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**8 June 2009**

## **S U M M O N S**

**MEETING:** Regulatory Board  
**DATE:** 16 June 2009  
**TIME:** 6.00pm  
**PLACE:** Council Chamber, Town Hall, Gosport  
**Democratic Services contact:** Lisa Reade

LINDA EDWARDS  
BOROUGH SOLICITOR

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### **MEMBERS OF THE BOARD**

Councillor Carter (Chairman)  
Councillor Geddes (Vice Chairman)

Councillor Allen	Councillor Hicks
Councillor Mrs Bailey	Councillor Hook
Councillor Carr	Councillor Miss West
Councillor Forder	Councillor Wright

The Mayor (Councillor Mrs Searle) (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 19 MAY 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, 12 June 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, 12 June 2009).*

6. CONSULTATION BY HAMPSHIRE COUNTY COUNCIL IN RESPECT OF PLANNING APPLICATION K17678 FOR SOUTH EAST HAMPSHIRE BUS RAPID TRANSIT PHASE 1 – FAREHAM TO GOSPORT

PART II  
Contact Officer:  
Dave Duckett  
Ext 5424

*An application for a busway in Gosport and Fareham has been made by Transport for South Hampshire on behalf of Hampshire County Council. The purpose of the report is to inform the Board of the proposal and obtain comments on behalf of the Borough Council, which will be taken into account when the application is determined by the County Council, acting as Local Planning Authority.*

Regulatory Board  
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7. REGULATION 3 – DEMOLITION OF THE EXISTING FERRY LANDING STAGE AND CONSTRUCTION OF A NEW FACILITY AND ASSOCIATED WORKS (AS AMENDED BY PLANS RECEIVED 03.04.09)

PART II  
Contact Officer:  
Pat Aird  
Ext 5328

*To consider planning application K.117647 for the demolition of existing ferry landing stage and construction of a new facility and associated works (as amended by plans received 03.04.09).*

- 8 REVISED LANDSCAPE SCHEME AT CHERQUE FARM

PART II  
Contact Officer:  
Pat Aird  
Ext 5328

*To consider a revised Landscape Scheme in the southern part of Cherque Farm adjoining Wootton Road, Lancaster Close, Warwick Close, Westland Drive, Magister Drive and Proctor Drive as part of the Details Approved for the final phase of the Cherque Farm development under Planning Permission K16750: Erection of 222 Dwellings to Include Internal Roads, Footpaths, Cycleways and Areas for Play*

*At*

*Cherque Farm Lee-on-the-Solent*

9. REPORTS OF THE DEVELOPMENT SERVICES MANAGER

PART II  
Contact Officer:  
Pat Aird  
Ext 5328

*Schedule of planning applications with recommendations.  
(grey sheets – pages 1 – 36/1)*

10. ANY OTHER ITEMS

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

**A MEETING OF THE REGULATORY BOARD  
WAS HELD ON 19 MAY 2009**

The Mayor (Councillor Mrs Searle) (ex-officio), Councillors Allen (P), Mrs Bailey (P), Carr (P), Carter (P) (Chairman), Forder, Geddes (P), Hicks (P), Hook, Miss West (P) and Wright (P).

It was reported that, in accordance with Standing Orders, notice had been received that Councillor Bradley would replace Councillor Forder for this meeting.

**7 APOLOGIES**

Apologies for inability to attend the meeting were received from the Mayor, Councillor Hook and Councillor Forder.

**8 DECLARATIONS OF INTEREST**

There were no declarations of interest

**9 MINUTES**

RESOLVED: That the Minutes of the Regulatory Board meeting held on 21 April and 14 May 2009 be approved and signed by the Chairman as a true and correct record.

**10 DEPUTATIONS**

It was reported that deputations had been received on application:

- K17686 – Land Adjacent to 66-68 Crescent Road, Gosport

**11 PUBLIC QUESTIONS**

No public questions had been received.

## **PART II**

### **12      REPORTS OF THE DEVELOPMENT SERVICES MANAGER**

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

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

#### **13      K17673 - REGULATION 3 - INSTALLATION OF EXTERNAL WALL CLADDING/INSULATED RENDER SYSTEM 56-62 (Even Nos) & 73-85 (Odd Nos) Northway Gosport Hampshire PO13 0XF**

Members welcomed the following proposals for the installation of external wall cladding/insulated render systems on buildings throughout the Borough. The works would improve the carbon footprint of the buildings and enhance their appearance.

RESOLVED: That Regulation 3 application K17673 – 56-62 (Even Nos) and 73-85 (Odd Nos) Northway Gosport be approved subject to the conditions set out in the report of the Development Services Manager, for the following reasons:

- i That having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the development as proposed will improve the appearance of the buildings and the visual amenities of the locality and reduce energy use. As such, the proposal complies with Policies R/DP1 and R/ENV14 of the Gosport Borough Local Plan Review.

#### **14      K17674 - REGULATION 3 - INSTALLATION OF EXTERNAL WALL CLADDING/INSULATED RENDER SYSTEM 48 -54 (Even Nos) Northway Gosport Hampshire PO13 0XF**

RESOLVED: That Regulation 3 application K17674 – 48-54 (Even Nos) Northway, Gosport be approved subject to the conditions set out in the report of the Development Services Manager, for the following reasons:

- i That having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the development as proposed will improve the appearance of the buildings and the visual amenities of the locality and reduce energy use. As such, the proposal complies with Policies R/DP1 and R/ENV14 of the Gosport Borough Local Plan Review.

**15 K17675 - REGULATION 3 - INSTALLATION OF EXTERNAL WALL CLADDING/INSULATED RENDER SYSTEM  
38 - 44 (Even Nos) Northway Gosport Hampshire PO13 0XF**

RESOLVED: That Regulation 3 application K17675 – 38- 44 (Even Nos) Northway, Gosport, Hampshire be approved subject to the conditions set out in the report of the Development Services Manager for the following reasons

- i That having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the development as proposed will improve the appearance of the buildings and the visual amenities of the locality and reduce energy use. As such, the proposal complies with Policies R/DP1 and R/ENV14 of the Gosport Borough Local Plan Review.

**16 K17676 - REGULATION 3 - INSTALLATION OF EXTERNAL WALL CLADDING/INSULATED RENDER SYSTEM  
20-26 (Even Nos) & 39-51(Odd Nos) Northway Gosport Hampshire PO13 0XF**

RESOLVED: That Regulation 3 application K17676 – 20-26 (Even Nos) and 39-51 (Odd Nos) Northway, Gosport, Hampshire be approved subject to the conditions set out in the report of the Development Services Manager, for the following reasons:

- i That having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the development as proposed will improve the appearance of the buildings and the visual amenities of the locality and reduce energy use. As such, the proposal complies with Policies R/DP1 and R/ENV14 of the Gosport Borough Local Plan Review.

**17 K17677 - REGULATION 3 - INSTALLATION OF EXTERNAL WALL CLADDING/INSULATED RENDER SYSTEM  
3-25 Northway Gosport Hampshire PO13 0XE**

RESOLVED: That Regulation 3 application K17677 –3-25 Northway, Gosport, Hampshire be approved subject to the conditions set out in the report of the Development Services Manager, for the following reasons

- i That having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the development as proposed will improve the appearance of the buildings and the visual amenities of the locality and reduce energy use. As such, the proposal complies with Policies R/DP1 and R/ENV14 of the Gosport Borough Local Plan Review.

- 18      K17683 - CHANGE OF USE FROM RETAIL SHOP (USE CLASS A1) TO COFFEE SHOP (USE CLASS A3)  
Unit 1 83 - 93 High Street Lee-On-The-Solent Hampshire PO13 9BU**

This item was withdrawn from the agenda at the request of the Head of Development Services.

- 19      K10187/1 - EXTENSION OF REAR GARDEN AND ERECTION OF REPLACEMENT BOUNDARY WALL (as amplified by plan received 05.05.09)  
59 Hanbidge Crescent Gosport Hampshire PO13 0YD**

Members were advised that the applicant was in the process of purchasing the land but required confirmation of planning permission before completing this process.

Members agreed that it was a positive use for land that was sometimes problematic.

RESOLVED: That planning application K10187/1 – 59 Hanbidge Crescent, Gosport, Hampshire be approved subject to the conditions set out in the report of the Development Services Manager, for the following reasons:

- i That having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the garden extension as proposed is acceptable in this location and will not have a detrimental impact on visual amenity of the locality or highway and pedestrian safety. As such, the proposal complies with Policies R/DP1 and R/T11 of the Gosport Borough Local Plan Review.
- 20      K17686 - GPDO PART 24 CONSULTATION - REPLACEMENT OF EXISTING POLE OPPOSITE NO.66 WITH 9.45 METRE HIGH POLE AND PROVISION OF NEW 7.6 METRE HIGH POLE OPPOSITE NO.68 CRESCENT ROAD (CONSERVATION AREA)(ADJACENT TO LISTED BUILDINGS)  
Land Adjacent To 66 And 68 Crescent Road Gosport Hampshire**

Councillor Edgar was invited to address the Board. He advised the Board that he welcomed the decision to refuse the application as the proposals would be detrimental to the Conservation Area.

In response to Members' questions, officers confirmed that the siting and appearance of the pole at the western end of The Crescent was acceptable because it was not adjacent to a Listed Building and was screened by a group of trees. However as the siting and appearance of the replacement pole



further east was unacceptable and approval for the siting and appearance of the two poles had been sought through a single application the recommendation was for refusal.

RESOLVED: That Part 24 Consultation application K17686 –Land Adjacent to 66 and 68 Crescent Road, Gosport, Hampshire be refused subject to the conditions set out in the report of the Development Services Manager, for the following reasons:

- i The replacement pole is considerably higher than the existing and will be viewed above the existing tree line and street lamps and appear as an over dominant feature in the street scene. Due to its close proximity to the Listed Buildings it will therefore have an unacceptable impact on their setting and on the special character and appearance of the Conservation Area and amenity of the area as a whole, contrary to Policies R/BH1, R/BH3, R/ENV13 and R/DP1 of the Gosport Borough Local Plan Review

## **21 ANY OTHER BUSINESS**

### Appeal Decision – K17593 8 Beaufort Close, Lee-on-the-Solent, Hampshire

Members were advised that the Inspector had allowed the appeal against the Council's refusal of this application. The urgent need to consider this item was a result of a requirement which the Planning Inspector had imposed by condition to complete a Section 106 agreement in respect of the Transport contribution before the use could commence.

The Inspector considered that the proposal would not adversely affect the amenity of local residents as in traffic movements would amount to approximately 13 visits in a two hour period but imposed a condition that no more than six children should be allowed to use the garden at any time.

The Inspector agreed that a payment of a commuted sum in lieu of the provision of off-site transport and highway improvements was necessary but reduced the amount payable to £460.

Authority was sought for the Borough Solicitor to complete the Section 106 agreement for the commuted sum.

RESOLVED: That authority be given to the Borough Solicitor to complete the Section 106 agreement.

The meeting commenced at 6.00pm and concluded at 6.17 pm

Regulatory Board  
19 May 2009

CHAIRMAN

## AGENDA NO. 06

<b>BOARD</b>	<b>REGULATORY BOARD</b>
<b>DATE OF MEETING:</b>	<b>16 JUNE, 2009</b>
<b>TITLE:</b>	<b>CONSULTATION BY HAMPSHIRE COUNTY COUNCIL IN RESPECT OF PLANNING APPLICATION K17678 FOR SOUTH EAST HAMPSHIRE BUS RAPID TRANSIT PHASE 1 – FAREHAM TO GOSPORT</b>
<b>AUTHOR:</b>	<b>DEVELOPMENT SERVICES MANAGER</b>
<b>STATUS:</b>	<b>FOR COMMENT</b>

### **Purpose**

An application for a busway in Gosport and Fareham has been made by Transport for South Hampshire on behalf of Hampshire County Council. The purpose of the report is to inform the Board of the proposal and obtain comments on behalf of the Borough Council, which will be taken into account when the application is determined by the County Council, acting as Local Planning Authority.

### **Recommendation**

- 1) That the comments as summarised in the Conclusion to this report be submitted, with a copy of this report, to Hampshire County Council for consideration in the determination of the application.
- 2) That additional members comments may be appended.

### **1.0 Overview**

- 1.1 The application is for a dedicated unguided busway extending for a distance of approximately 3 miles along the disused railway line from Redlands Lane in Fareham to Military Road, Gosport.
- 1.2 The promoter is Transport for South Hampshire (TfSH) who are working with the Partnership for Urban South Hampshire to deliver transport improvements to support the economic and housing growth planned in South Hampshire, and to address existing transport requirements.
- 1.3 The Gosport to Fareham busway is the first element in TfSH's transport strategy which ultimately seeks to deliver a high quality Bus Rapid Transit (BRT) and premium bus network connecting Gosport to Fareham and Portsmouth including links to the A3 bus corridor and Queen Alexandra Hospital.
- 1.4 The application is for the first phase of busway which will afford bus services an opportunity to avoid the severe traffic congestion on northern parts of A32 and

deliver faster, more reliable services. When further funding becomes available it is proposed to extend the scheme along the disused railway to Fareham Station. As an interim measure buses will run on road along Redlands Lane and A27.

- 1.5 On road bus routes will remain necessary between the station and Fareham Town Centre, and will later to connect with the planned Strategic Development Area (SDA) north of Fareham. These routes may in future include bus priority measures.
- 1.6 The SDA is expected to commence in 2016 and comprise 10,000 homes and 121,000 sq.m. of employment floor space. It will create a major demand for travel, but will also provide new employment opportunities for Gosport residents potentially accessible by bus.
- 1.7 The proposal is largely financed by a capital grant allocation of £20 million from the Government's Community Infrastructure Fund (CIF) which is designed to provide transport infrastructure necessary to enable housing development in growth areas. This must be spent by March 2011 which presents the promoters with a challenging programme. Presently it is uncertain if the CIF grant is sufficient to construct the scheme over the full extent of the application and the first phase of works may extend only from Redlands Lane to Tichborne Way.

## **2.0 History of South Hampshire Rapid Transit**

- 2.1 The concept of a South Hampshire Rapid Transit (SHRT) system comprising a range of public transport modes emerged in the late 1980's in response to increasing traffic problems throughout the area. In October 1991 the County Council commissioned consultants to undertake a full study into light rail (LRT) and alternative guided bus solutions between Fareham and Portsmouth. A project team was established in 1994 and powers to construct a light rail scheme along the old railway line and under Portsmouth Harbour were secured by way of a Transport and Works Act Order in 2001. However the cost of the scheme rose to over £200 million and, after two submissions for funding were rejected by the Department for Transport, the LRT scheme was abandoned in 2006.
- 2.2 Hampshire County Council remained committed to SHRT and bought the old railway line for the purpose of providing a transport corridor. The bus based transport system now proposed was developed as a more affordable, and flexible alternative to light rail.

## **3.0 Local Transport Policies & Strategies**

- 3.1 The 1995 Gosport Borough Local Plan declared support for LRT and safeguarded the former railway line for an LRT route linking Gosport to Portsmouth and Fareham or the provision of another form of segregated public transport system. The 2004 Local Plan Review, Policy R/T5, prevents development proposals where they would conflict with land required for the implementation of the South Hampshire Rapid Transit.

3.2 The Planning Statement notes that TfSH is developing an integrated transport system for South East Hampshire that will improve transport provision for existing communities and will also accommodate the travel needs of new development. The transport strategy is to reduce the need to travel and encourage shorter journeys through :-

- appropriate location of development;
- investment in improved public transport;
- management of existing transport infrastructure to optimise performance;
- provision of more travel choice and investment in new infrastructure to accommodate future growth.

#### **4.0 Scheme Objectives**

4.1 The Planning Statement recognises the constraints imposed upon access to Gosport by the peninsular geography, the extreme peak hour congestion on A32 and Newgate Lane and the peak spreading resulting in delays generally throughout the day. It notes that the Local Transport Plan includes measures to tackle congestion on the road networks (which includes localised junction improvements). However, it states that :

*“... realistically, planned new development cannot take place without a viable alternative to the car. Hence a high quality, innovative and attractive public transport system is considered essential in order to meet the future needs of both existing and new communities. At present public transport is not an attractive alternative to the car for the majority of the local population. Infrastructure and vehicles are perceived as poor quality, through ticketing is not available and the bus services are invariably affected by serious congestion at peak periods”.*

4.2 It is stated that the scheme will contribute to following specific objectives :-

- Improvements in air quality in accordance with the Air Quality Management Area Plans for Gosport Road, Fareham.
- Improved access to existing local employment and future employment sites by public transport, particularly North of Fareham SDA and Gosport Waterfront.
- Improve access to education and health services, particularly Gosport War Memorial Hospital and Queen Alexandra Hospital.
- Reductions in traffic flows on A32 through modal shift to public transport.
- Improve the overall quality of public transport.

- 4.3 The provision of an extensive quality bus network with bus priority, higher frequency services and improved reliability is identified as a necessity to provide a realistic alternative for people who habitually use the car. It is claimed that the image and use of buses would be boosted considerably with the introduction of a Bus Rapid Transit system complementing existing bus services, rail and ferry and supported by quality stops and vehicles.

