers.

Reason – In the interests of the amenity of the area and to comply with Policies R/DP1 and R/DP5 of the Gosport Borough Local Plan Review.

12. Details relating to the Appearance, Landscaping, Layout and Scale, hereinafter called "the reserved matters", shall be submitted to, and approved by, the Local Planning Authority before each phase of the development hereby permitted is commenced.

Reason - Such details have yet to be submitted, and to comply with Policies R/DP1, R/DP6, and R/ENV14 of the Gosport Borough Local Plan Review.

13. Plans and particulars showing the detailed proposals for all the following aspects of the development shall be submitted to the Local Planning Authority and development within each phase shall not be commenced before these details have been approved in writing.;

(a) Details of the roads including the junction layouts, visibility splays, width location and materials to be used for bicycle tracks and foot paths, the provision to be made for turning, loading and unloading of vehicles, and provision to be made for traffic calming, including pedestrian crossings, signing and lining and other management measures.

(b) The provision to be made for the parking of vehicles;

(c) The provision to be made for visitor cycle parking and residents' cycle storage

(d) The provision to be made for affordable housing and the means for securing that the affordable housing is retained for that purpose. The affordable housing shall meet the definition of affordable housing in Annex B of PPS3 or any future guidance that replaces it. The details shall include the numbers type and tenure and location on site.

(e) The provision to be made for the storage and disposal of refuse;.

(f) The provision to be made for using renewable energy sources

(g) The location and screening of electricity substations and/or gas governors (if required)

Reason - Such details have yet to be submitted, and to comply with Policies R/DP1, R/DP3, R/DP6, R/T2, R/T3, R/T9, R/T10, R/T11, R/H5, R/OS7, R/ENV3, R/ENV4, R/ENV10, R/ENV11 and R/ENV14 of the Gosport Borough Local Plan Review.

14. 37% of all the dwellings hereby permitted shall be affordable and the affordable housing shall meet the definition of affordable housing in Annex B of PPS3 or any future guidance that replaces it

Reason – To ensure that the housing provision meets the needs of residents within the Borough whose incomes are insufficient to buy or rent suitable properties on the open market to comply with Policy R/H5 of the Gosport Borough Local Plan Review.

15. No more than 502 dwellings shall be occupied until

(i) a 5 year management plan for the Browndown SSSI has been submitted to and approved in writing by the Local Planning Authority.

(ii) The eastern section of the Wildgrounds SSSI has been secured in accordance with details submitted to and approved by the Local Planning Authority in writing.

Reason - To mitigate against recreational pressure on the nature conservation interests of the Wildgrounds and Browndown SSSI's and to comply with Policy R/OS11 of the Gosport Borough Local Plan Review

16. No development shall take place on the site/within the area hatched black on Drawing Number RG_001 until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation submitted to and approved by the Local Planning Authority in writing.

Reason - To ensure that any archaeological evidence is investigated and recorded and to comply with Policy R/BH8 of the Gosport Borough Local Plan Review.

17. The net floor space of the food store shall not exceed 1858 sq metres and no more than 20% of the floor space shall be use for the display of comparison goods.

Reason - To ensure there is no adverse impact on Gosport Town Centre and to comply with Policy R/S2 of the Gosport Borough Local Plan Review.

18. The trees and hedges on the site which are to be retained shall be protected during building operations by strict compliance with the Local Planning Authority's "Code of Practice relating to the Protection of Trees on

Building Sites" (copy enclosed).

Reason - To ensure the enhancement of the development by the retention of natural features, and to comply with Policies R/DP1 and R/DP8 of the Gosport Borough Local Plan Review.

19. The supermarket shall not be brought into use until a scheme for CCTV has been submitted to and approved by the Local Planning Authority in writing. The scheme shall include details of

- (i) the number and location of CCTV cameras to be installed
- (ii) the specification of the CCTV cameras to be installed which should be of a comparable standard to other CCTV cameras operated by the Council within the Borough.
- (iii) provision to be made for maintenance and management throughout the lifetime of the development
- (iv) connectivity to the existing CCTV system within the Borough.

Reason – To reduce the potential for criminal activity and anti-social behaviour and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

20 The supermarket shall not be brought into use until the offsite highway works to provide the signalised junction at Grange Road/HMS Sultan and the access to that part of the site has been completed in accordance with a scheme submitted to and approved in writing by the Local Authority.

Reason – In the interests of highway safety and to comply with Policy R/T2 of the Gosport Borough Local Plan Review.

21. 16. No development shall take place on the site/within the area hatched green on Drawing Number RG_001 until the developer has completed the translocation of reptiles within the area in accordance with a method statement submitted to and approved by the Local Planning Authority in writing. The Method Statement shall comply with HGBI guidelines and include provision for post translocation monitoring and post development management if that monitoring indicates it is required.

Reason - To mitigate any impact of the development on protected reptiles and to comply with Policy R/OS13 of the Gosport Borough Local Plan Review.

22. The building known as 'Livingstone Court' hatched red on Drawing Number RG_001 drawing shall not be demolished until arrangements have been put in place to install the telecommunications equipment on an alternative site.

Reason – To ensure that the network coverage quality and capacity in this locality is maintained in a way that minimizes the impact of the telecommunications equipment on the character and appearance of the area and to comply with Policy R/ENV13 of the Gosport Borough Local Plan Review..

K17671 Rowner redevelopment
Policy Context

National Policy Guidance

PPS1 – sustainable communities and social cohesion; regeneration;
good design; climate change mitigation and adaption

PPS3 –Housing

PPS4 Economic development

PPS6 (and revised draft) Town Centres

PPS7 advises against specific landscape designations preferring
criteria based policies

PPS9 Biodiversity and nature conservation

PPS10 Waste planning

PPS12 Regional spatial planning

PPG13 Transport

PPG15 Historic environment

PPG16 Archaeology

PPG17 Open space and sports facilities

PPS22 Renewable Energy

PPS23 Pollution Control

PPS24 Noise

PPS25 Flood Risk

Regional Policy

RPG9 adopted March 2001; sets out the strategy for achieving
sustainable development by focusing on urban areas

- Q2 improvement to urban environment
- CC10b does not recognise requirement for Strategic Gaps

SE Plan EIP report Aug 2007; consultation on changes 2008

- SP3 focus on urban areas
- SP4 reduction in social deprivation
- H1 housing allocation
- H3 affordable housing
- H5 density
- SH1 landscape designations
- SH6 affordable housing

HCC 'saved policies' only relevant one is housing allocation to 2011

Local Planning Policy

Gosport Borough Local Plan Review

R/DP1

General Standards of Development within the Urban Area

R/DP2

Development Briefs and Action Plans

R/DP3
Provision of Infrastructure, Services and Facilities
R/DP5
Demolition of Buildings
R/DP6
Landscape Design
R/DP8
Protection of Trees
R/T2
New Development
R/T3
Internal Layout of Sites
R/T4
Off-site Transport Infrastructure
R/T10
Traffic Management
R/T11
Access and Parking
R/H1
Allocation of land for housing
R/H4
Housing Densities
R/H5
Affordable Housing
R/S2
Location of Additional Shopping & Leisure Floorspace
R/S4
Local and Neighbourhood Centres
R/S6
Residential Development at Ground Floor within Defined Shopping Centres
R/S7
Use of Upper Floors
R/S9
Shopping and Commercial Facades
R/CF1
New or Improved Community Health Facilities
R/CF3
Provision of Community Facilities on Major Housing Development
R/CF6
Provision of Educational Facilities
R/OS1
Development Outside of the Urban Area
R/OS2
Strategic Gaps
R/OS4
Protection of Existing Open Space
R/OS5
New Open Space Provision

R/OS8
Recreational Space for New Residential Developments
R/OS10
Protection of Areas of International Conservation Importance
R/OS11
Protection of Areas of National Nature Conservation Importance
R/OS12
Locally Designated Areas of Nature Conservation Importance
R/OS13
Protection of Habitats Supporting Protected Species
R/OS14
Biodiversity Action Plans
R/BH8
Archaeology and Ancient Monuments
R/ENV2
River and Groundwater Protection
R/ENV3
Water Resources
R/ENV4
Treatment of Foul Sewage and Disposal of Surface Water
R/ENV5
Contaminated Land
R/ENV11
Minimising Light Pollution
R/ENV12
Air Quality
R/ENV13
Telecommunications
R/ENV14
Energy Conservation
R/ENV15
Renewable Energy

AGENDA ITEM NO. 7

Board/Committee:	Regulatory Board
Date of Meeting:	21 April 2009
Title:	Planning Application for the Redevelopment of Existing Sports Facilities and Adjoining Land at Bay House School and Sixth Form
Author:	Development Services Manager
Status:	For Decision

Purpose

To consider planning application K.17540 for:

The redevelopment of existing sports facilities and adjoining land to provide new school sports facilities, health and fitness centre, nursery and children's play facilities with amended access from Browndown Road

At

Bay House School and Sixth Form Playing Field, Browndown Road, Gosport.

Recommendation

Having regard to the particulars of application K17540, comprising the submitted plans and documents, that the Secretary of State be advised that the Borough Council is minded to grant permission subject to the conditions set out in Appendix 1 of this report

for the following reason:

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 secure the provision of enhanced sports facilities for Bay House School and sports and leisure facilities for the wider community without adversely impacting on the environment of the site or the wider area. Although there is a minor intrusion outside of the urban area into the Strategic Gap this does not adversely impact on the overall integrity of the Gap. As such, the development broadly complies with the national policies, regional policies and the policies of the Gosport Borough Local Plan Review as set out in Section 4 of this report.

1.0 Background

- 1.1 The application site is a 9.4 hectare, predominantly grassed, area of land located to the north west of the Browndown Road/Gomer Lane

roundabout. It extends northwards to Privett Road and westwards to the River Alver. The land slopes towards the roundabout and in the eastern corner to the rear of the properties in Martello Close, but is otherwise relatively flat. There is wire fencing along the southern, eastern and northern boundaries and this is supplemented, in places, by shrubbery. There are also a number of trees on the site, mainly concentrated along the southern and eastern boundaries. The eastern bank of the River Alver is aligned with vegetation which continues along the northern boundary.

- 1.2 Historically an area of open ground to the west of Fort Gomer, the central and northern parts of the site were subsequently used for landfill following the demolition of the Fort buildings. In the early 1960s planning permission was granted to use the land as open space along with residential development to the north east, 'the Gomer estate', and a caravan site on the western side of the River Alver. A further planning permission was granted in 1967 to use the open space as playing field, in association with Bay House school, along with a joint access to the field and pumping station from Browdown Road. A sports hall was constructed in the southern eastern corner of the field in 1972. Tennis courts and an enclosed, artificial playing surface were added later, along with two rugby pitches in the northern part of the field. There is a pedestrian gate providing access for students crossing from the main school campus in Gomer Lane.
- 1.3 The physical condition of the sports hall has deteriorated to the point where substantial refurbishment is required and the adjoining courts and artificial playing surface require replacement. Consideration has been given to various refurbishment schemes based on school funding only, but the costs have been prohibitive. The school has therefore sought a commercial opportunity to fund the necessary improvements.
- 1.4 The site falls outside the Urban Area Boundary and within a Strategic Gap and an existing Open Space. Parts of the site also fall within Flood Zones 2 and 3. The site is a designated Site of Importance for Nature Conservation (SINC) because of its importance as a feeding ground for Brent Geese.
- 1.5 The land is not under the control of the developer, Oak Development, but appropriate notices have been served under the legislation on Bay House School, Gosport Borough Council and Southern Water as current land owners.

2.0 Relevant History

- 2.1 K3938 outline erection of dwellings on 30.16 acres, use 23.55 acres for open space and 15.79 acres for caravan site permitted 5.7.62
K5295/1 construction of joint access for playing fields and pumping

station permitted 18.4.67

K3938/1B use 22.2 acres land for school playing fields permitted 28.4.67

K3938/2 erection of sports hall permitted 8.5.72.

3.0 The Proposal

3.1 There are two elements to the proposal, one relates to the school facilities and involves :-

- refurbishment and extension of the existing sports hall to include a new reception area, a fitness suite/classroom, gymnasium and new changing facilities
- replacement of the artificial, all-weather pitch (located approximately 150m to the north of the existing) along with a 1.5 metre high grass bund
- relocation and upgrading of the existing full size rugby pitches

The second element is a commercial development consisting of:-

- a health and fitness club, comprising a small shop, an indoor tennis hall with 3 courts, 4 squash courts, a 20m adult swimming pool, a children's pool and children's crèche on the ground floor and a dance studio, health and beauty area, fitness area and spinning studio, restaurant and family lounge on the first floor
- a nursery/preschool (150 children max)
- a children's adventure play area
- 7no. outside tennis courts including 1no. show court

3.2 The internal school facilities will be accommodated within the refurbished and extended existing sports hall building. This building will also accommodate the children's adventure play area and nursery. The resulting building will be 70 metres long and will have a maximum depth of 49 metres. It will have a shallow, multi-pitched roof with a maximum height of 10.4 metres. The external elevations will be constructed from beige blockwork and cedar and grey colour coated cladding with grey aluminium window frames and a colour coated roof. The health and fitness club will be accommodated in a separate building, measuring 98m long x 38m wide x 11.6m high, on the western side of the field adjacent to the River Alver. The external elevations will be constructed from stonework and timber panels.

3.3 All of the external tennis courts and the artificial pitch will be lit by 15.2m high floodlighting. 190 car parking and 120 cycle parking spaces are to be provided. Landscape planting will be implemented around the site and the existing vegetation along the river bank will be enhanced to provide improved habitat.

