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**8 February 2010**

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

**MEETING:** Regulatory Board  
**DATE:** 16 February 2010  
**TIME:** 6.00pm  
**PLACE:** Council Chamber, Town Hall, Gosport  
**Democratic Services contact:** Lisa Reade

**Please Note:** A site visit has been arranged for 10.00am at 116-118 Priory Road, Gosport on the morning of this meeting.

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 Hylands
Councillor Chegwyn	Councillor Miss West
Councillor Dickson	Councillor Wright

The Mayor (Councillor Mrs Searle) (ex officio)  
Chairman of the P and O Board (Councillor Hook) (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.**

**Legal & Democratic Support Unit:** Linda Edwards – Borough Solicitor  
Switchboard Telephone Number: **(023) 9258 4242**  
Britdoc Number: **DX136567 Gosport 2** Website: **[www.gosport.gov.uk](http://www.gosport.gov.uk)**

**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. Councillors are requested to note that, if any Councillor who is not a member of the Board 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 JANUARY 2010.

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 February 2010. 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 February 2010).*

6. K17000/3 OUTLINE APPLICATION – REDEVELOPMENT OF EXISTING SITE TO PROVIDE A COMMUNITY SPORT BUILDING AND 14NO.FOUR BEDROOM DWELLINGS (as amplified by letters dated 29.1.10 and 1.2.10)  
Site Of Former Recreation Centre Davenport Close Gosport Hampshire

*Report to follow*

7. REPORTS OF THE DIRECTOR OF PLANNING AND ECONOMIC DEVELOPMENT SERVICES

*Schedule of planning applications with recommendations.*

PART II  
Contact Officer:  
Debbie Gore  
Ext 5455

*(grey sheets – pages 1 –34/1)*

8. ANY OTHER ITEMS

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

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

**16th February 2010**

### **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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<u>Item</u>	<u>Page No</u>	<u>Appl. No.</u>	<u>Address</u>	<u>Recommendation</u>
01.	3-9	K9356/2	116 - 118 Priory Road Gosport Hampshire PO12 4LQ	Grant Permission
02.	10-12	K9356/3	116 - 118 Priory Road Gosport Hampshire PO12 4LQ	Grant Conservation Area Consent
03.	13-16	K17379/1	Gosport Marina Mumby Road Gosport Hampshire PO12 1AH	Grant Temporary Consent
04.	17-21	K17755	Gosport Marina Mumby Road Gosport Hampshire PO12 1AH	Grant Temporary Consent
05.	22-24	K17770/1	Royal Hospital Haslar Haslar Road Gosport Hampshire PO12 2AA	Grant Temporary Consent
06.	25-27	K17770	Royal Hospital Haslar Haslar Road Gosport Hampshire PO12 2AA	Grant Temporary Consent
07.	28-31	K17769	3 Flower Buildings Marine Parade East Lee-On-The-Solent Hampshire PO13 9LB	Grant Permission
08.	32-34	K4465/1	58 Milvil Road Lee-On-The-Solent Hampshire PO13 9LX	Grant Permission

**ITEM NUMBER: 01.**  
**APPLICATION NUMBER: K9356/2**  
**APPLICANT: MS Projects**  
**DATE REGISTERED: 20.10.2009**

**DEMOLITION OF EXISTING DWELLING AND ERECTION OF REPLACEMENT THREE STOREY BUILDING COMPRISING 6NO. ONE BEDROOMED FLATS WITH ASSOCIATED PARKING AND AMENITY SPACE (CONSERVATION AREA) (as amplified by ecological report received 24.11.09)**

**116 - 118 Priory Road Gosport Hampshire PO12 4LQ**

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

This application was considered by the Regulatory Board on 19 January 2010 when Members resolved to defer the item for an informal site visit.

The application site is located on the southern side of Priory Road to the west of Green Lane and to the east of The Square. The site is within the Hardway Conservation Area and is approximately 11 metres wide at its frontage narrowing to approximately 5.5 metres at the rear of the plot. The application property is a two storey dwelling known as Clarence House. The property was originally constructed as a pair of semi detached dwellings but was converted in the 1980s into a single dwellinghouse. The property has been heavily altered and little of the original fabric remains visible. For example, an original entrance door in the front elevation has been bricked up and there are replacement windows in all elevations of the property. The original facing brickwork has been rendered and there is a large UPVC conservatory on the rear elevation. The front garden is hardsurfaced and is used for vehicular parking with no boundary treatment adjacent to Priory Road. Due to the gradient of the road, the ground level at the application site is approximately 1 metre lower than the ground level at the neighbouring property to the west, number 112.

Immediately to the east of the site is a terrace of 3no. three storey dwellings, built to the same height as the application property. To the west of the application site, and separated by a private driveway, is number 112 Priory Road, a three storey neo Georgian property constructed from red facing brick. The property contains three ground floor windows and one obscure glazed first floor window in the eastern elevation facing the application site. The private driveway that runs between the two plots serves number 114 Priory Road, a two storey house positioned to the south-west of the application site. The dwelling is positioned at the rear of its plot and contains ground and first floor windows in the front elevation. There is a separation distance of approximately 18 metres between the principal elevation of this property and the rear elevation of Clarence House but these elevations are not directly opposing. The eastern side of number 114 reduces to single storey only.

This application follows a previous refusal for the erection of a second floor at the property, increasing the height of the front parapet to 8.8 metres and converting the resultant building into 6no. one bedroomed flats. The application was dismissed at appeal only on the grounds that the side and rear elevations would be out of scale, bland, lack articulation and would have windows of unsympathetic sizes and proportions, thereby failing to preserve the character and appearance of the Conservation Area. This was considered particularly harmful when viewed from the west. It was also concluded that the windows in the western elevation would adversely affect the privacy of the occupiers of 112 Priory Road.

Although the appeal was dismissed, the Inspector noted generally that unsympathetic replacement windows and additions had been made to the appeal property and some of the properties in the locality and this together with the loss of a number of front boundary walls detracted from the appearance of this particular part of the Conservation Area. The Inspector considered the site to be in an accessible location and found the proposed residential density to be acceptable. The Inspector also opined that the level of parking and the inability of vehicles to turn on the site would not have a harmful impact on highway safety and that there would be no loss of privacy to number 114 to the rear. The waterfront location was considered to compensate for the poor quality of the

amenity space being provided at the rear of the site and the design of the front elevation was considered to be an appropriate modern interpretation of traditional building styles within the locality.

In an attempt to address the concerns raised by the Inspector, the applicant is now proposing the demolition of the existing building and the erection of a three storey, replacement building comprising 6no. one bed roomed flats. As with the previous scheme, the building has been designed with a hipped slate roof set behind a front parapet wall measuring 8.8 metres in height. The ridge of the hipped roof would be set to a height of 10.2 metres, 1.8 metres higher than the highest part of the existing roof. The proposed front elevation retains a modern design with a strong vertical emphasis and contains full height inward opening Juliet balconies with glass balustrades. The design of the front elevation is for the most part the same as the previous scheme. However, the latest proposal includes small single, centrally positioned windows at first and second floor level. A glass canopy will extend 1 metre beyond a timber front door.

To overcome the Inspector's previous concerns, the western elevation now includes a tripartite split in the facade, with a central, full height recessed panel consisting of vertical zinc cladding. Towards the front of the western elevation, vertical zinc panels will be positioned either side a central glazed element. All six windows in the western elevation are to be obscure glazed and fixed shut to prevent any loss of privacy to number 112. The eastern elevation will contain a total of six windows, two in each storey, together with a central section of zinc cladding. The rear elevation has a symmetrical design and will contain four windows in each floor serving kitchens and bedrooms. The building will be constructed using red facing brick with zinc lining to the brick reveals and aluminium rainwater goods.

The front elevation of the building is aligned with the development to the east. It will be 16.2 metres deep, the same as the existing dwelling and will be set back from the road frontage by approximately 6 metres. The eastern elevation will be set off the shared boundary with number 120 by 1.2 metres in order to provide pedestrian access to the rear of the site. The western elevation will be built onto the western boundary, adjacent to the driveway serving number 114 to the south.

Parking will be provided by way of 4 spaces at the front of the site, accessed via an existing dropped kerb. A low brick wall will be reinstated along part of the front boundary to enclose the parking area. Bin and bicycle storage is provided at the rear of the building together with 150 sq. metres of shared amenity space. A bin collection area is provided at the front of the site, adjacent to the public highway.

The application is supported by an ecological report which assesses badger activity at the site.

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

K.9356/1 - Erection of second floor and conversion of existing dwelling into 6no. self contained flats refused 04.03.08. Appeal dismissed 09.12.08.

K.9356/3 - Current planning application by the same applicant for Conservation Area consent for the demolition of existing two storey dwelling.

