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25 October 2013

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

**MEETING:** Regulatory Board  
**DATE:** 4 November 2013  
**TIME:** 6.00 pm  
**PLACE:** Council Chamber, Town Hall, Gosport  
**Democratic Services contact:** Vicki Stone

LINDA EDWARDS  
BOROUGH SOLICITOR

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### **MEMBERS OF THE BOARD**

The Mayor (Councillor Beavis (ex-officio)  
Chairman of the Policy and Organisation Board (Councillor Hook) (ex-officio)

Councillor Ronayne (Chairman)  
Councillor Mrs Hook (Vice Chairman)

Councillor Ms Ballard	Councillor Gill
Councillor Carter CR	Councillor Hazel
Councillor Ms Diffey	Councillor Jessop
Councillor Farr	Councillor Langdon
Councillor Geddes	Councillor Wright

### **FIRE PRECAUTIONS**

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

**In the event of the fire alarm sounding, please leave the room immediately. Proceed downstairs by way of the main stairs or as directed by GBC staff, follow any of the emergency exit signs. People with disability or mobility issues please identify yourself to GBC staff who will assist in your evacuation of the building.**

**IMPORTANT NOTICE:**

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

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

**NOTE:**

- i. 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**

**PART A ITEMS**

1. APOLOGIES FOR NON-ATTENDANCE

2. DECLARATIONS OF INTEREST

*All Members present are reminded to declare, at this point in the meeting or as soon as possible thereafter, any disclosable personal interest in any item(s) being considered at this meeting*

3. MINUTES OF THE MEETING OF THE BOARD HELD ON 10 SEPTEMBER 2013

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 Thursday, 31<sup>st</sup> October 2013. 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 Thursday, 31<sup>st</sup> October 2013).*

6. REVIEW OF LOCAL INFORMATION REQUIREMENTS (LOCAL LIST)

To consider the proposed list of Local Information Requirements (Local List) required to be submitted with planning applications.

7. **REPORTS OF THE BOROUGH SOLICITOR**

*Schedule of planning applications with recommendations.  
(grey sheets – pages 1-53)*

PART II  
Contact Officer:  
Debbie Gore  
Ext: 5455

8. ANY OTHER ITEMS

**A MEETING OF THE REGULATORY BOARD  
WAS HELD ON 10 SEPTEMBER 2013**

The Mayor (Councillor Beavis)(ex-officio); Chairman of the P & O Board (Councillor Hook) (P) Councillors Allen (P), Ms Ballard (P), Carter CR (P), Ms Diffey (P), Farr (P), Geddes (P), Gill (P), Hazel Mrs Hook (P), Jessop (P), Langdon, Ronayne (P) and Wright (P).

It was reported that in accordance with Standing Order 2.3.6, Councillor Hook had been nominated to replace Councillor Hazel for this meeting and Councillor Allen had been nominated to replace Councillor Langdon.

**30 APOLOGIES**

Apologies for inability to attend the meeting were received from Councillor Hazel and Councillor Langdon.

**31 DECLARATIONS OF INTEREST**

There were none.

**32 DEPUTATIONS**

Deputations had been received on the following applications:

- 13/00266/FULL – 154 Fareham Road, Gosport
- 13/00318/VOC – Land to the rear of 154 Fareham Road, Gosport

**33 PUBLIC QUESTIONS**

No public questions had been received.

**PART II**

**34 REPORT OF THE BOROUGH SOLICITOR**

The Borough Solicitor submitted a report on applications received for planning consent setting out the recommendation in each case.

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

**35 13/00266/FULL – RE-ROOFING, RE-CLADDING AND INSTALLATION OF PORTAL RAFTERS TOGETHER WITH ALTERATIONS TO ELEVATIONS TO PROVIDE NEW WINDOWS, DOORS AND LOADING BAYS (AS AMPLIFIED BY PLAN RECEIVED 19.08.13)  
154 FAREHAM ROAD, GOSPORT**

Consideration was given to the report of the Borough Solicitor and Deputy Chief Executive requesting that consideration be given to planning application 13/00266/FULL.

Members were advised that there were no updates.

Mr Holmes was invited to address the board whereby he advised that he was from Quayside Architects who were the agents for Oceanic Estates Ltd.

Mr Holmes advised the Board that modernisation of the building by Oceanic Estates Ltd was required and that the existing roof needed replacing. Mr Holmes further advised that the proposal to clad the external elevations and provide new windows, doors and loadings bays would enhance the site and attract new potential tenants creating up to 30,000ft employment opportunities.

Further to a question from a Member regarding the demolition of the building, it was confirmed that the demolition of the building was due to be completed imminently and that he had no further information as to how this was being undertaken.

**RESOLVED:** That application 13/00266/FULL – 154 Fareham Road Gosport be approved subject to the conditions in the report of the Borough Solicitor and Deputy Chief Executive.