3.4 The following off-site highway improvements and traffic management

measures are also proposed:-

- Existing entrance widened to 5.5m with provision of 3m wide shared cycle/footpath either side
- Existing footway/cycle route on Browndown Road widened to 3m
- Narrowing of the exit lane from the roundabout to Browndown Road to reduce vehicle speeds exiting the roundabout on the approach to the site access
- Amendments to existing waiting and speed restrictions in Browndown Road with associated road markings and replacement signage.

- 3.5 The application is supported by a Planning, Design and Access Statement, Traffic and Transportation Assessment, Travel Plan, Site Investigation Report, Tree Report and ecological appraisal. The developer has provided additional information to explain the community benefits of the proposals and demonstrate the market need for the facilities and justify why this quantum of commercial development is required to enable the provision of the school facilities. Amended plans have been submitted to address concerns regarding the design and layout of the proposal with regard to the impact on the Strategic Gap and Existing Open Space. The amended plans show the health and fitness club and tennis show court reoriented parallel to the river, the extended sports hall building with a staggered footprint and the other tennis courts and car parking area reconfigured to provide a green corridor running through the middle of the development. Amended and additional information has been submitted to address concerns regarding car parking levels and access, land contamination, surface water drainage, noise, lighting and the impact on Brent Geese, bats and protected plant species. A phasing plan has been provided by the developer setting out the estimated timescales for construction of the school and commercial facilities. It is anticipated that the proposal will create 85 jobs.

4.0 Planning Policy

- 4.1 Planning Policy Statements and Planning Policy Guidance Notes set out the framework for consideration of all planning proposals. The principal aim underlying national guidance is that development should help create sustainable and socially cohesive communities with measures to both adapt to and mitigate against climate change. This is made clear in PPS1. Advice relating generally to economic and town centre development is contained within PPG4 and PPS6. PPG13 addresses transport issues. Specific advice relating to the sports facilities and open space, biodiversity and nature conservation and heritage and archaeology, is contained within PPG17, PPS9, PPG15 and PPG16. More technical advice relating to renewable energy, pollution control, noise, and flood risk is contained within PPS22, PPS23, PPG24 and PPS25.

- 4.2 RPG9 sets out the strategy for achieving sustainable development within the region by focusing on urban areas. The draft South East Plan has been subject to Examination in Public and following the publication of the report of the EIP in August 2007 a series of proposed changes were published for consultation in 2008. The current draft continues to direct development to urban areas (Policy CC8a). Policy SP4 deals with regeneration and social inclusion and directs local authorities and their partners to focus funding and initiatives to address the extensive regeneration needs of South Hampshire.
- 4.3 The Hampshire County Structure Plan is still part of the Development Plan for the area but only some policies have been 'saved'. The only 'saved' policies relevant to the appeal proposal are G1 and G2 which relate to Strategic Gaps.
- 4.4 The Gosport Borough Local Plan Review was adopted in May 2006. Strategic Statement 7 of the Local Plan Review aims to ensure that new leisure and community facilities are provided in locations that are easily accessible to the local community. One of the Council's Strategic Priorities is the provision of better leisure facilities with increased usage. The following Local Plan Policies are relevant to the consideration of this proposal;

R/OS1
Development Outside of the Urban Area
R/OS2
Strategic Gaps
R/OS4
Protection of Existing Open Space
R/OS5
New Open Space Provision
R/OS10
Protection of Areas of International Conservation Importance
R/OS11
Protection of Areas of National Nature Conservation Importance
R/OS12
Locally Designated Areas of Nature Conservation Importance
R/OS13
Protection of Habitats Supporting Protected Species
R/OS14
Biodiversity Action Plans
R/S2
Location of Additional Shopping & Leisure Floorspace
R/CF5
Development of Childcare and Day Care Facilities
R/CF8
Provision of Built Leisure Facilities
R/DP1

General Standards of Development within the Urban Area
R/DP3
Provision of Infrastructure, Services and Facilities
R/DP6
Landscape Design
R/DP7
Additions, Extensions and Alterations
R/ENV1
Floodplains and Tidal Areas
R/ENV2
River and Groundwater Protection
R/ENV3
Water Resources
R/ENV4
Treatment of foul sewage and disposal of surface water
R/ENV5
Contaminated Land
R/ENV10
Noise Pollution
R/ENV11
Minimising Light Pollution
R/ENV12
Air Quality
R/ENV14
Energy Conservation
R/ENV15
Renewable Energy
R/T2
New Development
R/T3
Internal Layout of Sites
R/T4
Off-site Transport Infrastructure
R/T9
Cycleways and Footways
R/T10
Traffic Management
R/T11
Access and Parking
R/BH8
Archaeology

5.0 Summary of Consultation Responses

Environment Agency

No objection. Details and implementation of the sustainable urban drainage system and the measures to deal with land contamination and the method of piling should be secured by planning conditions.

Southern Water

No objection. The design principles for the SUDS system and the surface water management sustainable drainage layout are acceptable. Under current legislation and guidance SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore an appropriate maintenance regime will need to be in place. Southern Water can provide foul sewage disposal to service the development.

Natural England

Proposal is unlikely to have significant effect on the Portsmouth Harbour SPA/Ramsar/SAC or Portsmouth Harbour/Browdown SSSI and does not require Appropriate Assessment provided conditions are attached regarding the timing of the works and the implementation of an ecological maintenance programme. Advice from the HCC ecologist should be sought regarding the colony of Green-Winged Orchids. If translocation is the only available option then a 10 year monitoring period is essential in addition to a comprehensive method statement.

Hampshire Wildlife Trust

Update to be provided at the Regulatory Board meeting.

Sport England

No objection. No loss of existing grassed pitches and improvement to overall sports facilities.

Ofsted

no objection

Highway Authority

No objection subject to legal agreements and conditions to secure the required traffic management measures and off-site highway works.

HCC Lighting

Update to be provided at the Regulatory Board meeting.

HCC Education Officer

No objection. Good example of partnership approach with private sector that will extend and improve the range of sporting and community facilities available to the school and the public.

HCC Archaeologist

no objection

HCC Landscape Planning Heritage – Ecology Section

Update to be provided at the Regulatory Board meeting

Head of Economic Prosperity

Update to be provided at the Regulatory Board meeting.

Head of Streetscene

no objection

Head of Environmental Health - Pollution

No objection. Measures to deal with land contamination and the method of piling should be secured by planning condition.

Head of Environmental Health - Commercial

Update to be provided at the Regulatory Board meeting.

Head of Leisure and Recreation Services

No objection. Scheme will lead to greater participation in a range of leisure and sports activities and will contribute to achieving the Council's Strategic Priorities in terms of reducing instances of antisocial behaviour, reducing crime and congestion, improved social inclusion and increased investment. The scheme takes account of the need to improve the facilities at Bay House School, the shortage of indoor tennis facilities in Gosport, the lack of quality indoor play facilities, the loss of squash courts at St Vincent College and Holbrook, the potential loss of the existing pool at St Vincent College on the back of the loss of Rowner Swimming Pool and the potential loss of Alverstoke Tennis and Squash Club. The scheme compliments what the Council is trying to achieve at Holbrook.

Building Control

Update to be provided at the Regulatory Board meeting.

6.0 Letters of representation

6.1 53 letters of objection and 1 petition of objection containing 131 signatures received to original plans

Issues raised:

- site is outside of the Urban Area Boundary
- impact on Strategic Gap
- loss of existing open space
- need and long-term viability given location and alternative provision available
- impact on existing leisure facilities/future proposals at Holbrook
- school should consolidate sports facilities at Gomer Lane to avoid need to travel to Military Road
- inclusion/accessibility to private facilities by pupils and general public
- increased traffic on Browndown Road and Gomer Lane
- danger to school children from delivery vehicles
- inadequate car parking

- scale, mass and height of buildings
- loss of outlook and light
- impact on wildlife
- increased risk of flooding and future liability
- pollution from floodlighting, increased noise and cooking smells
- risk from contaminated land during construction and future liability
- lack of/selective public consultation prior to submission
- inaccuracies in planning submission regarding use of facilities and intended customer base; height of buildings; wildlife
- loss of views
- setting of precedent
- affect on property values
- increase in unsociable behaviour
- will prospective purchasers of properties in the area be made aware of proposals
- request for Member site visit

16 letters of support received to original plans

Issues raised:

- provision of range of high quality, family based facilities will benefit pupils and the wider community
- appropriate location
- provision of jobs and boost to economy
- developer has considered impact on wildlife
- no significant impact on traffic or residential amenity
- development is needed to fund facilities for school.

An additional 220 pro-forma letters of support reiterating the above issues were also collated and submitted by the school.

20 letters of objection received to amended plans

Issues raised:

- land contamination and risk to human health and water quality
- viability of and need for commercial development
- impact on existing venues
- traffic generation
- traffic calming measures required for internal access road
- proximity of extended sports hall to Tower Close
- noise disturbance
- light pollution
- height of buildings
- drainage
- flood risk and future liability
- loss of playing fields
- school facilities should be improved through LEA funding and general fund raising

- exception to Local Plan inappropriate as large proposal
- location of information sign
- inaccuracies within Ecological Report relating to use of field by Brent Geese
- proposal will reduce public access to the field
- restricted use of artificial pitch due to rainfall and site conditions

7.0 Response to Issues raised by Objectors

- 7.1 Concern has been raised regarding the accuracy of the plans and the publicity given to the application. The application has been publicly advertised on two separate occasions by the erection of site notices and notices in The News. In accordance with the legislation, a period of 21 days from the time the site notices were erected and the Notice published has been given for representations to be submitted. However, all representations received up to the date of the Regulatory Board will be reported to the Board and taken into consideration in determining the application. The submitted plans and supporting information are accurate for the purposes of the planning application. The location of the information signs will be dealt with by planning condition.
- 7.2 The loss of views, the setting of precedent, affect on property values, potential behaviour of end users and information given to prospective purchasers of properties in the area are not planning considerations. The field is within private ownership and is not public land and the drainage and future management of the artificial pitch is a matter for the school.
- 7.3 The other issues raised are considered in more detail in section 8 of this report.

8.0 Planning Issues

- 8.1 Within the context of the Gosport Local Plan, the site is identified as Existing Open Space located outside of the Urban Area Boundary, where development proposals would not normally be permitted, and within a Strategic Gap, which seeks to deter development that would physically or visually diminish the gap. The value of the site as open space is considerably greater therefore than other areas of open space within the Borough, such as Stokesmead, Felicia Park and the former MoD land at Manor Way, whose value is principally recognised as being of local importance. In addition, the Local Plan indicates that leisure and recreational uses should be located within the urban area boundary, not outside.
- 8.2 For the proposals to be acceptable as an exception to the Local Plan, they must be supported by sufficient justification and explanation to enable such an exception to be made. Justification can only be

acceptable so long as other, similar open space interests would not be prejudiced by such a decision. In particular, the Local Planning Authority must be satisfied that, in supporting an exception to policy, a precedent would not be set that would make it difficult to defend other areas of open space within the Borough from inappropriate development.

8.3 The principal issues in this case are therefore:-

- whether the principle of the development is acceptable outside of the Urban Area Boundary
- the impact on the physical and visual character of the Strategic Gap
- the impact on the Existing Open Space and existing community/recreational facilities and associated users

Other main issues include:-

- impact on traffic conditions in the locality
- the interests of nature conservation
- the amenities of adjoining residents
- whether the risks from flooding and previous land contamination have been properly considered and addressed

8.4 Policy R/OS1 restricts development outside of the Urban Area Boundary in order to safeguard the remaining limited areas of the countryside and urban fringe. Provision for exception is only made for appropriate recreational uses and development essential to the operational requirements of public services. Whilst the principal function of the proposal is recreational, in order for the proposal to be acceptable, it must satisfy the criteria set out under Policy R/DP1 which deals with proposals within the urban area in relation to character, land contamination, residential amenity, infrastructure, car parking, crime, and flooding. The need for the development must also be demonstrated together with reasons why the development cannot be located within the urban area and why this particular site has been chosen. The developer must also demonstrate why the quantum of commercial floorspace is required to fund the educational facilities. Such exceptions must be integrated into the environment and proposals that diminish the function and the visual and physical character of the area will not be permitted. These considerations are also integral to Local Plan Policies R/CF8, which deals with built leisure facilities, and R/S2, which deals with proposals for additional leisure floorspace.

8.5 The need to improve the existing sports facilities at Bay House School and Sixth Form is acknowledged and the supporting information submitted by the developer demonstrates the need for the health and leisure club and crèche given the lack of such facilities

within the southern part of Gosport. Although Monkey Bizness, within Frater Gate, has satisfied approximately 40% of the demand for children's adventure play facilities within Gosport, it is located in the northern part of the Borough and users of this facility mainly fall within the younger age bracket due to the nature of the facilities provided. It is also noted that 60% of users of this type of facility are still travelling outside of Gosport to facilities in Fareham, Portsmouth and Southampton. The additional market research undertaken by the developer relating to the children's adventure play facilities, which has been verified by an independent assessment, demonstrates that there is a remaining demand for additional facilities of this type in the Borough and this facility will satisfy a further 39% of local demand, meaning that almost 80% of Gosport's indoor play requirement is supplied within the Borough. The proposal will also cater for slightly older children in the 12-16 age bracket therefore enhancing consumer choice as advocated in PPS6.