### ***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/T11



Access and Parking  
R/OS13  
Protection of Habitats Supporting Protected Species  
R/DP3  
Provision of Infrastructure, Services and Facilities  
R/OS8  
Recreational Space for New Residential Developments  
R/T4  
Off-site Transport Infrastructure

### ***Consultations***

Natural England	No objection.
The Gosport Society	No objection.
Environment Agency (Hants & IOW)	No objection.
Building Control	No objection.
Environmental Health (Pollution & Environment)	No objection.
Streetscene (Parks & Horticulture)	Update to be provided.
Streetscene (Waste & Cleansing)	No objection.
Local Highway Authority	No objection.

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

9 letters of objection;

Issues raised:-

- impact on property values
- damage to adjoining property during construction
- noise and disruption during construction
- the proposal will not contribute to affordable housing
- the development would neither preserve nor enhance the character and appearance of the Conservation Area
- the development is contrary to Policy R/BH1 of the Local Plan Review
- the design is too modern and the building should have a more traditional appearance
- the building is too high and too large
- the proposed materials are inappropriate
- the development is not significantly different from the previously refused scheme at the site
- there are more suitable alternatives to total demolition of the existing building
- there are no other balconies in the locality
- density
- there is no requirement for additional dwellings
- loss of privacy to number 114
- additional traffic
- inadequate level of on-site parking
- the proximity of the replacement building to the western boundary may harm the existing planting strip

## ***Principal Issues***

1. The impact of a development on property values is not a planning consideration. A certain level of noise and disruption during the construction period is likely, but if it becomes excessive it can be dealt with under the Environmental Health legislation. Potential damage to adjoining properties during construction is a private legal matter between the interested parties. The submitted drawings are accurate and provide sufficient detail for planning purposes and as the proposal is for less than 15 residential units, there is no requirement to provide affordable housing. The application property is located within the existing Urban Area Boundary and therefore the principle of residential development is acceptable provided that the details accord with the relevant Policies of the Gosport Borough Local Plan Review. The main issues in this case therefore are the acceptability of the proposed development in terms of design and density and the impact on the character and appearance of the Hardway Conservation Area, the amenities of prospective and adjacent occupiers and whether appropriate provision has been made for car and cycle parking, refuse storage, open space and highway infrastructure improvements.

2. The locality is characterised by late eighteenth and early nineteenth century dwellings comprising a great variety of sizes, designs and plot layouts. The application dwelling has been heavily altered over the years and this has diminished its historical and architectural integrity. Little of the original fabric remains visible and under the circumstances, the building does not make a significant positive contribution to the character and appearance of the Conservation Area. The Inspector noted particularly that unsympathetic replacement windows and other alterations have been made to the application property and those within the locality which, together with the loss of front boundary walls, has detracted from the appearance of this particular part of the Conservation Area. Like the adjacent built form, the proposed replacement building will be three stories high. The front parapet will not extend above the height of the parapet at number 112 and will extend only 400mm above the parapet at number 120. Although the replacement building will be higher than the existing dwelling at the site, the main hipped roof form will be set back from the front elevation and this will help to ensure that the development does not create an overbearing or incongruous feature in the streetscene. The proposal will not jar with, or be unsympathetic to, the continuous parapet height of the adjacent terrace and the front elevation has been designed as a modern interpretation of common design themes in the locality, which was considered acceptable by the Planning Inspector when determining the appeal. The size and positioning of the Juliet balconies helps to establish a symmetry and vertical emphasis to the front elevation which is reflective of the traditional built form in the locality while the use of glass balustrades, aluminium panels and zinc frames adds visual interest. The introduction of a tripartite split to the western elevation and the inclusion of zinc cladding helps to break up the overall mass of the side elevation and overcomes previous concerns that this elevation would appear bland and uninteresting. The size and positioning of the windows has been carefully considered so as to ensure that there is an appropriate proportionality to this elevation and unlike the previously refused scheme, this aspect of the proposal will not therefore appear bulky or oppressive when viewed from Priory Road. By erecting a new building therefore (rather than altering and converting the existing dwelling), the applicant has successfully overcome the inherent design concerns identified under the previous refusal. The rear elevation has a simple symmetrical design and the inclusion of aluminium panels adds an appropriate level of detailing for the rear of the site. The proposed building has been sited to follow the established historic pattern of development and the bin and cycle storage facilities have been positioned towards the rear so as not to be visible from public view.

3. Paragraph 4.17 of Planning Policy Guidance 15 Planning and the Historic Environment (PPG15) indicates that development in a Conservation Area does not need to directly imitate earlier styles, but should respect its context. The proposed replacement building is a modern interpretation of traditional themes within the locality and in my opinion will not appear out of context with the traditional built form in Priory Road. Under the circumstances, and taking into account the much altered state of the existing building, the proposed redevelopment will enhance the character and appearance of the Hardway Conservation Area, in accordance with the aims and objectives of Policies R/DP1, R/BH1 and R/BH2 of the Gosport Borough Local Plan Review and PPG15.

4. The Planning Inspector considered the site to be in an accessible location where a higher density of development is acceptable. It is within walking distance of a main road on which there is a bus service operating three times an hour and prospective residents would have access to 150 sq. metres of shared amenity space, in compliance with the guideline figures set out in Appendix B of the Local Plan Review. Furthermore, due to its waterfront location, prospective residents would have ready access to the adjacent foreshore which would further supplement the on-site amenity space. There are also local shops and services available within walking distance of the site. Under the circumstances, and in light of the Inspector's previous comments, the proposed residential density of 120 dwellings per hectare (dph) is acceptable and would not result in an unacceptable living environment for prospective residents. It therefore accords with Policies R/DP1 and R/H4 of the Gosport Borough Local Plan Review.

5. The plans show that the 6no. windows in the western elevation will be obscure glazed and fixed shut and this shall be controlled by condition. The occupiers of number 112 will therefore experience no loss of privacy overcoming a fundamental concern with the previous appeal proposal. Similarly, as there are no windows in the western elevation of the adjacent dwelling number 120, the development will not result in a loss of privacy for the occupiers of this property. The proposed development will result in the introduction of bedroom windows in the rear elevation and the potential loss of privacy to the occupiers of number 114 is therefore an important consideration. In this respect, it is noted that this dwelling is set right at the back of its plot and that the buildings are offset so that the front and rear elevations are not directly opposing. Furthermore, the layout of this property is such that the areas most likely to be overlooked by the proposed development are a garage, entrance lobby and hardstanding. Therefore, whilst the separation distance between the rear elevation of the proposed building and the front elevation of number 114 is slightly below the guidance separation distance outlined in Appendix B, in light of the above considerations and the Planning Inspector's previous comments, I do not consider that the proposal will result in an unacceptable loss of privacy to habitable windows or the private garden of this dwelling.

6. The proposed building is higher than the dwelling it is replacing. However, the hipped roof form reduces its overall mass and therefore it's potential to overshadow adjacent properties. The building will not extend any further into the site than the property it is replacing and given the orientation of the dwellings, the position of the existing windows and the separation distances between the properties, I do not consider that the development will have an unacceptable impact on the living conditions of any adjoining occupiers in terms of loss of light or outlook. The front of the site is already used for parking. The continued use of this area for parking is unlikely therefore to result in additional disturbance to adjacent occupiers. The proposal therefore complies with Policy R/DP1 of the Gosport Borough Local Plan Review.

7. The plans show the provision of 4no. car parking spaces at the front of the site. The census data for the Hardway Ward shows that car ownership comprises an average of 1.22 cars per household which could suggest a need for more than 4 spaces. However, this figure is not disaggregated for household size. The proposed flats are one bedroomed units and there is ample on-site cycle parking facilities which will help to encourage a decreased use of the car for short journeys. The site is located in an accessible location in close proximity to a bus stop. The proposed level of parking is therefore considered to be sufficient and the development is unlikely to result in significant overspill parking in the surrounding road network, to the detriment of highway safety or local amenity. Access to the spaces will remain via an existing dropped kerb at the front of the site and there is adequate space on the northern side of the building to allow vehicles to turn and exit in a forward gear. A condition will require the submission of details relating to the design of the proposed front boundary wall and this will ensure there is adequate intervisibility between vehicles exiting the site and all other users of the highway. In light of the above, I do not consider that the proposal will result in a significant change to local traffic conditions or be detrimental to highway or pedestrian safety. Appropriate provisions have been made for refuse storage and collection and bicycle storage and these facilities can be accessed in a safe and convenient manner. In light of the above, the development complies with Policies R/DP1 and R/T11 of the Gosport Borough Local Plan Review.

8. The ecological report concludes there is no badger activity at the site and Natural England has confirmed it has no objection to the proposal. The development therefore complies with Policy R/OS13 of the Gosport Borough Local Plan Review.