**36                            13/00318/VOC – VARIATION/REMOVAL OF CONDITIONS 3,4,5,7,8,11,12 AND 13 OF PLANNING PERMISSION REFERENCE 13/00178/FULL RELATING TO SAMPLES OF EXTERNAL MATERIALS, NEW ACCESSES, OPEN STORAGE, PERCUSSIVE PILING, THE SUBMISSION OF AN ENVIRONMENTAL MITIGATION STRATEGY, THE REMOVAL OF TREES/SHRUBS AND DETAILS AND COMPLETION OF LANDSCAPE SCHEME (AS AMPLIFIED BY EMAIL RECEIVED 12.08.13)  
LAND TO THE REAR OF 154 FAREHAM ROAD, GOSPORT**

Consideration was given to the report of the Borough Solicitor and Deputy Chief Executive requesting that consideration be given to planning application 13/00318/VOC

Members were advised that an additional letter of objection had been received and had been considered and assessed within paragraphs 7 & 8 of the report. The letter refers to the trees on the eastern boundary of the site which, the objector considered should be retained and formally protected by a Tree Preservation Order, as they shield nearby residential properties from the impacts of light pollution and will preserve the visual amenity of the locality.

Mr Holmes was invited to address the Board. He advised that the applicant was seeking to establish a more flexible consent that is most likely to comply with operational and logistical requirements of prospective occupiers and avoid delays associated with the requirement to discharge conditions prior to the commencement of development. In light of this, and the fact that the latest planning application had been supported by additional details, it was proposed to amend a number of conditions attached to the original consent.

Mr Holmes further advised that two existing lighting columns would be relocated within the site and that one existing lighting column would be retained in its current position adjacent to the northern boundary. Mr Holmes confirmed that there is currently no restriction on the hours that the lights were operated and also confirmed that lighting would be fitted within the covered bay on the side of the proposed building.

Concerns were raised with regard to the potential loss of trees on the eastern side of the site, adjacent to Lederle Lane. Mr Holmes advised that there were currently no plans to remove the trees and that a condition to retain the trees for a period of 5 years was appropriate in this instance.

Officers confirmed that the Borough Council's Landscape Officer did not consider that the trees were worthy of formal protection through the provision of a Tree Preservation Order.

**RESOLVED:** That application 13/00318/VOC – Land to the Rear of 154 Fareham Road Gosport be approved subject to the conditions in the report of the Borough Solicitor and Deputy Chief Executive.

**37                            13/00312/EXT – RENEWAL OF PLANNING PERMISSION TO EXTEND THE TIME LIMIT FOR THE IMPLEMENTATION OF PLANNING PERMISSION REFERENCE K9316/7 (08/00423/FULL) – RESTORATION OF GRADE II LISTED BUILDING AND SCHEDULED ANCIENT MONUMENT AND CONVERSION TO 26 DWELLINGS, RESIDENTS STORES AND INTERPRETATION ROOM (AS AMPLIFIED BY PLANS AND INFORMATION RECEIVED 08.08.13, 22.08.13 AND 28.08.13)  
FORT GILKICKER, FORT ROAD, GOSPORT**

Consideration was given to the report of the Borough Solicitor and Deputy Chief Executive requesting that consideration be given to planning application 13/00312/EXT.

Members were advised that on page 22 of the grey pages in paragraph 4 the year 2026 is a typo and should be 2062.

Members were advised that the Environment Agency's position is of no objection. Discussions which took place during the previous Public Inquiry clarified that the living accommodation within the Fort provided a safe refuge for residents outside the area at risk from flooding. In an extreme flooding event the risk of inundation of the access road could be managed through procedures, including the Flood

Warning and Evacuation Plan which, as set out on page 23 of the grey pages, is to be secured through the Section 106 Agreement which the applicant has agreed to enter into.

**RESOLVED:** That application 13/00312/ETX – Fort Gilkicker, Fort Road, Gosport be approved subject to Section 106 agreement relating to the payment of a commuted sum towards the provision and/or improvement of outdoor playing space; the provision of affordable housing; public access works; the provision of an interpretation centre and access to the parade ground; a flood warning and evacuation plan; the provision of mitre gates and details of the access gates at Fort road; CCTV and the appointment of a management company and subject to the conditions in the report of the Borough Solicitor and Deputy Chief Executive.

**38                                13/00224/FULL – INSTALLATION AND CONSTRUCTION OF SECTION OF ROAD AND ASSOCIATED WORKS  
DAEDALUS AIRFIELD, CHARK LANE, LEE-ON-THE-SOLENT**

Consideration was given to the report of the Borough Solicitor and Deputy Chief Executive requesting that consideration be given to planning application 13/00224/FULL.

Members were advised that a response from the Environment Agency had now been received and that no objection had been raised subject to a condition relating to a surface water drainage scheme.

Members were advised that following the receipt of the consultation response, it was proposed to recommend an additional condition as follows:

- **Condition 15** – Before development is commenced a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development shall be submitted to and approved, in writing, by the Local Planning Authority. The surface water drainage scheme shall include details of the following:
  - (i) Information demonstrating that the surface water run-off generated up to and including the 1 in 100 year 30% critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event.
  - (ii) A timetable for the implementation of the surface water drainage scheme.
  - (iii) Details of how the scheme shall be maintained after it has been completed.