- 8.6 The developer has carried out a sequential test for the proposal, as a comprehensive package, and for the individual elements, as outlined in PPS6. The test concludes that there are no other sites within, or close to, the town centre, or in a suitable alternative location within the Borough, that are suitable or reasonably available. The alternative sites examined were found to be either too small, or have similar constraints to the application site, or to have poor accessibility. Whilst the former HMS Daedalus site could be acceptable for parts of the proposal, it would not be suitable for an extensive sports complex, particularly as employment is the preferred use for the site. Whilst the site is not previously developed it is in a sustainable location and close to the community it will serve in accordance with PPS1. It is also recognised that integral to this proposal is the need for the commercial development to fund the improvements to the school facilities.
- 8.7 The developer has provided financial information which has been verified by an independent assessment and demonstrates that the level of commercial development proposed does not exceed that which is necessary to fund the improvements to the school's sports facilities.
- 8.8 Policy R/OS2 of the Local Plan Review precludes development that would physically and/or visually diminish the Strategic Gap between Gosport and Lee-on-the-Solent. With the exception of the existing sports hall, which is located in the south east corner of the site, and the existing artificial pitch, the site has a distinct openness which continues visually to the north, blending with the trees within the Alver Valley and contrasting with the adjacent housing. The amended footprint of the extended sports hall building has a staggered layout which helps to reduce its overall mass and prevent obstruction of the views northwards. The external construction materials will also significantly enhance the appearance of the building. The new Health and Fitness Club, with its horizontal

emphasis and location towards the western edge of the site, and the reconfigured tennis courts and parking layout has enabled the provision of a central 'green' corridor between the two main buildings which, if carefully landscaped, will provide a strongly defined link to the trees to the north and help to soften the appearance of the buildings and reinforce the transition from urban edge to the open space of the Alver Valley. The footprint of the development will reduce the amount of open space within the Gap. However, for the above reasons, the proposal would not visually diminish the Strategic Gap to a level that is considered to be inappropriate. The implementation and future management of a landscape scheme for the site, including any means of enclosure, can be controlled by planning condition.

- 8.9 In view of the exceptional circumstances of the proposal, and the education and community benefits that will be derived, no undesirable precedent is likely to be established that would prejudice the Borough Council's ability to protect other areas of open space within Gosport. Similarly, the proposals are unlikely to have a significant impact on the strategic function of the Gap which aims to provide a distinct opening between Gosport and Lee-on-the-Solent. It is therefore considered that an exception to Policies R/OS1, R/OS2, R/CF8(i)(vi) and R/S2 (vi) can be justified. The benefits of allowing this incursion outside of the urban area boundary into the Strategic Gap can be justified as the minimal impacts are outweighed by the regeneration benefits of the proposed scheme. Moreover, emerging policy within the South East Plan advises against local landscape designations and looks to a criteria based approach which targets the features that require protection.
- 8.10 Policy R/OS4 seeks to protect areas that are important for their recreation and/or their visual amenity value. Development is only permitted on existing open space where the redevelopment of a small part of the site for recreation and/or community facilities would retain or enhance the existing facilities, provided the character and function of the remaining open space is maintained. The development of indoor and outdoor sport and recreation facilities and nursery linked to the school and the local community would meet these criteria. The proposals will significantly enhance the school's sports facilities which will also be available outside of school hours for the wider community. PPG17 states that the loss of playing fields can be justified if the proposed development is for indoor sports facilities of sufficient benefit to the development of sport to outweigh the loss of the playing field. There will be no loss of playing pitches on this site resulting from this proposal, in fact the existing pitches will be significantly improved. The character and visual appearance of the open space will also be enhanced by the external treatment of the buildings, the provision of a 'green corridor' and appropriate landscape planting. As such, the proposals comply with Policies R/OS4, R/OS5(i), R/DP1(i), R/CF5(iii) and R/CF8(ii) of the Gosport

Borough Local Plan Review. The timing of the provision of the school facilities in relation to the commercial elements of the scheme will be controlled by planning condition.

- 8.11 Within the context of transport and access, it is recognised that peak leisure activity normally takes place outside of normal am and pm traffic peaks. It is also recognised and the mix of facilities provided in close proximity to the school will provide the opportunity for linked trips and that the proposal has the potential to reduce trips out of the Borough to other facilities. The site is served by three bus services and the school has an established Travel Plan in place which will be extended to cover the new facilities. In the light of the above, and the guidance within PPG13, and the maximum car parking standards, and the additional information provided by the applicant relating to anticipated hours of use, membership numbers, peak demand/turnover rates and the future management of the car park and the accessibility of the site by non-car modes of transport, it is considered that there is sufficient capacity within the surrounding road network to accommodate the traffic generated by the development and that the proposed level of car parking is acceptable. Implementation and retention of the car parking facilities will be dealt with by planning condition.
- 8.12 There is adequate space within the site to provide the required number of motorcycle cycle parking facilities and long and short stay cycle parking facilities and the details of these facilities, including the method of securing bicycles and weather protection, will be dealt with by planning condition. Internal pedestrian and cycle links are to be provided to ensure safe movement between the facilities and access and manoeuvring for delivery vehicles is acceptable. The relocated and widened access and the inclusion of shared surface cycle/footways and widened cycle/footways on Browndown Road will improve access into the site for both car and non-car modes of transport. The widened cycle path will also improve access to the school from Browndown Road. Details of the traffic management measures and off-site highway works will be secured by planning condition. Taking into account the existing levels of use of the site, it is considered necessary for highway safety reasons that the traffic management measures and off-site highway works be completed before the commercial elements of the development are first brought into use. This will be controlled by planning condition. For the above reasons, the proposal complies with Policies R/T2, R/T3, R/T4, R/T10, R/T11, R/DP3 and the access and parking elements of Policies R/DP1, R/OS5 R/CF5 and R/CF8 of the Gosport Borough Local Plan Review.
- 8.13 Whilst the proposal will result in the loss of approximately 0.9ha of grassland, the ecological report concludes that Brent Geese feed on the northern part of the site on an infrequent and irregular basis. The re-turfing of the rugby pitches will improve the grass available for

grazing and the re-levelling will provide better visibility for the geese to observe predators. Subject to conditions controlling the implementation of the ecological management measures suggested by Natural England and included in the ecological report, and the details of the floodlighting to be installed, overall the proposals will have a net beneficial impact on the SINC as a feeding ground for Brent Geese. A report has been prepared which concludes that there are no bats roosting in the existing sports hall and that any existing foraging areas will be unaffected by the proposals. An area of protected Green-Winged Orchids located to the north of the existing Astroturf pitch will be affected by the buildings and new artificial pitch and will therefore be translocated to another part of the site with similar ground conditions. The method of translocation has been discussed with plant experts and incorporated into the recommendations in the ecological report. Details of the translocation of the Orchids and the proposed enhancement of the vegetation along the river to provide improved habitat and the implementation and future management and monitoring of these areas will be controlled by planning condition. The only trees affected by the proposals are a number of small, self-seeded Sycamores located around the derelict tennis courts which are poor specimens and not worthy of retention. The proposed landscape planting will more than compensate for their loss in terms of visual amenity and habitat. As such, the proposals comply with Policies R/OS5 (v), R/OS10, R/OS11, R/OS12, R/OS13, R/OS14 and R/DP1 (ii) of the Gosport Borough Local Plan.

- 8.14 The existing sports hall is 26 metres distant from the nearest residential properties in Shirrel Court. The extended sports hall building will be 8 metres closer to Fair Oak Court, however, the elements of the new building nearest to those properties are only single storey in height. The staggered footprint of the extended sports hall building will result in the fitness suite and gymnasium being 4 metres closer to the properties in Tower Close, however, the minimum separation distance between the building and those properties will be 30 metres. Whilst the proposal will alter the view from these properties, for the above reasons, there will be no significant loss of light or outlook. The east elevation of the fitness suite contains windows at ground floor level, but this elevation faces north-east so there is no conflict between windows and no loss of privacy. First floor balconies are restricted to the southern and western elevations of the health and fitness centre located on the western side of the site adjacent to the river. There is sufficient planting along the river and sufficient separation distance to prevent overlooking of the caravan site. The children's indoor activity area is encased on three sides, located centrally within the building and accessed from the western elevation. The external play area attached to the nursery will be in use during the day, but is enclosed by a fence and is over 60 metres away from the nearest residential properties. Modern floodlighting will be used which focuses the light

on the ground and resulting levels of light have been assessed and are within acceptable limits. Conditions will be used to control the hours of use of the commercial activities and the floodlighting within the site to protect the amenity of nearby residents. The parking area is shielded by buildings and the landscape planting and grass bund around the artificial pitch will help to buffer any noise emanating from outdoor activities on the site. Details and the implementation of a noise attenuation scheme for the buildings and a scheme for the ventilation/filtration of odours generated by the restaurant within the health and fitness club will be controlled by condition. For the above reasons, and given the existing unrestricted use of the field by the school, the proposal would not have a harmful affect on the amenities of nearby residents in compliance with Policies R/DP1 (iv), R/ENV10, R/ENV11, R/ENV12, R/OS5 (ii) and R/CF8 (iii) of the Gosport Borough Council Local Plan Review.

- 8.15 The concerns of local residents regarding the results of the site investigation are understood. However, sufficient information has been provided by the developer to demonstrate that the risks from the existing land contamination have been identified and that adequate measures can and will be put in place to protect human health and controlled waters both during the construction phase and occupation. The further investigative work required and implementation of appropriate mitigation measures will be controlled by planning condition. As such the proposal accords with Policies R/ENV2, R/ENV5, and R/DP1 of the Gosport Borough Local Plan Review.
- 8.16 The aims of planning policy on flood risk are two fold: to ensure that more vulnerable types of development are located in areas less susceptible to tidal and fluvial flooding; and to use the opportunities afforded by redevelopment to reduce the causes and impacts of flooding, principally through incorporating sustainable urban drainage systems and using green infrastructure for water storage within the ecosystem. A narrow section of the application site, along the river, is located within Flood Zone 3, where there is a high probability of tidal and fluvial flooding. The remainder of the site falls within Flood Zone 2, where there is a medium risk of flooding, and Flood Zone 1 which is low risk. The proposed leisure facilities are defined as a less vulnerable use within PPS25 and are as such regarded as appropriate in Flood Zone 2. The more vulnerable, nursery, use is located within an area at low risk of flooding. Measures to reduce run off which might contribute to non-tidal or fluvial flooding within the site are considered within the documentation submitted with the application. Implementation of the surface water and foul drainage for the site can be secured by condition. The Environment Agency and Southern Water have agreed this approach. As such, the proposal complies with the requirements of Policy R/ENV1, R/ENV2, R/ENV4 and R/DP1 of the Gosport Borough Local Plan Review.

- 8.17 Provision is made within the proposals to minimise energy use. The refurbished sports hall and associated facilities will have improved energy efficiency over and above that of the existing. Therefore the proposal complies with Policies R/ENV14 and R/ENV15 of the Gosport Borough Local Plan Review.

9.0 Conclusion

- 9.1 Given the current use of the land for educational use, the refurbishment and extension of the sports hall and the provision of associated educational and community facilities is considered to be acceptable within the Strategic Gap. The proposals are designed to ensure that any physical and visual diminution of the Gap is minimal. Sufficient justification has been provided to show that there is demand for the proposed commercial uses in the Borough and that the quantum of the commercial development is required to support the costs associated with the educational elements. Justification has been provided to demonstrate why the commercial elements of the development cannot be located within the urban area. There is therefore justification and evidence to suggest that an exception to Local Plan policy is made. The acknowledged planning merits and concerns have been considered and, whilst this is a finely balanced proposal, the benefits of the development outweigh the concerns and therefore the development is considered to be acceptable.

Financial Services comments:	N/A
Legal Services comments:	Tbc
Service Improvement Plan implications:	None
Corporate Plan:	N/A
Risk Assessment:	N/A
Background papers:	Application details and submitted plans and documents Pre-application enquiry P.103/096/07
Appendices	2: list of conditions; location of application site
Report author/ Lead Officer:	Debbie Gore

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 education uses hatched red on the approved plan shall be completed and made available for use before the commercial elements of the development hatched black are first brought into use.

Reason – To secure the provision of the educational and community sports facilities hereby approved and to comply with Policies R/OS1, R/DP1 and R/OS4 of the Gosport Borough Local Plan Review.

3. No development shall be commenced until details of the off-site highway works and traffic management measures necessary to secure satisfactory access to the site have been approved, in writing, by the Local Planning Authority. These measures shall include the works indicated, in principle, on plan reference LGPS/Oak/BHS/01/02 Rev A and the amendments to the existing waiting and speed restrictions on Browndown Road. No part of the commercial element of the development hatched black on the approved plan shall be brought into use until the approved off-site highway works and traffic management measures have been carried out.

Reason – In the interests of highway safety and to comply with Policies R/DP1, R/T2, R/T3, R/T4, R/T9, R/T10 and R/T11 of the Gosport Borough Local Plan Review.

4. Development shall not commence until a Construction Management Plan has been submitted to and approved, in writing, by the Local Planning Authority. The Plan must be implemented for the entire construction period.

Reason – To ensure no conflict between construction traffic and pedestrians and cyclists entering and exiting the site and travelling to and from Bay House School and Sixth Form and to comply with Policies R/DP1, R/T2 and R/T10 of the Gosport Borough Local Plan Review.