9. The applicant has indicated 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 proposed replacement building will enhance the character and appearance of the Hardway Conservation Area. It will not have a detrimental impact on the amenities of neighbouring or prospective occupiers and will not interfere with existing access arrangements. Adequate provision is made for car parking, cycle parking, refuse storage, open space and highway and infrastructure improvement and there will be no impact on protected species. As such, the development complies with Policies R/DP1, R/BH1, R/BH2, R/H4, R/T11, R/OS8, R/OS13, R/DP3 and R/T4 of the Gosport Borough Council 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 development hereby permitted shall be carried out in accordance with the following approved plans:

0704A\_001, 0704A\_002, 0704A\_003, 0704A\_004

Reason - To ensure that the development is completed satisfactorily in all respects and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

3. Samples of all external facing and roofing materials, including the zinc cladding and aluminium panels and rainwater goods, shall be submitted to and approved in writing by the Local Planning Authority before works above slab level are commenced. The development shall thereafter be constructed in accordance with the approved details.

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

4. Details of all new windows, doors, glass balustrades and the glass canopy, 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 are commenced. The development shall thereafter be implemented in accordance with the approved details.

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

5. Details of the proposed front boundary wall shall be submitted to and approved in writing by the Local Planning Authority before works above slab level are commenced. The approved boundary wall shall be constructed before the development is first brought into use and retained thereafter.

Reason - Such details have yet to be submitted and in the interests of highway and pedestrian safety, the amenities of the area and to comply with Policies R/DP1, R/BH1 and R/T11 of the Gosport Borough Local Plan Review.

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

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

7. 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.

8. Before the development hereby permitted is first brought into use refuse storage and collection 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 refuse storage is provided in compliance with Policy R/DP1 of the Gosport Borough Local Plan Review.

9. The windows in the western elevation of the building hereby approved shall be non-opening and glazed with obscure glass and shall be retained in that condition.

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

**ITEM NUMBER: 02.**  
**APPLICATION NUMBER: K9356/3**  
**APPLICANT: MS Projects**  
**DATE REGISTERED: 19.10.2009**

**CONSERVATION AREA APPLICATION - DEMOLITION OF EXISTING TWO STOREY DWELLING**

**116 - 118 Priory Road Gosport Hampshire PO12 4LQ**

***The Site and the proposal***

This application was considered by the Regulatory Board on 19 January 2010 when Members resolved to defer the item for an informal site visit.

The application site is located on the southern side of Priory Road to the west of Green Lane and to the east of The Square. The application property is a two storey dwelling known as Clarence House and is located within the Hardway Conservation Area. The property was originally constructed as a pair of semi detached dwellings but is currently used as a single dwellinghouse. The house has been significantly altered and extended and little of the original fabric is still visible. For example, an original entrance door in the front elevation has been bricked up and there are replacement windows in all elevations of the property. The original facing brickwork has been rendered and there is a large UPVC conservatory on the rear elevation. The front garden is hardsurfaced and is used for vehicular parking and there is no boundary treatment adjacent to Priory Road.

Immediately to the east of the site is a terrace of 3no. three storey dwellings, built to the same height as the application property. To the west of the application site, and separated by a private driveway is number 112 Priory Road, a three storey neo Georgian property constructed from red facing brick. To the south west of the site is number 114 Priory Road, a two storey dwelling positioned at the rear of its plot. The locality is characterised by late eighteenth and early nineteenth century dwellings comprising a variety of sizes, designs and plot layouts.

It is proposed to demolish the existing building to facilitate the redevelopment of the site for a three storey hipped roof building with front parapet to accommodate 6no. one bedroomed flats proposed under application K.9356/2.

***Relevant Planning History***

K.9356/1 - Erection of second floor and conversion of existing dwelling into 6no. self contained flats refused 04.03.08. Appeal dismissed 09.12.08.

K.9356/2 - Current planning application by the same applicant for the demolition of existing dwelling and erection of replacement three storey building comprising 6no. one bedroomed flats with associated parking and amenity space.

***Relevant Policies***

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

***Consultations***

The Gosport Society

No objection.

Building Control

No objection. A Southern Water drain passes through the site.

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

2 letters of objection;

Issues raised:-

- the front elevation of the replacement building is inappropriate and in contravention of Policy R/BH1
- the development occupies a prominent position within a particularly historic part of the Conservation Area and the proposed redevelopment would not be aesthetically pleasing
- damage to adjoining property

## ***Principal Issues***

1. Potential damage to adjoining properties is a private legal matter between the interested parties. Proposals for the redevelopment of the site are considered under planning application K.9356/2. The main issues in this case therefore are the contribution of the building to the character and appearance of the Conservation Area, its historical and architectural interest and if detailed proposals have been approved for the redevelopment of the site.

2. The original building has been significantly altered over the years which has diminished its historical and architectural integrity, as recognised by the Planning Inspector when considering the previous appeal. Due to amended window openings, the front elevation has not retained the vertical emphasis or proportionality that characterises the traditional built form in the locality. Little of the original fabric remains visible and in light of the above, the building no longer makes a significant positive contribution to the character and appearance of the Conservation Area. For these reasons the principle of the demolition is acceptable. However, whilst the building has limited historic or architectural merit, it does occupy an important position in Priory Road and its demolition will create a significant gap in the streetscene. Therefore, a condition has been attached to ensure that no demolition takes place until a contract for the redevelopment of the site as proposed under application K.9356/2 has been secured. On this basis it is considered that the proposal would preserve the character and appearance of the Conservation Area in compliance with Policy R/BH2 of the Gosport Borough Local Plan Review.

## **RECOMMENDATION: Grant Conservation Area Consent**

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

1. Having regard to Section 38(6) of the Planning and Compensation Act 2004 and all other material considerations, the building in its current condition does not make a significant contribution to the character of the area. Detailed proposals have been approved for the redevelopment of the site and a condition will ensure the redevelopment will be carried out within 3 months of commencement of the building's demolition. As such the proposal complies with Policy R/BH2 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 demolition shall commence on site until the contract for carrying out the works of redevelopment of the site has been made and planning permission has been granted for the redevelopment for which the contract provides.

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Reason - To ensure that premature demolition does not take place and leave an empty gap in the streetscene, and to comply with Policy R/BH2 of the Gosport Borough Local Plan Review.

3. Within 7 days of completion of the demolition operation, all debris shall have been removed from the site, which shall be finished to a level surface.

Reason - In the interests of visual amenity and to comply with Policy R/BH2 of the Gosport Borough Local Plan Review.



**ITEM NUMBER: 03.**  
**APPLICATION NUMBER: K17379/1**  
**APPLICANT: Mr Rupert Broissier**  
**DATE REGISTERED: 06.11.2009**

**CONTINUED USE OF LAND AS ANCILLARY CAR PARK AND BOAT STORAGE AREA  
(FURTHER TO EXPIRY OF TEMPORARY PERMISSION K.17379)  
Gosport Marina Mumby Road Gosport Hampshire PO12 1AH**

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

This application was considered by the Regulatory Board on 19 January 2010 when Members resolved to defer the item for further negotiation. Following discussions with the applicant they have now amended their application to an application for temporary consent for 5 years.

The application site is within Coldharbour, situated on the northern side of Mumby Road. On the north west boundary is a two storey industrial building formerly occupied by Evans Brush Machines Ltd but now owned by the applicant and used for storage. On the south east boundary is a three storey industrial building occupied by STS Defence Ltd. To the north is the existing Gosport Marina car park, and to the north east The Quarterdeck, a residential development containing 46 flats. On the southern side of Mumby Road is Wises Court, a four storey flatted development, a chandlery and to the east of this a staggered terrace of 8 three storey townhouses.

The application site is 0.5 hectares in area and is approximately 1 metre lower than the footpath which adjoins Mumby Road. The site was previously occupied by industrial buildings. However, these buildings, which had stood vacant for more than 5 years, were demolished early in 2007 for health and safety reasons. The site is currently used for boat storage and car parking associated with Gosport Marina following the grant of a temporary planning consent in June 2007. There is a 2 metre high chain link fence with concrete and metal supporting posts around the site. The site is accessed via the existing Gosport Marina entrance located on the north side of Mumby Road towards its eastern end. Double gates have been installed in the north west corner of the site to provide direct access from the existing Gosport Marina car park. The concrete hardstand and floor slabs of the former buildings have been made good and provide an even and well-drained surface. The use of this land for car parking and boat storage ancillary to the Gosport Marina operations has led to the employment of 5 further members of staff. The applicant, Premier Marinas, is seeking a further temporary consent to continue this use whilst they continue working in partnership with Gosport Borough Council to develop the Masterplan for the redevelopment of the waterfront area.