The approved surface water drainage scheme shall be carried out and maintained in accordance with the approved details unless otherwise agreed, in writing, by the Local Planning Authority.

- **Reason** - To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system, and to comply with the NPPF and Policy R/DP1 of the Gosport Borough Local Plan Review.

**RESOLVED:** That application 13/00224/FULL –Daedalus Airfield Chark Lane, Lee-on-the-Solent, be approved subject to the conditions in the report of the Borough Solicitor and Deputy Chief Executive and subject to the following additional condition as follows:

- Before development is commenced a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development shall be submitted to and approved, in writing, by the Local Planning Authority. The surface water drainage scheme shall include details of the following:
  - (iv) Information demonstrating that the surface water run-off generated up to and including the 1 in 100 year 30% critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event.
  - (v) A timetable for the implementation of the surface water drainage scheme.
  - (vi) Details of how the scheme shall be maintained after it has been completed.

The approved surface water drainage scheme shall be carried out and maintained in accordance with the approved details unless otherwise agreed, in writing, by the Local Planning Authority.

- **Reason** - To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system, and to comply with the NPPF and Policy R/DP1 of the Gosport Borough Local Plan Review

**39 ANY OTHER BUSINESS**

There was no other business

The meeting concluded at: 18:27

CHAIRMAN

<b>Board/Committee:</b>	Regulatory Board
<b>Date of Meeting:</b>	4 November 2013
<b>Title:</b>	Review of Local Information Requirements (Local List)
<b>Author:</b>	Borough Solicitor and Deputy Chief Executive
<b>Status:</b>	FOR DECISION

**Purpose**

To consider the proposed list of Local Information Requirements (Local List), required to be submitted with planning applications.

**Recommendation**

That the revised Local List, as set out in Appendix A attached to this report, be approved.

**1 Background**

- 1.1 The Government requires that Local Planning Authorities review their Local Information Requirements (Local List) every two years. The Local List is the additional information that the Council as Local Planning Authority requires with the submission of a planning application in order for it to be registered, beyond the National Requirements, which comprise the application forms, processing fee, ownership certificate, scaled site layout, floor layout and elevation drawings and Design and Access Statements, where appropriate.
- 1.2 The proposed changes to the Local List would result in an overall reduction in the amount and type of supporting information/reports required at registration stage, most notably for minor and commercial planning applications. This is in line with the aims and objectives of the National Planning Policy Framework which states, at paragraph 193 that, 'Local Planning Authorities should publish a list of their information requirements for applications, which should be proportionate to the nature and scale of development proposals and reviewed on a frequent basis. Local Planning Authorities should only request supporting information that is relevant, necessary and material to the application in question'.

**2 Report****Review of List**

- 2.1 Officers have reviewed how useful the Local List documents have been in determining applications, balanced against the additional time spent at registration stage and the time and cost to the applicant in preparing the documents. Following this review a revised Local List was prepared and a consultation exercise was carried out



between 29 May 2013 and 24 July 2013, involving statutory planning consultees and planning agents and the general public. A summary of the proposed changes is set out in Appendix B. One response was received and is set out below:-

The Gosport Society has no objection to Gosport Borough Council's proposal for the revision of Local Information Requirements (Local List). The proposal simplifies the information and brings it in line with the National Planning Policy Framework.

#### Implications for applicants and the decision making process

- 2.2 The proposed changes will make the application process more streamlined for applicants at initial registration stage. The LPA is still able to request the submission of additional information after validation if it considers that it is needed to properly assess the application. Guidance is also provided through the pre-application process so that applicants are aware of the information that is likely to be required for a specific site as early as possible in the process. This proportionate approach fully reflects the aims and objectives of the National Planning Policy Framework and will allow the Council as LPA to continue to work positively with applicants and developers to facilitate the development of appropriate sites.

### **3 Risk Assessment**

- 3.1 The Council as LPA does not currently have an up to date Local List. Consultation has been carried out on the review of the Local List.

<b>Financial Services comments:</b>	None
<b>Legal Services comments:</b>	None
<b>Crime and Disorder:</b>	Nil
<b>Equality and Diversity:</b>	Nil
<b>Service Improvement Plan implications:</b>	Will improve delivery of Council services to customers
<b>Corporate Plan:</b>	Will improve delivery of Council services to customers
<b>Risk Assessment:</b>	Nil
<b>Background papers:</b>	Nil
<b>Appendices/Enclosures:</b>	Nil
<b>Appendix 'A'</b>	Local List
<b>Appendix 'B'</b>	Summary of Local List changes
<b>Report author/ Lead Officer:</b>	Rebecca Gray