5. Development shall not commence until a scheme for the construction of the site compound has been submitted to and approved, in writing, by the Local Planning Authority. Such a scheme shall include the location of the compound and any buildings within it, the height, design and method of construction of all means of enclosure, and the height and design including details of fenestration of any portable building, provision to be made for parking of employees vehicles, the location of plant storage and provision for waste storage and disposal. The compound shall be constructed in accordance with the approved details and shall be retained until the development has been completed unless otherwise agreed in writing with the Local Planning Authority.

Reason – In the interests of the amenity of the area and to comply with Policies R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review.

6. Development shall not commence until a surface water drainage scheme for the site, based on sustainable drainage principles (SUDS) and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved, in writing, by the Local Planning Authority. The scheme shall be carried out before the development is completed and thereafter managed and maintained in accordance with the approved details. Those details shall include:

1. a timetable for its implementation, and
2. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable urban drainage scheme throughout its lifetime.

Reason - In the interests of the safety and amenity of future occupants, to prevent pollution of the water environment and to reduce the risk of erosion, flooding and ecological damage in compliance with Policies R/DP1, R/ENV2, R/ENV4 and R/ENV5 of the Gosport Borough Local Plan Review.

7. Development shall not commence until a scheme to dispose of foul drainage has been submitted to and approved, in writing, by the Local Planning Authority. The scheme shall be carried out prior to the use of the development commencing and retained thereafter.

Reason - In the interests of the safety and amenity of future occupants, to prevent pollution of the water environment and to reduce the risk of flooding and ecological damage in compliance with Policies R/DP1, R/ENV2, R/ENV4 and R/ENV5 of the Gosport Borough Local Plan Review.

8. The method of piling foundations for the development shall be carried out in accordance with a scheme to be approved, in writing, by the Local Planning Authority before the construction of the buildings is commenced.

Reason - The site is contaminated and piling could lead to the contamination of the underlying aquifer and to comply with Policies R/ENV2 and R/ENV5 of the Gosport Borough Local Plan Review.

9. Development shall not commence until an Ecological Management Plan has been submitted to and approved, in writing, by the Local Planning Authority. The Plan shall include details of the mitigation measures for Brent geese, including the fence and bund around the artificial pitch, translocation of the Green-Winged Orchids and the proposed habitat enhancement along the River Alver, together with the timescales for implementation of the works and a programme of future management and monitoring. The measures shall thereafter be carried out in accordance with the approved details.

Reason - To protect the nature conservation interests of the site and to comply with Policies R/DP1, R/OS10, R/OS11, R/OS12, R/OS13 and R/OS14 of the Gosport Borough Local Plan Review.

10. No demolition or construction works shall take place during the waterfowl over-wintering period, being from 1 October until 31 March.

Reason - To avoid disturbance to over-wintering migratory waterfowl along

the Portsmouth Harbour SPA/SSSI and to comply with Policies R/OS10 and R/OS11 of the Gosport Borough Local Plan Review.

11. No works pursuant to this permission shall commence until there has been submitted to and approved, in writing, by the Local Planning Authority:

(a) a desk top study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated Land Research Report Nos. 2 and 3 BS1175:2001; and unless otherwise agreed in writing by the Local Planning Authority,

(b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175:2001 - Investigation of Potentially Contaminated Sites - Code of Practice;

and, unless otherwise agreed in writing by the Local Planning Authority.

(c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.

Reason - To prevent pollution of the water environment and in the interests of the safety and amenity of future site occupants in compliance with Policies R/ENV2 and R/ENV5 of the Gosport Borough Local Plan Review.

12. The development hereby permitted shall not be brought into use until there has been submitted to the Local Planning Authority verification by the competent person approved under the provisions of condition 11(c) that any remediation scheme required and approved under the provision of condition 11(c) has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Unless otherwise agreed in writing by the Local Planning Authority such verification shall comprise:

a) as built drawings of the implemented scheme

b) photographs of the remediation works in progress

c) certificates demonstrating that imported and/or material left in situ is free of contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition 11(c).

Reason - To prevent pollution of the water environment and in the interests of the safety and amenity of future site occupants in compliance with Policies R/ENV2 and R/ENV5 of the Gosport Borough Local Plan Review.

13. In the event that contamination not previously identified is found when carrying out the development hereby approved an investigation and risk assessment shall be undertaken in accordance with the requirements of condition 11 and a report submitted to and approved by the Local Planning Authority in writing. Unless otherwise agreed in writing by the Local Planning Authority a remediation scheme shall be prepared in accordance with the requirements of condition 11. A verification report that demonstrates that the remediation has been carried out in accordance with the approved scheme shall be submitted to and approved by the Local Planning Authority in

writing before the development is first brought into use unless otherwise agreed in writing by the Local Planning Authority.

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land, and to controlled waters, property and ecological systems, are minimised and in the interests of the safety of construction workers, occupiers of adjacent land and off site receptors in compliance with Policies R/ENV2 and R/ENV5 of the Gosport Borough Local Plan Review.

14. Details of all external facing and roofing materials shall be submitted to and approved, in writing, by the Local Planning Authority before works on each building are commenced. The development shall thereafter be implemented in accordance with the approved details.

Reason - To ensure that the external appearance of the development is satisfactory, and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

15. Full details of the hard landscaping works shall be submitted to and approved, in writing, by the Local Planning Authority before works above ground level are commenced. The development shall thereafter be implemented in accordance with the approved details. These details shall include proposed finished levels and contours, all hard surfacing materials, boundary treatment, internal signage (including any illumination) and lighting for the parking and communal areas of the development.

Reason - In the interests of amenity and the appearance of the locality, and to comply with Policies R/DP1 and R/DP6 of the Gosport Borough Local Plan Review.

16. Notwithstanding the requirements of condition 9 above, full details of the soft landscaping works shall be submitted to and approved, in writing, by the Local Planning Authority before works above ground level are commenced. The development shall thereafter be implemented in accordance with the approved details. These details should include proposed finished levels and contours, a planting scheme showing species, numbers, densities, heights and a future maintenance scheme.

Reason - In the interests of amenity and the appearance of the locality, and to comply with Policies R/DP1 and R/DP6 of the Gosport Borough Local Plan Review.

17. The approved landscaping scheme shall be completed within the next planting season following first occupation of the development, and any trees or plants which die are removed or become seriously damaged or diseased during the first five years, shall be replaced with others of identical species (or as may otherwise be agreed in writing with the Local Planning Authority) during the next planting season.

Reason - In the interests of amenity and the appearance of the locality, and to comply with Policies R/DP1 and R/DP6 of the Gosport Borough Local Plan Review.

18. Before the development hereby permitted is first brought into use cycle

storage facilities shall be provided in accordance with a detailed scheme to be submitted to and approved, in writing, by the Local Planning Authority. The cycle storage facilities shall be retained and remain available for use by all operators within the development at all times.

Reason - In order to ensure that adequate cycle storage is provided and retained in compliance with Policy R/T11 of the Gosport Borough Local Plan Review.

19. Before the development hereby permitted is first brought into use the areas shown on the approved plan for the parking, loading and unloading of vehicles shall have been made available, surfaced, and marked out, and these areas shall be retained and remain available for use by all operators within the development at all times.

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

20. Before the development hereby permitted is first brought into use facilities for the parking of motorcycles shall be provided in accordance with a scheme to be submitted to and approved, in writing, by the Local Planning Authority. The motorcycle parking facilities shall be retained and remain available for use by all operators within the development at all times.

Reason - In the interests of highway safety and to ensure adequate motor cycle parking is provided and retained, and to comply with Policy R/T11 of the Gosport Borough Local Plan Review.

21. Before the development hereby permitted is first brought into use facilities for the storage of refuse for removal from the premises shall be provided and thereafter retained in accordance with a scheme to be submitted to, and approved by, the Local Planning Authority.

Reason - In order to protect the amenities of the area, and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

22. Details of a ventilation/filtration scheme for the health and fitness centre, children's adventure play area and nursery, shall be submitted to and approved, in writing, by the Local Planning Authority before works on each building are commenced. The approved schemes shall thereafter be installed in accordance with the approved details before each respective building is first brought into use and retained thereafter.

Reason - To protect the amenities of surrounding properties, and to comply with Policies R/DP1 and R/ENV12 of the Gosport Borough Local Plan Review.

23. Details of the floodlighting to be installed, including cowls, or other attenuation measures to ensure that the lux levels accord with levels shown on the approved plan, shall be submitted to and approved, in writing, by the Local Planning Authority before any such installation is carried out. The floodlighting shall thereafter be installed and maintained in accordance with the approved details.

Reason - In order to protect the amenities of the area, and to comply with Policy R/ENV11 of the Gosport Borough Local Plan Review.

24. The floodlighting approved under condition 23 above shall not be illuminated between the hours of 10.15pm and 9.00am unless otherwise agreed by the Local Planning Authority, in writing.

Reason - To control light pollution and to protect the amenities of the area in accordance with Policies R/DP1 and R/ENV11 of the Gosport Borough Local Plan Review.

25. A scheme shall be submitted to and approved, in writing, by the Local Planning Authority which specifies the provisions to be made for the control of noise emanating from each building within the site. The approved scheme shall be implemented before each related part of the building is first brought into use and thereafter retained.

Reason - To secure the reduction in the level of noise emanating from the site and to protect the amenities of the occupiers of nearby premises, and to comply with Policies R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review.

26. The building and open area marked 'A'- 'A'- 'A'- 'A' (nursery) on the approved plan shall not be open to customers before 7.30am or after 6.30pm on weekdays, nor at any time on Saturdays, Sundays, Bank Holidays or Public Holidays.

Reason - In order to protect the amenities of the area and to comply with Policies R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review.

27. The building marked 'B'- 'B'- 'B'- 'B' (children's adventure play area) on the approved plan shall not be open to customers before 9am or after 10.30pm on weekdays or Saturdays, or before 10am or after 9pm on Sundays, Bank Holidays or Public Holidays.

Reason - In order to protect the amenities of the area and to comply with Policies R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review.

28. The building marked 'C'- 'C'- 'C'- 'C' (health and fitness centre) on the approved plan shall not be open to customers before 7am or after 11pm on weekdays or Saturdays, or before 8am or after 10pm on Sundays, Bank Holidays or Public Holidays.

Reason - In order to protect the amenities of the area and to comply with Policies R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review.

26. The tennis courts and associated external areas marked 'D'- 'D'- 'D'- 'D' and 'E'- 'E'- 'E'- 'E' on the approved plan shall not be open to customers before 8am or after 10pm on weekdays or Saturdays, or before 9am and after 9pm on Sundays, Bank Holidays or Public Holidays.

Reason - In order to protect the amenities of the area and to comply with Policies R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review.

27. No deliveries shall be taken at the site before 7.30am or after 9pm on weekdays or Saturdays, nor at any time on Sundays, Bank Holidays or Public Holidays.

Reason - In order to protect the amenities of the area and to comply with

Policies R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review.

28. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), no additional structures, walls, fences or other means of enclosure shall be erected within the landscape corridor hatched green on the approved plan, other than those approved pursuant to conditions 9 and 15 above, without the prior consent in writing of the Local Planning Authority.

Reason - In order to protect the open character of the site and to comply with Policies R/DP1, R/OS1, R/OS2 and R/OS4 of the Gosport Borough Local Plan Review.

29. The trees and hedges on the site which are to be retained shall be protected during building operations by strict compliance with the Local Planning Authority's "Code of Practice relating to the Protection of Trees on Building Sites" (copy enclosed).

Reason - To ensure the enhancement of the development by the retention of natural features, and to comply with Policies R/DP1 and R/DP8 of the Gosport Borough Local Plan Review.

GOSPORT BOROUGH COUNCIL – REGULATORY BOARD

21st April 2009

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.

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03.	11-17	K12345/73	Plot 2B, Regent Trade Park Barwell Lane Gosport Hampshire	Grant Permission
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ITEM NUMBER: 01.
APPLICATION NUMBER: K3113/1
APPLICANT: Ms Jeanette Hope
DATE REGISTERED: 22.01.2009

DEMOLITION OF EXISTING SINGLE STOREY SHOP UNIT AND ERECTION OF AN ENLARGED GROUND FLOOR SHOP UNIT (CLASS A1) WITH 2NO.2 BEDROOMED FLATS AT FIRST FLOOR (as amended by email dated 27.02.09)
68A Brewers Lane Gosport Hampshire PO13 0LA

The Site and the proposal

The application site is located on the north side of Brewers Lane within the Urban Area Boundary and the Brewers Lane Neighbourhood Shopping Centre. The existing shop, Bridge News, is a flat roofed single storey end of terrace brick built unit located at the western end of a parade of four other commercial units constructed in the early 1950's. The four adjoining units are two storey in height with flats above. They are constructed in red brick under a red concrete tiled hipped roof. Three of the flats have roof lights within the front elevation of the roof slope. There is a landing window in the first floor side elevation of the flat at 68 Brewers Lane facing the application site. There is a private tarmac access road in front of the parade of shops with an in/out arrangement that provides car parking for occupiers and visitors to the centre. There are lay-bys on the north side of Brewers Lane on both sides of the shopping parade. There is further car parking available on the southern side of Brewers Lane in a service road running parallel to the main road.

There is presently a private vehicular right of way to the western side of the shop unit which forms part of the application site. It serves a total of four garages/stores located to the rear of the commercial units. Two of the single storey garages which are constructed in red blocks also form part of the application site. The surface areas around these garages/stores comprise concrete and unkempt grass. There is a pair of lockable double gates set back along the side to the shop unit across the access. To the north of the application site there is a school playing field.