## **5.0 Details of the Busway and Permitted Vehicles**

- 5.1 The proposed busway commences at a new junction with Salterns Lane, Fareham, and extends southwards to the existing junction of the cycle track with Military Road, Gosport. It will connect to the existing highway network at Palmerston Drive, Wych Lane and Tichborne Way where new junctions will permit buses to utilise the whole or part of the busway.
- 5.2 A 6.2m wide tarmac road to accommodate two passing buses is proposed. The road will generally sit upon the railway embankments and within cuttings at existing track levels and central within the boundaries of the existing disused line. For safety an open box beam safety fence will be provided to either side on all embankments.
- 5.3 A service agreement is proposed with potential bus service providers to restrict the future use of the busway to high quality buses. Emergency service vehicles, maintenance vehicles, service vehicles and cyclists will also be permitted to use the route
- 5.4 The speed limit will be 30 mph in the vicinity of junctions, and 40 mph elsewhere. Buses will operate over normal service hours.
- 5.5 No provision is made for pedestrians to walk along the busway, however some existing informal crossing points will be maintained and improved to reduce the severance caused by the line.
- 5.6 The busway will only be illuminated at bus stops and junctions. Various methods of monitoring or controlling unauthorised use of the busway, including CCTV at points of entry, are being investigated.

### *Bus Stops*

- 5.7 10 pairs of bus stops will be provided along the route all connected to the existing highway network by illuminated paths suitable for wheelchair users and cyclists. Stops will be equipped with a shelter, lighting, CCTV and possibly a real time information system. Most will have secure cycle parking facilities. Every stop will have a raised kerb to provide level boarding and each pair will be connected by level crossings.
- 5.8 Lighting will be directional and light cut-off canopies provided to limit light pollution.

- 5.9 Noise attenuation fencing is to be provided at bus stops to maintain the privacy of adjoining properties and mitigate the noise impact from waiting passengers and buses accelerating and decelerating.

#### *Bus Services*

- 5.10 The busway is not intended to be used for a shuttle service just going up and down the route. Buses would enter and exit as required and use the whole or parts of the route in a manner that best serves local communities. The service routes will be at the discretion of operators (other than tendered services). It is anticipated that buses will run approximately every five minutes on the northern sectors of the route.

#### *Cycling*

- 5.11 The existing cycle track between Military Road and Holbrook playing fields will be repositioned alongside the busway. The track will also be extended northwards by widening the existing footpath lying between the Forest Way housing and the disused railway line. It will link back to Forest Way at the public open space north of The Limes.
- 5.12 The width of the railway corridor elsewhere is largely inadequate to provide an independent cycle track and maintain or re-provide adequate landscaping and screening to restore habitats, privacy and security. Cyclists will therefore be permitted to cycle directly upon the busway over the whole route.

#### *Junctions*

- 5.13 The junctions will be controlled by traffic signals equipped with systems to detect buses and permit bus priority. Pedestrian crossing facilities will be incorporated where appropriate to maintain existing flows and provide access to stops. Phasing of traffic lights will ensure minimum delay to highway traffic.
- 5.14 The junction with Redlands Lane will be created west of the railway arch by construction of a new roadway down from the embankment and across the public open space.
- 5.15 The Palmerston Drive junction will be created by reducing the level of the railway line. It will permit access by buses serving southern areas of Fareham, Speedfields and Lee on the Solent.
- 5.16 To avoid any disruption to road traffic the railway line will be further reduced to permit the busway to pass through a new bridge under Newgate Lane. The existing railway bridge, which restricts the road width, will be removed from Palmerston Drive and a two-lane carriageway provided. The works will necessitate the temporary closure of Newgate Lane and the diversion of traffic via Palmerston Drive. Minor improvements will be made to Gosport Road to

accommodate additional traffic circulating under the Newgate Lane flyover. Temporary signals will be used at the junction north of Salterns Lane to control northbound traffic and turning movements will be restricted at the Salterns Lane junction to allow the existing signals to be switched off.

- 5.17 The existing narrow railway bridge over Wych Lane will be removed. The railway embankment will be lowered and the existing road raised to create a junction providing bus access to and from Wych Lane south. This junction will permit existing bus services passing through Bridgemarky to utilise the busway for the remainder of the journey to Fareham, thus avoiding delays on the most heavily trafficked section of A32 and at Quay Street roundabout. The works will require the temporary closure of Wych Lane and the diversion of traffic via Cunningham Drive.
- 5.18 The busway will pass under existing bridges at Gregson Avenue, Brewers Lane and Rowner Road.
- 5.19 The operational impact of the busway junctions with existing highways has been assessed in the Traffic Impact Assessment and is described as “slight.”

#### *Site Clearance / Landscaping*

- 5.20 The disused railway had become overgrown and was impassable in many parts. It has recently been cleared to allow topographical surveys and site investigations. A detailed landscape and ecology survey was also undertaken. Vegetation on the sides of embankments and cuttings has been retained. Proposals for the replacement of planting are detailed within the Environmental Design for the Scheme.

#### *Security*

- 5.21 The Police and Security companies are advising on the design of the busway with respect to safety and security for public transport users, adjoining residents/occupiers, and staff operating and maintaining the bus services.
- 5.22 CCTV is proposed to provide security for passengers at bus stops. It is not practical to physically exclude pedestrians from other parts of the busway due to the numerous potential points of access, and it is acknowledged that there is potential for antisocial and criminal behaviour, especially during quiet periods.
- 5.23 Surveillance along the busway is provided by passengers at the stops; from passing buses and cyclists; and from some adjoining properties. Opportunities to enhance natural surveillance from properties are restricted by the cuttings and embankments and the proposed noise fencing and landscaping. However these features also add security and privacy to adjoining properties.
- 5.24 The Planning Statement suggests the potential impact on property security is similar to that of other publicly accessible routes. For example rear access



roads, existing cycle ways and footpaths where natural surveillance is limited. However it recognises the need to monitor the situation and work in partnership with the highway authority, bus operators, the Police, the local Council and communities to establish enforcement policies.

### *Boundaries*

- 5.25 Boundaries are acknowledged as critical to the security, safety and privacy of the adjoining residents and occupiers. The Planning Statement advises that the design of the busway seeks to maintain and strengthen the security of adjoining properties through use of deterrent planting, fencing and other boundaries. The allocation of responsibility for boundary treatment varies along the route, as does the actual boundary treatment.

## **6.0 Community Involvement**

- 6.1 Public consultation has been undertaken by TfSH primarily by means of two 3 day public exhibitions held in October 2008 and January 2009 at Bridgemary Community Sports College. There were additional displays at Fareham Borough Council offices and the Gosport Discovery Centre. Questionnaires have also been made available; a BRT website created and a news leaflet published. Letters of invitation to the exhibitions were issued to 7000 local residents living close to the BRT corridor and adverts placed in the Fareham and Gosport News.
- 6.2 More than 450 people attended the first exhibition and the questionnaires indicated that 88% of the 244 respondents feel there is a need to improve public transport on the Fareham - Gosport peninsula. 70% believed that a rapid bus scheme would help. The most important factors in improving public transport were identified by respondents as faster journey times, cheaper fares and more frequent reliable buses.
- 6.3 At the first event people raised concerns about environmental factors such as wildlife habitats, air quality and noise and, for those with gardens backing onto the disused railway line there were concerns over privacy and security. The responses were used to guide the design and future consultation.
- 6.4 The second exhibition provided more detailed layout plans and was attended by 364 residents. 166 completed questionnaires and concerns again concentrated on issues of wildlife, privacy, security and noise.
- 6.5 The TfSH response to these issues is set out in the Planning Statement and is summarised as follows :-

### *Wildlife*

*Ecological and environmental surveys have been undertaken to identify what animal and plant species are present. Surveys for all EU Protected species found within the UK were undertaken, including dormice, bats, great crested*

*newts and reptiles during the 2008 survey season. In addition, extensive surveys for non-European species such as badgers and a Phase 1 Habitat Assessment have been undertaken. All clearance works have been conducted with an Ecological Watching Brief, and an ecological management and a mitigation strategy has been prepared in order to reduce the disturbance to potential protected species. All scrub and tree clearance has been kept to a minimum; where necessary undertaken outside the bird breeding season between early August and the end of February. Replacement indigenous tree planting will be provided in order to retain the linear connectivity of woodland habitat. In addition, a No Net Loss of Biodiversity approach will be implemented, so that the overall compensation habitats created for the Scheme will be equal to or greater than the habitats lost as a result of the Scheme.*

### *Privacy*

*Screening is proposed to protect views between the busway and the rear of properties. Where possible, mature trees will be retained and enhanced by further planting including hedges, as part of a landscape plan to help screen adjacent residential properties.*

### *Security*

*It is proposed to include security and traffic monitoring cameras at appropriate points along the route, particularly in the vicinity of junctions and bus shelters. Closed Circuit Television (CCTV) will be provided at all entry and exit points along the route plus at Gregson Avenue and Rowner Road to improve safety and security. CCTV camera images will be monitoring 24 hours a day by the Fareham and Gosport control room. Shelter based mini-CCTV systems will be installed in all bus shelters for passenger safety and coverage will extend to cycle parking areas adjacent to the bus stops. Images will be recorded 24 hours a day.*

*When the ongoing clearance work has been completed a photographic survey of boundary fences will be undertaken. Where issues relating to security and fences are identified works will be undertaken to ensure that current security levels are maintained.*

### *Noise*

*At the bus stops, there will be localised noise levels associated with buses accelerating away from them, and that of general activity from people waiting to board the bus. A study has been undertaken to investigate those areas of the proposed Scheme that may be affected by noise. Where the alignment affects sensitive areas unacceptably, noise control measures will be provided to lessen its impact. Noise control measures would include noise barriers constructed at various locations along the route, and the application of a Thin Surface Course on the carriageway*

Other objections have been raised to the scheme on the following grounds:-

- It will not be attractive to car drivers, nor solve the problems of the A32.
- The proposed bus routes are unknown and existing bus services may be prejudiced.
- The proposed night time working will have an unacceptable noise impact on adjacent homes.
- Temporary road closures necessary to remove bridges and construct junctions at Wych Lane and Palmerston Drive will cause unacceptable traffic delays.
- The scheme will coincide with the works proposed by Tesco to reconfigure the Quay Street roundabout.
- Parking will occur in residential streets near bus stops

## **7.0 Comments**

- 7.1 The route offers an excellent opportunity to make substantive improvements in existing service levels by allowing buses to avoid the most congested parts of the A32.
- 7.2 A faster and more accessible bus priority system can be delivered on the disused railway line than could be achieved by on street bus priority measures, at lower cost and with less impact upon the amenity of residents and the flow of traffic. The busway can be used to varying degrees by existing or new bus services and can therefore benefit communities beyond the immediate railway corridor. It can be enlarged incrementally and is more flexible and affordable than LRT.
- 7.3 Substantive improvements to the A32 are not a viable alternative. The CIF funding has been awarded because the busway fits with government and regional strategies promoting sustainable development and travel. The funding is only available for use on BRT.
- 7.4 Traffic capacity on Fareham Road might be enhanced by the addition of further lanes at existing junctions, but not without the acquisition of adjacent land in northern locations. Maximum flows occur north of Wych Lane and an additional continuous northbound lane to Quay Street would be necessary to achieve real improvements. Land and property from over 100 adjacent dwellings and businesses, mostly in Fareham, would be required just to improve northbound flows. Additional capacity would be of limited value without enhanced capacity at Quay Street roundabout where the scope for improvement is restrained by road and rail bridges and by adjacent developments. The County Council believes there is no cost effective solution to improving the capacity of Quay Street.

- 7.5 The above measures would erode the quality of the environment and the amenity of residents and probably reduce air quality and road safety. They would present many more challenges and problems than BRT and would not be supported by Fareham Borough Council. The absence of substantive improvements to A32 over the last twenty years reflects these realities. For practical, environmental, amenity, road safety, financial and policy reasons no major improvements are planned by the Highway Authority, or expected in the future.
- 7.6 BRT is not the solution to Gosport's traffic congestion because no single solution exists. The problem must be tackled in a range of ways including increased local employment, provision and use of more sustainable travel modes, new and improved roads and junctions in appropriate locations, car share; home working; travel plans etc. However BRT is an opportunity to make a step change in public transport provision and phase 1 is a catalyst for further improvement. It is also a substantial investment in Gosport at times of economic difficulty.
- 7.7 The busway may not promote an immediate shift in travel mode. Alone it can only cater for a small proportion of journeys within South East Hampshire. It could be many years before a wider bus network is delivered beyond Gosport and Fareham capable of providing a realistic service to diverse employment locations.
- 7.8 The convenience of car use will remain attractive for those who want one and can afford it. However by 2015 Gosport is expected to have 31,000 residents under 15, or over 65. For many of these people, family members, workers in low paid jobs, or those seeking employment, the bus is the only independent travel option. Improvements in bus services will therefore afford a very significant proportion of Gosport people better access to a wider range of jobs, services and leisure facilities. Improvements in public transport will also reduce the necessity for second cars.
- 7.9 In future the cost of driving will rise. When the world economy recovers the increase in global demand for oil will resume while reserves diminish, increasing production costs and prices. National transport policies will increasingly deter car use and encourage more sustainable modes in response to traffic congestion and environmental concerns. The prospects of demand management has been set back by public petitions and the referendum in Greater Manchester, but escalation on fuel duty is likely and pressures on motoring can be expected to increase demand for public transport. We need to respond now to these changing circumstances, as it will take a long time to build a bus network that is a viable substitute for many car trips.
- 7.10 The absence of details on future bus routes and services hinders assessment of the potential use and impact of the busway. It needs to be utilised to the optimum extent, whilst maintaining services to existing users. It is understood that a radical redesign of the network is not presently proposed - rather changes that will allow some services to take advantage of the new route. There is a

need to address concerns that existing services will be lost and explain how services will likely be provided in future.

- 7.11 To make the busway more accessible consideration should be given to providing further stops. Possible locations are just to the north of Brewers Lane and in the vicinity of Vian Close.
- 7.12 The advantages of the busway will be eroded by any delays buses face in travelling on road to Fareham town centre along Redlands Lane and West Street. Priority must be given to continuing the busway along the disused railway line to Fareham Station at the earliest possible opportunity. It is also essential that in the interim period traffic management measures are delivered wherever practicable to give priority to buses using Redlands Lane and A27.
- 7.13 Proposals for continuing the bus services between Fareham Station and the town centre need to be clarified. Permanent measures to provide priority for buses on this route, and later to the SDA need to be implemented.
- 7.14 A commitment is required from TfSH to extend the busway into Gosport beyond Military Road (subject to satisfactory feasibility studies). This would improve general accessibility to the town centre and support future re-development of the Gosport waterfront and RH Haslar. It would also improve links to Portsmouth via the Gosport ferry with the potential to reduce car travel around the harbour.
- 7.15 Should funding only permit construction to Tichborne Way then the scheme should include priority measures to allow buses to bypass traffic queues on A32 and within Tichborne Way.
- 7.16 Current funding mechanisms based on the LTP, Regional Transport funding, ad hoc government funding 'pots' or developer contributions offer no certainty of future funding. Reassurance should be sought from TfSH that the visionary scheme comprising a whole busway between Gosport and Fareham and a wider premium bus network can be delivered.
- 7.17 BRT should not be pursued to the exclusion of other infrastructure improvements. There remains a need to improve the junctions where practicable on Fareham Road north of Brockhurst roundabouts and to improve the whole of Newgate Lane including provisions for cycles.
- 7.18 Public transport is not expected to make significant contributions to travel to and from the west. Improvements to the western road access, especially the Stubbington Bypass, should be pursued to deal with existing traffic congestion and promote the redevelopment of Daedalus.
- 7.19 The busway offers an extensive alternative route for cyclists in an environment far more attractive than A32 Fareham Road and better suited to cyclists with limited experience or skills. However provision must be made at junctions to ensure the convenient and safe passage of cyclists on and off the route in all

directions. Interim access also needs to be provided at every reasonable opportunity to maximise utility. There are apparently no plans to segregate cycles from buses and the scheme needs to be monitored to ensure that there is a safe interaction and contingency plans prepared to address any conflicts.

- 7.20 It is understood that pedestrians will be permitted to cross the route at designated points, but not to travel along it. It is unclear what measures will be put in place to indicate these restrictions and if it is practical to enforce them.
- 7.21 It is unclear if residents are responsible for providing secure boundaries with or without the assistance of the County Council. It is also understood that there are locations where the re-provision of planting is not practical. More detail is required as to the County Council's intentions regarding the provision of fencing and other measures to aid security.
- 7.22 It is accepted that Newgate Lane and Wych Lane must be temporarily closed to carry out the bridge works and form the new junctions. The Wych Lane works may result in a considerable redistribution of traffic and signal timings may need to be adjusted to maintain optimum flows. If practicable the two road closures should not be coincident. Works to improve the Quay Street roundabout should also be undertaken after the substantial completion of BRT in order to minimise traffic disruption.
- 7.23 It is understood that evening, night time or Sunday working will be required from time to time to perform key operations with minimal disruption to traffic. Night time working potentially detrimental to the amenity of residents must be kept to a minimum.

## **8.0 Risk Assessment**

- 8.1 The proposed busway may result in some loss of amenity and a reduction in security of some adjoining properties, also the temporary loss of habitat. However the proposal is a rare opportunity to improve public transport and cycling for existing users and encourage a modal shift towards more sustainable travel on the congested A32 corridor.