## Appendix A – Local List

Document Type	Required for	When	Policy justification
<b>Affordable Housing Statement</b>	Full and O/L Planning Applications	Residential schemes of 15 units and over/sites over 0.5ha	NPPF, R/H5
<b>Biodiversity Survey</b> <a href="#">Biodiversity Checklist</a>	Full and O/L Planning applications, including Householder	All applications	NPPF, R/OS11, R/OS12, R/OS13, R/OS14
<b>Contamination Assessment</b>	Full and O/L Planning applications	<p>All sites within 250 m of a landfill site</p> <p>All sites where previous uses may have resulted in land contamination</p> <p>All sites known to be on contaminated land</p>	NPPF, R/ENV5
<b>Flood Risk Assessment</b>	Full and O/L planning applications	All sites in Flood Zones 2 and 3 where criteria applies ( <a href="#">EA criteria</a> ) and sites with an area greater than 1 hectare in Flood Zone 1.	NPPF (including Technical Guidance relating to flooding), R/DP1
<b>Heritage Statement</b>	Full and O/L planning applications and householder applications. Applications for Listed Building Consent	<p>All applications affecting heritage assets (including historic parks and gardens, battlefields and Scheduled Ancient Monuments).</p> <p>All applications within Conservation Areas, including demolition of non-listed buildings within Conservation</p>	NPPF, R/BH1, R/BH2, R/BH3, R/BH4, R/BH6, R/BH8

		<p>Areas.</p> <p>All applications affecting Listed Buildings including works and buildings within the curtilage of a listed building.</p> <p>All applications in Conservation Areas and within curtilage of listed building that include excavations.</p>	
<b>Noise Impact Assessment</b>	Full and O/L Planning applications	All applications for noise generating and noise sensitive uses.	NPPF, R/ENV10
<b>Retail Assessment</b>	Full and O/L Planning applications	<p>Retail Impact Assessment for all applications where retail space over 1000m<sup>2</sup> is proposed</p> <p>Impact Assessment for all applications where Leisure and Office space over 2500m<sup>2</sup></p>	NPPF
<b>Traffic Assessment</b> <b>GBLPR</b>	Full and O/L Planning applications	<p>50 residential units</p> <p>2500 sqm B1 and B2</p> <p>5000 sq m B8</p>	NPPF, Appendix E of the GBLPR

		1000 sq m retail 2500 sq m education 2500sqm health 500sqm/5 bed care homes 1000sqm leisure general All leisure stadia Other commercial 500sqm	
<b>(Draft) Travel Plan</b>	Full and O/L Planning applications	50 residential units 2500 sq m B1 and B2 5000 sq m B8 1000 sq m retail 2500 sq m education 2500sqm health 500sqm/5 bed care homes 1000sqm leisure general All leisure stadia Other commercial 500sqm	NPPF, Appendix E of the GBLPR

<b>Tree Survey</b>	Full and O/L Planning applications  Tree works	Tree Survey and/or Arboricultural Impact Assessment on sites where trees are to be lost or may be affected by development	NPPF, R/DP1
<b>Ventilation/Extraction (Impact) Report</b>	Full Planning Applications  Applications for Reserved Matters for Siting and Appearance and Layout	All A3/A4/A5 , B1, B2 uses  All A3/A4/A5 , B1, B2	NPPF, R/DP1

## **Appendix B – Summary of Local List changes**

	<b>Current requirement</b>			<b>Proposed requirement</b>		
<b>Document Type</b>	<b>Required for (criteria)</b>	<b>When</b>	<b>Policy justification</b>	<b>Required for (criteria)</b>	<b>When</b>	<b>Policy justification</b>
Affordable Housing Statement	Full and O/L Planning Applications	Residential schemes of 15 units and over/sites over 0.5ha	PPS3,R/H5	Retain as current requirement	Retain as current requirement	NPPF, R/H5
Air Quality Assessment	Full and O/L Planning Applications	All major applications	PPS23,R/ENV12	Proposed to be deleted from Local List		
Biodiversity Survey <a href="#">Biodiversity Checklist</a>	Full and O/L Planning applications	All applications (excluding householders)	PPS9,R/OS11,R/OS12,R/OS13, R/OS14	Retain as current requirement	All applications	NPPF, R/OS11, R/OS12, R/OS13, R/OS14
Community Involvement	Full and O/L Planning applications  Prior Notifications (telecommunications)	All  All	PPS1,SCI	Proposed to be deleted from Local List		
Contamination Assessment	Full and O/L Planning applications	All sites within 250 m of a landfill site All sites where previous uses may have resulted in land	PPS23,R/ENV5	Retain as current requirement	Retain as current requirement	NPPF, R/ENV5

		contamination All sites known to be on contaminated land				
Flood Risk Assessment	Full and O/L planning applications	All sites in Flood Risk Zones 2 and 3 and Sites with an area greater than 1 hectare in Flood Risk Zone 1	PPS25	Retain as current requirement	All sites in Flood Zones 2 and 3 where criteria applies ( <a href="#">EA criteria</a> ) and sites with an area greater than 1 hectare in Flood Zone 1.	NPPF (including Technical Guidance relating to flooding), R/DP1
Heritage Statement	Full and O/L planning applications and householder applications Applications for Listed Building Consent	Archaeological sites	PPS5,R/BH8	Retain as current requirement	All applications affecting heritage assets (including historic parks and gardens, battlefields, and Scheduled Ancient Monuments).  All applications within Conservation Areas, including demolition of non-listed buildings within Conservation Areas.  All applications	NPPF, R/BH1, R/BH2, R/BH3, R/BH4, R/BH6, R/BH8