To the west of the application site there is a Library. This comprises an octagonal single storey building constructed in yellow brickwork with a shallow pitched roof. It has to its north east corner a two storey element with a mono-pitched roof set at an oblique angle to the application site. The first floor contains a two bedroom flat 74a Brewers Lane. The front elevation to the flat is between approximately 1.5 and 6 metres away from the application site boundary. This flat has two bedroom windows in its front elevation, two lounge windows in the rear elevation, kitchen and bathroom windows in the north east side elevation and a bedroom and landing window in the south west side elevation. There is a small grassed garden area to the north east of the building bounded by garages located to the east and security fencing and landscaping to the adjacent school playing field to the north. Along the west boundary to the front part of the application site there is a 2 metre high brick boundary wall containing railings and soft landscaping and the Library car park.

It is proposed to demolish the existing single storey shop unit and construct a new larger unit separated from the adjacent parade of shops by a 2.5 metre wide vehicular access. A half brick skin wall will be built adjacent to the existing wall of the Chinese Takeaway to cover the internal wall finish once the existing single storey part is demolished. Two garages located on the western boundary to the site are also to be demolished. The new building is to contain a ground floor shop with a full height aluminium shopfront with 2 two bedroom flats at first floor level accessed from a door located in the east side elevation via a staircase and common landing. The two storey building is to be constructed in face brickwork with a tile or slate hipped roof with a flat top. The building is to be aligned with the fronts of the adjoining shops and built along the western site boundary. The side elevation to the Library and 74a Brewers Lane is to contain no windows but there will be blind window features at first floor level with reconstituted stone cills to provide some articulation and interest within the design. At first floor level on the front elevation there are to be two box bay windows with gables above. The east elevation is to contain a set of double doors for an internal

storage area for the shop with a kitchen window at first floor level. The rear elevation is to have doors to a cycle store and bin store to serve the first floor flats. There are to be windows in the first floor rear elevation facing the school playing field. In addition there are to be Velux roof lights in the side roof slopes to serve rooms in the flats. At the rear of the building adjacent to the northern site boundary there are to be two visitor cycle hoops, a secure covered cycle store for the shop and a bin store for the commercial bins. The hardstand at the front of the building and access way is to be surfaced in tarmac. There will be a new set of double metal security gates located at the side of the building beyond the entrance door to the flats. Three car parking spaces are to be marked out with white lining in front of the building. There is also to be a further cycle hoop at the front of the site for visitors to use along with space to put out the domestic refuse and recycling bins for collection.

Relevant Planning History

none

Relevant Policies

Gosport Borough Local Plan Review, 2006:

R/DP3

Provision of Infrastructure, Services and Facilities

R/DP1

General Standards of Development within the Urban Area

R/S4

Local and Neighbourhood Centres

R/S7

Use of Upper Floors

R/H4

Housing Densities

R/T4

Off-site Transport Infrastructure

R/T11

Access and Parking

R/OS8

Recreational Space for New Residential Developments

R/OS13

Protection of Habitats Supporting Protected Species

Consultations

Environmental Health (Commercial)	Cooking fumes from the adjacent take away will be sufficiently dispersed so as not to cause a nuisance to the proposed development.
Building Control	Access for Fire Brigade satisfactory.
Streetscene (Waste & Cleansing)	Each flat requires 1x240 litre domestic and 1x240 litre recycling bin to be placed out adjacent to highway for collection. Adequate storage space for bins.
Local Highway Authority	No objection subject to transport contributions and visitor cycle parking to the relevant standard.

Response to Public Advertisement

4 letters of objection to original proposal

Issues raised:-

- Expansion of shop will interfere with rights of access to other shops and flats and garages at the rear of the site
- If the shop sells alcohol it will increase trouble in the area, congregation of youths and vandalism
- Impact on existing car parking facilities
- Loss of light to adjoining flats and gardens
- Loss of outlook
- Impact on property values
- Application forms indicate trading hours will be cut thereby running down the business and possible future conversion to a further flat
- Gate on the access should be retained for security purposes

2 letters of objection to amended proposal

Issues raised:-

- Previous concerns have not been addressed
- Loss of light to adjoining flats and gardens
- Loss of outlook
- Welcomes the introduction of new security gates
- Access to adjacent garage will be obstructed
- Additional parking space will impact on highway safety
- Wish opportunity to present deputation when the application is considered by the Regulatory Board

Principal Issues

1. The application site is located within the Urban Area Boundary and consequently the principle of this form of development is acceptable provided the details accord with the criteria outlined in Policy R/DP1 of the Gosport Borough Local Plan Review. The applicant has confirmed that it is not intended to reduce the current trading hours of the premises. The submitted plans show a new set of security gates to be provided thereby maintaining the current situation. The issue of any current detailed access rights are private legal matters between the parties involved. However, the proposal does maintain access to the rear of the site and adjoining properties. The possible sale of alcohol from the proposed new premises is something that is considered by the Licensing Authority. The possible impact on property values is not a material consideration for the Local Planning Authority. The biodiversity checklist reveals the site to be within 100 metres of the siting of a bat which is a protected species. However, the applicant has inspected the premises and there are no perforations in the flat roof and in the time of owning the property no bats have been seen in the locality. The applicant is also aware of the obligations under the Wildlife and Countryside Act 1981 as amended by the Countryside and Rights of Way Act 2000 and has undertaken to open up the building in a careful and considerate manner and report immediately any evidence of bats or other protected species requiring notification. As such the proposal complies with Policy R/OS13 of the Gosport Borough Local Plan Review. Therefore the main issues in this case are the acceptability of additional retail floorspace in this location, the density of the residential development, the detailed design of the proposed building within the overall street scene, the impact on the amenities of nearby and prospective residents, and highway safety and the provision of transport infrastructure, car and cycle parking, refuse storage and open space.

2. The proposal will increase the existing Class A1 retail floor space from approximately 50 to 140 square metres within an existing Neighbourhood Shopping Centre and as such this will help strengthen the role of the centre and complies with Policy R/S4 of the Gosport Borough Local Plan Review.

3. The provision of two residential units on the site will result in a residential density of approximately 50 dwellings per hectare (dph). This density of development would be within the suggested 30 to 50 dph range advocated by Policy R/H4. In addition the idea of living above the shop is common in such areas and the flats will have their own separate access. Adequate access is also provided to the ground floor retail unit and its store. The design utilizing face brickwork

under a hipped roof of similar height to the neighbouring shops is appropriate in design terms and will be acceptable within the overall street scene. The detailing to the building also adds visual interest. Therefore the proposal complies with Policies R/DP1, R/H4 and R/S7 of the Gosport Borough Local Plan Review.

4. As there are no windows proposed in the south west side wall of the building there is no potential overlooking or loss of privacy for the occupier of the flat at 74a Brewers Lane. Given the proposed kitchen window in the north east side elevation is to serve a non-habitable room and it will not be located opposite the landing window serving the flat at number 68 there will be no loss of privacy for prospective or existing occupiers. The building is located at an oblique angle to the front elevation serving number 74a and whilst it will result in a loss of light to the front bedroom this will be early in the day. In addition the bedroom has two windows and as such the outlook will not be fully obscured. The relatively small neighbouring gardens are located to the north of the buildings to which they serve and do not appear to be used to any great extent. Given the orientation of the proposed building there will be no significant loss of light to these areas as a result of this development. As such the proposal complies with Policy R/DP1 of the Gosport Borough Local Plan Review and will not be detrimental to the amenities of adjoining residents.

5. The proposed flats will have no useable amenity space but this is not uncommon in such commercial areas and is a consideration for future occupiers. The site provides adequate space in the form of storage facilities for refuse for both residents and the commercial unit.

6. The proposal includes three parking spaces to be provided on site without obstructing the access to the adjoining public highway. This provision is considered acceptable for the size of the dwellings having regard to average car ownership within this Ward. Provision for secure long stay cycle parking and short stay visitor cycle parking has been made on the site for both the commercial and residential uses to meet minimum requirements. The proposal therefore complies with 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 additional retail floorspace and two units of accommodation. Without this obligation the proposal is unacceptable.

RECOMMENDATION: Grant Permission

Subject to Section 106 agreement relating to

1. The payment of a commuted sum towards the provision and/or improvement of outdoor playing space.
2. The payment of a commuted sum towards transport infrastructure, services and facilities.

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 is acceptable in this location and will help to strengthen the role of this Neighbourhood Shopping Centre. The detailed design of the proposed building within the overall street scene is appropriate and acceptable. The proposal will improve the appearance of the area and will not have a detrimental impact on the amenities of neighbouring residents or prospective occupiers. Adequate provision is made for open space, transport infrastructure, car and cycle parking and refuse storage. As such the development complies with Policies R/DP1, R/DP3, R/S4, R/S7, R/H4, R/T4, R/T11, R/OS8 and R/OS13 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. Details, including samples of all external facing and roofing materials shall be submitted to, and approved by, the Local Planning Authority before works above slab level are commenced. The development shall thereafter be carried out in accordance with the approved details.

Reason - To ensure that the external appearance of the development is satisfactory, and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

3. The development hereby permitted shall not be brought into use until the areas shown on the approved plan for the parking of vehicles shall have been made available, surfaced, and marked out, and these areas shall be retained for that purpose at all times.

Reason - In the interests of highway safety and to ensure adequate parking is provided and retained, and to comply with Policy R/T11 of the Gosport Borough Local Plan Review.

4. The approved facilities for the storage of cycles shall be provided before the development is first brought into use and thereafter retained.

Reason - In order to ensure that adequate cycle storage is provided in compliance with Policy R/T11 of the Gosport Borough Local Plan Review.

5. The facilities hereby approved for the storage of refuse for removal from the premises shall be provided before the development is first brought into use and thereafter retained.

Reason - In order to protect the amenities of the area, and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

ITEM NUMBER: 02.
APPLICATION NUMBER: K9913/66
APPLICANT: Mr Perrin Towler
DATE REGISTERED: 27.02.2009

EXTENSION TO MOORING PONTOONS (10 IN NUMBER) AND PILING INCLUDING REPOSITIONING OF 1 PILE AND 4 NEW PILES WITHIN THE EXISTING FOOTPRINT OF THE MARINA AREA

Hornet Sailing Club Haslar Road Gosport Hampshire PO12 2AQ

The Site and the proposal

Hornet Sailing Club (HSC) and the Joint Services Adventure Sail Training Centre (JSASTC) share a marina and associated infrastructure in and on Ministry of Defence land, formerly the old HMS Hornet base at Haslar located on the south eastern tip of the Gosport peninsula in an area known now as Fort Blockhouse. The application site comprises an area of the marina mooring pontoons used by HSC. It is situated outside of the Urban Area Boundary and Haslar Peninsula Conservation Area and within the Coastal Zone. To the west of the site is Haslar Bridge, to the north the larger Gosport Marina and to the east Alliance submarine.

HSC and JSASTC have been in discussions with the Gosport Submarine Museum with regard to their proposals to refit and renovate the submarine Alliance. In order for this to take place changes need to be made to the HSC marina layout with boats being moved from existing berths around the submarine. The northern boundary to the marina is Fieldhouse Jetty. It is proposed to modify the existing 'I' pontoon located to the south of Fieldhouse Jetty. The revised pontoon layout will not extend beyond the existing limit of the marina. The 'I' pontoon will be partially rotated parallel to Fieldhouse Jetty and extended by 110 metres through the addition of 10 new Walcon (10m x 2m) composite wooden decked steel pontoons. One pile will need to be drawn and re-sited and four additional steel piles driven. Boats will then be moved from the existing berths around the submarine. The existing pontoon layout around the submarine will be simplified to maintain access to the marina and slipway. Once all the work is completed it is expected that an additional 18 - 20 berths for sailing yachts will have been created.

Relevant Planning History

Nil

Relevant Policies

Gosport Borough Local Plan Review, 2006:

- R/OS1
- Development Outside of the Urban Area
- R/DP1
- General Standards of Development within the Urban Area
- R/MOD1
- Development of Existing Establishments
- R/CH1
- Development within the Coastal Zone
- R/CH5
- Moorings
- R/CF8
- Provision of Built Leisure Facilities
- R/OS10
- Protection of Areas of International Conservation Importance
- R/OS11
- Protection of Areas of National Nature Conservation Importance

Consultations

Crown Estate Office	no comments received
DEFRA	no comments received
Queen's Harbour Master	Works acceptable provided Natural England has no objection.
Natural England	No objection as the proposal is not likely to have a significant effect on the interest features of the SPA/Ramsar site or SSSI; condition that vibro piling be used.
Environment Agency (Hants & IOW)	No objection to the proposed development subject to the imposition of a condition requiring vibro piling methods to be used.

Response to Public Advertisement

Nil

Principal Issues

1. The application site is outside of the Urban Area boundary and falls within the Coastal Zone, as defined by the Gosport Borough Local Plan Review. The site is also adjacent to Portsmouth Harbour Site of Special Scientific Interest, Special Protection Area and Ramsar site. Given that the proposals are related to the existing recreational use of the site, the principle of the proposal is acceptable within the context of Policies R/OS1 and R/CH1 of the Local Plan Review. However, this exception to the normal constraint for development outside of the Urban Area Boundary requires the proposal to meet the normal development control criteria set out in Policy R/DP1 of the Local Plan Review. Policy R/CH5 of the Local Plan Review also allows for the provision of additional pontoons as part of the re-organisation and consolidation of existing established mooring areas provided certain criteria are met. The main issues in this case are therefore the effects of the proposals on the visual amenities of the area, the wider open character and appearance of the coast, with specific reference to landward and seaward views, and the nature conservation interests of Portsmouth Harbour.