## **9.0 Conclusion**

- 9.1 It is recommended that the Borough Council support the concept of using the old railway line for buses and cycles.
- 9.2 There is a need to ensure that services, when reviewed by operators, will be routed to make optimum use of the busway whilst maintaining a service to existing users. Consideration needs to be given to providing further stops to reduce walking distances.
- 9.3 Priority must be given to continuing the busway along the disused railway line to Fareham Station at the earliest possible opportunity and in the interim period

traffic management measures are delivered to give priority to buses using Redlands Lane and A27. Permanent bus priority measures are also required where practicable to link the railway station to the town centre.

- 9.4 Priority measures to allow buses to bypass traffic queues on A32 and access Tichborne Way should be provided.
- 9.5 A commitment is required from TfSH to extend the busway into Gosport beyond Military Road.
- 9.6 Reassurance is required that the visionary scheme comprising a whole busway and a wider premium bus network can be delivered.
- 9.7 BRT and the wider network should not be pursued to the exclusion of other infrastructure improvements.
- 9.8 Provision must be made at junctions to ensure the convenient and safe passage of cyclists and access provided at every reasonable opportunity to maximise utility
- 9.9 Measures need to be identified to indicate and enforce restrictions on pedestrian access.
- 9.10 Steps need to be taken to ensure that adequate security and screening is provided for all adjoining properties.
- 9.11 Temporary works should be phased to minimise disruption and should not coincide with works at Quay Street.
- 9.12 Night time working potentially detrimental to the amenity of residents must be kept to a minimum.

<b>Financial Implications:</b>	None – the scheme incurs no costs to the Borough.
<b>Legal Implications:</b>	Land transactions are required.
<b>Service Improvement Plan Implications:</b>	Accords with objectives for improving access to the Peninsula.
<b>Corporate Plan:</b>	Accords with strategic objective of tackling road congestion.
<b>Risk Assessment:</b>	See Section 8
<b>Background Papers:</b>	Planning Application K 17678
<b>Report Author/Lead Officer:</b>	David Duckett, Transport and Traffic Liaison Officer, Ext. 5424



## AGENDA ITEM NO. 07

<b>Board/Committee:</b>	<b>Regulatory Board</b>
<b>Date of Meeting:</b>	<b>16 June 2009</b>
<b>Title:</b>	<b>Regulation 3 - Demolition of the existing ferry landing stage and construction of a new facility and associated works (as amended by plans received 03.04.09)</b>
<b>Author:</b>	<b>Development Services Manager</b>
<b>Status:</b>	<b>For Decision</b>

### **Purpose**

To consider planning application K.117647 for the demolition of existing ferry landing stage and construction of a new facility and associated works (as amended by plans received 03.04.09).

### **Recommendation**

That application K.17647 be granted permission

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 proposal constitutes a sustainable form of development which will provide an integrated means of public transport to reduce use of the private car, provide an attractive facility in the coastal zone which promotes public access to the coast and includes measures to prevent impact on nature conservation interests and water quality, deter crime and reduce energy use. As such it complies with Policies R/DP1, R/T1, R/T7, R/CH1, R/CH5, R/OS11, R/ENV2, R/ENV12, 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.

2. Details of the method of working including appropriate pollution prevention measures shall be submitted to, and approved by, the Local Planning Authority before development commences and the development shall thereafter be carried out in accordance with the approved details.

Reason - To prevent pollution of the water environment and to comply with Policy R/ENV2 of the Gosport Borough Local Plan Review.

3. Details of the method of piling including appropriate measures to minimize impact on fish shall be submitted to, and approved by, the Local Planning Authority before development commences and the development shall thereafter be carried out in accordance with the approved details.

Reason – In the interests of nature conservation and biodiversity and to comply with Policies R/OS11 and R/OS13 of the Gosport Borough Local Plan Review.

4. Piling shall not be carried out between 31 October and 31 March.

Reason – To prevent disturbance to over-wintering birds in the interests of nature conservation and biodiversity and to comply with Policies R/OS11 and R/OS13 of the Gosport Borough Local Plan Review.

5. No piling shall take place other than between the hours of 9 am and 5 pm Monday to Friday unless otherwise agreed in writing with the Local Planning Authority.

Reason – To prevent any adverse impact on neighbouring noise sensitive development and to comply with Policies R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review.

6. Details of all external facing and roofing materials shall be submitted to, and approved by, the Local Planning Authority before works 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 Policies R/DP1 and R/CH1 of the Gosport Borough Local Plan Review.

7. No development shall be commenced until details of the measures to be adopted to reduce the risk of crime and disorder, terrorism attack and anti-social behaviour shall be submitted to and agreed by the Local Planning Authority in writing.

Reason – To ensure that risk of crime and disorder and terrorist attack is minimised and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

of the Gosport Borough Local Plan Review.

## **1.0 Background and History**

1.1 The Gosport Ferry provides an essential service for pedestrians and cyclists across Portsmouth Harbour. It takes only a few minutes and saves a 22 km road trip to Portsmouth via the A32 and M27. It carries approximately 3.6 million passengers a year and operates every day of the year except Christmas Day.

1.2 The existing terminal at Gosport comprises a pontoon and 2 steel piles. They were installed in 1982. There is a 31 metre long link span

bridge with a fixed approach and a concrete pier in between. These elements are at least 80 years old. Due to its age the structure has lost buoyancy and stability, the hinges are worn and the southern most pile is corroded. The link span bridge slope is too steep to be easily accessible to all (1 in 6.7) and the pontoon is poorly ventilated. Repair and refurbishment would not address these problems.

## **2.0 The Proposal**

- 2.1 The application is for the demolition and removal of the existing structure and installation of a new landing supported on two piles (known as 'dolphins') with a partly glazed pontoon and fully glazed link span bridge. The design incorporates passive ventilation and maximises solar gain. The pontoon will be slightly larger than the existing to increase stability. This will also result in a larger passenger waiting area with seating provided. The link span bridge will be 7 metres wide to allow comfortable passage in both directions. This is 1 metre wider than the existing. The maximum slope will be 1 in 10. This is achieved by lengthening the link span by 17 metres to 48 metres. There will be a new fixed approach with an open entrance slightly re-positioned to align with Gosport High Street. As the fixed approach will be at the same height as it is currently it can utilise the existing flood defences. There will be manned doors for boarding that are only opened when the ferry has docked. The northern part of the pontoon will have a glazed canopy and be used for normal ferry operation. The southern part of the pontoon will be an open terrace used for the night ferry, cruises and corporate events.
- 2.2 Most of the new structure will be fabricated off site and it will be delivered and installed over one weekend. Piling can take place whilst the existing pontoon is still in use because the replacement facility will be in a slightly different position. This means that there will be only minimal disruption to the ferry operation. For on-site works the main compound will be located at the disused bus station buildings with part of the nearby car park in use for deliveries and parking for contractors. Occasional use may be required of a small paved area adjacent to Falkland Gardens for exceptional deliveries of construction materials. Use of the water to transport materials will be maximised. Hours of work proposed are to be 8 am to 6 pm Monday to Friday and 8.45 am to 1 pm on Saturdays, except for piling which will be restricted to 9 am to 5 pm Monday to Friday. However, during the 48 hours when the new structure is to be installed when works will be undertaken continuously.
- 2.3 The application has been submitted with an Environmental Statement (incorporating a Waste Management Plan and Noise Assessment), a Flood Risk Assessment, Statement of Community Involvement, Planning Statement (incorporating a Landscape Statement, and Design and Access Statement.

### **3.0 Relevant Policies**

- 3.1 The following policies within the Gosport Borough Local Plan Review, 2006 have been considered in assessing this proposal:

R/DP1

General Standards of Development within the Urban Area

R/OS11

Protection of Areas of National Nature Conservation Importance

R/ENV14

Energy Conservation

R/ENV15

Renewable Energy

R/T1

Land Use and Transport

R/T7

Gosport Bus Station/Ferry Interchange

R/CH1

Development within the Coastal Zone

R/CH5

Moorings

R/ENV2

River and Groundwater Protection

R/ENV12

Air Quality

R/DP/1

General Standards of Development

### **4.0 Consultation and Publicity Responses**

- 4.1 Natural England have confirmed that an Appropriate Assessment is not required but have advised that conditions are required to ensure that there is no disturbance to over-wintering birds and there is no pollution of protected waters. The Environment Agency has no objection provided conditions are imposed to ensure that there is no disturbance to fish from piling.

- 4.2 The Crime Prevention Design Advisor has suggested consideration be given to securing the land side access and measures be incorporated into the design to reduce risk from a potential terrorist attack.

- 4.3 Portsmouth City Council has not responded to the consultation. The Portsmouth Cycle Forum welcomes the proposal and request that there is a segregated and legibly signed slip route and measures are put in place to maintain and improve the associated transport interchanges. Fareham Borough Council has no objection to the proposal and Hampshire County Council have confirmed there are no strategic transport, archaeological, or landscape design issues. They support the enhancement of the public realm and the opportunity it

provides for further enhancement

- 4.4 The Queens Harbour Master has asked that a period of 21 days notice of commencement is given but is otherwise happy with the proposal.
- 4.5 No comments have been received from the Crown Estate office or Department of the Environment, Food and Rural Affairs.
- 4.6 The Local Highway Authority has confirmed there is no objection on highway grounds
- 4.7 There has been no response to the public advertisement.

## **5.0 Planning Issues**

- 5.1 The ferry serves both pedestrians and cyclists and is well integrated with other forms of public transport on both the Portsmouth and Gosport sides of the Harbour. This application is for a replacement pontoon which will allow the ferry service to continue to operate. The continued use will reduce reliance on the private car by providing an alternative route to the A32 out of Gosport and the proposed method of construction will result in minimal disruption to the service. As such the proposal complies with Policies R/T1 and R/T7 of the Gosport Borough Local Plan Review. The continued operation of the service will not have any additional impact on nature conservation interests or the amenity of residents. The existing flood defence arrangements will not be affected and the Flood Risk Assessment demonstrates that the development is appropriate in this location and there will be no increased risk of flooding. Therefore the main issues for consideration are:
  - whether the design is acceptable in this location having regard to both seaward and landward views and the use of measures to reduce energy use and crime and disorder ; and
  - the impact of the construction on the amenity of residents and the nature conservation interests of Portsmouth Harbour SPA/Ramsar sites and biodiversity of the Borough
- 5.2 The position and angle of the existing ferry landing stage have been adjusted by approximately 1.5m to achieve a true alignment with the axis of the High Street. This reinforces its status as a 'Gateway to Gosport', and offers the opportunity to extend the High Street public realm to the promenade and waterfront area. Moreover the lighter structure will provide a more legible transition from land to shore. The design is modern and reflects the form and materials of a ship hull which is appropriate in this location. The transparent structure allows panoramic views of the Harbour. The proposal therefore complies with Policies R/DP1, R/CH1 and R/CH5 of the Gosport Borough local Plan Review. Passive ventilation to control temperature and seating will be provided on the pontoon. These factors will both increase the

energy efficiency of the installation in compliance with Policy R/ENV14 of the Gosport Borough Local Plan Review and enhance the experience of those using the facility. By increasing the span of the link span bridge to 48 metres the gradient at low water levels will be reduced so that the structure is more accessible to all users. The provision of CCTV and the proposed lighting scheme will minimise opportunities for vandalism and the extensive use of glazing will increase passive surveillance. Concerns raised in relation to risk of terrorism can be addressed through the use of appropriate materials and restrictions on vehicular access which can be controlled through conditions. As such the proposal will comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

- 5.3 The construction programme has been designed to minimise noise and disturbance to the occupiers of properties around the site in compliance with Policy R/DP1 of the Gosport Borough Local Plan Review. Both the Environment Agency and Natural England have confirmed that any concerns regarding the impact on the nature conservation interests of Portsmouth Harbour during the construction phase can be addressed by conditions relating to the piling work and controls on the release of potentially contaminating or contaminated material to comply with Policies R/OS11, R/CH5 and R/ENV2 of the Gosport Borough Local Plan Review. There will be no significant impact on air quality as the materials will be brought to site by sea and therefore the proposal complies with Policy R/ENV12 of the Gosport Borough Local Plan Review.

<b>Financial Services comments:</b>	N/A
<b>Legal Services comments:</b>	None
<b>Service Improvement Plan implications:</b>	None
<b>Corporate Plan:</b>	N/A
<b>Risk Assessment:</b>	N/A
<b>Background papers:</b>	Application plans and particulars
<b>Appendices/Enclosures:</b>	1 showing location of application site
<b>Report author/ Lead Officer:</b>	Pat Aird Head of Development Control

## AGENDA ITEM NO. 08

<b>Board/Committee:</b>	<b>Regulatory Board</b>
<b>Date of Meeting:</b>	<b>16 June 2009</b>
<b>Title:</b>	<b>Revised Landscape Scheme at Cherque Farm</b>
<b>Author:</b>	<b>Development Services Manager</b>
<b>Status:</b>	<b>For Decision</b>

### **Purpose**

To consider a revised Landscape Scheme in the southern part of Cherque Farm adjoining Wootton Road, Lancaster Close, Warwick Close, Westland Drive, Magister Drive and Proctor Drive as part of the Details Approved for the final phase of the Cherque Farm development under Planning Permission K16750: Erection of 222 Dwellings to Include Internal Roads, Footpaths, Cycleways and Areas for Play

At

Cherque Farm Lee-on-the-Solent

### **Recommendation**

That the revised landscape alterations be approved.

#### **1.0 Background**

- 1.1 When the area now developed as the Cherque Farm Estate was used for gravel extraction a bund was provided around the perimeters of the site to minimise noise and disturbance to nearby residents. This bund was shown on the plans submitted with application K16750 for approval of details pursuant to K15500/1 for the 222 dwellings proposed at the southern end of the Cherque Farm site in the final phase of the development. There has never been a requirement that the bunds should be retained in the context of the Cherque Farm residential development. However, there was a condition requiring details of the play areas to be submitted and approved before the first dwelling was occupied and the existing bund has to be removed in some places to accommodate these play areas.
- 1.2 The bund was subsequently removed as part of the ground contamination remediation works by Persimmon prior to and during the construction of the new houses. Plans approved on 8 August 2005 (drawing refs 30091151 rev C and 3009C1152 rev D) showed the bund was to be replaced and heightened in some areas. This was not a requirement of any planning permission or associated condition but is understood to have been a response to the wishes of residents in Lancaster Close, Warwick Close and Wootton Road. It

was subsequently replaced in part along the southern and south-western boundaries of the development site.

- 1.3 A landscape scheme showing the play areas was submitted by Persimmon Homes in June 2006 and approved by GBC in July 2006. The approved plans indicate that the bund in its entirety was to be removed both to accommodate the planting proposed and to lay out the approved Local Areas for Play (LAPs) and Locally Equipped Areas for Play (LEAPs), Therefore, no further planning related permissions are required to remove it.
- 1.4 The Leisure Services Manager is currently in discussions with Persimmon Homes regarding the steps required to bring the land occupied by the bund, the cycle path and tree belt on either side of it, and the play areas to be provided as a requirement of the planning permission, to a condition suitable for adoption. In addition the police have expressed concerns to Persimmon Homes regarding the potential for the bund to both encourage anti social behaviour and act as a barrier to effective policing of the area. Local residents on both sides of the bund have expressed very firm but conflicting views to both Persimmon Homes and the Council as Local Planning Authority on whether the bund should be removed, retained or even heightened.

## **2.0 Site Description**

- 2.1 The bund as it currently exists is little more than a linear mound of earth roughly covered with self sown grass and wild flowers. Along the top of the bund a path has been worn by pedestrians and cyclists. At the eastern end it is approximately 1.5 metres high where it slopes down to the new Cherque Farm Link road but a few metres to the west it starts to taper down so that it is only a few centimetres above the level of the adjacent cycle path to the north as it runs parallel to Lancaster Close. However, there is a steep drop of nearly two metres on the southern side down to a strip of woodland which adjoins the rear gardens of the properties fronting Lancaster Close, Warwick Close and Wootton Road. The trees are mainly deciduous but form a substantial screen except in the area immediately adjacent to 1 Lancaster Close and 2 Warwick Close where even with the trees in full leaf there are elevated views down into the rear gardens from the foot path which is 15 metres away.
- 2.2 From 67 Magister Drive (level with 4 Warwick Close) the bund rises steeply to continue at a height of about 3 metres for the remainder of its length apart from a gap of about 50 metres between the southern end of Westland Drive and western end of Wootton Road where it returns north. This gap in the bund leaves a level area of land overgrown with wild flowers and grasses.
- 2.3 The properties in Wootton Road, Lancaster Close and Warwick



Close are predominantly bungalows apart from a small terrace of two story houses at the eastern end of Lancaster Close, the western end of Warwick Close and the southern end of Wootton Road. The properties fronting Westland Drive, adjoining the bund on the Cherque Farm Estate are two storey houses, several with dormer windows in the front roof slope and balconies on the front elevation facing on to the bund. The distance between the front elevations of the houses fronting Proctor Drive and Magister Drive on the Cherque Farm Estate and the rear elevation of the bungalows in Warwick Close and Lancaster Close is in most cases about 40 metres but there is a shorter distance of approximately 35 metres between 67 Magister Drive and 4 Warwick Close, and 53 Proctor Drive and 2 Warwick Close. The distance between the front elevations of the properties fronting Westland Drive and the rear elevations of the properties fronting Wootton Road is approximately 50 metres or more.