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

K17379 - Use of land as ancillary car park and boat storage with replacement 2 metre high boundary fence - permitted 25.06.07 for a limited period expiring on the 30.06.09

K17755 - 152 boat drystack facility with associated concrete hardstanding, pontoons and 4no. piles for temporary period of 5 years (as amended by plans received 07.01.10) - current application by the same applicant

### ***Relevant Policies***

Gosport Borough Local Plan Review, 2006:

- R/DP4
- Mixed-use Developments
- R/T2
- New Development
- R/T10
- Traffic Management

R/T11  
Access and Parking  
R/EMP2  
Land Allocated for Employment Use as Part of Mixed-Use Development  
R/EMP4  
Marine Related Employment  
R/EMP7  
Low Employment Generating Uses  
R/CH1  
Development within the Coastal Zone  
R/DP1  
General Standards of Development within the Urban Area  
R/OS11  
Protection of Areas of National Nature Conservation Importance  
R/ENV2  
River and Groundwater Protection  
R/ENV10  
Noise Pollution

### ***Consultations***

Natural England	No objection. The proposal is unlikely to have a significant effect on the Portsmouth Harbour SPA/Ramsar site or any of the features of interest of the Portsmouth Harbour SSSI.
Environment Agency (Hants & IOW)	No objection.
Economic Prosperity	Temporary permission has been granted for this use before. It is a key waterfront site and it is of concern that it is only supporting up to 7 jobs. It is a key town centre site ideal for supporting employment creation in the marine, business services and leisure sectors.
Local Highway Authority	No objection to renewal of temporary consent subject to a condition that the parking facilities are used as ancillary to the existing marina operation.

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

1 letter of support

Issues raised:-

- no objection to the land being used as described in the application
- there have been no problems with traffic and privacy is not affected
- storing boats in this space is appropriate and in keeping with the area

### ***Principal Issues***

1. The application site is located within the Urban Area Boundary, Coastal Zone and an area designated for mixed use development under Policy R/DP4 of the Gosport Borough Local Plan Review. The main issues in this case are therefore the acceptability of the continued use in this location with regard to the implementation of the redevelopment of the waterfront area for employment purposes, the impacts on the character and appearance of the coast and wider locality,

the amenities of adjoining residents, nature conservation, pollution of controlled waters and traffic/parking conditions in the locality.

2. It is expected that comprehensive redevelopment of this key town centre waterfront location will provide significant opportunities for marine and commercial related employment uses. The applicant is a partner with the Borough Council in discussions over a Waterfront Masterplan for the area. The use of the site by Gosport Marina for car parking and boat storage is marine related and therefore, in principle, is an appropriate use in this location, in compliance with Policies R/DP4 and R/EMP4 of the Gosport Borough Local Plan Review. However, the employment generation from this particular use is limited and the reason why a temporary planning consent was granted in 2007. Therefore to protect the site's future employment generating potential, and so as not to prejudice the future comprehensive redevelopment of the area, a temporary permission for 5 years is considered appropriate in this instance. On this basis the development accords with Policies R/EMP2 and R/EMP7 of the Gosport Borough Local Plan Review.

3. The site is within an established industrial area, dominated by marine related uses. The proposals are ancillary too and in keeping with these existing uses and therefore will not have a detrimental effect on the amenities of residents within The Quarterdeck, or those opposite the site in Mumby Road and Wises Court or the appearance of the area. The proposal will not impede the flow of floodwater, or increase the number of people or properties at risk of flooding, or reduce the capacity of the floodplain to store water, or affect the quality of surface, ground or coastal water quality, and is a sufficient distance from the waterside so as not to prejudice the interests of nature conservation. Therefore the proposal complies with Policies R/DP1, R/CH1, R/ENV2, R/ENV10 and R/OS11 of the Gosport Borough Local Plan Review.

4. It is not proposed to increase the number of berths and therefore the proposals will maintain the existing parking and boat storage facilities available to the existing marina. The access arrangements will remain unchanged and the proposals will have no impact on highway safety conditions in the locality. As such, the proposal complies with Policies R/T2, R/T10 and R/T11 of the Gosport Borough Local Plan Review.

### **RECOMMENDATION: Grant Temporary Consent**

Temporary Permission Expiry Date: 28th February 2015

#### **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 continued use is acceptable in this location on a temporary basis and will enhance the existing marina facility. It will not prejudice the future comprehensive redevelopment of the area. The proposals will not be harmful to the character or appearance of the designated coastal zone, or wider area, or the amenities of nearby residents, or nature conservation interests, or result in the pollution of controlled waters or adversely affect traffic/parking conditions in the locality. As such, the proposal complies with Policies R/DP1, R/DP4, R/EMP2, R/EMP4, R/EMP7, R/CH1, R/OS11, R/ENV2, R/ENV10, R/T2, R/T10 and R/T11 of the Gosport Borough Local Plan Review.

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

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

- Plan 1, - 07-790-101 P2, - 07-790-102 P2

Reason - To ensure that the development is completed satisfactorily in all respects and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

2. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any replacement or re-enactment thereof), the land shall be used only for purposes of car parking and boat storage ancillary to the existing marina operation and for no other purpose whatsoever.

Reason - To protect the amenities of neighbouring occupiers and the character and appearance of the area and to comply with Policies R/DP1 and R/CH1 of the Gosport Borough Local Plan Review.

3. The use hereby permitted shall be discontinued on or before the 28th February 2015.

Reason - To protect the future mixed use and employment generating potential, and so as not to prejudice the future comprehensive redevelopment of the site, and to comply with Policies R/DP4, R/EMP2 and R/EMP7 of the Gosport Borough Local Plan Review.

**ITEM NUMBER: 04.**  
**APPLICATION NUMBER: K17755**  
**APPLICANT: Premier Marinas (Gosport) Ltd**  
**DATE REGISTERED: 22.10.2009**

**152 BOAT DRYSTACK FACILITY WITH ASSOCIATED CONCRETE HARDSTANDING, Pontoons and 4NO. PILES FOR TEMPORARY PERIOD OF 5 YEARS (as amended by plans received 7.1.10)**  
**Gosport Marina Mumby Road Gosport Hampshire PO12 1AH**

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

The application site is within Gosport Marina, situated on the northern side of Mumby Road. The site is 0.43 hectares in area and is approximately 1 metre lower than the footpath which adjoins Mumby Road. The southern part of the site, adjacent to Mumby Road, was previously occupied by industrial buildings. However, these buildings, which had stood vacant for more than 5 years, were demolished early in 2007 for health and safety reasons. This part of the site has been used on a temporary basis for boat storage and car parking associated with the marina use following the grant of a temporary planning consent in June 2007. The northern part of the site is also currently used for car parking and ancillary boat storage in association with the marina. Access to the site is via the main access to the marina/Charles House and The Quarterdeck. There is a 2 metre high chain link fence with concrete and metal supporting posts facing Mumby Road.

On the north west boundary is a two storey industrial building formerly occupied by Evans Brush Machines Ltd and currently used for storage purposes by the marina. On the south east boundary is a three storey industrial building occupied by STS Defence Ltd. Access to this building is from Harbour Road along a fenced accessway which runs between the two elements of the application site. To the north and east is the existing Gosport Marina car park, and in the far north east lies The Quarterdeck, a residential development containing 46 flats. On the southern side of Mumby Road is Wises Court, a four storey flatted development, a chandlery and to the east of this a staggered terrace of 8 three storey townhouses.

In addition to seeking a further temporary consent to continue to use the southern part of the site for car and boat storage purposes, as proposed under current application K17379/1, the applicant is also seeking consent to erect two 9 metre high galvanised steel drystack boat storage facilities to accommodate a total of 152 boats on the site as an interim measure whilst they continue working in partnership with Gosport Borough Council to develop the Masterplan for the comprehensive redevelopment of the area.

The drystack facility is in two parts, the larger of the two structures is 60 metres long and runs north west to south east along the southern side of the central access road. The second, smaller section is 54 metres long and lies immediately to the north of the access following the same orientation. A new run of 8 pontoons is also proposed for use in association with the boats being lifted in and out of the water. An existing pier is to be shortened to maintain existing boat access arrangements and additional hardstanding is proposed within the fork lift manoeuvring areas and to reinforce the drystack structures. It is anticipated that the proposal will generate 3 additional full-time jobs and 2 additional part time members of staff.

The application is supported by a waste management plan and flood risk assessment. Additional information has also been provided by the applicant to clarify the seasonal car parking requirements for the marina. The applicant has further indicated that the fork lift will mainly be in use between 8am-6pm, with only occasional use in the evening and only emergency use at night, and that no external lighting is proposed. Amended plans have also been submitted showing the westernmost pontoon reduced in width and length and shifted 3 metres to the east and a reduced number of piles from 5 to 4 to address operational concerns raised by the adjoining boatyard.

## ***Relevant Planning History***

K17379 use of land as ancillary car park and boat storage with replacement 2 metre high boundary fence - permitted 25.06.07 for a limited period expiring on the 30.06.09.

K17379/1 continued use of land as ancillary car park and boat storage area (further to expiry of temporary permission K17379) - pending.