2. The ten new pontoons and piles will be minor additions to this established marina area and match the design of the existing pontoons. Furthermore the works will not extend beyond the limit of the existing marina area and as such the proposals will not be harmful to the visual amenities of the locality, or to landward or seaward views, or the wider character or appearance of the coast.

3. Natural England have been in discussions with the applicant and have no objections to the proposal provided a non-percussive method of piling is used. This matter is covered by condition. As such this proposal will not be detrimental to the interests of nature conservation.

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 proposal is related to the existing recreational

use of the site and therefore acceptable outside the Urban Area Boundary and will not be detrimental to landward or seaward views, or the visual amenities of the area, or the wider character and appearance of the coast, or the interests of nature conservation. As such, the development complies with Policies R/OS1, R/DP1, R/MOD1, R/CH1, R/CH5, R/CF8, R/OS10 and R/OS11 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. No piling shall be carried out other than by a non-percussive method such as vibro-piling.

Reason - To avoid disturbance to over wintering migratory waterfowl and migrating salmon and to comply with Policies R/CH1, R/OS10 and R/OS11 of the Gosport Borough Local Plan Review.

ITEM NUMBER: 03.
APPLICATION NUMBER: K12345/73
APPLICANT: Mr Daniel Rubin
DATE REGISTERED: 18.03.2009

ERECTION OF TWO STOREY INDUSTRIAL UNIT (CLASS B2 & B8) WITH ASSOCIATED PARKING AND ACCESS (as amended by plans received 18.03.09 and revised Transport Assessment received 16.03.09)
Plot 2B, Regent Trade Park Barwell Lane Gosport Hampshire

The Site and the proposal

The application site comprises a small area of land measuring approximately 80 metres x 40 metres within the larger site formerly occupied by Cyanamid. The site is on the southern side of Lederle Lane adjacent to the roundabout with Barwell Lane. Lederle Lane provides the main access road to the site from the A32 (Fareham Road) where there is a traffic light controlled junction. The site is relatively flat but slopes down at its northern edge towards Lederle Lane. The road surface is therefore approximately 2 metres lower than at the centre of the site. The land was formerly used for car parking but also included some small scale fermentation plant. A disused oil tank stands in the south eastern corner of the site. Access to this piece of land is currently via an existing dropped kerb on Lederle Lane.

To the north of the site and on the opposite side of Lederle Lane is the unit occupied by Seldon Masts which comprises a silver grey industrial building with a large open storage area adjacent to the road frontage. Immediately to the east of this site is a large area of land occupied by Sentry Self Storage, currently used for the storage of large containers. The unit to the north west of Seldon Masts is occupied by Wyeth, beyond which is Fareham Creek, part of the upper reaches of Portsmouth Harbour. The unit immediately to the east of the application site is currently vacant, having recently had planning permission refused for the erection of a plant for the production and supply of ready mixed concrete. Adjacent to the southern boundary of the site and separated by security fencing, is the staff car parking area for Tyco Health Care, a large factory unit that extends north towards Fareham Road.

The applicant proposes to erect a single industrial building with a total floor area of 1521 square metres to be used under Use Classes B2 (General Industry) and B8 (Storage and Distribution). A mezzanine equivalent to 20% of the floor area is to be provided for office and storage space. The proposed building will measure 34 metres x 35.8 metres and will be 8 metres high to the ridge of a shallow pitched roof. The building will be constructed from a combination of buff brick and mini rib cladding. A large roller shutter door in the western elevation will provide the principal entrance and there will be a total of 18 velux windows in both roofslopes.

Amended plans have been submitted altering the proposed parking and access arrangement in order to facilitate more convenient manoeuvring for larger articulated vehicles. The revised layout has resulted in the provision of 26 car parking spaces, including 4 disabled drivers bays. Space has been allocated for motor cycle parking and refuse storage and facilities are provided for the secure storage of 10 bicycles. The proposal will create two new vehicular entrances into the site, one from Lederle Lane and one from Barwell Lane. Two existing light columns will require relocating in order to facilitate this proposed access arrangement.

The premises will be open from 0700-1900 Monday - Friday and 0700-1400 on Saturdays. The applicant has indicated that 50% of the floorspace will be used for purposes falling within Use Class B2 with the remaining 50% used for storage and distribution under Use Class B8.

The applicant has submitted a Transport Assessment in support of the application that indicates that the proposed development will result in a total of 29 vehicular movements per day, including 3 by LGV.

Relevant Planning History

The industrial site at Lederle Lane was previously occupied by Cyanamid for a variety of manufacturing and office uses. In 2004 K.12345/68 was granted for a mix of B1, B2 and B8 uses. Subsequently, there have been a number of applications for industrial buildings throughout the site.

Relevant Policies

Gosport Borough Local Plan Review, 2006:

- R/DP6
- Landscape Design
- R/DP1
- General Standards of Development within the Urban Area
- R/DP3
- Provision of Infrastructure, Services and Facilities
- R/T2
- New Development
- R/T3
- Internal Layout of Sites
- R/T11
- Access and Parking
- R/T4
- Off-site Transport Infrastructure
- R/CH1
- Development within the Coastal Zone
- R/OS10
- Protection of Areas of International Conservation Importance
- R/OS11
- Protection of Areas of National Nature Conservation Importance
- R/ENV2
- River and Groundwater Protection
- R/ENV4
- Treatment of Foul Sewage and Disposal of Surface Water
- R/ENV5
- Contaminated Land
- R/ENV14
- Energy Conservation
- R/ENV15
- Renewable Energy
- R/OS12
- Locally Designated Areas of Nature Conservation Importance
- R/EMP1
- Allocation of Land for Employment
- R/EMP7
- Low Employment Generating Uses
- R/EMP3
- Protection of Existing Employment Sites from Inappropriate Development
- R/OS13
- Protection of Habitats Supporting Protected Species

Consultations

Local Highway Authority

No objection
Signs should be erected at the exits of the site to warn drivers that access to the A32 is via Lederle Lane only.

Defence Estates	no safeguarding objection
Natural England	No objection. The proposal is unlikely to have a significant effect on the SPA/ Ramsar site, subject to a condition requiring no works to take place during the waterfowl over wintering period.
Environment Agency (Hants & IOW)	No objection subject to conditions
Southern Water	no objection
Building Control	access for fire brigade is acceptable.
Economic Prosperity	The proposal offers the potential to provide between 10-25 new employment opportunities, depending on usage and possible subdivision of the unit. There should be no conflict with adjacent uses and the scheme brings a brownfield site back into use in an area allocated for employment use.
Environmental Health (Pollution & Environment)	No objection It would seem that the only thing found on the site by the supplementary works was some severely degraded asbestos board and the report details that there will need to be measures in place to deal with any more that may be found during construction. This is a sensible precaution. There will not be a significant chronic risk to human health.

Response to Public Advertisement

nil

Principal Issues

1. The proposed development is located within the Urban Area Boundary on a site that is within an existing industrial land allocation on the Local Plan Review Proposals Map and where permission has recently been granted for subdivision into multiple units for B1, B2 and B8 uses. The provision of a building to be used under Classes B2 and B8 of the Use Classes Order is therefore acceptable in principle, providing the details accord with the aims and objectives of Policy R/DP1 of the Local Plan Review.

2. The combination of both brickwork and cladding, and the inclusion of a dark panel below the eaves helps to break up the overall mass of the building and reduce its visual prominence. The building is similar in size and design to many other units within Regents Trade Park and the functional design is therefore appropriate to the industrial location. The building will be sited a significant distance from Fareham Creek and in light of the comparable built form, it will not be detrimental to the character and appearance of this important coast line location. The inclusion of soft landscaping on the perimeter of the site and adjacent to the north west corner of the building will enhance the overall appearance of the development and the details of a suitable planting scheme will be secured by a condition. In light of the above, the proposed development is acceptable in design terms and accords with Policies R/DP1, R/DP6 and R/CH1 of the Gosport Borough Local Plan Review.

3. The provision of 26 car parking spaces and 10 secure bicycle parking spaces complies with the standards set out within Table 2, Appendix E of the Local Plan Review. The spaces are appropriately located and can be accessed in a safe and convenient manner. The main access to the site via Lederle Lane from Fareham Road is suitable for industrial traffic and there are no conditions on the overall planning permission for this industrial estate restricting the number of vehicular movements. Furthermore, the site is located in a highly accessible location, adjacent to the A32, the Borough's main transportation corridor with good links to public transport and the surrounding road network. Therefore, it is only the access onto the site from the estate road itself that needs to be considered with regard to highway and pedestrian safety. The proposed access points afford an appropriate level of intervisibility between vehicles exiting the site and all other users of the public highway and are sited a sufficient distance from the adjacent roundabout so as not to compromise highway safety. In compliance with Conditions 1 and 2 of application K.12345/68 vehicles are only able to gain access onto the A32 via Lederle Lane, and not Barwell Lane. For the avoidance of doubt and in the interests of highway safety therefore, appropriate traffic signage should be erected at the exits to forewarn drivers that they should leave the site via Lederle Lane only. The details of the siting, design and content of these signs will be secured by condition. Amended plans have been submitted revising the internal layout of the site, improving access and manoeuvrability for larger articulated vehicles. No provision has been made for visitor cycle parking. However, there is ample room within the site to provide the requisite number of bicycle stands and the details these facilities can be secured by condition. The proposed development will not compromise the everyday operations of adjoining premises and in light of the above, complies with Policies R/T2, R/T3 and R/T11 of the Local Plan Review.

4. Policies R/EMP1, R/EMP3 and R/EMP7 of the Gosport Borough Local Plan Review acknowledge the importance of employment generating uses and require that the use of land is maximised for that purpose. A fundamental aim of these policies is to generate additional jobs for Gosport residents, thereby reducing the need for residents to commute out of the Borough. The proposed development will bring a vacant brownfield site back into use, with an employment density comparable to other units within the industrial estate. It will enhance the economic vitality and viability of the site and will not result in the percentage of non Class B1 and B2 floorspace within the estate falling below the 40% threshold, as required under condition 10 of the original planning permission, K.12345/68. Although there are no restrictions on the planning permission for this industrial site for hours of operation, the proposed opening times are similar to other establishments within the estate. In light of the above, the development complies with the aims and objectives of Policies R/EMP1, R/EMP3 and R/EMP7 of the Local Plan Review.

5. The site is located near to the Portsmouth Harbour Special Protection Area (SPA) and Ramsar site, both of which are designations of international importance to nature conservation. Having sought the guidance of Natural England as an expert authority on these matters, it is found that proposed works will not have a significant effect provided that conditions are attached to minimise disturbance to over-wintering waders and waterfowl. Natural England has also confirmed that the development is unlikely to adversely affect the Portsmouth Harbour Site of Special Scientific Interest (SSSI). Whilst the Site of Importance for Nature Conservation (SINC) at Fleetlands is a feeding ground for Brent Geese, in view of the existing level of activity on the estate and the permitted use of the application site for general industry, the additional impact of the proposed building is not considered to be significant. The proposal therefore complies with Policies R/OS10, R/OS11 and R/OS12 of the Gosport Borough Local Plan Review.

6. Due to the previous use of the land there is a risk of contamination. A desk top study and site investigation report were submitted with the application and the Environment Agency have confirmed that they do not consider that the proposed development will contaminate the local hydrological system or harm controlled water resources through surface run-off. Subject to the inclusion of conditions requiring the submission of a scheme for the discharge of surface water (including a programme for the implementation of this work) and a remediation strategy detailing how unsuspected contamination shall be dealt with, the proposal is acceptable in environmental terms and complies with Policies R/ENV2, R/ENV4, R/ENV5, R/OS11 and R/OS12 of the Local Plan Review.

7. The proposed building will incorporate a number of features designed to promote energy efficiency, reduce water consumption and make best use of renewable energy. The proposal therefore complies with the aims and objectives of Policies R/ENV14 and R/ENV15 of the Gosport Borough Local Plan Review.

8. The applicant has confirmed a willingness to enter a planning obligation under Section 106 relating to the payment of a commuted sum towards transport and highway improvements, in accordance with Policies R/DP3 and R/T4 of the Gosport Borough Local Plan Review. Without this obligation the proposal is unacceptable.

RECOMMENDATION: Grant Permission

Subject to Section 106 agreement relating to

1. The payment of a commuted sum towards the transport infrastructure, services and facilities.

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 development is acceptable in this location, will provide additional employment opportunities and will not have an adverse impact on nature conservation interests, controlled waters, biodiversity, the character and appearance of the area or highway and pedestrian safety. Appropriate facilities are available for vehicular and bicycle parking and refuse storage. Provisions have been made for highway and infrastructure improvements and the proposal therefore complies with Policies R/DP1, R/DP6, R/DP3, R/EMP1, R/EMP3, R/EMP7, R/CH1, R/T2, R/T3, R/T4, R/T11, R/OS10, R/OS11, R/OS12, R/OS13, R/ENV2, R/ENV3, R/ENV4, R/ENV5, R/ENV14 and R/ENV15 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).

1. The payment of a commuted sum towards the transport infrastructure, services and facilities.

2. The development hereby approved shall commence until details of the surface water drainage have been submitted and approved in writing by the Local Planning Authority. Such details should include provision for all surface water drainage from parking areas of hardstanding to be passed through trapped gullies with an overall capacity compatible with the site being drained.