### **3.0 The Proposal**

- 3.1 Following consultation with some local residents and the police, Persimmon Homes have submitted a proposal to amend the landscape scheme in this area approved as part of Planning Permission K16750. The amended scheme shows all the existing trees to the south and west of the bund to be retained and most of the bund along the southern boundary adjacent to Warwick Close and Lancaster Close to be retained at its present height and profile.
- 3.2 At the south eastern corner of the Cherque Farm Estate is the approved location of a Local Area for Play (LAP 23) where there is already a gap in the bund. From this point northwards the bund will be re-profiled so it is narrower and reduced in height by between approximately 0.5 and 1.0 metres and removed completely to the rear of number 54 - 60 Wootton Road to accommodate the approved Local Equipped Area for Play (LEAP 4)
- 3.3 A planting scheme is proposed consisting of shrub planting along the sides and top of the bund where it runs parallel to Westland Drive and Wootton Road. This will include thorny and spiky varieties to deter people from climbing onto the bund. Where the bund is currently low or non-existent screen planting is proposed consisting of Austrian pines at a density of 1 per 1.5 metres interspersed with shrubs which will grow up to 4.5 metres in height planted in groups with deciduous and evergreens evenly dispersed. In addition a line of trees will be planted on the northern side of the cycle path and the play areas and verges of the cycle path will be seeded with a mixture of grasses.
- 3.4 A drawing showing the profile of the existing bund at various points along its length compared with the bund as it was and as it was proposed to be altered in 2005 will be available at the Regulatory

Board Meeting.

#### **4.0 The Consultation and Summary of Responses**

- 4.1 In view of the level of local interest in the retention/removal of the bund, occupiers of all the adjacent properties in Wootton Road, Lancaster Close, Warwick Close, Westland Drive, Magister Drive and Proctor Drive (74 properties) were advised that a proposal to amend the approved landscape scheme in this area had been submitted and invited to express their comments. In total 15 letters have been received in response to this consultation.
- 4.2 Concerns have been expressed regarding drainage because of the elevated position of the new houses and the potential for run-off flooding the properties to the south in Lancaster Close and it has been stated that there should be a requirement for Persimmon to carry out a flood risk assessment.
- 4.3 The location and equipment of the play areas has been questioned. Some residents consider they will affect privacy and security and result in noise nuisance. Apparently there are problems with children running down the bund and causing damage and playing with balls on the Cherque Farm side of the bund and some residents feel this would be made worse by locating play areas in the vicinity. Other residents consider it is better for children to use the bund as a more natural play area and not have formal play areas. The point has also been made that the play areas may cause traffic congestion with parents taking their children there and would attract teenagers at night. The issue of building debris in this area has also been raised as a concern because it constitutes a hazard for children playing in the area.
- 4.4 Many residents of properties on both sides of the bunds have raised the issue of privacy and overlooking both from the top of the bund and the adjacent cycle path and from the balconies and windows on the new houses in Cherque Farm because of the raised land surface on that side. Some would like the existing bund raised to give more privacy and have asked why those residents who want it removed (because they are overlooked by people standing on the bund) don't put up blinds to prevent overlooking. It has also been suggested that there should be additional evergreen planting and more tree planting between LAP23 and LAP 24 and a 6' fence be erected for screening and to act as a noise buffer from the play areas and the road, particularly as the existing trees are mostly deciduous and some existing trees have been lost due to construction works. However other residents object to formal planting because it would result in loss of natural wildlife habitat and would require maintenance. It has also been stated that grass planting has been omitted from sheet 2 of the 3 landscape drawings.

- 4.5 Some residents have pointed out that Persimmon have previously advised residents that the plans approved in August 2005 would be implemented and claim Gosport Borough Council have advised the bund would be re-instated. Others have asked for more time to respond in order to check whether the alterations would damage or devalue the adjacent properties.

## **5.0 Assessment**

- 5.1 As the proposal does not include plans to alter the height of the existing bund adjacent to Lancaster Close, surface drainage in this area will not be affected. Damage to property is an issue for Persimmon to consider and if there is any damage caused that is a matter between the parties concerned. The effect of planning decisions on property values is not a planning consideration.
- 5.2 The positioning of the play areas remains unchanged from the original approval and the subsequent revisions to the landscape scheme. The establishment of safe areas for play is a requirement of the planning permission in accordance with Policy R/OS8 of the Gosport Borough Local Plan Review. The play areas are located where they will have least impact on residential amenity because of their relationship with the surrounding houses and the existing and proposed screening. When they have been provided there will be less potential for children playing to cause noise, damage and disruption. The play areas are intended for local use and as such it is unlikely that parents will deliver or collect their children by car. Risk assessments relating to the play areas are not a planning consideration.
- 5.3 The belt of trees provides a fairly good level of screening for most of the area and this is reinforced by the bund which runs parallel to Wootton Road and Westland Drive. However, the top of this part of the bund is clearly used by pedestrians and cyclists and this has an adverse impact on the privacy of occupiers on both sides. The planting proposed will deter pedestrian and cyclists from using the top of the bund and protect their privacy. In view of the separation distances (which far exceed those recommended in Appendix B of the Local Plan Review) I do not consider mutual overlooking between the properties to be an issue. However between 3 Lancaster Close and 4 Warwick Drive, where the bund is just a few centimetres high and the existing tree screen is sparse, the properties to the south are currently overlooked by pedestrians and cyclists on the cycle path which is only about 15 metres from the rear boundaries. Along the length of the bund at this point a coastal screening mix of planting is proposed which I consider will provide a much more effective screen than raising the bund height as was previously proposed in 2005. It will also absorb noise from the road, which is only an estate road serving the houses which front it and therefore is not intensively used.

- 5.4 Finally the removal of the mound to accommodate the LEAP would also have the effect of opening up the wooded area, rendering it very visible so that it would be less likely to be used for any anti-social behaviour, and reduce the effectiveness of the bund as a barrier to effective policing.

## **6.0 Conclusion**

In view of the conflicting views held by residents I am of the opinion that the revised Landscape Scheme offers an acceptable compromise which addresses the privacy issues raised by occupiers of properties on both sides of the bunds and the anti-social behaviour issues raised by both residents and the police, whilst meeting the planning requirements to provide play areas on the Cherque Farm Estate.

<b>Financial Services comments:</b>	N/A
<b>Legal Services comments:</b>	None
<b>Service Improvement Plan implications:</b>	None
<b>Corporate Plan:</b>	None
<b>Risk Assessment:</b>	N/A
<b>Background papers:</b>	Application K16750
<b>Appendices/Enclosures:</b>	1: location of landscape bunds and play areas
<b>Report author/ Lead Officer:</b>	Pat Aird Head of Development Control

## **GOSPORT BOROUGH COUNCIL – REGULATORY BOARD**

**16th June 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.	16	K15374/4	The Wiltshire Lamb 2 Privett Road Gosport Hampshire PO12 3SU	Grant Permission
04.	26	K6230/8	89 Stoke Road Gosport Hampshire PO12 1LR	Grant Permission
05.	31	K13063/2	47 Gosport Road Lee-On-The- Solent Hampshire PO13 9EJ	Grant Permission
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**ITEM NUMBER: 01.**  
**APPLICATION NUMBER: K5744/20**  
**APPLICANT: Mr Ray Bezani**  
**DATE REGISTERED: 12.02.2009**

**ALTERATIONS AND EXTENSIONS TO EXISTING HOTEL (AMENDMENT TO PLANNING CONSENT K5744/18) (LISTED BUILDING IN CONSERVATION AREA) (as amended by Design and Access Statement and plans received 26.03.09)**  
**Anglesey Hotel 24 Crescent Road Gosport Hampshire PO12 2DH**

### ***The Site and the proposal***

Listed Building and planning consent were granted last year to increase the number of rooms at the Anglesey Hotel by a further 8, extending above the existing footprint. However a mistake was made in the original survey. The single storey element of the existing footprint was shown to be approximately 300 mm deeper than it actually is. In addition the internal layout could not be accommodated within the foot print approved and the extension was increased in depth by approximately 750mm without reference to the Local Planning Authority. When this discrepancy was noted during a Building Control Inspection the works were stopped on site before the building progressed to first floor level. An amended planning application has been submitted for a slightly larger extension than that originally permitted. A Listed Building application has also been submitted for the same works.

The Anglesey Hotel is located on the northern side of Crescent Road at the junction with St Mark's Road within the Anglesey Conservation Area. It is a four storey building that steps down in height to the rear and has painted stucco walls. It forms the south eastern end of a curved terrace of Grade II \* Listed Buildings and dates from the 1830's. The Hotel has an existing extension dating to the later 19th Century that appears to have been remodelled in the early 20th Century with a new ground floor elevation.

The main entrance to the hotel is situated along the back edge of the pavement fronting onto St Mark's Road as is a door providing access to the bar area located to the rear of the premises. To the rear of the building there are treble folding timber gates providing access to the rear yard and garden adjacent to a block of five single storey garages. To the rear of the garages there is a 2 metre high brick boundary wall fronting Anglesey Arms Road. There is a brick boundary wall separating the site from the rear garden serving 23 Crescent Road. This is a residential property 4 storeys high with a pair of windows on each floor on the rear elevation. It has a long back garden and a relatively large front garden. At the back of the hotel building there is a flat roofed brick built extension which steps down to a recently constructed matching brick built flat roofed extension providing a cold store at the rear of the adjacent hotel kitchen. On the top of these extensions there is a black painted metal fire escape staircase into the rear yard.

Crescent Gardens are located to the front of the application site on the opposite side of Crescent Road where there is a layby that provides on street parking facilities. To the side of the Hotel is St Mark's Road. On the other side of the road is Ambleside Court, a 1960's block of flats, and garages and maisonettes fronting The Lane. There are no windows to habitable rooms in the side elevation to Ambleside Court facing the application site. There are no windows in the side elevation to the maisonette facing the application site. A disused walled cemetery, the site of St Mark's Church, is situated to the north of The Lane. In St Mark's Road, opposite the Hotel, bollards have been placed in the pavement by Hampshire County Council to restrict parking on that side of the road. Immediately to the rear of the application site on the opposite side of Anglesey Arms Road there is the side elevation containing secondary windows of a two story house, 22 St Mark's Road. The remainder of Anglesey Arms Road is characterised by two storey dwellings of different ages and types but with an overall cottage style.

The extension as previously permitted and as proposed will contain 6 rooms with a further 2 rooms at third floor level on the parapet roof to the existing three storey element to the building linking to

the 4 storey front part of the main building. The new mansard roof will be 2 metres higher than the existing hipped roof to the three storey element to the building whilst remaining 1 metre below the level of the frontage roof serving the main part of the building. In addition an internal lift will be provided to the top floor and passageways on the north west elevation would connect all bedrooms. The new enclosed fire escape would come down from the third floor and join with the existing external fire escape at first floor level. Due to the presence of a high level glazed window in the bar area the existing fire escape route over the flat roof cannot be moved from the centre of the roof back to adjoin the new extension away from the boundary with 23 Crescent Road. Therefore the existing fire escape route approved under applications K5744/16 and K5744/17 is now proposed to be retained.

In the light of responses to the public advertisement for this application a revised Design and Access Statement has been submitted. In addition amended plans indicating revisions to the ground floor window layout to the WC area located at the rear of the bar area have been received. The proposal still makes provision for 5 on site parking spaces. This will be achieved by making two of the garages available for customer parking. In addition part of the modern rear brick boundary wall will be removed to open up part of the garden area to provide a further customer parking space and two tandem spaces for staff parking. An area is also identified for providing cycle parking. New painted ledged and braced close boarded gates will be provided between brick piers to the parking area adjacent to Anglesey Arms Road.

The extension is designed to reflect the character of the original building. The lift will be capable of carrying a wheelchair plus at least one other person thus enabling disability access to all floors. Stucco painted walls will be continued to the main public elevations. The parapet walls will continue the details and architectural features of the existing building. The whole of the elevation to St Mark's Road will be repainted to ensure new and old blend together in a paint that is in keeping with the facade of the Crescent. The rainwater goods will be white painted metal. The treatment of the rear elevation facing Anglesey Arms Road will be render to continue the design and proportion of the St Mark's Road elevation. It will have central timber windows of equal proportions to those in the main part of the building. The overall bulk and height of this rear elevation is subservient to the main roof. This is achieved by wrapping the mansard roof around the corner. The roof is to be constructed in matching natural slate with lead ridge flashing to match the main roof. The windows in this roof will be lead clad dormer windows with white painted timber framed single glazed sliding sash windows. The inner north west facing side elevation is to match in facing brickwork the more random form and appearance of the rear of the building. The style of the windows and detailing to the cills and brick lintels will match the originals. The new windows to this elevation will have obscure glazing by means of an applied film. The roof shape over the proposed fire escape minimises its bulk and possible overshadowing. It will follow the main roof slope down from the main roof with matching natural slates. Reclaimed matching facing brickwork will be used to construct the extension in an appropriate matching bond. Black painted fascia, gutter and rainwater goods will be used to match the existing located on the rear of the building.

### ***Relevant Planning History***

K5744/13 erection of single storey rear extension and replacement external staircase (Listed Building in Conservation Area) permitted 03.05.05.

K5744/14 Listed Building application - erection of single storey rear extension and replacement external staircase (Conservation Area) permitted 03.05.05.

K5744/16 retention of single storey rear extension, external staircase and 3no. condenser units (amendments to consent K5744/13) and further works for the installation of a door in the rear elevation of the main building and retention of boundary gates (Listed Building in Conservation Area) permitted 21.02.08

K5744/17 Listed Building application - retention of single storey rear extension, external staircase and 3no. condenser units (amendments to consent K5744/14) and further works for the installation of a door in the rear elevation of the main building and retention of boundary gates (Conservation Area) permitted 30.04.08

K5744/18 alterations and extension to existing hotel to provide disabled access via passenger lift and additional bedroom accommodation (Listed Building in Conservation Area) permitted 21.02.08



K5744/19 Listed Building application - alterations and extension to existing hotel to provide disabled access via passenger lift and additional bedroom accommodation (Conservation Area) permitted 30.04.08

K5744/21 current Listed Building application for the same works submitted by the same applicant.

### **Relevant Policies**

Gosport Borough Local Plan Review, 2006:

R/DP1

General Standards of Development within the Urban Area

R/DP3

Provision of Infrastructure, Services and Facilities

R/BH1

Development in Conservation Areas

R/BH3

Development Affecting Listed Buildings

R/CF11

Improvement or Development of Tourist Accommodation and Conference Facilities

R/T4

Off-site Transport Infrastructure

R/T11

Access and Parking

### **Consultations**

The Gosport Society	no objection
Building Control	Access for Fire Brigade satisfactory. Alterations are likely to be required around the lift shaft on all floors as the lift will need to be in a protected shaft.
Local Highway Authority	No objection to the proposal. The hotel currently provides no car parking facilities. Under the maximum car parking standards adopted by the Borough Council the proposed 8 additional bedrooms would be allowed a maximum of 8 car parking spaces. The proposal will provide 5 spaces which will comply with maximum car parking standards therefore an objection to a lack of car parking cannot be sustained as a reason for refusal. Cycle parking must be provided in accordance with adopted minimum standards. The proposed gates at the rear of the site must not open over the highway. In order to protect visibility at the junctions adjacent to the site it is recommended that the applicant fund a Traffic Regulation Order.

### **Response to Public Advertisement**

3 letters of objection

Issues raised:-

- Original Design and Access Statement incorrect, as it states that the footprint of building will not be changed, and that the existing fire escape over the flat roof will be moved away from the boundary
- An illegal extension has been added to the building

- Existing traffic/parking problems in the area due to excessive parking and obstruction of visibility
- Inadequate car parking facilities
- The removal of parked cars outside the two garages to be used for customer parking would improve visibility for cars emerging from Anglesey Arms Road and ease the turn into The Lane and would be welcomed
- If TRO introduced there will be less space to park in, residents should not have to suffer a loss of car parking
- Believe there will need to be an increase in staff
- Existing route of fire escape will be retained resulting in unacceptable overlooking/loss of privacy to neighbour
- Design and Access Statement refers to 'secondary rooms' at the rear of 23 Crescent Road but it includes the primary living space
- Future routing of fire escape should be as depicted in approved applications K5744/18 and K5744/19
- Disabled facilities could be provided without the proposed additional bedrooms
- Garages at rear of building are in a poor state of repair and could be removed to increase car parking

### ***Principal Issues***

1. The application site is located within the urban area boundary and consequently the principle of development is acceptable provided that the details accord with the criteria outlined in Policy R/DP1 of the Gosport Borough Local Plan Review. The acceptability of the principle of this form of development has been established with the grant of permissions K5744/18 and K5744/19. The Hotel has long been established and the applicant has identified that there is insufficient hotel accommodation in Gosport as noted within Gosport's Cultural Strategy 'Towards 2010' therefore providing justification in the identified need for the proposal in accordance with Policy R/CF11 (iii) of the Gosport Borough Local Plan Review. The applicant was requested to stop unauthorised building works at the site and did so submitting this and the current Listed Building application for formal consideration. Any vehicles can legally park on the adjacent public highway. It is not proposed to increase the number of staff as a result of this development. Therefore the main issues in this case are the acceptability of the increase in the depth of the extension in the context of the planning considerations of whether the proposal will preserve or enhance the character and appearance of the Conservation Area and the impact on the historic and architectural character and appearance of this Listed Building and its setting, the amenities of nearby residents, the provision of car and cycle parking facilities, and the impact on highway safety.