## ***Relevant Policies***

Gosport Borough Local Plan Review, 2006:

- R/DP1
- General Standards of Development within the Urban Area
- R/DP4
- Mixed-use Developments
- R/T2
- New Development
- R/T10
- Traffic Management
- R/T11
- Access and Parking
- R/EMP2
- Land Allocated for Employment Use as Part of Mixed-Use Development
- R/EMP4
- Marine Related Employment
- R/EMP7
- Low Employment Generating Uses
- R/CH1
- Development within the Coastal Zone
- R/OS11
- Protection of Areas of National Nature Conservation Importance
- R/ENV2
- River and Groundwater Protection
- R/ENV10
- Noise Pollution
- R/ENV11
- Minimising Light Pollution

## ***Consultations***

Crown Estate Office	Update to be provided.
DEFRA	FEPA licence required.
Queen's Harbour Master	No objection.
Natural England	Proposal is unlikely to have significant effects on the interest features of the SPA/Ramsar Site and does not require Appropriate Assessment subject to conditions to control the piling works and method of working. SSSI is also unlikely to be affected.
Environment Agency (Hants & IOW)	No objection provided working method statement required by condition.
Environmental Health (Pollution &	Possible noise generation from mini-

## Environment)

excavator if used to break through existing hardsurface. Complaints received regarding noise generation from hydraulic boat hoist outside of normal hours. Recommend condition to control hours of working during construction works.

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

10 letters of objection received

Issues raised:

- impact of existing marina operations on residents in The Quarterdeck
- visual appearance of the proposed dry stack
- noise disturbance from movement of boats day and night and associated smells
- lighting
- vehicle access not clear
- loss of existing car parking spaces
- increased requirement for parking
- increased traffic generation
- existing unauthorised parking on site
- impact on highway safety
- impact on use of Millennium Walkway

1 letter of support

Issues raised:

- no existing problems with traffic or privacy
- storage of boats is an appropriate use in this location

### ***Principal Issues***

1. The application site is located within the Urban Area Boundary, Coastal Zone and an area designated for mixed use development under Policy R/DP4 of the Gosport Borough Local Plan Review. There are existing arrangements in place for diverting persons travelling along the Millennium Walkway whilst boats are being hoisted in and out of the water and any problems with regard to existing unauthorised car parking is an operational matter for the relevant land owner. The main issues in this case are therefore the acceptability of the proposed development in this location with regard to the impacts on the comprehensive proposals for the area, the character and appearance of the coast and wider locality, the amenities of adjoining residents, the nature conservation interests of the site, pollution of controlled waters and traffic/parking conditions in the locality.

2. The proposed drystack facility and associated works are directly related to the existing marina use and are therefore acceptable, in principle, in compliance with Policies R/DP4 and R/EMP4 of the Gosport Borough Local Plan Review. However, the employment generation from boat storage is limited and the reason why a temporary planning consent was granted in 2007 for application K17379. It is expected that comprehensive redevelopment of this key, town centre waterfront location will provide significant opportunities for marine and commercial related employment uses and the applicant is currently in partnership with the Borough Council to progress a Waterfront Masterplan for the area. This principle is promoted in the Core Strategy Preferred Options where this area is identified as a Strategic Area which can make a major contribution to the regeneration of the economy of Gosport. It is therefore important that this proposal does not prejudice the development of this wider regeneration project. To protect the site's future employment generating potential, and so as not to prejudice the future comprehensive redevelopment of the area, a temporary permission for 5 years is considered appropriate in this instance. On this basis the development accords with Policies R/EMP2 and R/EMP7 of the Gosport Borough Local Plan Review.

3. The site is within an established industrial area, dominated by marine related uses. The proposals are in keeping with these existing uses and as the drystack facilities are over 38 metres from the nearest residential properties in Mumby Road and over 55 metres from The Quarterdeck there will be no adverse effect on the amenities of the occupiers of these residential properties in terms of loss of light, outlook or privacy. There will be some disturbance during construction works and therefore it is proposed to attach a condition to the consent requiring full details of the work programme to be submitted for approval. It is not considered that the additional noise generated by the fork lift movements whilst boats are being manoeuvred will be significant given existing background noise from traffic on Mumby Road and the existing uses in the area. For these reasons, the proposals comply with Policies R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review.

4. It is not proposed to increase the number of berths and the existing access arrangements will be maintained. Whilst on site car parking requirements increase during the summer months, more boats are in the water at this time freeing up space on the site and conversely during the winter months car parking requirements on site decrease at a time when more boats are stored out of the water. These existing, flexible car parking arrangements will be maintained to take account of the fluctuating, seasonal requirements and customer demand and for these reasons I am satisfied that the proposals will have no impact on highway safety conditions in the locality in compliance with Policy R/T11 of the Gosport Borough Local Plan Review.

5. The proposal will not impede the flow of floodwater, or increase the number of people or properties at risk of flooding, or reduce the capacity of the floodplain to store water, or affect the quality of surface, ground or coastal water quality, and subject to a condition to control the piling works, will not to prejudice the interests of nature conservation. Therefore the proposal complies with Policies R/DP1, R/CH1, R/ENV2, R/ENV10 and R/OS11 of the Gosport Borough Local Plan Review.

### **RECOMMENDATION: Grant Temporary Consent**

Temporary Permission Expiry Date: 28th February 2015

#### **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 acceptable in this location on a temporary basis and will enhance the existing marina facilities. It will not prejudice the future comprehensive redevelopment of the area or be harmful to the character or appearance of the designated coastal zone, or wider area, or the amenities of nearby residents, or the nature conservation interests of the site, or result in the pollution of controlled waters or adversely affect traffic/parking conditions in the locality. As such, the proposal complies with Policies R/DP1, R/DP4, R/EMP2, R/EMP4, R/EMP7, R/CH1, R/OS11, R/ENV2, R/ENV10, R/ENV11, R/T2, R/T10 and R/T11 of the Gosport Borough Local Plan Review.

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

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

- 08-930-300PP1, 08-930-301PP1, 08-930-302PP1, 08-930-303-PP1, 08-930-400-PP2, 08-930-401-PP2 and 08-930-402-PP2

Reason - To ensure that the development is completed satisfactorily in all respects and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.



2. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any replacement or re-enactment thereof), the land shall be used only for purposes of car parking and boat storage ancillary to the existing marina operation and for no other purpose whatsoever.

Reason - To protect the amenities of neighbouring occupiers and the character and appearance of the area and to comply with Policies R/DP1 and R/CH1 of the Gosport Borough Local Plan Review.

3. No development shall commence until a working method statement has been submitted to and agreed in writing by the local planning authority. The method statement shall include details of the timing of the works, the methods used for all channel, bankside and water margin works, details all machinery to be used, the measures to protect an areas of ecological sensitivity and site supervision. The development shall thereafter be carried out in accordance with the agreed statement unless otherwise agreed in writing with the local planning authority.

Reason - To protect the water environment and to comply with Policies R/ENV5 and R/ENV10 of the Gosport Borough Local Plan Review.

4. No piling works shall take place other than in accordance with a scheme submitted to and approved in writing by the local planning authority.

Reason - To protect controlled waters from contamination and to comply with Policy R/ENV5 of the Gosport Borough Local Plan Review.

5. The use hereby permitted shall be discontinued and the related structures, including the pontoons and drystack facilities, dismantled and removed from the site on or before the 28th February 2015.

Reason - To protect the future mixed use and employment generating potential, and so as not to prejudice the future comprehensive redevelopment of the site, and to comply with Policies R/DP4, R/EMP2 and R/EMP7 of the Gosport Borough Local Plan Review.

**ITEM NUMBER: 05.**  
**APPLICATION NUMBER: K17770/1**  
**APPLICANT: Our Enterprise Haslar Ltd**  
**DATE REGISTERED: 22.12.2009**

**USE OF BUILDING 40 AS CLASS B1 OFFICE (PREVIOUSLY ANCILLARY OFFICE) FOR A TEMPORARY PERIOD OF 5 YEARS (LISTED BUILDING IN CONSERVATION AREA) (as amplified by emails dated 28.1.10 and 3.2.10 and plans received 1.2.10)**  
**Royal Hospital Haslar Haslar Road Gosport Hampshire PO12 2AA**

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

The application site is located within the grounds of the former Royal Hospital Haslar. The hospital site falls within Anglesey Conservation Area and is allocated as an existing community and health facility and historic park and garden within the Gosport Borough Local Plan Review. The use of the site as a hospital ceased on 10 July 2009 and the site was purchased from the MoD by Our Enterprise Haslar on 17 November 2009.

A comprehensive masterplan for the development and continued use of the site for community based purposes and to safeguard its historic assets is currently being developed. However, this is a complex process and it will be a number of months before any formal proposals are ready for submission. In the meantime, the owners of the site are seeking to bring activity to the site to maintain some continuity of use and protect the vulnerable listed buildings through the introduction of short term planning uses.