					<p>affecting Listed Buildings including works and buildings within the curtilage of a listed building.</p> <p>All applications in Conservation Areas and within curtilage of listed building that include excavations.</p>	
	Full planning applications with Listed Building Consent for alterations/additions/ demolition of a Listed Building	All	PPS5,R/BH3	Proposed to be deleted from Local List		
	Listed Building Consent	All	PPS5,R/BH3	Proposed to be deleted from Local List		
	Conservation Area Consent	All	PPS5,R/BH1	Proposed to be deleted from Local List		
	Householder applications with Listed Building Consent for alterations/additions/ demolition of a Listed	All	PPS5,R/BH3	Proposed to be deleted from Local List		



	Building					
	Householder applications with Conservation Area Consent	All	PPS5,R/BH1	Proposed to be deleted from Local List		
	Full planning applications with Conservation Area Consent	All	PPS5,R/BH1	Proposed to be deleted from Local List		
Lighting Assessment	Full and O/L Planning applications	All major applications	PPS23, R/ENV11	Proposed to be deleted from Local List		
Noise Impact Assessment	Full and O/L Planning applications	All	PPG24, R/ENV10	Retain as current requirement	All applications for noise generating and noise sensitive uses.	NPPF, R/ENV10
Open Space Assessment	Full and O/L Planning applications	All residential	PPS17, R/OS8	Proposed to be deleted from Local List		
Retail Assessment	Full and O/L Planning applications	All retail where space is lost or gained	PPS4, R/S2, R/S3, R/S4, R/S5, R/S6, R/S8	Retain as current requirement	Retail Impact Assessment for all applications where retail space over 1000m2 is proposed	NPPF
				Retain as current requirement	Impact Assessment for all applications where Leisure and Office space over 2500m2	NPPF
Traffic Assessment (GBLPR)	Full and O/L Planning applications	50 residential units 2500 sq m B1	PPG13, Appendix E	Retain as current requirement	Retain as current requirement	NPPF, Appendix E of the GBLPR

		and B2 5000 sq m B8 1000 sq m retail 2500 sq m education 2500sqm health 500sqm/5 bed care homes 1000sqm leisure general All leisure stadia Other commercial 500sqm				
(Draft) Travel Plan	Full and O/L Planning applications	50 residential units 2500 sq m B1 and B2 5000 sq m B8 1000 sq m retail 2500 sq m education 2500sqm health 500sqm/5 bed care homes	PPG13, Appendix E	Retain as current requirement	Retain as current requirement	NPPF, Appendix E of the GBLPR

		1000sqm leisure general All leisure stadia Other commercial 500sqm				
Tree Survey	Full and O/L Planning applications  Tree works	All sites where there are trees  All	PPS9, R/DP8	Retain as current requirement	Tree Survey and/or Arboricultural Impact Assessment on sites where trees are to be lost or may be affected by development	NPPF, R/DP1
Ventilation/ Extraction (Impact) Report	Full Planning Applications  Reserved Matter applications for siting and appearance	All A3/A4/A5, B1, B2 uses  All A3/A4/A5, B1, B2 uses	PPS23, R/DP1	Full Planning Applications  Applications for Reserved Matters for Siting and Appearance and Layout	All A3/A4/A5, B1, B2 uses  All A3/A4/A5, B1, B2 uses	NPPF
(Site) Waste Management Plan <a href="http://Netregs.gov.uk">Netregs.gov.uk</a>	Full and O/L Planning Applications	All residential development other than householders	R/DP1	Proposed to be deleted from Local List		

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

**4th November 2013**

### **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.

<u>Item</u>	<u>Page No</u>	<u>Appl. No.</u>	<b>INDEX</b>	
			<u>Address</u>	<u>Recommendation</u>
01.	3	13/00229/FULL	LOTS Sailing Club 46 Marine Parade East Lee-On- The-Solent Hampshire PO13 9BW	Grant Permission
02.	17	13/00329/FULL	Land At Junction Of Magister Drive And Westland Drive Lee-On-The-Solent Hampshire	Grant Permission
03.	29	13/00406/FULL	Site Of Former Recreation Centre Davenport Close Gosport Hampshire	Grant Permission
04.	41	13/00285/FULL	39 - 45A Stoke Road And 79 - 81 Jamaica Place Gosport Hampshire	Grant Permission
05.	51	13/00397/FULL	43 Gale Moor Avenue Gosport Hampshire PO12 2SZ	Grant Permission

**ITEM NUMBER: 01.**  
**APPLICATION NUMBER: 13/00229/FULL**  
**APPLICANT: Trustees Of Lee-On-The-Solent Sailing Club**  
**DATE REGISTERED: 25.06.2013**

**DEMOLITION OF SAILING CLUB AND ERECTION OF DETACHED BUILDING TO FORM SAILING CLUB AND 8 NO. TWO BEDROOM FLATS WITH ASSOCIATED ACCESS, CAR PARKING, CYCLE AND REFUSE STORES (as amended by plans received 11.09.13, 27.09.13 and 25.10.13 and information received 04.10.13)**  
**LOTS Sailing Club 46 Marine Parade East Lee-On-The-Solent Hampshire PO13 9BW**