2. In view of the scale of the proposal the additional 750 mm in depth beyond the existing footprint will not significantly affect the appearance of the development. The proposed extension still provides a well designed and balanced elevation to St Mark's Road and an appropriate subservience to the original corner block of the Hotel. The fenestration and parapet detailing relate well to the main building and due to the set back of the mansard roof, the scale of the extension is reduced visually. Similarly the northern elevation, facing Anglesey Arms Road, provides a point of interest in an appropriately designed stucco treatment. The existing windows at first and second floor level in this elevation appear to be early nineteenth century and as such should be reused in the extension and this can be secured by condition. The north west elevation with its new windows and the external enclosed stairs help to break up an otherwise potentially relatively large plain facade. The design is helped by the window arrangement which is appropriate in this part of the building. The limited depth of the enclosed external staircase and sloping subservient roof helps reduce its visual presence. The alterations to the existing rear elevation to the main building returns an element of symmetry appropriate to the historic core of the original building and is acceptable in design terms. The proposed materials to be used and architectural detailing are acceptable and will be appropriate in this important location. I am satisfied this scheme will enhance the character and appearance of the Anglesey Conservation Area and not be detrimental to the historic and architectural character and appearance of this Listed Building and its setting. The modifications to the previously approved scheme are acceptable and still retain the special character of the Listed Building. As such the development complies with Policies R/BH1 and R/BH3 of the Gosport Borough Local Plan Review. Conditions are proposed requiring the detailed recording of the

existing internal staircase proposed to be removed and replaced by the lift and stores. In addition further conditions are proposed requiring further details of specific aspects of the development so as to ensure the materials and historic and architectural detailing are correct and appropriate. The robust style and design of the timber gates are also appropriate to a building of this age and will retain a barrier along the Anglesey Arms Road frontage which is far more appropriate historically than having an open frontage. It would also not be appropriate to demolish the garages as these are an intrinsic part of the layout of the site. A condition is proposed requiring further details of the gates and details of the piers and type of capping stones to ensure they will enhance the character and appearance of this part of the Conservation Area.

3. The increase in depth will not affect the placing of the fenestration and in view of the orientation of the extension and relationship to neighbouring properties and the use of obscure glazing by means of an applied film to windows in the north west side elevation there will be no unacceptable overlooking or loss of privacy as a result of this development. When the previous consents were granted it was accepted that due to the increase in the size of the building there will be some impact in terms of direct light onto the rear elevation of 23 Crescent Road early in the morning and additional overshadowing of the rear garden. For the previous application the applicant looked at tests that have been devised by the Building Research Establishment (BRE) to determine whether or not a new development will adversely affect the light to nearby properties and has provided information in relation to the impact on 23 Crescent Road. The diagram provided looks at the guidelines of BRE Digest 209 : Site Layout Planning for Daylight and Sunlight which recommends that a minimum of 25% of a garden should receive sunlight on 21 March at 12.00 noon GMT. This diagram shows that an area of 31% will receive sunlight on this day at that time, therefore falling within these recommended guide lines. This diagram shows the minimal impact the proposal will have on the adjoining property. The slightly larger depth to the extension now proposed will have a minimal impact on this received sunlight level. The sunlight to the front garden will remain unaffected by the proposed extension as will the northern part of the rear garden. This overall level of impact is not unacceptable. The external part of the fire escape at first floor level is to be retained in its current location. This arrangement was approved in the past and has existed for some time and is considered acceptable. Whilst the extension will be visible when viewed from neighbouring rear gardens in the Crescent it is appropriately detailed to add visual interest and relates well to the main building so as not to look out of place. As such the development will not be detrimental to the amenities of adjoining residents.

4. Whilst objectors have referred to general parking problems in the area, the scheme will provide 5 car parking spaces on site that do not exist at present as previously approved. The maximum allowable parking requirement is 8 additional spaces. Under maximum car parking standards a lack of car parking cannot be sustained as a reason for refusal. There is the facility to park on the street in this area which is available for all users of the highway including the staff and customers of the hotel. However, in order to ensure that parking on the highway will not adversely impact on highway safety, to protect visibility at the junctions adjacent to the site the applicant has confirmed a willingness to enter a planning obligation under Section 106 relating to the payment of a sum towards the funding of a traffic regulation order which shall include providing signs and road markings to restrict parking in the vicinity of the site in accordance with Policies R/DP3 and R/T4 of the Gosport Borough Local Plan Review. There is space identified within the site where cycle parking can be provided to the necessary minimum standard for this development. The provision of the car and cycle parking facilities is to be conditioned and therefore the development complies with Policy R/T11 of the Gosport Borough Local Plan Review.

#### **RECOMMENDATION: Grant Permission**

Subject to Section 106 agreement relating to

1. The payment of a sum towards the funding of a traffic regulation order

#### **Reasons for granting permission:**

1. Having regard to Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations the development is acceptable in this location. There is an identified need for additional hotel accommodation in the Borough and the extension is of an appropriate design, and will not have any detrimental impact on this Listed Building or its setting or the amenities of nearby residents or traffic/parking conditions in the locality, and will enhance the character and appearance of the Conservation Area. As such the development complies with Policies R/DP1, R/DP3, R/BH1, R/BH3, R/CF11, R/T4 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. A full photographic record and section and elevation drawings at a scale of 1:20 of the existing internal staircase (proposed to be removed and replaced by the lift and stores) shall be made and copies sent to the Local Planning Authority and the County Archaeologist before any demolition takes place.

Reason - To ensure that historical and architectural evidence is investigated and recorded and to comply with Policies R/BH3 and R/BH4 of the Gosport Borough Local Plan Review.

3. Full details of the proposed external facing brickwork, mortar and brick bond including a sample panel to be prepared on site to show the method of pointing shall be submitted to and approved in writing by the Local Planning Authority before works related to that part of the development is commenced. The development shall thereafter be implemented in accordance with the approved details.

Reason - Such details have yet to be submitted and to maintain the integrity and character of the building and to comply with Policies R/DP1, R/BH1 and R/BH3 of the Gosport Borough Local Plan Review.

4. Details including samples of the roof slates and external render shall be submitted to and approved in writing by the Local Planning Authority before works related to that part of the development is commenced. The development shall thereafter be implemented in accordance with the approved details.

Reason - Such details have yet to be submitted and to maintain the integrity and character of the building and to comply with Policies R/DP1, R/BH1 and R/BH3 of the Gosport Borough Local Plan Review.

5. The exiting windows at first and second floor level in the northern elevation, facing Anglesey Arms Road, shown edged in red on the plans hereby approved, shall be carefully removed and repaired as necessary and reused in the proposed northern elevation.

Reason - To maintain the integrity and character of the building and to comply with Policies R/DP1, R/BH1 and R/BH3 of the Gosport Borough Local Plan Review.

6. Details of the dormers and all new external windows and doors (including illustrating how they are to be set within the respective render or brick surrounds) including horizontal and vertical sections and elevations at a scale of 1:20 and glazing bars at a scale of 1:1 shall be submitted to and approved in writing by the Local Planning Authority before works related to that part of the development is commenced. The development shall thereafter be implemented in accordance with the approved details.

Reason - Such details have yet to be submitted and to maintain the integrity and character of the building and to comply with Policies R/DP1, R/BH1 and R/BH3 of the Gosport Borough Local Plan Review.

7. Full details including a sample of the proposed obscure glazing for the new windows in the north west side elevation shall be submitted to and approved in writing by the Local Planning Authority

before works related to that part of the development is commenced. The development shall thereafter be implemented in accordance with the approved details.

Reason - Such details have yet to be submitted and to maintain the integrity and character of the building and to comply with Policies R/DP1, R/BH1 and R/BH3 of the Gosport Borough Local Plan Review.

8. Full details of any intervention in the roof line that may be required due to the insertion of the lift shall be submitted to and approved in writing by the Local Planning Authority before works related to that part of the development is commenced. The development shall thereafter be implemented in accordance with the approved details.

Reason - Such details have yet to be submitted and to maintain the integrity and character of the building and to comply with Policies R/DP1, R/BH1 and R/BH3 of the Gosport Borough Local Plan Review.

9. Details of the proposed double gates fronting Anglesey Arms Road including elevations at a scale of 1:20 including details of the method of hanging shall be submitted to and approved in writing by the Local Planning Authority before works related to that part of the development is commenced. A sample of the capping stone to be used on the gate piers shall also be submitted for approval. The development shall thereafter be implemented in accordance with the approved details.

Reason - Such details have yet to be submitted and to maintain the integrity and character of the building and to comply with Policies R/DP1, R/BH1 and R/BH3 of the Gosport Borough Local Plan Review.

10. Before the development hereby permitted is first brought into use cycle storage facilities shall be provided and thereafter retained in accordance with a detailed scheme submitted to and approved by the Local Planning Authority.

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

11. The development hereby permitted shall not be brought into use until areas for the parking of vehicles shall have been provided and the areas shall be surfaced and subsequently retained and kept available at all times for these purposes in accordance with a scheme to be agreed in writing by the Local Planning Authority.

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

**ITEM NUMBER: 02.**  
**APPLICATION NUMBER: K5744/21**  
**APPLICANT: Mr Ray Bezani**  
**DATE REGISTERED: 23.01.2009**

**LISTED BUILDING APPLICATION - ALTERATIONS AND EXTENSION TO EXISTING HOTEL ( AMENDMENT TO LISTED BUILDING CONSENT K5744/19) (CONSERVATION AREA) (as amended by Design and Access Statement and plans received 26.03.09)**  
**Anglesey Hotel 24 Crescent Road Gosport Hampshire PO12 2DH**

### ***The Site and the proposal***

Listed Building and planning consent were granted last year to increase the number of rooms at the Anglesey Hotel by a further 8, extending above the existing footprint. However a mistake was made in the original survey. The single storey element of the existing footprint was shown to be approximately 300 mm deeper than it actually is. In addition the internal layout could not be accommodated within the foot print approved and the extension was increased in depth by approximately 750mm without reference to the Local Planning Authority. When this discrepancy was noted during a Building Control Inspection the works were stopped on site. An amended Listed Building application has been submitted for a slightly larger extension than that originally permitted. A planning application has also been submitted for the same works.

The Anglesey Hotel is located on the northern side of Crescent Road at the junction with St Mark's Road within the Anglesey Conservation Area. It is a four storey building that steps down in height to the rear and has painted stucco walls. It forms the south eastern end of a curved terrace of Grade II \* Listed Buildings and dates from the 1830's. The Hotel has an existing extension dating to the later 19th Century that appears to have been remodelled in the early 20th Century with a new ground floor elevation.

The main entrance to the hotel is situated along the back edge of the pavement fronting onto St Mark's Road as is a door providing access to the bar area located to the rear of the premises. To the rear of the building there are treble folding timber gates providing access to the rear yard and garden adjacent to a block of five single storey garages. To the rear of the garages there is a 2 metre high brick boundary wall fronting Anglesey Arms Road. There is a brick boundary wall separating the site from the rear garden serving 23 Crescent Road. This is a residential property 4 storeys high with a pair of windows on each floor on the rear elevation. It has a long back garden and a relatively large front garden. At the back of the hotel building there is a flat roofed brick built extension which steps down to a recently constructed matching brick built flat roofed extension providing a cold store at the rear of the adjacent hotel kitchen. On the top of these extensions there is a black painted metal fire escape staircase into the rear yard.

Crescent Gardens are located to the front of the application site on the opposite side of Crescent Road where there is a layby that provides on street parking facilities. To the side of the Hotel is St Mark's Road. On the other side of the road is Ambleside Court, a 1960's block of flats, and garages and maisonettes fronting The Lane. There are no windows to habitable rooms in the side elevation to Ambleside Court facing the application site. There are no windows in the side elevation to the maisonette facing the application site. A disused walled cemetery, the site of St Mark's Church, is situated to the north of The Lane. In St Mark's Road, opposite the Hotel, bollards have been placed in the pavement by Hampshire County Council to restrict parking on that side of the road. Immediately to the rear of the application site on the opposite side of Anglesey Arms Road there is the side elevation containing secondary windows of a two story house, 22 St Mark's Road. The remainder of Anglesey Arms Road is characterised by two storey dwellings of different ages and types but with an overall cottage style.

The extension as previously permitted and as proposed will contain 6 rooms with a further 2 rooms at third floor level on the parapet roof to the existing three storey element to the building linking to

the 4 storey front part of the main building. The new mansard roof will be 2 metres higher than the existing hipped roof to the three storey element to the building whilst remaining 1 metre below the level of the frontage roof serving the main part of the building. In addition an internal lift will be provided to the top floor and passageways on the north west elevation would connect all bedrooms. The new enclosed fire escape would come down from the third floor and join with the existing external fire escape at first floor level. Due to the presence of a high level glazed window in the bar area the existing fire escape route over the flat roof cannot be moved from the centre of the roof back to adjoin the new extension away from the boundary with 23 Crescent Road. Therefore the existing fire escape route approved under applications K5744/16 and K5744/17 is now proposed to be retained.

In the light of responses to the public advertisement for this application a revised Design and Access Statement has been submitted. In addition amended plans indicating revisions to the ground floor window layout to the WC area located at the rear of the bar area have been received. The proposal still makes provision for 5 on site parking spaces. This will be achieved by making two of the garages available for customer parking. In addition part of the modern rear brick boundary wall will be removed to open up part of the garden area to provide a further customer parking space and two tandem spaces for staff parking. An area is also identified for providing cycle parking. New painted ledged and braced close boarded gates will be provided between brick piers to the parking area adjacent to Anglesey Arms Road.

The extension is designed to reflect the character of the original building. The lift will be capable of carrying a wheelchair plus at least one other person thus enabling disability access to all floors. Stucco painted walls will be continued to the main public elevations. The parapet walls will continue the details and architectural features of the existing building. The whole of the elevation to St Mark's Road will be repainted to ensure new and old blend together in a paint that is in keeping with the facade of the Crescent. The rainwater goods will be white painted metal. The treatment of the rear elevation facing Anglesey Arms Road will be render to continue the design and proportion of the St Mark's Road elevation. It will have central timber windows of equal proportions to those in the main part of the building. The overall bulk and height of this rear elevation is subservient to the main roof achieved by wrapping the mansard roof around the corner. The roof is to be constructed in matching natural slate with lead ridge flashing to match the main roof. The windows in this roof will be lead clad dormer windows with white painted timber framed single glazed sliding sash windows. The inner north west facing side elevation is to match in facing brickwork the more random form and appearance of the rear of the building. The style of the windows and detailing to the cills and brick lintels will match the originals. The new windows to this elevation will have obscure glazing by means of an applied film. The roof shape over the proposed fire escape minimises its bulk and possible overshadowing. It will follow the main roof slope down from the main roof with matching natural slates. Reclaimed matching facing brickwork will be used to construct the extension in an appropriate matching bond. Black painted fascia, gutter and rainwater goods will be used to match the existing located on the rear of the building.

### ***Relevant Planning History***

K5744/19 Listed Building application - alterations and extension to existing hotel to provide disabled access via passenger lift and additional bedroom accommodation (Conservation Area) permitted 30.04.08

K5744/20 current planning application for the same works submitted by the same applicant.

### ***Relevant Policies***

Gosport Borough Local Plan Review, 2006:

R/BH3

Development Affecting Listed Buildings

### ***Consultations***

Ancient Monument Society

no response

Council For British Archaeology	no response
English Heritage	Do not wish to offer any comments on this occasion. This application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.
Society For The Protection Of Ancient Buildings	no response
Twentieth Century Society	no response
The Georgian Group	The current proposal seek to extend an existing extension to the original fabric of the hotel. The Group do not object to the principle of an extension to the building. However, the design of the proposed mansard needs to be amended so that it will not be visible above the parapet of the extension to any greater extent than the original mansard is visible above the parapet of the main crescent. The group also advise that the windows in the rear of the existing extension are reused in the new extension as they appear to be early nineteenth century windows, probably moved from the rear of the original 1826 building.
The Gosport Society	no objection
The Victorian Society	no response

### ***Response to Public Advertisement***

2 letters of objection

Issues raised:-

- Original Design and Access Statement incorrect, states that the existing fire escape over the flat roof will be moved away from the boundary
- Existing traffic/parking problems in the area due to excessive parking and obstruction of visibility
- Inadequate car parking facilities
- Existing route of fire escape will be retained resulting in unacceptable overlooking/loss of privacy to neighbour
- Design and Access Statement refers to 'secondary rooms' at the rear of 23 Crescent Road but it includes the primary living space
- Future routing of fire escape should be as depicted in approved applications K5744/18 and K5744/19
- Disabled facilities could be provided without the proposed additional bedrooms
- Garages at rear of building are in a poor state of repair and could be removed to increase car parking

### ***Principal Issues***

1. The only issue in this case is the increase in the depth of the extension in the context of impact of the proposal on the historic and architectural character and appearance of this Grade II \* Listed



Building and its setting. The other issues raised by objectors have been assessed in relation to the associated planning application.