This proposal relates to the former Zymotic Hospital Works/Administration building (building 40), an ancillary 530 square metre office building within the site. Building 40 contains the central hub and Building Management System (BMS) controls for the entire Haslar site from which all the services are controlled (heating, security system etc). As the completion of sale contracts with the MOD was 17th November 2009, Our Enterprise Haslar Ltd worked with the MOD to handover the engineering management for the site by 17th December 2009. Our Enterprise Haslar Ltd occupied this building with two engineering staff from this date to ensure and monitor continuous safe running of the site systems in order to prevent the buildings from falling into a greater state of disrepair and to continue to secure the site, especially during the Christmas period.

Our Enterprise Haslar Ltd have further occupied the building since 4th January 2010 with an additional 4 management staff assisting in the running of the site. The proposal is to continue this Class B1 Office use for a temporary period of 5 years. The building is in use between the hours of 8am and 6pm but is accessible 24 hours a day for emergency access to the site-wide building management systems. The building is not individually listed, but is listed as part of the historic curtilage of the site and is currently in good condition. No external works have been undertaken or are proposed. Access to the building is from the main access on Haslar Road and the existing internal road system. There is existing car and cycle parking provision adjacent to the building and refuse and recycling collection vehicles are able to access the site from the internal access road.

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

K17770 proposed change of use of 15 ancillary residential units to 15no dwellings (Class C3) for a temporary period of 5 years (Listed Buildings in Conservation Area) - pending.

### ***Relevant Policies***

Gosport Borough Local Plan Review, 2006:  
R/BH1  
Development in Conservation Areas  
R/BH3

Development Affecting Listed Buildings  
R/BH6  
Registered Historic Parks  
R/CF2  
Protection of Existing Health and Community Facilities  
R/DP1  
General Standards of Development within the Urban Area  
R/T11  
Access and Parking  
R/EMP6  
Development for Employment Uses within Urban Areas

### ***Consultations***

The Gosport Society	No objection.
Southern Water	Update to be provided.
HCC Landscape, Planning & Heritage	No objection.
Building Control	Access for Fire Brigade satisfactory.
Economic Prosperity	Update to be provided.
Local Highway Authority	Transport contribution not required for temporary use, or if evidence provided to demonstrate that the proposed use will not increase trips. Provision for car and cycle parking and refuse storage should be conditioned.
Crime Prevention & Design	No objection.

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

Nil

### ***Principal Issues***

1. The number of trips generated by this use is unlikely to exceed those associated with the previous, ancillary use of the building. Moreover, the proposal is for a temporary period only and the number of trips will not exceed the number of trips generated by the hospital as a whole, even if considered in combination with current application K.17770, therefore a contribution towards highway infrastructure improvements is not required in this instance, nor will there be any adverse impact on the highway safety conditions of the locality on the grounds of additional traffic generation. The main issues in this case are therefore the principle of the proposal and the impact on the character and setting of the existing Listed Buildings and the historic park and garden and the wider Conservation Area.

2. Policies R/BH1 and R/BH3 are concerned with development in Conservation Areas and development affecting Listed Buildings respectively. The proposal does not involve any internal or external alterations that will affect the character or setting of the Listed buildings within the site in accordance with the requirements of these policies. Similarly the proposal will have no impact on the historic park or garden in accordance with Policy R/BH6. Bringing buildings into use is encouraged under PPG15 to ensure their long term future and remove the risk of deterioration. An active office use is therefore welcomed in heritage terms.

3. There is ample existing car parking provision in close proximity to the building, together with adequate facilities for cycle and refuse storage. Office waste and recycling will be collected by a commercial collection contract. I am satisfied that the proposal will provide a satisfactory working environment for prospective occupiers and that there will be no adverse effect on any occupiers of any residential properties should temporary planning permission be forthcoming for application K17770.

4. Policy R/EMP6 permits employment uses within urban areas on sites not allocated for employment use, including through the use of existing buildings. There is a clear intention to bring forward community based uses on this site within the masterplan framework which may include forms of ancillary development including employment. So as not to prejudice the implementation of the overall masterplan for the site, a temporary consent of 5 years is considered appropriate in this instance.

5. As no external works are proposed there will be no impact on protected species or the wider biodiversity interests of the site or the existing drainage arrangements.

**RECOMMENDATION: Grant Temporary Consent**

Temporary Permission Expiry Date: 28th February 2015

**Reasons for granting permission:**

1. The change of use of the ancillary offices to Class B1 offices on a temporary basis will not prejudice the implementation of any comprehensive proposals for the site and will not have a harmful effect on highway safety conditions in the locality or the amenities of other prospective occupiers of the site or the character or appearance or setting of the listed buildings or the wider Conservation Area or the historic garden. Moreover, the proposal will allow the use of this important building to be continued thereby reducing the risk of deterioration. As such, the proposal complies with Policies R/CF2, R/EMP6, R/DP1, R/T11, R/BH1, R/BH3 and R/BH6 of the Gosport Borough Local Plan Review.

**Subject to the following conditions:-**

1. The provision shown on the approved plan for the parking of cars and cycles shall be retained for this purpose and used for no other purpose whatsoever for the duration of this temporary permission.

Reason - To ensure that adequate car and cycle parking is provided and retained and to comply with Policies R/DP1 and R/T11 of the Gosport Borough Local Plan Review.

2. The use hereby permitted shall be discontinued on or before the 28th February 2015.

Reason - So as not to prejudice the future comprehensive redevelopment of the site and to comply with Policy R/CF2 of the Gosport Borough Local Plan Review.

**ITEM NUMBER: 06.**  
**APPLICATION NUMBER: K17770**  
**APPLICANT: Our Enterprise Haslar Ltd**  
**DATE REGISTERED: 22.12.2009**

**CHANGE OF USE OF 15 ANCILLARY RESIDENTIAL UNITS TO 15NO. DWELLINGS (CLASS C3) FOR A TEMPORARY PERIOD OF 5 YEARS (LISTED BUILDINGS IN CONSERVATION AREA) (as amplified by emails received 28.1.10 and 29.1.10 and plans received 1.2.10)**  
**Royal Hospital Haslar Haslar Road Gosport Hampshire PO12 2AA**

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

The application site is located within the grounds of the former Royal Hospital Haslar. The hospital site falls within Anglesey Conservation Area and is allocated as an existing community and health facility and historic park and garden within the Gosport Borough Local Plan Review. The use of the site as a hospital ceased on 10 July 2009 and the site was purchased from the MoD by Our Enterprise Haslar on 17 November 2009.

A masterplan for the development and continued use of the site for community based purposes and to safeguard its historic assets is currently being developed. However, this is a complex process and it will be a number of months before any formal proposals are ready for submission. In the meantime, the owners are seeking to bring activity to the site to maintain continuity of use and protect the vulnerable listed buildings through the introduction of short term planning uses.

This proposal is for the change of use of 15 of the existing ancillary residential units within the site to Class C3 residential use for a temporary period of 5 years whilst the comprehensive proposals are being developed. The buildings involved are Grade II Listed and were originally constructed as accommodation for senior medical officers employed at the hospital. No internal or external changes are necessary or proposed. The buildings, the subject of this proposal, are:-

Haslar Terrace - Numbers 1 to 4, the Surgeon Rear Admiral's Residence and numbers 5 to 10  
Semi-detached dwellings - Numbers 11, 12, 13 and 14.

Access to the dwellings will be from the main access on Haslar Road and the existing internal road system. The applicant has indicated that the proposals will utilise the existing car and cycle parking and refuse storage provision on site. Refuse and recycling collection vehicles and emergency vehicles will be able to access the properties from the existing internal road network. It is intended that the buildings will remain under one ownership and rented on the open market.

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

K17770/1 use of building 40 as Class B1 office (previously ancillary office) for a temporary period of 5 years (Listed Buildings in Conservation Area) (as amplified by email dated 28.1.10 and 3.2.10 and plans received 1.2.10) - pending.

### ***Relevant Policies***

Gosport Borough Local Plan Review, 2006:

- R/T11
- Access and Parking
- R/BH1
- Development in Conservation Areas
- R/BH3
- Development Affecting Listed Buildings
- R/BH6

Registered Historic Parks  
R/CF2  
Protection of Existing Health and Community Facilities  
R/DP1  
General Standards of Development within the Urban Area

### ***Consultations***

The Gosport Society	No objection.
Southern Water	Update to be provided.
HCC Landscape, Planning & Heritage	No objection.
Building Control	Access for Fire Brigade acceptable.
Streetscene (Waste & Cleansing)	Bins to be placed at nearest access road for collection. Haslar Terrace will have a communal store.
Local Highway Authority	Transport contribution not required for temporary use. Provision for car and cycle parking and refuse storage should be conditioned.
Crime Prevention & Design	No objection. Developer may wish to contact Crime Prevention and Design Officer to discuss how security for the dwellings could be increased.