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

The application site is located within the Urban Area on the east side of Marine Parade East. The application site is located in the Marine Parade Area of Special Character where policy R/DP10 of the Gosport Borough Local Plan Review is relevant. The recreational use of the site as a Sailing Club is protected by Policy R/S10. The site fronts Marine Parade East and there is a service road to the rear. On the west side of the highway is the boundary of the Urban Area beyond which is an area of Open Space that extends north and south along the entire length of Marine Parade East and West. The land then drops down to the west of this to the beach. To the east of the service road is residential development in Cambridge Road consisting of single and two storey dwellings of mixed design. Immediately to the rear of the site, across the service road, are numbers 37, 39 and 41 Cambridge Road. Nos. 37 and 39 are detached bungalows with hipped, pitched roofs. No. 41 is a two storey, detached dwelling with a hipped, pitched roof. All three have gardens facing the application site.

The existing development in the surrounding area is primarily residential made up of a mix of flatted blocks and individual dwellings. To the south east is no. 47 Marine Parade East which is a large detached, cream rendered, two storey dwelling which has been extended to the rear at single storey level and has a first floor balcony on the north west corner adjacent to the application site. There are four windows in the north west elevation of this property; two at ground and two at first floor which all face the application site. The ground floor windows are clear glazed but are secondary windows to the room they serve with the main windows being in the rear, north east elevation. The first floor windows both have obscure glazing. The roof over this property hips away from the application site. To the north west side of the application site is Seaview Court which is a four storey, flatted development with a flat roof over and staggered frontage which drops away from the adjacent highway. Seaview Court is built of buff bricks and has glazed balconies with white plinth detailing to the front of each of the flats. To the south west side of the building is a small garden enclosed by a chain link fence less than 1m high. Access to the building is from the rear (north east) where there is also a garage court. The row of garages runs north west to south east parallel with the service road and the garages are accessed from within the site.

The existing Sailing Club is a two storey building with a white render exterior which has the appearance of being two attached buildings. The north western part of the building has a flat roof and four windows at both ground and first floor level in the south west elevation and an enclosed balcony at first floor level. The balcony is partially covered at the northern end with a clear glazed canopy. There are metal railings around the perimeter of the roof to provide safety to those accessing the roof. The south eastern part of the building differs in character, appearing as a raised, single storey building with a hipped, pitched roof over and large dormer window in the south west roof slope. The roof over this dormer extends above the height of the main, lower section of roof. There is also a glazed canopy on the front of this part of the building at ground floor level, however, there are steps up to this canopy where this part of the building has been built above the surrounding ground level. There is a stagger in the front, south west elevation of the building whereby the set back from the adjoining footway on Marine Parade East ranges between 5m and 7.5m. The building is 26.6m wide, a maximum of 11m deep and ranges between 7m high at the northern end to 9.5m to the top of the dormer at the southern end of the roof.

There is a dropped kerb along the entire frontage of the site where cars can access the site and park in front of the building, however, no car parking spaces are formally marked out. Access to the rear of the building is from the service road. The boundary along this section of the site is treated with a 1m high mesh wire fence. The space at the rear of the building is currently hardstanding to provide car parking, however, like the front, no parking spaces are formally marked out. In total there is space to park approximately 30 cars with no formal long or short stay cycle parking. On the rear of the building there is a mix of servicing pipes and a staircase to first floor level. The rear elevation appears in a poor state of repair.

At present, there are no conditions restricting the Club's operating hours and it is used for activities including committee meetings, training sessions, social sessions, prize giving, providing catering and changing facilities for sailors and preparation for sailing events. These activities take place between 6.00am when cleaners access the club until after midnight when staff may be cleaning up after events.

This application proposes the demolition of the existing Sailing Club building and the redevelopment of the site to provide a new Sailing Club together with 8 no. two bedroom flats. Both the Sailing Club and flats would be spread over three floors. The building would be a maximum of 26m wide and 24m deep. The height of the building ranges between 6.8m high at the southern end to 11.9m high at the centre of the gable over the northern section of the building. The building would be 8.2m high at the north end adjacent to Seaview Court and 6.8m at the south end adjacent to no. 47 Marine Parade East.

A large proportion of the south west elevation is to be glazed particularly at second floor level. Visually the building is to be vertically divided by three projecting gables. The intervening areas of roof would slope back towards the north east. The means of enclosure to the balconies to both the Sailing Club and residential units would be glazing.

Internally the space would be divided vertically between the two uses. The Sailing Club would occupy the north western part and the flats would occupy the south eastern section. The floorspace of the Sailing Club would be increased from 459 square metres to 596 square metres, however, the format of the space would change from being spread over two floors to three. Access to the Sailing Club would be either through a ground floor lobby in the south west, front elevation or a ground floor access in the north east, rear elevation. The ground floor accommodation would comprise a mix of reception, office, training and servicing space with lift and stair access to both the basement car parking and club space above. The Sailing Club would utilise some of the space in the basement as storage and games space. At first and second floor levels there would be function and club room respectively, together with kitchen and bar facilities. Circular windows are shown on the north west elevation at ground and first floor levels. Both of the upper floors would have a balcony overlooking the sea. The balcony at first floor level would extend 2m from the main face of the building and at second floor level 2.5m. Both balconies would be screened along the north west elevation by an obscure glazed screen and rendered, brick wall.