2. In view of the scale of the proposal the additional 750 mm in depth beyond the existing footprint will not significantly affect the appearance of the development. The proposed extension still provides a well designed and balanced elevation to St Mark's Road and an appropriate subservience to the original corner block of the Hotel. The fenestration and parapet detailing relate well to the main building and due to the set back of the mansard roof, the scale of the extension is reduced visually. I am satisfied that the mansard roof as proposed will not appear significantly more prominent than the original mansard that is visible above the parapet of the main crescent. Similarly the northern elevation, facing Anglesey Arms Road, provides a point of interest in an appropriately designed stucco treatment. The existing windows at first and second floor level in this elevation appear to be early nineteenth century and as such should be reused in the extension and this can be secured by condition. The north west elevation with its new windows and the external enclosed stairs help to break up an otherwise potentially relatively large plain facade. The design is helped by the window arrangement which is appropriate in this part of the building. The limited depth of the enclosed external staircase and sloping subservient roof helps reduce its visual presence. The alterations to the existing rear elevation to the main building returns an element of symmetry appropriate to the historic core of the original building and is acceptable in design terms. The proposed materials to be used and architectural detailing are acceptable and will be appropriate in this important location. I am satisfied this scheme will not be detrimental to the historic and architectural character and appearance of this Listed Building and its setting. The modifications to the previously approved scheme are acceptable and still retain the special character of the Listed Building. As such the development complies with Policy R/BH3 of the Gosport Borough Local Plan Review. Conditions are proposed requiring the detailed recording of the existing internal staircase proposed to be removed and replaced by the lift and stores. In addition further conditions are proposed requiring further details of specific aspects of the development so as to ensure the materials and historic and architectural detailing are correct and appropriate. The robust style and design of the timber gates are also appropriate to a building of this age and will retain a barrier along the Anglesey Arms Road frontage which is far more appropriate historically than having an open frontage. It would also not be appropriate to demolish the garages as these are an intrinsic part of the layout of the site. A condition is proposed requiring further details of the gates and details of the piers and type of capping stones to ensure they will enhance the setting of this important Listed Building.

### **RECOMMENDATION: Grant Listed Building Consent**

#### **Reasons for granting permission:**

1. Having regard to Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations the development is acceptable in this location. It is of an appropriate design and does not have any detrimental impact on this Listed Building or its setting. As such the development complies with Policy R/BH3 of the Gosport Borough Local Plan Review.

#### **Subject to the following conditions:-**

1. The works 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 18 of the Planning (Listed Buildings and Conservation Area) Act, 1990 (as amended).

2. A full photographic record and section and elevation drawings at a scale of 1:20 of the existing internal staircase (proposed to be removed and replaced by the lift and stores) shall be made and

copies sent to the Local Planning Authority and the County Archaeologist before any demolition takes place.

Reason - To ensure that historical and architectural evidence is investigated and recorded and to comply with Policies R/BH3 and R/BH4 of the Gosport Borough Local Plan Review.

3. Full details of the proposed external facing brickwork, mortar and brick bond including a sample panel to be prepared on site to show the method of pointing shall be submitted to and approved in writing by the Local Planning Authority before works related to that part of the development is commenced. The development shall thereafter be implemented in accordance with the approved details.

Reason - Such details have yet to be submitted and to maintain the integrity and character of the building and to comply with Policies R/DP1, R/BH1 and R/BH3 of the Gosport Borough Local Plan Review.

4. Details including samples of the roof slates and external render shall be submitted to and approved in writing by the Local Planning Authority before works related to that part of the development is commenced. The development shall thereafter be implemented in accordance with the approved details.

Reason - Such details have yet to be submitted and to maintain the integrity and character of the building and to comply with Policies R/DP1, R/BH1 and R/BH3 of the Gosport Borough Local Plan Review.

5. The exiting windows at first and second floor level in the northern elevation, facing Anglesey Arms Road, shown edged in red on the plans hereby approved, shall be carefully removed and repaired as necessary and reused in the proposed northern elevation.

Reason - To maintain the integrity and character of the building and to comply with Policies R/DP1, R/BH1 and R/BH3 of the Gosport Borough Local Plan Review.

6. Details of the dormers and all new external windows and doors (including illustrating how they are to be set within the respective render or brick surrounds) including horizontal and vertical sections and elevations at a scale of 1:20 and glazing bars at a scale of 1:1 shall be submitted to and approved in writing by the Local Planning Authority before works related to that part of the development is commenced. The development shall thereafter be implemented in accordance with the approved details.

Reason - Such details have yet to be submitted and to maintain the integrity and character of the building and to comply with Policies R/DP1, R/BH1 and R/BH3 of the Gosport Borough Local Plan Review.

7. Full details including a sample of the proposed obscure glazing for the new windows in the north west side elevation shall be submitted to and approved in writing by the Local Planning Authority before works related to that part of the development is commenced. The development shall thereafter be implemented in accordance with the approved details.

Reason - Such details have yet to be submitted and to maintain the integrity and character of the building and to comply with Policies R/DP1, R/BH1 and R/BH3 of the Gosport Borough Local Plan Review.

8. Full details of any intervention in the roof line that may be required due to the insertion of the lift shall be submitted to and approved in writing by the Local Planning Authority before works related to that part of the development is commenced. The development shall thereafter be implemented in accordance with the approved details.

Reason - Such details have yet to be submitted and to maintain the integrity and character of the building and to comply with Policies R/DP1, R/BH1 and R/BH3 of the Gosport Borough Local Plan Review.

9. Details of the proposed double gates fronting Anglesey Arms Road including elevations at a scale of 1:20 including details of the method of hanging shall be submitted to and approved in writing by the Local Planning Authority before works related to that part of the development is commenced. A sample of the capping stone to be used on the gate piers shall also be submitted

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for approval. The development shall thereafter be implemented in accordance with the approved details.

Reason - Such details have yet to be submitted and to maintain the integrity and character of the building and to comply with Policies R/DP1, R/BH1 and R/BH3 of the Gosport Borough Local Plan Review.

**ITEM NUMBER: 03.**  
**APPLICATION NUMBER: K15374/4**  
**APPLICANT: Burton Property Ventures Ltd**  
**DATE REGISTERED: 30.03.2009**

**CONVERSION OF PUBLIC HOUSE TO FORM 2NO.1 BED FLATS AND 3NO.2 BED HOUSES AND CONSTRUCTION OF 3NO.1 BED FLATS, 5NO.3 BED HOUSES AND 1NO.2 BED FLAT WITH ASSOCIATED ACCESS AND LANDSCAPING (CONSERVATION AREA) (as amended by letter dated 21.05.09 and by plans received 22.05.09) K15374/4**

### ***The Site and the proposal***

The application site is located in a prominent position on the north side of Privett Road at the traffic light controlled junction with Ann's Hill Road. It is within the Bury Road Conservation Area. It includes the former Wiltshire Lamb public house and its car park and garden and land extending to the rear of numbers 4-12 Privett Road. The adjacent 4 Privett Road is a two storey house in the ownership of the applicant but does not form part of the application site. Beyond the northern site boundary there is a two storey flatted development constructed in red brick with a hipped tiled roof accessed from Warnford Close. Immediately to the north of the site fronting Ann's Hill Road is another former public house 'The Harvest Home' which was converted into three dwellings in 2000. To the west and backing onto the site there are a pair of relatively large houses, numbers 6 and 8 Privett Road, which are Grade II listed buildings and numbers 10,12 and 14 Privett Road which are small cottages.

The Wiltshire Lamb building is two storey and has two single storey additions on its rear elevation. It is constructed in red brickwork with blue string courses and yellow brick quoins under a multi-hipped slate roof with a hidden valley. It has timber windows of different ages and designs and a projecting timber and brick bay at first floor level on the elevation facing Privett Road. There is interesting historic architectural detailing in the form of a window etched with the words 'Blakes Stout' on the angled corner at ground floor level and coloured glass top lights to ground floor windows fronting Ann's Hill Road. It also has a number of chimney stacks in both red and yellow brickwork with 'Fareham Red' chimney pots. The articulated elevation to Ann's Hill Road is set along the back edge of the pavement. At the rear of the building, adjoining the car park, there is a brick built garage with a slate roof. The car park is surfaced in tarmac and has two dropped kerb access points onto Ann's Hill Road with a low post and rail fence to the boundary. At the rear of the car park there is a concrete and timber fence that separates it from the garden area. Part of the garden contains a number of timber aviaries and paved area but the remainder, to the west, is overgrown with grass and brambles with a number of small trees and shrubs. A Fig tree has consent to be removed. The proposal is also to remove a Eucalyptus and multi stemmed Bay. There is a badger sett towards the north end of the site within the former rear garden to 8 Privett Road. There is a two metre high brick boundary wall to the north of the site and the properties beyond have no windows at first floor level in their side elevations facing into the site. There is an old brick wall forming the western boundary to the site and the side boundary to 6 Privett Road which contains a date plaque 'TP' 1821. Beyond this wall there is a 20 metre high Lime tree. There is 2 metre high close boarded fencing along the southern boundary of the site where it adjoins the rear gardens to 6 and 8 Privett Road. Number 6 has a large shed adjacent to this boundary. Number 8 also has a shed which is approximately 2.5 metres high to the top of the east-west aligned ridge which runs two thirds of the way along the boundary. These two properties have some windows in their rear elevations facing the application site. There is a bathroom window at first floor level at number 8 and a small dormer window serving a bedroom at second floor level. There is no boundary treatment where the application site adjoins the back of numbers 10 and 12 as the area is totally overgrown. To the south, in the garden of 10 Privett Road there is a 15 metre high Ash tree.

To the west of the application site is the Gosport War Memorial Hospital. To the south is the Bury Cross Neighbourhood Shopping Centre. There is a further parade of shops located to the north of

the hospital with lay-by parking. There are also lay-by parking facilities immediately to the north of the site on the west side of Ann's Hill Road. Privett Road has cycle lanes for both eastbound and westbound movements. The site is served by at least eight buses per hour which have bus stops within easy walking distance and more than four buses per hour pass the site. As such the site is in an accessible location.

The Wiltshire Lamb is in poor structural condition and the proposal seeks to return this historic building into a good state of repair and to establish a long term use that will sustain the building in good order. It is proposed to demolish the two single storey elements to the rear and convert the main part of the building and the garage to provide two 1 bedroom flats and three 2 bedroom houses. The alterations to the elevations of the building will involve the repair of the existing timber windows and retention of the existing etched and coloured glass. Any replacement windows required will be timber of a matching design and detailing with secondary glazing. The brickwork will be retained along with the chimney stacks and pots and re-pointed and repaired as necessary. The flats will not have any gardens but the three houses will have gardens approximately 5 metres deep. To the north of the building there will be a pedestrian access to the rear of the houses with a set back metal gate.

To the north of the existing building a two storey terrace is proposed which will extend the built form along the Ann's Hill Road frontage. It will comprise three 1 bedroom flats, one 2 bedroom flat and three 3 bedroom houses. The houses will have back gardens between 6 and 7 metres deep. The existing vehicular access points to the site will be closed and a new access constructed through the terrace. The terrace will be set back slightly to provide small front gardens enclosed with a mixture of brick boundary walls and low walls with railings. These gardens are to be hard surfaced. There will be splays to the railing adjacent to the proposed vehicular entrance. The terrace will be articulated and constructed in brick with contrasting brick soldier courses and cills. There will be some reconstituted stone cills and different roofing materials to the linked hipped roof form. The roof will have feature chimneys. The link across the entrance to the site will have artificial slate tile hanging with the frontage first floor window having a small gable above it. The northern element of the terrace is to have a dropped eaves line with first floor dormer windows. The house at the southern end will have a timber projecting bay at first floor level with sliding sash timber windows. The other windows will be white painted timber casements. The properties will have porches of differing designs to add further interest to the front elevation.

Through the entrance to the site there will be a communal car parking area providing 14 spaces. To the west of this car park a pair of semi-detached 3 bedroom houses is proposed. They will be constructed in brick with a flat topped barn hip style roof to the sides, the roof space containing the third bedroom. The rear roof slope will contain velux roof lights which will face the end of the long rear garden serving 14 Privett Road. At first floor level there will be a separation distance of between 23 and 27 metres from the front windows to the backs of the proposed properties facing Ann's Hill Road. There are to be two small windows in the side elevation at first floor level serving the bathroom and landing. These windows will be situated 10 metres to the south of the blank side elevation of the flats located in Warnford Close. They will be 24 metres away from the rear elevation of 8 Privett Road. The houses will have 8 metre deep rear gardens to the north of which will be a protected badger foraging area.

The existing 2 metres high brick boundary wall is to be retained along the northern boundary to the site. There will be 1.8 metre high close boarded fencing to the western boundary and southern boundary to the rear of numbers 12 to 8 Privett Road. A new 2 metres high brick wall is to be erected on the boundary to the north of 6 Privett Road where it will be adjacent to the proposed car parking area. Within these walls and fences provision will be made for badger movement through the boundaries. The historic wall along the eastern boundary to 6 Privett Road will be retained to the north where it will adjoin the southern part of the car park and the existing 'TP' 1821 date plaque will be retained. The former line of the historic boundary wall across the car park will be marked out by granite sets across the car park. The same demarcation will be used to mark the line of the wall in front of the two new houses located in the north west corner of the site. Other fencing around the new gardens will be 1.8 metres high with 1.2 metres high fencing with 0.6 metre trellis tops to boundaries between dwellings.

Throughout the development provision will be made for bin storage areas in relevant locations with a collection point for units 8 - 14 on the southern side of the access to the site. Each property will have its own secure cycle store with visitor cycle parking hoops at appropriate locations within the site.

The application is supported with a Design and Access Statement together with a Desk Top Archaeological Assessment, Ecological Assessment Report, an additional Reptile Report following comments received from Natural England, a Transport Statement, Site Waste Management Plan and Arboricultural Impact Appraisal and Method Statement. The Arboricultural Impact Appraisal concludes the two additional trees to be removed, a Eucalyptus and a Bay, to be of low category due to their poor condition and small size. The large Lime tree situated in the rear garden of 6 Privett Road is to be protected by measures set out in the method statement detailed in the Arboricultural Impact Appraisal.

### ***Relevant Planning History***

K3444/2 alterations and conversion of The Harvest Home to form 3no. dwellings permitted 19.10.99  
(258-262 Ann's Hill Road)  
K15374/3 felling of fig tree no objection raised 12.11.08

### ***Relevant Policies***

Gosport Borough Local Plan Review, 2006:

- R/BH2
- Demolition in Conservation Areas
- R/DP1
- General Standards of Development within the Urban Area
- R/DP3
- Provision of Infrastructure, Services and Facilities
- R/H4
- Housing Densities
- R/BH1
- Development in Conservation Areas
- R/BH8
- Archaeology and Ancient Monuments
- R/BH3
- Development Affecting Listed Buildings
- R/T4
- Off-site Transport Infrastructure
- R/T11
- Access and Parking
- R/ENV4
- Treatment of Foul Sewage and Disposal of Surface Water
- R/OS8
- Recreational Space for New Residential Developments
- R/OS13
- Protection of Habitats Supporting Protected Species

### ***Consultations***

The Gosport Society	no objection
Natural England	The Ecological Assessment and Reptile survey have been undertaken to an acceptable standard. No objection provided conditions are attached relating to approval

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	of mitigation measures for the protection of badgers and works avoiding the bird breeding season.
Southern Water	Formal application for connection to the public sewer required. Alternative means of surface water disposal should be considered.
County Education Officer	Developer contribution towards education facilities not required.
HCC Landscape, Planning, Heritage Section	A programme of archaeological excavation should be secured by planning condition.
Building Control	Fire access satisfactory. Dwellings on plots 13 and 14 will require sprinkler system.
Streetscene (Parks & Horticulture)	No objection. I concur with the tree survey for the site and that the proposed works would not have a detrimental effect on the trees for retention and that no individual or groups of trees on the site would be worthy of TPO status.
Streetscene (Waste & Cleansing)	Adequate space identified for storage of the relevant number of bins on site with collection point adjacent to car park entrance and further collection from pavement.
Local Highway Authority	No objection. The site is located on a busy, traffic controlled junction of two classified roads where parking restrictions exist on both frontages. The site is in a sustainable location and the proposed development will generate less traffic movements than the existing use. The proposed level of car parking is acceptable but the spaces should be conditioned to remain communal and not be allocated. Deliveries by larger vehicles will not be able to access the site. This is likely to cause disruption and a hazard to highway users therefore the existing TRO should be amended. A contribution towards putting such a TRO in place should be paid for by the developer secured through a section 106 Agreement. The amended plans show an acceptable splayed access and an appropriate refuse bin collection area is identified. Cycle parking facilities for residents and visitors comply with minimum standards. No transport contributions are required given the net reduction in trips based on an analysis of the TRICS database in respect of the existing/proposed uses. Conditions suggested including ground floor windows on units 1, 3, 4 and 5 not to open over the highway.