Reason - To prevent pollution as the site is in close proximity to Portsmouth Harbour, a designated Controlled Water, Spa/Ramsar Site and SSSI as well as being important shellfish water and to comply with Policies R/OS10, R/OS11, R/OS12, R/OS13, R/ENV2 and R/ENV4 of the Gosport Borough Local Plan Review.

3. If during development, contamination not previously identified, is found to be present at the site then no further development, unless otherwise agreed in writing with the Local Planning Authority, shall be carried out until the developer has submitted and obtained written approval from the Local Planning Authority for an addendum to the desk top study and site investigation. This addendum must detail how this unsuspected contamination shall be dealt with.

Reason - To prevent pollution of the water environment and in the interests of the safety and amenity of future users of the site in compliance with Policies R/ENV2, R/ENV4, R/ENV5, R/OS10, R/OS11 and R/OS13 of the Gosport Borough Local Plan Review.

4. No demolition or construction works shall take place during the waterfowl over wintering period, being from 1 October until 31 March.

Reason - To avoid disturbance to over wintering migratory waterfowl along the Portsmouth Harbour SPA/SSSI and to comply with Policies R/OS10 and R/OS11 of the Gosport Borough Local Plan Review.

5. Details of all external facing and roofing materials shall be submitted to, and approved by, the Local Planning Authority before works above slab level are commenced.

Reason - To ensure that the external appearance of the building is acceptable, and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

6. Details of facilities to be provided for secure and visitor cycle parking shall be submitted to, and approved by, the Local Planning Authority, and made available for that purpose before the development hereby permitted is first brought into use.

Reason - To ensure that adequate facilities are made available for secure and visitor cycle parking, and to comply with Policy R/T11 of the Gosport Borough Local Plan Review.

7. Details of facilities to be provided for the storage and removal of refuse from the site shall be submitted to, and approved by, the Local Planning Authority, and made available for that purpose before the development hereby permitted is first brought into use.

Reason - In order to protect the amenities of the area, and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

8. Details of a landscaping scheme including the size/densities of tree/shrubs, the phasing of timing of planting, and provision for its maintenance during the first five years from the date of planting, together with the materials to be used for the areas of hard surfacing shall be submitted to, and approved by, the Local Planning Authority before any works commence.

Reason - In the interest of amenity and the appearance of the locality, and to comply with Policies R/DP1 and R/DP6 of the Gosport Borough Local Plan Review.

9. The landscaping scheme required in accordance with Condition 8 above shall be completed within six months from the commencement of the use of the permitted building, and any trees or plants which die are removed or become seriously damaged or diseased during the first five years, shall be replaced with others of identical species (or as may otherwise be agreed in writing with the Local Planning Authority) during the next planting season.

Reason - In the interest of amenity and the appearance of the locality, and to comply with Policies R/DP1 and R/DP6 of the Gosport Borough Local Plan Review.

10. The development hereby permitted shall not be brought into use until the access and egress points and areas shown on the approved plan for the parking, loading and unloading of vehicles shall have been made available, surfaced and marked out, and these areas shall be retained for that purpose at all times.

Reason - In the interests of highway safety and to ensure adequate access, car parking, loading and unloading facilities are provided and retained, and to comply with Policies R/T2 and R/T11 of the Gosport Borough Local Plan Review.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), no accesses other than those shown on the approved plan shall be formed to the site.

Reason - In the interests of highway safety, and to comply with Policies R/DP1, and R/T11 of the Gosport Borough Local Plan Review.

12. Details of the traffic signage to be provided at the exits of the site warning drivers that access to the A32 is via Lederle Lane only shall be submitted to, and approved by, the Local Planning Authority, and provided before the development hereby approved is first brought into use.

Reason - In the interests of highway safety and to comply with Policies R/DP1 and R/T11 of the Gosport Borough Local Plan Review.

13. No goods, plant or material shall be deposited or stored in the open or displayed for sale in the open without the prior consent in writing of the Local Planning Authority.

Reason - In order to protect the amenities of the area, and to comply with Policies R/DP1, R/EMP5 and R/EMP6 of the Gosport Borough Local Plan Review.

ITEM NUMBER: 04.
APPLICATION NUMBER: K2229/7
APPLICANT: Mr Paul Millard
DATE REGISTERED: 20.01.2009

ERECTION OF TWO STOREY SIDE EXTENSION, REAR BALCONY AND PITCHED ROOFS TO EXISTING PORCH AND SINGLE STOREY SIDE EXTENSION (as amended by plans received 17.02.09)
165 Portsmouth Road Lee-On-The-Solent Hampshire PO13 9AD

The Site and the proposal

The application site is located on the south-west side of Portsmouth Road, south-east of its junction with Raynes Road and Queens Road. The house is a detached two-storey brick property set back from the road by approximately 6 metres. This set back provides parking space for 2 cars. The roof of the dwelling is pitched, with front and rear gable ends and clay tiles. To the front is a flat roofed porch and bay window. On the south-east side of the house is a single storey flat roofed garage and shed that extend the length of the dwelling and are set just over 1 metre off the side boundary. On the north-west side of the house is a single storey flat roofed extension set back from the front of the dwelling by 1.2 metres and set 1.4 metres off the side boundary. To the rear is a single storey UVPC conservatory with flat roof. It projects out 3 metres from the rear elevation of the dwelling and is 2.4 metres in height. On the south-east side elevation of the main dwelling there are four windows in the shed and a landing window at first floor. On the rear elevation at first floor is a door with windows either side. To the front of the dwelling along the south-east side boundary is a 1 metre high fence with trellising above. The boundary treatment on the south-east side continues as a 1.5 metre high brick wall along the side of the dwelling and the garden. Along the north-west side boundary is a 1.5 metre high fence which continues along the rear of the garden at the same height, with the exception of two fence panels that are 0.5 metres high. There are areas of decking in the garden that raise the ground level by approximately 20cms.

To the south-east is 163A Portsmouth Road which forms the north-west half of a pair of semi-detached dwellings. Planning permission (K4995/3) for a two storey front gable projection and single storey front extension is currently being implemented. The resulting roof form will match that on the attached dwelling, with the front elevation in line with that on neighbouring properties. To the front, the roof of the single storey extension is hipped and wraps around the building along the north-west side elevation to form a canopy over the front door that extends up to the side boundary. There is an adjacent UVPC store with a lean-to roof and single storey side and rear extension. Both these extensions extend up to the side boundary. Above the single storey side and rear extension is a balcony, with a brick wall 4 metres high on the shared boundary with the application site. This is topped by a planter and a trellis with climbing plants. On the rear elevation is a single storey conservatory and large dormer window. There is a first floor obscure glazed window in the north-west side elevation.

To the north-west is the rear garden at 3 Lakeside and the car park of the Inn by the Sea Public House. To the west are the detached properties on Lakeside. The dwelling at 3 Lakeside is situated 15 metres away from the rear of 165 Portsmouth Road, in a natural depression in the land. No windows in this property face 165 Portsmouth Road.

This section of Portsmouth Road is characterised by detached and semi-detached houses of varied designs, with the properties on the north-east side of Portsmouth Road set within larger plots than those on the south-west side. These properties are set in narrow rectangular plots, with separation distances of between 0.5 to 1.5 metres between properties.

An application was made in 2008 for the erection of a two storey side extension, rear balcony and pitched roof to the existing front porch and single storey side extensions at 165 Portsmouth Road (K.2229/6). The application was refused for the following reasons:

- The proposed two-storey side extension would close the gap between 165 and 163A Portsmouth Road and therefore result in a cramped and congested layout that would adversely affect the appearance of the area contrary to Policies R/DP1 and R/DP7 of the Gosport Borough Local Plan Review.
- The proposed balcony would result in an unacceptable level of overlooking into the small private garden of 163A Portsmouth Road to the detriment of the amenities of the occupiers of this dwelling, contrary to Policies R/DP1 and R/DP7 of the Gosport Borough Local Plan Review.

The door at first floor was inserted during 2008, before the previous application was submitted. It does not need planning permission but for safety reasons Building Regulations require a Juliet balcony or for it to access an enclosed balcony.

This application is for a two-storey side extension, rear balcony and pitched roof to the existing front porch and single storey side extensions. The two-storey extension will replace the existing garage and shed on the south-east side elevation, extending from the front of the porch to the rear of the dwelling. The main roof of the dwelling will be raised by 0.6 metres and the new roof will cover the extension and existing dwelling, with a front gable projection. The two-storey extension will have a window in the rear elevation to serve an en suite bathroom and two ground floor windows and an obscure glazed first floor window in the side elevation. To the rear will be a curved balcony above the conservatory. The curve of the balcony is orientated north-west and it will have a frameless glazed balustrade, painted steel frame and timber decking. A screen with overlapping horizontal wooden slats 3.5 metres long and 2.1 metres high is proposed along the south-east side elevation adjacent to number 163A. The main differences from the previous proposal are that the two-storey rear extension is set off the side boundary by 1 metre and the provision of a 2.1 metre high screen along the south-east edge of the balcony adjacent to 163A Portsmouth Road.

Following consultation the proposal has been amended. The ground floor utility window on the south-east elevation is to be fixed shut and obscure glazed. The window to the first floor en suite on the rear elevation will only have a top opening light and will also be obscure glazed. In addition the screening is to be extended by 0.2 metres beyond the rear edge of the balcony. Written confirmation has also been received confirming that the two-storey extension will be set 1 metre off the side boundary along its entire length.

Relevant Planning History

K2216 Outline application north-west of "Rockbourne House" permitted 01.07.55
K2229 House permitted 08.08.55
K2229/1 Amended application for front elevation of house permitted 06.09.55
K2229/2 Single storey side extension permitted 22.09.69
K2229/3 First floor side extension permitted 18.09.73
K2229/4 Installation of a bay window permitted 20.09.90
K2229/5 Erection of first floor side ext, rear balcony and replace conservatory permitted 17.11.05
K2229/6 Erection of two storey side extension, rear balcony and pitched roof to existing front porch and single storey side extension refused 01.12.08

Relevant Policies

Gosport Borough Local Plan Review, 2006:

R/DP1

General Standards of Development within the Urban Area

R/DP7

Additions, Extensions and Alterations

R/T11

Access and Parking

Consultations

Response to Public Advertisement

1 letter of objection to original plans

Issues raised:-

- balcony will cause loss of privacy and unacceptable level of overlooking into rear garden at 163A Portsmouth Road
- screening still allows line of sight from balcony into next door garden
- proximity of ground floor utility window to front door at 163A
- no details of screening submitted
- accuracy of the plans, which do not reflect the angle of the existing building relative to the boundary, the proposal would result in a narrowing of the properties at the rear to 300-400mm at gutter level

1 letter of objection to the amended plan

- balcony will cause loss of privacy and unacceptable level of overlooking into rear garden at 163A Portsmouth Road
- future owners of the property may be less considerate of neighbour's privacy.

1 letter of support

Issues raised:-

- development not detrimental to property

Principal Issues

1. The future behaviour of occupants of the property is not a planning issue, and the accuracy of the plans has been confirmed on site. Therefore, the main issues are the impact of the rear balcony, two storey side extension and pitched roofs on neighbouring properties in respect of light, outlook and privacy, the acceptability of the design, the impact on the visual amenities of the area and the provision of car parking.

2. The proposed balcony is orientated so that it has a north westerly outlook and has screening along its south-east side. Although the screen will not prevent overlooking into all of the garden of 165 Portsmouth Road, it is considered that given the orientation of the balcony, the height of the screen, the fact there is an existing landing window on the side elevation at first floor which overlooks the balcony on 163A Portsmouth Road, and the first floor door and windows on the rear elevation which allows views into the entire garden at 163A Portsmouth Road, the proposed balcony will not result in a significant loss of privacy to 163A Portsmouth Road. Moreover the screening to the balcony will prevent overlooking from the existing door and windows at first floor into the rear garden, and the existing window on the side elevation will be replaced with an obscure glazed window which will prevent overlooking of the balcony at 163A Portsmouth Road. Therefore on balance any loss of privacy will be mitigated by these alterations. Due to the topography of the land and the trees and shrubs along the rear boundary, the balcony will have no detrimental impact on the privacy of properties on Lakeside. Given the relationship of the application site to number 163A, the proposal will not result in any loss of light or outlook for occupiers of adjoining dwellings. As such, the screening overcomes the problems with overlooking of the previous application and the proposal complies with Policies R/DP1 and R/DP7 of the Gosport Borough Local Plan Review.

3. The design of the two-storey side extension is appropriate to the scale of the dwelling. The extension has been reduced in width from that previously refused and will now maintain an appropriate separation distance from the boundary to allow a sense of space about the building. The proposed roof form will match that on adjacent dwellings. As such the proposal will be in keeping with the appearance of the area. The rear balcony is not publicly visible and its design is appropriate in scale. The roofs to the single storey side extension and front porch and bay will match the roof form on the main dwelling and improve the appearance of the property. As such the

proposal is in keeping with the appearance of the area and complies with Policies R/DP1 and R/DP7 of the Gosport Borough Local Plan Review.

4. As there is space for two parked cars to the front of the dwelling, the loss of the garage will not have any detrimental impact upon parking or highway safety. As such, the proposal complies with Policy R/T11 of the Gosport Borough 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 development as proposed is acceptable in this location and as such complies with Policies R/DP1, R/DP7 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 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 first floor side elevation and the utility window on the ground floor 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. The first floor window to the en-suite on the rear elevation shall be glazed with obscure glass and shall be non opening below 1.7 metres above floor level 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.

5. The timber screening on the south-east elevation of the balcony shall be provided in accordance with the details of the application before the development is first brought into use and thereafter retained.