The residential units would also be spread over three floors with three units on the ground and first floors and two units on the second floor. Each flat would have a balcony in the south west elevation facing the sea. The ground floor flats would each have access to a small garden between the building and the footway alongside Marine Parade East. There would be access to the roof via two spiral staircases from the two flats at second floor level. The windows in the rear, north east elevation of the residential section of the building would serve either bedrooms or circulation space. The windows in the south east elevation would be secondary windows to the open plan living spaces with the main windows facing the sea in the south west elevation.

Vehicular access to the basement would be down a ramp from the rear service road. This would provide access to 20 no. car parking spaces, 16 of which would be allocated to the residential units (2 per unit) and the remaining 4 would be available for use by visitors to the Sailing Club. There would be a separate pedestrian access at the northern end of the basement. In addition to the basement, 6 car parking spaces would be provided at ground level accessed directly from the rear service road. These spaces would be for use by visitors to the Sailing Club. A total of 22 cycle

parking spaces would be provided, 16 long stay in the basement and 6 short stay along the rear boundary of the site. A refuse store 7.1m long, 3m wide and 3.6m high would be positioned adjacent to the rear boundary of the site and a space for the storage of bins on collection day is shown at the front of the building. 1 full time and 3 part time members of staff are to be employed which is an increase of 1 full time member on the current arrangement.

Amended plans, which have been publically re-advertised, have been submitted to address concerns raised about the impact on the neighbouring properties and car parking. The amendments show alterations to the basement and ground floor levels to provide a revised car parking layout, a revised bin store position, amendments to the size of the first and second floor balconies on the south west elevation and the introduction of a screen along the north west elevation of the balconies, and a revised arrangement of windows on the north west elevation of the building. Amended plans have also been submitted which show the removal of a roof terrace above first floor level at the south east end of the site and the reduction of the size of the remaining two terraces over the second floor and a reduction in the size of the canopy over the pedestrian entrance to the Sailing Club.

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

Applications relating to the Boat Compound, Marine Parade East  
13/00242/FULL - Temporary siting of portable building - permitted 08.10.13

### ***Relevant Policies***

National Planning Policy Framework (NPPF), March 2012

Gosport Borough Local Plan Review, 2006:

- R/DP1  
General Standards of Development within the Urban Area
- R/DP3  
Provision of Infrastructure, Services and Facilities
- R/DP10  
Marine Parade Area of Special Character
- R/T2  
New Development
- R/T4  
Off-site Transport Infrastructure
- R/T11  
Access and Parking
- R/H4  
Housing Densities
- R/S10  
Protection of Commercial and Leisure Uses in the Marine Parade Area of Special Character
- R/OS8  
Recreational Space for New Residential Developments
- R/OS13  
Protection of Habitats Supporting Protected Species
- R/ENV10  
Noise Pollution
- R/ENV11  
Minimising Light Pollution
- R/T3  
Internal Layout of Sites

### ***Consultations***

Local Highway Authority

No objection. The size of the parking spaces and visibility splays are acceptable. There



should be no obstruction above 600mm within the visibility splays from the site. The proposal shows that car parking accessed direct from Marine Parade East will no longer be provided. The existing dropped kerb should be stopped up in accordance with Hampshire County Council specification ensuring that a pedestrian crossing point is retained. There is currently no designated loading bay for deliveries. Deliveries should continue to be arranged so as to avoid inconvenience to neighbouring properties. The bin store should not have doors that obstruct the use of the adjoining car parking space. The car parking spaces available for the Sailing Club should be unrestricted in their use. A Transport Infrastructure, Services and Facilities Contribution applies. Conditions relating to retaining visibility splays, stopping up access from Marine Parade East, the door to the bin store, and unrestricted use of the Sailing Club parking bays are recommended.

**Building Control**

No objection. Application for Building Regulations consent will be necessary. Fire Brigade access to the flats needs to be considered. The stairs terminating at basement level should be accessed via a lobby.

**Streetscene Waste & Cleansing**

No objection. The development requires 2 x 1100 litre domestic and 2 x 1100 recycling wheeled bins. Adequate storage for these bins is shown. A separate storage area for commercial waste should be provided. Bins will need to be placed on the kerbside for collection.

**Environmental Health**

No objection. All construction works that result in noise being audible at the site boundary should only be undertaken between 0800 and 1800 Monday to Friday, 0900 and 1300 on Saturday's and not at all on Sunday's or Bank Holiday's. Any lighting to the building or car park should not cause glare or spillage nuisance to neighbouring properties. The site does not appear to be contaminated.

**Crime Prevention & Design**

The access road to the rear is not overlooked and not lit which will allow people to approach the property unseen. Ideally the primary access would remain from Marine Parade East. Underground car parking can be vulnerable to crime and should, therefore, be well lit. Communal access doors and routes should be secured to British

standards or better and consideration should be given to the installation of a barrier to the car park and CCTV. The proposed bin store should be fitted with doors that can be secured.