## ***Response to Public Advertisement***

7 Letters received

Issues raised:-

- No attempt was made to market the Wiltshire Lamb
- Welcome the proposal to retain the building
- Proposed new buildings represent an overdevelopment of the available space
- Important features of the building such as the contrasting coloured bricks, Fareham red chimney pots, etched-glass window lettered 'Blakes Stout' should be retained
- Important that appropriate archaeological exploration of the site should take place
- Retention of the name of the Wiltshire Lamb should be sought in some form
- Queries in detail the way the application forms have been completed
- Whether Enterprise Inns still have any interest in the site
- Proximity of proposed access to Bury Cross junction
- Large vehicles will not be able to access the parking area, likely to cause traffic parking in the road
- Query whether the proposal includes the separate unit at 4 Privett Road
- Refuse vehicles will have to park in the road to collect bins from the site
- Site is in a Conservation Area, listed boundary walls should not be demolished
- Overlooking of adjoining gardens
- Possible damage to neighbouring trees
- Inadequate on site parking provision
- Development will disturb badgers on the site and drive them away
- Overdevelopment of the site by cramming in properties where others are vacant and available within the Borough
- Loss of outlook and light to neighbouring gardens
- Desk top archaeological assessment omits a map from 1832 which identifies buildings on the site
- Photograph used on design and access statement has been used without permission
- Hampshire NHS Primary Care Trust objects to the possibility of residents parking in the hospital car park after hours which is for hospital visitors only, signage will be changed to warn the public that only users of the hospital may park in the car park
- Fareham red chimney pots should be retained along with wall tablet TP 1821 and engraved windows

## ***Principal Issues***

1. The application site is located within the urban area boundary and consequently the principle of residential development is acceptable provided that the details accord with the criteria outlined in Policy R/DP1 of the Gosport Borough Local Plan Review. There are residential properties located around the site and no Local Plan Policy that prevents the conversion of a public house into residential use. Enterprise Inns have parted with all interest in the site and the overall poor condition of the entire property requires significant investment to secure its long term future. The application forms have been completed correctly. Number 4 Privett Road is a separate vacant dwelling at present and does not form part of the application site. Copyright relating to the use of a photograph is a private legal matter between the parties involved. The trees located on the site are of no merit. Therefore the main issues in this case are whether the design of the alterations are compatible with the character of this historic building, the impact of the development on the setting of the nearby listed buildings, and the character and appearance of the Bury Road Conservation Area, the archaeological interests of the site, the interests of nature conservation, the acceptability of the design of the new dwellings and the impact on the amenities of nearby and prospective residents and the provision of car and cycle parking, refuse storage facilities and open space.

2. The building is in a prominent location and has considerable architectural character. This scheme ensures the retention and enhancement of the important features of the building. The conversion works and proposed materials are sympathetic to the form of the building and the removal of the rear extensions is acceptable. The refurbishment and removal of the old garage and aviaries on the site will enhance the setting of the adjoining listed buildings in compliance with Policy R/BH3 of the Gosport Borough Local Plan Review. The proposed layout for the rest of the



site respects the historic and architectural importance of The Wiltshire Lamb and will improve the street scene in Ann's Hill Road. The proposed new build in the form of an articulated terrace and the pair of semi-detached houses using different materials has been designed to reflect the character of the adjacent historic buildings. The detailing to these buildings is in keeping with the historic context of the site and reflects the cottage style of the local vernacular. The mixture of materials and design details add interest and character to the proposal. As such the proposal will enhance the appearance of the Bury Road Conservation Area and the appearance of the general area, in compliance with Policies R/DP1 and R/BH1 of the Gosport Borough Local Plan Review.

3. The impact on the archaeology of the site can be mitigated by a condition requiring a programme of archaeological work in accordance with a written scheme of investigation to comply with Policy R/BH8 of the Gosport Borough Local Plan Review.

4. Whilst the development will result in a density of approximately 95 dwellings per hectare (dph), which is higher than the suggested 30 - 50 dph within Policy R/H4, the site has good access to public transport and is in an accessible location. The proposed 1, 2 and 3 bedroom units will assist in providing a variety of residential accommodation to meet the housing needs of the Borough. The proposal therefore accords with Policy R/H4 of the Gosport Borough Local Plan Review.

5. The relationship of the converted existing building to the adjoining residential property will not change and as such there will be no impact in terms of loss of light or privacy to the adjoining property, 4 Privett Road, as a result of this development. Given the orientation of the proposed new dwellings and their detailed design there will be no loss of light or privacy to prospective occupiers. Due to the design of units 13 and 14 there will be no unacceptable overlooking of the properties located to the east or west. To ensure that the existing privacy of occupiers of 8 Privett Road and the flats in Warnford Close is maintained a condition is proposed requiring the windows in the side elevations to be obscure glazed and non-opening. 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 neighbouring or prospective occupiers.

6. The small front gardens and fenced rear garden areas of the houses will provide satisfactory amenity space for residents. The revised and strengthened boundary treatment with the adjoining properties will ensure there is no unacceptable mutual overlooking between these neighbouring uses. The site provides adequate storage facilities for refuse to the relevant capacity standards with collection from Ann's Hill Road.

7. The site is in an accessible location and on the boundary of Privett Ward with Leesland Ward. Due to the nature of the development it is probable that the site will display parking requirements similar to those in Leesland Ward. Census evidence shows that Leesland Ward has the second lowest average car ownership levels in the Borough at 0.9 cars/vans per household, with only 18% owning 2 or more cars. An analysis of parking indicates that the site will require 12 parking spaces from 2001 Census data, rising to 14 spaces in 2026. 14 parking spaces are provided to be used on a communal basis so visitor parking can take place within the communal parking area. This level of car parking provision is considered acceptable. In addition the layout is such that vehicles will be able to turn on site so as to enter and leave in a forward gear utilizing a single access point. In order to ensure that large vehicles do not park south of the new access to deliver to the site the applicant has confirmed a willingness to enter a planning obligation to fund the making of a TRO to prevent this. As such there will be no detrimental impact on highway safety. A condition is proposed requiring the parking to be communal and not allocated to specific properties to allow for visitor parking. Adequate space and facilities are to be provided within the site to ensure secure long stay cycle provision and short stay visitor cycle parking provision meets minimum standards. The proposal therefore complies with Policy R/T11 of the Gosport Borough Local Plan Review.

8. The ecology report concludes that the site has some ecological value and recommends a number of measures to protect badgers. The further survey evidence submitted confirms there are no reptiles on the site. It is proposed to attach a condition to require the submission of a detailed scheme of mitigation to protect the badgers. The proposal therefore accords with Policy R/OS13 of the Gosport Borough Local Plan Review.

9. The need for transport infrastructure contributions in accordance with Policies R/DP3 and R/T4 of the Gosport Borough Local Plan Review has been considered. However, the trip generation for the existing public house is greater than that for this proposed residential development and as such no contributions are required. 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 of the Gosport Borough Local Plan Review for the 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 sum towards the funding of a traffic regulation order

**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 at an acceptable density and will assist in providing a variety of residential accommodation to meet the housing needs of the Borough within an accessible location. It will ensure the retention of a historic building and its architectural character with the new properties reflecting the character of nearby historic buildings and enhancing its setting. It will not have any detrimental impact on the setting of nearby listed buildings and will enhance the appearance of the Bury Road Conservation Area. The proposal will not have a detrimental impact on the amenities of neighbouring or prospective occupiers or highway safety. The development will not have an adverse impact on the interests of nature conservation. Adequate provision is made for open space, car parking and cycle and refuse storage. Necessary archaeological works are to be undertaken. As such the development complies with Policies R/DP1, R/DP3, R/H4, R/BH1, R/BH2, R/BH3, R/T4, R/T11, R/ENV4, 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. No development shall commence until a scheme of measures to support badgers within the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before works are commenced and the approved measures retained thereafter.

Reason - In the interests of nature conservation and to comply with Policy R/DP1 and R/OS13 of the Gosport Borough Local Plan Review.

3. No development shall take place until details of drainage works have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details. Prior to the submission of those details, an assessment shall be carried out into the potential for disposing of surface water by means of a sustainable drainage system (SuDS) in accordance with the principles of sustainable drainage systems set out in Appendix E of PPG 25, and the results of the assessment provided to the Local Planning Authority. Where a SuDS scheme is to be implemented, the submitted details shall:

- (i) Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- (ii) Specify the responsibilities of each party for the implementation of the SuDS scheme, together with a timetable for that implementation; and
- (iii) Provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

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

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.

4. No development shall take place on the site 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.

5. 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.

6. Details of all new windows and doors to be installed in the existing building including horizontal and vertical sections at a scale of 1:5 and elevations at a scale of 1:10 including details of the set back within the reveals and details of any alterations to the roofing material or chimney stacks and pots shall be submitted to and approved in writing by the Local Planning Authority before works related to that part of the development is commenced. The development shall thereafter be carried out in accordance with the approved details.

Reason - Such details have yet to be submitted and to maintain the integrity and character of the building and to comply with Policies R/DP1 and R/BH1 of the Gosport Borough Local Plan Review.

7. No development above slab level shall take place until full details of the hard and soft landscaping works have been submitted to, and approved by, the Local Planning Authority and these works shall be carried out as approved. These details shall include all means of enclosure, hard surfacing materials, external lighting, a planting plan for the garden areas including details of soft landscaping to be retained and implementation programme.

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

8. The approved soft 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 Policy R/DP1 of the Gosport Borough Local Plan Review.

9. The Lime tree which is to be retained shall be protected during building operations by strict compliance with BS5837:2005 - Trees in Relation to Construction and as detailed within the Barrell Tree Consultancy Arboricultural Impact Appraisal and Method Statement submitted with the application

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

10. The development hereby permitted shall not be brought into use until areas for the parking of vehicles shall have been provided and the areas shall be surfaced and subsequently retained and kept available at all times for these purposes in accordance with a scheme to be agreed in writing by the Local Planning Authority.

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

11. Before the development hereby permitted is first brought into use cycle storage facilities shall be provided and thereafter retained in accordance with a detailed scheme submitted to and approved by the Local Planning Authority.

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

12. The new access, including the footway crossing and/or verge crossing shall be constructed in accordance with a scheme to be agreed in writing with the Local Planning Authority, before the development hereby permitted is first occupied.

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

13. The existing north and south accesses to the site shall be stopped up and the footway crossings shall be reinstated immediately after completion of the new widened access.

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

14. The areas provided for the parking of vehicles shall be for communal use only and remain unallocated.

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

15. 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.

16. The ground floor windows to units 1, 3, 4 and 5 shall be designed so that they do not open out over the highway and shall be retained in that condition.

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

17. The windows on the first floor side elevations of units 13 and 14 shall be glazed with obscure glass and be non-opening and shall be retained in that condition.

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

18. Details of the restoration of the brick boundary walls to the rear of 6-8 Privett Road, including an elevation drawing at a scale of 1:20 and a specification for mortar repairs and painting shall be submitted to and approved in writing by the Local Planning Authority before works related to that part of the development is commenced. The development shall thereafter be carried out in accordance with the approved details.

Reason – Such details are yet to be submitted and to maintain the integrity and character of the walls, and to comply with Policies R/DP1, R/BH1 and R/BH3 of the Gosport Borough Local Plan Review.

19. Details of the railings to Ann's Hill Road including sections at a scale of 1:20 shall be submitted to and approved in writing by the Local Planning Authority before works related to that part of the development is commenced. The development shall thereafter be carried out in accordance with the approved details.

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Reason – Such details are yet to be submitted and in the interests of amenity and the appearance of the locality, and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

20. The extent of any window replacement on the existing buildings and details of any secondary glazing proposed on this part of the development shall be agreed in writing with the Local Planning Authority before works related to that part of the development is commenced. The development shall thereafter be carried out in accordance with the approved details.

Reason – Such details are yet to be submitted and to maintain the integrity and character of the buildings, and to comply with Policies R/DP1 and R/BH1 of the Gosport Borough Local Plan Review.

21. Details of the main door to the Wiltshire Lamb (located on the chamfered corner) in the form of elevations at a scale of 1:20, vertical and horizontal sections at a scale of 1:10 shall be submitted to and approved in writing by the Local Planning Authority before works related to that part of the development is commenced. The development shall thereafter be carried out in accordance with the approved details.

Reason – Such details are yet to be submitted and to maintain the integrity and character of the building, and to comply with Policies R/DP1 and R/BH1 of the Gosport Borough Local Plan Review.

**ITEM NUMBER: 04.**  
**APPLICATION NUMBER: K6230/8**  
**APPLICANT: David Seymour Estate Agents**  
**DATE REGISTERED: 14.05.2009**

**PROPOSED CHANGE OF USE OF PART OF EXISTING GROUND AND FIRST FLOOR  
OFFICE AND STAFF AREA TO 2NO. ONE BEDROOMED SELF CONTAINED FLATS  
AND TWO STOREY REAR EXTENSION (CONSERVATION AREA)**  
**89 Stoke Road Gosport Hampshire PO12 1LR**

### ***The Site and the proposal***

The application site is located on the southern side of Stoke Road, within the Stoke Road Conservation Area and Stoke Road District Shopping Centre. The application property is a three storey red brick building comprising an estate agent at ground floor with self contained flats on the first and second floors. The property forms part of a terrace of buildings designated as a 'key block' within the Stoke Road Conservation Area Appraisal, 2007. There is a pitched roof, two storey element on the rear elevation which is currently used by the estate agent as a store and staff area. Attached to the southern elevation is a small single storey lean-to extension containing a staff toilet and a small pitched roof, wooden shed stands adjacent to the rear elevation. At the rear of the site is a small parking area for one vehicle. The space is accessed via Jamaica Place, a relatively new road which provides unrestricted views of the rear elevations of the buildings fronting Stoke Road. The parking area is enclosed on its western side by a 1.2 metre high wire mesh fence with concrete pillars and on the eastern side by the side elevation of a single storey flat roof extension at number 85 and a 1.4 metre high red brick wall.

The buildings in the locality vary in size and design and a number have single and two storey rear extensions. The two storey elements follow an established and uniform building line, set back from Jamaica Place by approximately 16 metres. The adjoining property to the east, number 85, has a large single storey flat roof extension on the rear elevation with a lean-to car port structure attached to its eastern side. This property received planning permission in 2002 to convert the first and second floors into 2 flats. At the rear of number 85 is a small storage area used by the owners of the ground floor commercial premises Glass and Windows. To the west of the site is number 91, which has a two storey flat roof element on the rear elevation. To the south of the site and on the opposite side of Jamaica Place is a public car park. Parking restrictions apply along the length of Jamaica Place.

It is proposed to demolish the small lean-to extension and erect a two storey pitched roof extension on the rear elevation of the existing two storey element. The proposed extension, together with internal alterations to the existing building, will create a one bedroomed ground floor flat and a one bedroomed first floor flat. The extension has been designed with a subservient roof set to a height of 5.8 metres and will be 6.4 metres deep. The rear elevation will be located 9.5 metres from Jamaica Place. The proposed extension will contain two ground floor and two first floor windows in the western elevation, but no windows in the eastern elevation. It is proposed to replace a ground floor window in the original rear elevation with a single door in order to retain independent rear access to the estate agency. An existing entrance door in the original western elevation is to be blocked up and made good using matching brick. A new first floor window will also be introduced in the same elevation. Both the ground and first floor flats are to be accessed from the rear elevation, the first floor via a metal staircase. The rear elevation will also contain a first floor window.

The proposed development will retain a single parking space, for use by the ground floor estate agency. No parking provision has been made for the proposed flats. Space has been allocated for the storage of 4 refuse bins and visitor cycle parking facilities have also been provided. Secure bicycle parking is shown underneath the proposed external staircase, adjacent to the rear elevation.

### ***Relevant Planning History***

K6230 use for estate agent's office or shop use only permitted 30.07.68

K6230/2 erect extension to estate agents office permitted 19.06.73

K6230/3 install new shop front and alterations to front elevation permitted 14.11.78

K6230/4 erection of single storey rear extension to estate agents office permitted 08.09.82

K6230/5 erection of two storey rear extension, change of use of 1st and 2nd floors from office to 2no. flats permitted 10.08.90

K6230/6 change of use of first floor and second floor from offices to 2 self contained flats and internal alterations permitted 11.06.01

K6230/7 internal and external alterations to ground floor office store and staff area and further works to erect a two storey rear extension to provide 2no. one bedroom flats withdrawn 11.03.09 due to concerns over design

K6311/6 application at 85 Stoke Road for change of use of first and second floor from offices to 2no. self contained flats and internal alterations permitted 7.06.02

### ***Relevant Policies***

Gosport Borough Local Plan Review, 2006:

R/DP1

General Standards of Development within the Urban Area

R/BH1

Development in Conservation Areas

R/BH2

Demolition in Conservation Areas

R/H4

Housing Densities

R/S6

Residential Development at Ground Floor within Defined Shopping Centres

R/S7

Use of Upper Floors

R/T11

Access and Parking

R/DP3

Provision of Infrastructure, Services and Facilities

R/T4

Off-site Transport Infrastructure

R/OS8

Recreational Space for New Residential Developments

### ***Consultations***

The Gosport Society	to be updated
Building Control	to be updated
Streetscene (Waste & Cleansing)	to be updated

### ***Response to Public Advertisement***

nil

### ***Principal Issues***

1. The application site is located within the Urban Area Boundary where the principle of residential development is acceptable provided that the details accord with the criteria outlined in Policy R/DP1 of the Gosport Borough Local Plan Review. The existing single storey lean-to extension on the rear elevation does not contribute to the character or appearance of the Conservation Area and is of no

architectural or historic value. As such, its demolition complies with Policy R/BH2 of the Local Plan Review. The main issues in this case therefore are the acceptability of the principle of residential development within the defined shopping area, the density of the proposed scheme, whether the development will preserve or enhance the character and appearance of the Stoke Road Conservation Area, the impact on the amenities and servicing arrangements of the existing, adjoining and prospective occupiers and the provision for car and cycle parking, refuse storage facilities, open space and transport and highway improvements.