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

Nil

### ***Principal Issues***

1. As the proposed change of use is for a temporary period only, the normal Policy requirements relating to affordable housing, open space and transport infrastructure are not applicable. Notwithstanding this, whilst the number of trips generated by the proposal will be slightly more than those generated by the ancillary residential accommodation as occupiers of the dwellings are unlikely to work on the site, the level of trips will not exceed the combined number of trips generated by the hospital as a whole, even if considered in combination with application proposal K17770/1. A contribution towards highway infrastructure improvements would therefore not be required in this instance, nor will there be any adverse impact on the highway safety conditions of the locality on the grounds of additional traffic generation in accordance with Policy R/T11. The main issues in this case are therefore the impact of the proposal on the character and setting of the existing Listed Buildings and Conservation Area and the historic park and garden and the buildings' suitability for use as residential accommodation.

2. Policies R/BH1 and R/BH3 are concerned with development in Conservation Areas and development affecting Listed Buildings respectively. All of the buildings, the subject of this application, were previously in use for residential purposes. The proposal is to use each of these dwelling units as single units of accommodation. In addition, no material internal or external alterations are required to facilitate this use. For these reasons there will be no change to the character or appearance of the buildings or their settings or the wider Conservation Area in accordance with Policies R/BH1 and R/BH3. Similarly, the proposal will have no impact on the historic park or garden in accordance with Policy R/BH6. Bringing buildings into use is encouraged

under PPG15 to ensure their long term future and remove the risk of deterioration. Active residential use is therefore welcomed in heritage terms.

3. There is ample existing car parking provision in close proximity to the dwellings, together with adequate facilities for cycle and refuse storage. The retention of these facilities will be controlled by planning condition. All occupiers will have access to individual gardens and the open landscaped areas within the site. I am therefore satisfied that the proposals will provide a satisfactory living environment for the prospective occupiers of the dwellings in accordance with Policy R/DP1.

4. There is a clear intention to bring forward community based uses on this site within the masterplan framework which may include forms of ancillary development including, residential. However, so as not to prejudice the implementation of the overall masterplan for the site, a temporary consent of 5 years is considered appropriate in this instance.

5. As no external works are proposed there will be no impact on protected species or the wider biodiversity interests of the site or the existing drainage arrangements.

### **RECOMMENDATION: Grant Temporary Consent**

Temporary Permission Expiry Date: 28th February 2015

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

1. The change of use of the ancillary dwellings to Class C3 residential dwellings on a temporary basis will not prejudice the implementation of any comprehensive proposals for the site and will not have a harmful effect on highway safety conditions in the locality. A satisfactory living environment will also be provided for prospective occupiers and the proposal will allow these historically important buildings to be brought back into use thereby reducing the risk of deterioration. As such, the proposal complies with Policies R/CF2, R/DP1, R/T11, R/BH1, R/BH3 and R/BH6 of the Gosport Borough Local Plan Review.

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

1. The areas shown on the approved plan for the parking of vehicles shall be retained for that purpose and used for no other purpose whatsoever for the duration of this temporary permission.

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

2. The facilities shown on the approved plan for the storage of cycles shall be retained for this purpose and used for no other purpose whatsoever for the duration of this temporary permission.

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

3. The facilities shown on the approved plan for the storage of refuse for removal from the premises shall be retained for this purpose and used for no other purpose whatsoever for the duration of this temporary permission.

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

4. The use hereby permitted shall be discontinued on or before the 28th February 2015.

Reason - So as not to prejudice the future comprehensive redevelopment of the site and to comply with Policy R/CF2 of the Gosport Borough Local Plan Review.

**ITEM NUMBER: 07.**  
**APPLICATION NUMBER: K17769**  
**APPLICANT: Deesland Properties**  
**DATE REGISTERED: 23.12.2009**

**CHANGE OF USE FROM SHOP (CLASS A1) TO HOT FOOD TAKE-AWAY (CLASS A5)  
(CONSERVATION AREA)**

**3 Flower Buildings Marine Parade East Lee-On-The-Solent Hampshire PO13 9LB**

***The Site and the proposal***

The application site is the northern corner unit of a group of buildings known as Flower Buildings and fronts onto Marine Parade East within the Lee-on-the-Solent Conservation Area. The site comprises a small vacant shop unit, formerly occupied by The Shoe Cellar, which has moved to new premises at Endeavour Quay. Immediately to the northwest of the site there is a public car park and on the opposite side of Marine Parade East is Pier House. The existing building is single storey and rendered and has a steep gable facing onto the road with rendered and painted panel infill between black painted timber vertical rails. This is repeated to the gable facing the adjoining car park. The soffits and barge boards are also black painted timber. The existing roof is finished in brown concrete roof tiles. The roof extends across the adjoining unit, Lee Press, to a gabled end with a higher main roof to the rear over the Lee Tandoori Indian Restaurant. The front elevation contains a timber door and two large timber windows with low sill levels. There is a further large timber window in the side elevation facing the car park. On the seaward side of the block is Olympia Amusements which is accessed from both the promenade and the adjoining car park. To the south east of these buildings there is a disused timber ice cream kiosk and various sheds and timber enclosures which are used for the communal storage of refuse from the premises owned by the applicant.

It is proposed to change the use of this approximately 27 square metre retail shop to a hot food take-away, operating under Use Class A5. At this stage the end user is not known nor is the number of proposed staff or intended hours of operation. The internal layout will comprise a small seating area and servery counter to the side of which is the kitchen and staff WC. An internal kitchen ventilation/filtration system is to be installed with an external flue exiting to the rear of the pitched roof so as not to be visible from the front of the building. The external appearance of the building will not change but it is proposed to block off the lower parts of the two front windows with removable internal panels to screen the working area of the kitchen.

***Relevant Planning History***

K14278/3 - Erection of single storey extension and alterations to existing building to form new cafe facility with associated tea garden (Class A3) (Adjacent to Conservation Area) - permitted 24.05.07

***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/OS1

Development Outside of the Urban Area

R/CH1

Development within the Coastal Zone

R/S8

Local Shops Outside Defined Centres

R/CF10



Protection of Existing Built Leisure Facilities  
R/T11  
Access and Parking  
R/ENV10  
Noise Pollution

### ***Consultations***

The Gosport Society	No objection.
Environmental Health (Commercial)	Do not anticipate any problems in terms of fumes as no immediately adjacent residents. Details of ventilation/extract system should be conditioned to ensure it does not cause a nuisance.
Local Highway Authority	No objection to the lack of car parking because of the proximity of seafront public car parks. Cycle parking provision required.

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

1 letter of observation

Issues raised:-

- need for another take-away in Lee-on-the-Solent

1 letter of objection

Issues raised:-

- we are saturated with eating establishments including take-aways in Lee-on-the-Solent

### ***Principal Issues***

1. The site is located outside of the Urban Area and inside the Coastal Zone Policy Area and therefore the principle of the use of this unit for a take-away facility needs to be considered against these Local Plan constraints. Collectively, Flower Buildings are defined as an existing built leisure facility within the Local Plan Review and are protected against inappropriate development by Policy R/CF10. Whilst there is a limitation on the number of eating, drinking and hot food take-away establishments within the defined Lee-on-the-Solent Town Centre District Shopping Centre, the numbers of such commercial uses outside of such centres is a matter for market forces rather than a planning issue. Therefore the main issues in this case are the acceptability of such a use in this location, whether it will preserve or enhance the character and appearance of the Conservation Area, the adequacy of parking, refuse and servicing arrangements and the impact of the proposal on adjoining occupiers.

2. The proposal is for a change of use of an existing shop therefore no existing leisure facility will be lost. Moreover the use could enhance the leisure provision for both visitors and tourists and is considered acceptable in this location. Under these circumstances and given the relationship of the proposal with the existing buildings and leisure uses, and that it is a change of use, the proposal is also considered to be in keeping with Coastal Zone Policy R/CH1 and Policy R/OS1 as it will not result in any other substantial development other than a change of use to the existing unit. In addition, such a commercial use is considered to be appropriate for a shop premises located outside of a defined centre and therefore the proposal complies with Policy R/S8 of the Gosport Borough Local Plan Review.

3. The proposal will bring back into economic use a prominent building within the Conservation Area which will assist in its ongoing maintenance. The overall external appearance of the building will not change significantly apart from the addition of an external flue on the rear roof slope and the

insertion of internal panels to the lower part of the front windows and as such the character and appearance of the Lee-on-the-Solent Conservation Area will be preserved. The imposition of a condition requiring details to be submitted of the internal panels to be used will ensure that these works continue to preserve the character of the building and Conservation Area. Therefore the proposal complies with Policy R/BH1 of the Gosport Borough Local Plan Review.