Reason - In order to protect the amenity of the occupiers of the adjoining properties and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

ITEM NUMBER: 05.
APPLICATION NUMBER: K17662
APPLICANT:
DATE REGISTERED: 10.03.2009

REGULATION 3 - INSTALLATION OF EXTERNAL WALL CLADDING/INSULATED RENDER SYSTEM
1,3,5,7 Southway Gosport Hampshire PO13 0XB

The Site and the proposal

The application site is located within the Urban Area Boundary on a residential estate built during the 1960's situated to the south west of Gregson Avenue. The building comprises a linked two storey block containing 4 flats overlooking a paved courtyard located at the northern end of a terrace of a 7 houses. The building is constructed in yellow brick with pebble dash rendered areas below the ground floor windows, brown tile hanging below the first floor windows under a gabled concrete tiled roof.

It is proposed to replace the existing rendered and tile hung elements to the front and rear elevations of the building with a new insulated render system that will improve the thermal efficiency of the building. The proposed colour finish is to be chosen following consultation with the occupiers and the agreement of the Local Planning Authority.

Relevant Planning History

Nil

Relevant Policies

Gosport Borough Local Plan Review, 2006:
R/DP1
General Standards of Development within the Urban Area
R/DP7
Additions, Extensions and Alterations
R/ENV14
Energy Conservation

Consultations

Nil

Response to Public Advertisement

Nil

Principal Issues

1. The main issues in this case are the acceptability of the design of the alterations and the impact they will have on the visual amenities of the area and the conservation of energy.
2. Given the age of the building and its weathered appearance, the proposed works will significantly improve the appearance of the building and the visual amenities of the locality. The improvement in thermal efficiency will result in a reduction in energy use in compliance with Policy R/ENV14 of the Gosport Borough 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 development as proposed will improve the appearance of the building and the visual amenities of the locality and reduce energy use. As such, the proposal complies with Policies R/DP1, R/DP7 and R/ENV14 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. Details of the colour finish to the external cladding/insulated render system shall be submitted to, and approved by, the Local Planning Authority before works to the external elevations of the building are commenced. The development shall thereafter be carried out in accordance with the approved details.

Reason - To ensure that the external appearance of the building is satisfactory, and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

ITEM NUMBER: 06.
APPLICATION NUMBER: K17664
APPLICANT: Gosport Borough Council
DATE REGISTERED: 10.03.2009

REGULATION 3 - INSTALLATION OF EXTERNAL WALL CLADDING/INSULATED RENDER SYSTEM
63 To 93 (odd No.s) Skipper Way Lee-On-The-Solent Hampshire PO13 9EX

The Site and the proposal

The application site is located within the Urban Area Boundary on a residential estate built during the 1960's situated to the west side of Skipper Way in Lee-on-the-Solent. The buildings comprise 3 two storey blocks containing a total of 16 flats overlooking a landscaped parking area and large open grassed area. There is a terrace of 8 two storey houses of similar age located at right angles to the south of the western staggered block of 8 flats. The buildings are constructed with brick gabled ends. The front elevations comprise full height concrete panels with red/brown brick below the ground floor windows, brown tile hanging below the first floor windows under a concrete tiled roof. The rear elevations comprise full height concrete panels with horizontal metal panels below the ground floor and first floor windows.

It is proposed to replace the existing tile hung elements and metal panels and cover the vertical concrete panels to the front and rear elevations of the buildings with a new insulated render system that will improve the thermal efficiency of the buildings. The proposed colour finish is to be chosen following consultation with the occupiers and the agreement of the Local Planning Authority.

Relevant Planning History

Nil

Relevant Policies

Gosport Borough Local Plan Review, 2006:

- R/DP1
- General Standards of Development within the Urban Area
- R/DP7
- Additions, Extensions and Alterations
- R/ENV14
- Energy Conservation

Consultations

Nil

Response to Public Advertisement

Nil

Principal Issues

1. The main issues in this case are the acceptability of the design of the alterations and the impact they will have on the visual amenities of the area and the conservation of energy.
2. Given the age of the buildings and their weathered appearance, the proposed works will significantly improve the appearance of the buildings and the visual amenities of the locality. The

improvement in thermal efficiency will result in a reduction in energy use in compliance with Policy R/ENV14 of the Gosport Borough 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 development as proposed will improve the appearance of the building and the visual amenities of the locality and reduce energy use. As such, the proposal complies with Policies R/DP1, R/DP7 and R/ENV14 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. Details of the colour finish to the external cladding/insulated render system shall be submitted to, and approved by, the Local Planning Authority before works to the external elevations of the building are commenced. The development shall thereafter be carried out in accordance with the approved details.

Reason - To ensure that the external appearance of the building is satisfactory, and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

ITEM NUMBER: 07.
APPLICATION NUMBER: K17665
APPLICANT: Gosport Borough Council
DATE REGISTERED: 10.03.2009

REGULATION 3 - INSTALLATION OF EXTERNAL WALL CLADDING/INSULATED RENDER SYSTEM

1 To 15 (odd No's) Skipper Way & 57 To 63 (odd No's) Elmore Avenue Lee-On-The-Solent Hampshire PO13 9EU

The Site and the proposal

The application site is located within the Urban Area Boundary on a residential estate built during the 1960's situated to the west side of Skipper Way on the corner with Elmore Avenue in Lee-on-the-Solent. The buildings comprises 2 two storey blocks of flats. The block fronting Skipper Way contains 8 flats. The block fronting Elmore Avenue contains 4 flats. There is an enclosed garden area at the rear of the buildings with a garage court and parking area beyond. The buildings are constructed with brick gabled ends. The front elevations comprise full height concrete panels with red/brown brick below the ground floor windows, brown tile hanging below the first floor windows under a concrete tiled roof. The rear elevations comprise full height concrete panels with horizontal metal panels below the ground floor and first floor windows.

It is proposed to replace the existing tile hung elements and metal panels and cover the vertical concrete panels to the front and rear elevations of the buildings with a new insulated render system that will improve the thermal efficiency of the buildings. The proposed colour finish is to be chosen following consultation with the occupiers and the agreement of the Local Planning Authority.

Relevant Planning History

Nil

Relevant Policies

Gosport Borough Local Plan Review, 2006:

R/DP1

General Standards of Development within the Urban Area

R/DP7

Additions, Extensions and Alterations

R/ENV14

Energy Conservation

Consultations

Nil

Response to Public Advertisement

Nil

Principal Issues

1. The main issues in this case are the acceptability of the design of the alterations and the impact they will have on the visual amenities of the area and the conservation of energy.

2. Given the age of the buildings and their weathered appearance, the proposed works will significantly improve the appearance of the buildings and the visual amenities of the locality. The improvement in thermal efficiency will result in a reduction in energy use in compliance with Policy R/ENV14 of the Gosport Borough 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 development as proposed will improve the appearance of the building and the visual amenities of the locality and reduce energy use. As such, the proposal complies with Policies R/DP1, R/DP7 and R/ENV14 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. Details of the colour finish to the external cladding/insulated render system shall be submitted to, and approved by, the Local Planning Authority before works to the external elevations of the building are commenced. The development shall thereafter be carried out in accordance with the approved details.

Reason - To ensure that the external appearance of the building is satisfactory, and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

ITEM NUMBER: 08.
APPLICATION NUMBER: K17666
APPLICANT: Gosport Borough Council
DATE REGISTERED: 10.03.2009

**REGULATION 3 - INSTALLATION OF EXTERNAL WALL CLADDING/ INSULATED
RENDER SYSTEM**
53 And 57 Southway Gosport Hampshire PO13 0XB

The Site and the proposal

The application site is located within the Urban Area Boundary on a residential estate built during the 1960's situated to the south west of Gregson Avenue. The building comprises a two storey block containing 2 flats overlooking a landscaped area located at the eastern end of a terrace of 4 houses. The building is constructed in brown brick with horizontal metal panels below the ground floor and first floor windows under a gabled concrete tiled roof.

It is proposed to replace the existing metal panels to the front and rear elevations of the building with a new insulated render system that will improve the thermal efficiency of the building. The proposed colour finish is to be chosen following consultation with the occupiers and the agreement of the Local Planning Authority.

Relevant Planning History

Nil

Relevant Policies

Gosport Borough Local Plan Review, 2006:
R/DP1
General Standards of Development within the Urban Area
R/DP7
Additions, Extensions and Alterations
R/ENV14
Energy Conservation

Consultations

Nil

Response to Public Advertisement

Nil

Principal Issues

1. The main issues in this case are the acceptability of the design of the alterations and the impact they will have on the visual amenities of the area and the conservation of energy.
2. Given the age of the building and its weathered appearance, the proposed works will significantly improve the appearance of the building and the visual amenities of the locality. The improvement in thermal efficiency will result in a reduction in energy use in compliance with Policy R/ENV14 of the Gosport Borough 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 development as proposed will improve the appearance of the building and the visual amenities of the locality and reduce energy use. As such, the proposal complies with Policies R/DP1, R/DP7 and R/ENV14 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. Details of the colour finish to the external cladding/insulated render system shall be submitted to, and approved by, the Local Planning Authority before works to the external elevations of the building are commenced. The development shall thereafter be carried out in accordance with the approved details.

Reason - To ensure that the external appearance of the building is satisfactory, and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

ITEM NUMBER: 09.
APPLICATION NUMBER: K17667
APPLICANT: Gosport Borough Council
DATE REGISTERED: 10.03.2009

REGULATION 3 - INSTALLATION OF EXTERNAL WALL CLADDING/INSULATED RENDER SYSTEM

18 To 32 And 46 To 52 (even No's) Southway Gosport Hampshire PO13 0XD

The Site and the proposal

The application site is located within the Urban Area Boundary on a residential estate built during the 1960's situated to the south west of Gregson Avenue and backing onto Montgomery Road. The buildings comprise 2 two storey blocks containing a total of 12 flats with a pedestrian walkway between them. The buildings are located at the ends of short terraces of houses of similar design. The buildings are constructed in yellow brick with green tile hanging below the ground floor and first floor windows under a gabled concrete tiled roof.

It is proposed to replace the existing tile hung elements to the front and rear elevations of the buildings with a new insulated render system that will improve the thermal efficiency of the buildings. The proposed colour finish is to be chosen following consultation with the occupiers and the agreement of the Local Planning Authority.

Relevant Planning History

Nil

Relevant Policies

Gosport Borough Local Plan Review, 2006:

R/ENV14

Energy Conservation

R/DP1

General Standards of Development within the Urban Area

R/DP7

Additions, Extensions and Alterations

Consultations

Nil

Response to Public Advertisement

Nil

Principal Issues

1. The main issues in this case are the acceptability of the design of the alterations and the impact they will have on the visual amenities of the area and the conservation of energy.

2. Given the age of the buildings and their weathered appearance, the proposed works will significantly improve the appearance of the buildings and the visual amenities of the locality. The improvement in thermal efficiency will result in a reduction in energy use in compliance with Policy R/ENV14 of the Gosport Borough 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 development as proposed will improve the appearance of the building and the visual amenities of the locality and reduce energy use. As such, the proposal complies with Policies R/DP1, R/DP7 and R/ENV14 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. Details of the colour finish to the external cladding/insulated render system shall be submitted to, and approved by, the Local Planning Authority before works to the external elevations of the building are commenced. The development shall thereafter be carried out in accordance with the approved details.

Reason - To ensure that the external appearance of the building is satisfactory, and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

ITEM NUMBER: 10.
APPLICATION NUMBER: K17668
APPLICANT: Gosport Borough Council
DATE REGISTERED: 10.03.2009

REGULATION 3 - INSTALLATION OF EXTERNAL WALL CLADDING/INSULATED RENDER SYSTEM
31 To 37 (odd No's) Southway Gosport Hampshire PO13 0XB

The Site and the proposal

The application site is located within the Urban Area Boundary on a residential estate built during the 1960's situated to the south west of Gregson Avenue. The building comprises a linked two storey block containing 4 flats overlooking a landscaped area located on the corner and attached to two short terraces of houses. The building is constructed in brown brick with pebble dash rendered areas below the ground floor windows and horizontal metal panels and tile hanging below the first floor windows under a gabled concrete tiled roof.

It is proposed to replace the existing render, metal panels and tile hung elements to the front and rear elevations of the building with a new insulated render system that will improve the thermal efficiency of the building. The proposed colour finish is to be chosen following consultation with the occupiers and the agreement of the Local Planning Authority.

Relevant Planning History

Nil

Relevant Policies

Gosport Borough Local Plan Review, 2006:
R/ENV14
Energy Conservation
R/DP1
General Standards of Development within the Urban Area
R/DP7
Additions, Extensions and Alterations

Consultations

Nil

Response to Public Advertisement

Nil

Principal Issues

1. The main issues in this case are the acceptability of the design of the alterations and the impact they will have on the visual amenities of the area and the conservation of energy.
2. Given the age of the building and its weathered appearance, the proposed works will significantly improve the appearance of the building and the visual amenities of the locality. The improvement in thermal efficiency will result in a reduction in energy use in compliance with Policy R/ENV14 of the Gosport Borough 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 development as proposed will improve the appearance of the building and the visual amenities of the locality and reduce energy use. As such, the proposal complies with Policies R/DP1, R/DP7 and R/ENV14 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. Details of the colour finish to the external cladding/insulated render system shall be submitted to, and approved by, the Local Planning Authority before works to the external elevations of the building are commenced. The development shall thereafter be carried out in accordance with the approved details.

Reason - To ensure that the external appearance of the building is satisfactory, and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.