2. The proposed development will increase the residential density of the site from 125 dwellings per hectare (dph) to 250 dph which exceeds the guideline density range of 30-50 dph as set out in Policy R/H4 of the Local Plan Review. However, the high density is reflective of adjacent plots and is acceptable in a District Centre location with its good links to public transport and a wide range of services. Although neither flat has its own area of private amenity space, this is typical of the majority of properties in Stoke Road and there are a number of public parks within the vicinity of the application site. As such, the proposal is acceptable in terms of residential density and complies with the aims and objectives of Policy R/H4.

3. The application site is clearly visible from Jamaica Place and therefore any proposal must be appropriate to its setting in terms of scale and form so as to preserve the character and appearance of the Stoke Road Conservation Area. Numbers 83-105 Stoke Road are identified as a 'key block' within the Stoke Road Conservation Area Appraisal, 2007 and any proposal should therefore be sympathetic in design to the existing and adjacent built form. The proposed two storey extension has been designed with a subservient pitched roof which would be 2.6 metres lower than the ridge tile of the existing two storey element on the rear elevation. Although the rear elevation will be set forward of the established two storey building line, the addition will not extend beyond the rear elevation of the single storey rear extension at number 85. Moreover, the reduced ridge height significantly reduces the overall mass of the structure. Consequently, the proposed development will not create a discordant feature on the rear elevation and will not appear over prominent when viewed from any public vantage point. The development is sympathetic to the adjacent built form and in considering the variety of other two storey extensions and external staircases in the vicinity, will not have a detrimental impact on the visual amenity of the locality. The proposal will preserve the character and appearance of the Stoke Road Conservation Area and therefore complies with Policies R/DP1 and R/BH1 of the Gosport Borough Local Plan Review.

4. The rear of the site is currently occupied by a small wooden shed and parking area and is not required for retail use. The first and second floors of the main building have already been subdivided for residential accommodation and this is a common arrangement along this section of Stoke Road. A new door in the original rear elevation will ensure separate and independent rear access to the estate agency is retained, although the business will continue to be serviced from the front of the site. The proposed development will not therefore result in inferior servicing arrangements for this premises, or any other adjacent properties and will not compromise the retail function of the Stoke Road District Centre. The development therefore complies with Policies R/S6 and R/S7 of the Local Plan Review.

5. Due to the siting of the proposed and existing windows there will be no impact on current or prospective occupiers in terms of loss of privacy. Although the proposed extension is 6.4 metres deep, due to the low roof height, I do not consider there will be an unacceptable impact on the amenities of the occupiers of any adjoining property in terms of loss of light or outlook. The development therefore complies with Policy R/DP1 of the Gosport Borough Local Plan Review.

6. The proposed development will retain a single parking space for use by the estate agents. The space affords safe and convenient access and there is adequate intervisibility between vehicles exiting the site and all other users of the public highway. No parking is provided for prospective occupiers of the proposed flats. However, this is a common feature within the district centre with its good links to public transport and local services. The proposed flats are single bedroomed units and are unlikely therefore to create a significant demand for car parking. This, coupled with the parking restrictions along the length of Jamaica Place, will ensure the development does not result in overspill parking on the local road network to the detriment of local amenity. Moreover, there is a



public car park to the south of the site that can be used for visitor parking. Adequate provision has been made for secure and visitor cycle parking as well as for the storage of refuse bins. Details of the design of the secure bicycle parking and visitor cycle stands shall be secured by condition. In light of the above, the proposed development complies with Policies R/DP1 and 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 and transport and highway improvements, in accordance with Policies R/OS8, 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 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 proposed development is acceptable in this location. Due to its appropriate design, density and layout, the development will preserve the character and appearance of the Stoke Road Conservation Area and will not have a detrimental impact on the visual amenity of the locality or the amenities and servicing arrangements of existing, neighbouring or prospective occupiers. Adequate provision is made for open space, cycle and refuse storage and highway and infrastructure improvements. The development therefore complies with Policies R/DP1, RBH1, R/BH2, R/H4, R/S6, R/S7, R/T11, R/DP3, R/T4 and R/OS8 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. 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 and the development shall thereafter be constructed in accordance with the approved details.

Reason - To ensure that the external appearance of the buildings is satisfactory, and to comply with Policies R/DP1 and R/BH1 of the Gosport Borough Local Plan Review.

3. Details of all new windows and doors including horizontal and vertical sections at a scale of 1:5 and elevations at a scale of 1:10 shall be submitted to and approved in writing by the Local Planning Authority before works related to that part of the development is commenced. The development shall thereafter be implemented in accordance with the approved details.

Reason - Such details have yet to be submitted and to protect the amenities of the area, and to comply with Policies R/DP1 and R/BH1 of the Gosport Borough Local Plan Review.

4. The doors and windows shall be constructed in timber.

Reason - To maintain the integrity and character of the building and to comply with Policies R/DP1 and R/BH1 of the Gosport Borough Local Plan Review.

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5. All alterations to external elevations shall be made good using matching and, where available, salvaged materials.

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

6. Before the development hereby permitted is first brought into use cycle storage facilities shall be provided and thereafter retained in accordance with a detailed scheme submitted to and approved in writing, by the Local Planning Authority.

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

7. Before the development hereby permitted is first brought into use, facilities for the storage of refuse for removal from the premises including a bin collection area shall be provided and thereafter retained in accordance with a detailed scheme submitted to and approved in writing, 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.

**ITEM NUMBER: 05.**  
**APPLICATION NUMBER: K13063/2**  
**APPLICANT: Mr Neil Harding**  
**DATE REGISTERED: 20.03.2009**

**USE OF GROUND FLOOR OF RESIDENTIAL PROPERTY AS A PLAYGROUP FOR UP TO 22 CHILDREN, ERECTION OF FRONT BOUNDARY FENCING AND REPLACEMENT OF REAR GROUND FLOOR WINDOW WITH DOOR (as amplified by letter received 14.04.09)**

**47 Gosport Road Lee-On-The-Solent Hampshire PO13 9EJ**

### ***The Site and the proposal***

The application property is a two storey detached dwelling located on the southern side of Gosport Road. The property is currently operating as a playgroup looking after up to 16 children. The ground floor of the dwelling is used exclusively by the play group and comprises three activity rooms, a staff room, staff dining room, toilets and a storage area. The first floor of the premises is in residential use. The property has a large single storey pitched roof extension on the rear elevation with a set of double doors providing access to the back garden. Attached to the southern elevation of this addition is a flat roofed single storey store. This addition is located on the eastern side of the site on the boundary with number 45 and extends the entire length of the rear garden. The rear garden is approximately 11 metres long and is enclosed on the western side by a 1.8 metre high close boarded fence. The rear boundary comprises a 1.8 metre high red brick wall, with a wooden gate providing access to a service road. The garden can also be accessed via a pathway at the side of the dwelling. There is a small paved area at the front of the property which is currently enclosed by a dwarf brick wall.

The adjoining dwelling to the west, number 49 is a two storey detached dwelling. It has a lean-to conservatory on the rear elevation and a wooden shed adjacent to the shared boundary with the application site. To the east of the application site is number 45, another two storey detached dwelling. The property has a small lean-to conservatory on the rear elevation with a detached garage at the southern end of the rear garden.

The application property is currently being used as a playgroup, looking after up to 16 children. It is proposed to extend this service and use the ground floor of the premises to look after a maximum of 22 children. The number of staff at the site will be increased from two to four part-time employees. The playgroup would be open from 9am - 3.30pm, Monday to Friday, during term times only. Information provided by the applicant suggests that many of the clientele will be locally based and will therefore arrive at the site on foot with arrivals and departures staggered throughout the day. The use of the garden will be limited to 8 children at any one time during specific periods of the day.

In the interests of safety and security, the applicant proposes to erect fencing on top of the existing dwarf brick wall. The additional fencing will provide an overall height of 1.8 metres. An existing window in the rear elevation of the premises is to be replaced by a single pedestrian door in order to provide an additional access to the rear garden.

### ***Relevant Planning History***

K13063 use of residential property as playgroup for up to 12 children permitted 26.08.88  
K13063/1 continued use of residential property as playgroup for 16 children permitted 02.08.90

### ***Relevant Policies***

Gosport Borough Local Plan Review, 2006:  
R/DP1  
General Standards of Development within the Urban Area

R/ENV10  
 Noise Pollution  
 R/T11  
 Access and Parking  
 R/DP3  
 Provision of Infrastructure, Services and Facilities  
 R/T4  
 Off-site Transport Infrastructure  
 R/CF5  
 Development of Childcare and Day Care Facilities

### **Consultations**

Local Highway Authority	No objection Transport Contribution required due to the additional trips generated by members of staff.
OFSTED	no objection

### **Response to Public Advertisement**

nil

### **Principal Issues**

1. The main issue in this case is the impact of increasing the number of children at the playgroup on the amenities of adjoining residents and the traffic conditions in the locality.
2. The existing playgroup is already well established and has been operating from the premises at its current level since 1990. It provides an important service to the local community and under the latest proposal will generate two additional employment opportunities for residents of the Borough. The property is a large detached building that meets the OFSTED criteria regarding space per child. The proposal to increase the numbers of children at the site from 16 to 22 represents an increase of 37.5%. In my opinion this does not constitute a significant intensification of the use of the site and is unlikely to cause additional disturbance to adjoining residents. Moreover, the playgroup will only be open from 9am - 3.30pm, Monday - Friday during term time only and not at the weekends, bank holidays or during school holidays when local residents are more likely to be at home. The rear garden is well enclosed and in the interests of preserving the amenities of the adjoining occupiers, the applicant has indicated that its use will be restricted to a maximum of 8 children at any one time. In considering all of the above points, the proposal will not have a negative impact on the amenities of any adjoining residents. It will provide additional employment opportunities in the local area and will enhance the long term viability of an important and well established community facility. Conditions shall be attached to control the operating hours of the business, the maximum number of children that can be minded at the property and the maximum number of children that are permitted to use the rear garden at any one time. Subject to the above conditions, the proposal is acceptable and accords with the aims and objectives of Policies R/CF5 and R/ENV10 of the Gosport Borough Local Plan Review.
3. The site is in an accessible location, close to the Lee-on-the-Solent District Centre and a number of bus stops and the applicant has indicated that a number of clientele will arrive at the site by foot, a typical feature of many childcare establishments. It is unlikely therefore that the proposal will result in a significant increase in the numbers of vehicular trips to and from the site. Notwithstanding this, there are no parking restrictions along Gosport Road and there is adequate on road parking to allow parents to drop off and collect their children in a safe and convenient manner. Vehicles will therefore be able to visit the site without compromising the safety of other users of the public highway. In accordance with Appendix E of the Gosport Borough Local Plan Review, the

applicant will be required to provide facilities for cycle parking. Although such provisions have not been shown on the plans, there is sufficient space at the front and rear of the site to accommodate these facilities, the details of which can be secured by condition. As such, the proposal will not have a detrimental impact on the traffic conditions of the locality or highway and pedestrian safety. It therefore accords with the aims and objectives of Appendix E and Policy R/T11 of the Gosport Borough Local Plan Review.

4. The proposed boundary fencing at the front of the site will not create an incongruous feature in the streetscene and will not interfere with the visibility of highway users. The proposed door in the rear elevation will not have a detrimental impact on the appearance of the dwelling. The external building works will not therefore harm the visual amenity of the locality and as such, comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

5. In accordance with Policy R/T4 of the Gosport Borough Local Plan Review, where an application is likely to impose additional burdens on existing transport infrastructure, the applicant will be required to contribute to improvements off-site that will enable travel needs generated by the development to be accommodated. The applicant has confirmed a willingness to enter into a planning obligation under Section 106 relating to the payment of a commuted sum towards such improvements. Without this obligation, the proposal would be unacceptable and contrary to Policies R/DP3 and R/T4 of the Gosport Borough Local Plan Review.

**RECOMMENDATION: Grant Permission**

Subject to Section 106 agreement relating to 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 increase in the number of children will not have a detrimental impact on the residential character of the area, the amenities of the occupiers of the adjoining dwellings, traffic conditions in the locality or highway and pedestrian safety. Provisions have been made for highway and infrastructure improvements and the proposal therefore complies with Policies R/DP1, R/CF5, R/ENV10 and R/T11, R/DP3 and R/T4 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. Not more than 22 children shall be minded at the property at any one time.

Reason - To protect the residential amenities of the occupiers of the neighbouring properties and to comply with Policies R/DP1, R/CF5 and R/ENV10 of the Gosport Borough Local Plan Review.

3. The property shall not be used for childminding purposes other than on the ground floor and garden and between the hours of 9.00am and 3.30pm on Monday to Friday and at no time whatsoever during Local Education Authority school holidays or on Saturdays, Sundays and Bank Holidays.

Reason - To maintain the residential character of the area and protect the amenities of the occupiers of the neighbouring properties and to comply with Policies R/DP1, R/CF5 and R/ENV10 of the Gosport Borough Local Plan Review.

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4. Before the development hereby permitted is first brought into use cycle storage facilities shall be provided and thereafter retained in accordance with a detailed scheme submitted to and approved by the Local Planning Authority.

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

**ITEM NUMBER: 06.**  
**APPLICATION NUMBER: K10527/1**  
**APPLICANT: Mr Nicholas Taylor**  
**DATE REGISTERED: 08.01.2009**

**EXTENSION OF REAR GARDEN AND ERECTION OF 1.8 METRE HIGH BOUNDARY WALL**

**30 Maynard Close Gosport Hampshire PO13 0XH**

***The Site and the proposal***

Number 30 is the end dwelling in a terrace of 4 two storey properties located within the Maynard Close cul-de-sac. The property has been constructed from buff brick with white Upvc boarding on the front elevation and a brown tiled pitched roof. There is a lawned garden area at the front of the property which is enclosed by a 0.25 metre high dwarf brick wall. The front gardens in Maynard Close are characterised by grass surfaces enclosed by low front boundary walls which creates the appearance of an open planned estate.

The rear garden is approximately 8 metres long and 6 metres wide and is bordered by a 1.8 metre high brick wall. Access to the rear garden is provided by a single pedestrian gate in the south eastern boundary. Immediately to the north-east of the garden and adjacent to the public pavement is small landscaped area containing a number of shrubs.

The proposal is to extend the rear garden at number 30 into the landscaped area. A new 1.8 metre high boundary wall would be erected to enclose the new amenity space. Access to the rear garden will be retained from the rear of the site.

***Relevant Planning History***

K7928/2 erection of 150 terraced houses together with roads and sewers permitted 19.06.74  
K10527 erection of garage in garage court G permitted 17.07.80

***Relevant Policies***

Gosport Borough Local Plan Review, 2006:

R/DP1

General Standards of Development within the Urban Area

R/T11

Access and Parking

***Consultations***

Property Services no objection

Local Highway Authority no objection

***Response to Public Advertisement***

nil

***Principal Issues***

1. The main issues in this case are the impact of the proposed development on the visual amenity of the locality, the loss of the established landscape planting and the impact on the occupiers of adjacent dwellings and users of the adjacent public highway.

2. The land, the subject of this application, has been poorly maintained and does not make a positive contribution to the visual amenity of the locality. The open plan look and feel of the estate is largely attributable to the low boundary walls and grass verges at the front of the dwellings. The loss of this small landscaped area at the side of the dwelling will not therefore be detrimental to the overall character of the area. The rear gardens in Maynard Close are enclosed by 1.8 metre high boundary walls. Extending the garden to the edge of the pavement will not therefore appear over prominent or oppressive from any public vantage point. The proposed wall will be built to the same height as the existing boundary treatment and in light of the above, is appropriate in this location. A similar arrangement already exists at number 14 to the west of the site. Due to the siting of the proposed boundary wall, away from number 28, there will not be a detrimental impact on the amenities of the adjoining occupiers in terms of loss of light or outlook. The proposal is therefore acceptable and accords with the aims and objectives of Policy R/DP1 of the Gosport Borough Local Plan Review.

3. The siting of the wall is such that it will not interfere with the visibility of highway users and therefore the proposal will not have a detrimental impact on highway or pedestrian safety in accordance with Policy R/T11 of the Local Plan Review.

**RECOMMENDATION: Grant Permission**

**Reasons for granting permission:**

1. Having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the garden extension as proposed is acceptable and will not have a detrimental impact on visual amenity of Maynard Close, the amenities of adjoining occupiers, or highway and pedestrian safety. As such, the proposal complies with Policies R/DP1 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 brick to be used shall match in type, colour and texture, those of the existing boundary wall 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 Policy R/DP1 of the Gosport Borough Local Plan Review.