4. The area is well served with seafront car parks to provide for both staff and customer car parking requirements and as such the proposed change of use will not have a detrimental impact on traffic or parking conditions in the locality. A condition is suggested to ensure that adequate cycle storage provision is made for the proposal. Refuse from the take-away will be stored at the rear of the site as previously and the premises will continue to be serviced as at present. The development will not therefore have a negative impact on the servicing arrangements of any adjoining uses. As such, it complies with Policies R/DP1 and R/T11 of the Gosport Borough Local Plan Review.

5. The site is located on the opposite side of Marine Parade East and approximately 21 metres away from the nearest residential property and as such the comings and goings of customers will not have any significant detrimental impact on residents. The proposed ventilation system will be positioned in a discreet location and will not impact on the front elevation of the building. The Head of Environmental Health has confirmed that due to the location of the premises, distant from residential properties, there is unlikely to be any detrimental impact in terms of cooking fumes from the premises. The imposition of a condition requiring the submission of full details of the system to be used and its retention and maintenance will ensure that the amenities of residents are preserved. As such, the proposal complies with Policies R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review.

### **RECOMMENDATION: Grant Permission**

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

1. Having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the proposed change of use is acceptable in this location. The development will enhance the leisure related provision of facilities for both visitors and tourists in this seafront location. It will not have any detrimental impact on the design of the building and will preserve the character and appearance of the Lee-on-the-Solent Conservation Area. It will not have a detrimental impact on the traffic or parking conditions in the locality, the amenities of nearby residents through noise or smell generation, or adjacent uses. As such, the proposal complies with Policies R/DP1, R/BH1, R/OS1, R/CH1, R/S8, R/CF10, R/T11 and R/ENV10 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 development hereby permitted shall be carried out in accordance with the following approved plan:

- 0960/01

Reason - To ensure that the development is completed satisfactorily in all respects and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

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3. Details of the method of ventilation/filtration and subsequent maintenance shall be submitted to, and approved by, the Local Planning Authority before the use hereby approved is commenced. The ventilation system shall thereafter be installed before the use commences and maintained in accordance with the details approved.

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

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.

5. Details of the materials and the colour of the removable panels to be installed in the front windows shall be submitted to and approved in writing by the Local Planning Authority before works related to that part of the development are 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.

**ITEM NUMBER: 08.**  
**APPLICATION NUMBER: K4465/1**  
**APPLICANT: Mr Kevin Goodall**  
**DATE REGISTERED: 13.11.2009**

**ERECTION OF CAR PORT AND REPLACEMENT GARAGE ON SIDE OF PROPERTY  
AND REAR CONSERVATORY (as amplified by e-mail received 16.12.09)  
58 Milvil Road Lee-On-The-Solent Hampshire PO13 9LX**

***The Site and the proposal***

The application property is a detached chalet bungalow located on the eastern side of Milvil Road. The dwelling has a brown tiled roof with the ridge orientated north-south. There is a flat roofed garage/workshop on the northern elevation of the dwelling and a roof canopy over the front door. The front of the site is laid to gravel. The rear garden is approximately 15 metres long.

The shared boundary with the property to the north, number 60, comprises a combination of a low white picket fence and a 1.8 metre high close boarded fence. The shared boundary with number 56 to the south comprises a 1.6 metre high fence.

Number 60 is a detached chalet bungalow. It has two ground floor obscure glazed windows in the southern elevation facing the application site. Number 56 is also a detached chalet bungalow which has a two storey extension at the rear. To the east of the site, number 93 Manor Way is a detached pitched roofed dwelling with two ground floor windows and one first floor window in the western elevation facing the application site.

The application is for the demolition of the existing side garage/workshop and the erection of a car port, garage and rear conservatory. The proposed car port will be erected on the northern elevation of the property and has a lean-to design. It will be 1.75 metres high to the eaves, rising to 2.4 metres with the slope of the roof and will be constructed using steel posts and supporting wooden beams with clear corrugated roof sheets. It will not extend beyond the existing front or rear elevations, or the rear elevation of number 60. Immediately to the rear of the car port, it is proposed to erect a flat roofed single garage. The garage will be constructed using matching brick and will contain a garage door in the western elevation and a single personal door in the southern elevation providing access to the rear garden. The garage will be 2.5 metres high and will extend 6 metres beyond the original rear elevation. The plans show that the garage will be set in from the shared boundary with number 60 by 300mm. There will be a separation distance of over 1 metre between the side elevations of the garage and car port and the opposing side elevation of number 60.

The proposed rear conservatory will have a pitched roof and will be attached to the southern elevation of the proposed garage. It will be 3.3 metres wide, 3.3 metres deep and 3.4 metres high to the ridge. It will contain windows in the eastern elevation facing down the garden and a set of double patio doors and windows in the southern elevation.

***Relevant Planning History***

Nil

***Relevant Policies***

Gosport Borough Local Plan Review, 2006:

R/DP1

General Standards of Development within the Urban Area

R/T11

Access and Parking

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## **Consultations**

Local Highway Authority

No objection.

## **Response to Public Advertisement**

2 letters of objection;

Issues raised:-

- proximity of car port and garage to the neighbouring property
- the use of the car port by vehicles will cause disturbance to the occupiers of number 60 with regard to noise, fumes and smells
- loss of light to number 60
- the design and mass of the proposed garage is incompatible with the surrounding area
- design of car port
- the garage will be used to park a large van
- adequate provision has not been made for the disposal of rainwater

## **Principal Issues**

1. The Local Planning Authority is unable to control the type of vehicles parking at the application site. The plans show that the proposed car port includes guttering to collect rainwater. The main issues in this case therefore are the acceptability of the design of the development and the impact on the visual amenity of the locality and the amenities of the occupiers of the neighbouring properties.
2. The proposed rear conservatory has a simple pitched roof design and is similar to others in the locality. It will not be visible from public view and will not have a detrimental impact on the appearance of the dwelling or the visual amenity of the locality. The conservatory will not extend beyond the rear elevation of the proposed flat roof garage and is sited away from the site boundaries. In light of this, and given the height of the boundary fencing, it will not have a detrimental impact on the amenities of any adjoining occupiers in terms of loss of light, outlook or privacy. The conservatory therefore complies with Policy R/DP1 of the Gosport Borough Local Plan Review.
3. The proposed car-port will replace an existing flat roof side garage. It has a simple lean-to design and will be built using appropriate materials. It will not form an incongruous feature on the side elevation and will not detract from the appearance of the dwelling or streetscene. The proposed flat roof garage is positioned at the rear of the property and will not therefore be easily visible from public view. The flat roof matches the design of the existing garage at the site and as there are a variety of other side and rear additions in the locality, I do not consider that the proposal will be out of character with the local area. The development is therefore acceptable in design terms and accords with Policy R/DP1 of the Gosport Borough Local Plan Review.
4. The proposed car-port will not extend beyond the existing front or rear elevations and given its limited height and that the roof is clear perspex and slopes away from the boundary, it will not result in a loss of light or outlook for the occupiers of number 60. The proposed garage will extend 6 metres beyond the existing rear elevation. However, at 2.5 metres in height and with a set in of 300mm from the shared boundary, I do not consider that it will appear oppressive or overbearing for the occupiers of number 60. The windows in the southern elevation of number 60 are obscure glazed. In light of this, and given the limited height of the garage, I do not consider that the proposal will have an unacceptable impact on the living conditions of the occupiers of this dwelling in terms of loss of light, outlook or privacy. The northern side of the site is already used for the parking of vehicles and its continued use will not therefore cause undue disturbance to the occupiers of the neighbouring dwelling, number 60. Due to the separation distance between the proposed additions and number 93 to the east, there will be no negative impact on the living conditions of the occupiers

of this dwelling. The development therefore complies with Policy R/DP1 of the Gosport Borough Local Plan Review.

5. The proposed car-port and garage can be accessed in a safe and convenient manner. Notwithstanding this, there is ample space at the front of the site for vehicular parking. The proposal will not therefore be detrimental to the parking or traffic conditions in the locality, in accordance with Policy R/T11 of the Gosport Borough Local Plan Review.

**RECOMMENDATION: Grant Permission**

**Reasons for granting permission:**

1. Having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act and all other material considerations, the development as proposed will not have a detrimental impact on the appearance of the dwelling, the character or visual amenity of the locality, the amenities of the occupiers of adjoining properties, or on local parking and traffic conditions. As such, the development 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 development hereby permitted shall be carried out in accordance with the following approved plans:

Plan 1, Plan 2, Plan 3, Plan 4, Plan 5, Plan 6, Plan 7, Plan 8, Plan 9, Plan 10, Plan 11 and 58 MILVIL ROAD.DWG

Reason - To ensure that the development is completed satisfactorily in all respects and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

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

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