Streetscene Leisure & Play

No response.

HCC Ecology

No objection. The application is accompanied by a Biodiversity Survey Report which provides a sound assessment of the current ecological value of the site. The site contains minimal vegetation, minimal habitat for supporting legally protected species and is, therefore, of negligible ecological value overall. The Report does contain recommendations in respect of mitigation and enhancement which are concurred with and should be required by condition.

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

16 letters of objection to original plans

Issues raised:

- size and mass of the building is unacceptable
- site coverage is unacceptable
- encroachment of existing building line
- the proposal does not comply with the SPD
- unclear which position on the adjoining building has been used to show the development relative to the neighbouring properties
- overlooking from windows and balconies
- loss of light
- interruption of views
- excessive levels of noise likely to result from function rooms and bar space
- bars and club will contribute towards air pollution
- smokers within the function spaces and on the terrace will impact on air quality
- there is no detail of extraction from the kitchen
- the development may be constructed from less acoustically effective materials
- the mix of residential and social properties in the same block may result in Health and Safety concerns
- the balconies are in close proximity to the adjacent highway which could be a dangerous relationship
- waste disposal should be via the rear access road with collection from Cambridge Road
- waste management plan is unsatisfactory and not enough bin stores will be provided
- the movement of bins from the rear of the site to the front for collection will not be possible due to the width of the gap
- the presence of bins will be an eyesore and will create a hazard
- waste collection vehicles stopping on Marine Parade East will be a hazard
- the arrangements regarding pedestrian access to the rear of the building are unclear
- some of the land included within the application site belongs to the neighbouring property
- the car parking levels are unacceptable
- there are incorrect references to the availability of public car parks
- increase in traffic on rear access road, traffic turning into it and surrounding highway will be dangerous
- the rear access road is not capable of accommodating the additional traffic
- delivery vehicles on Marine Parade East will interrupt traffic and be unsafe
- there is no allocated space for delivery vehicles or taxis to park

- the redevelopment process should be managed to minimise dirt, dust and noise
- the Statement of Community Involvement makes it clear that no pre-application discussion with neighbours took place
- consideration should be given to building the new sailing club next to the existing Signal Station
- consideration should be given to siting the access to the sailing club on the east side of the building
- excavations for the underground car parking could impact harmfully on the foundations of Seaview Court and its garage

4 letters of objection to amended plans

Issues raised:

- privacy remains an issue along with the impact on the amenities of the occupiers of the neighbouring properties
- the screen proposed to address privacy will not withstand strong winds
- the balconies remain a concern
- tandem car parking has been removed
- the proposal is contrary to the guidelines in the Marine Parade Area of Special Character
- there is less than 6m between the proposed building and the footway along Marine Parade East
- Seaview Court does extend beyond the 6m guideline, however, this building was constructed before the area was designated as having Special Character
- there is still a risk of traffic problems on the rear service road
- it is customary to donate 2m of the rear access way when new development is constructed. Only 0.5m has been provided
- it is ironic that the applicant is content to see private land used for vehicles to pass but that they will not provide this land themselves
- the waste storage arrangements remain unacceptable

### ***Principal Issues***

1. There is no statutory requirement for the applicant to carry out pre-application consultation and the application must be considered on its own merits. The Sailing Club is an existing use on the site and is supported by Policy R/S10 of the Gosport Borough Local Plan Review. The applicant has confirmed that they are the owners of all of the land included within the application site. The possible impact on the foundations of adjoining properties is a private legal matter. Building specifications required to address the mix of uses proposed along with the suitability of the foundations for the proposed building relative to the existing, neighbouring properties can be addressed through the Building Regulations. There is no right to a view in planning terms. The recreational use of the Sailing Club will be retained on the site meaning that the proposal complies with the aims and objectives of Policy R/S10 of the Gosport Borough Local Plan Review which seeks to retain the existing recreational uses to support the local economy. The floorspace to be occupied by the Sailing Club will increase from 459 square metres to 597 square metres thereby improving the availability of space associated with this use in this location. The site is located in the Urban Area where the principle of residential development is acceptable. The principle of the uses proposed is, therefore, acceptable in this location. The main issues for consideration are the appropriateness of the design and the impact on the Marine Parade Area of Special Character, the impact on the neighbouring properties, the impact on highway and pedestrian safety and the acceptability of the provision made for the parking of cars, cycles and refuse storage, Open Space, Transport Infrastructure, Services and Facilities and the impact on protected species.

2. The Marine Parade Area of Special Character SPD was approved in May 2007 and aims to discourage the proliferation of an inappropriate scale and form of development. Through the SPD there is an identified need to follow and reinforce the rhythm of the regular plot widths along Marine Parade and avoid long, unbroken horizontal plots. The SPD encourages roof forms that are hipped, pitched or gabled following the traditional pattern characteristic along Marine Parade and variations in roof form are encouraged to maintain the visual interest of the area. The SPD recommends a guideline separation distance of 6m from the front edge of new development on Marine Parade to the north edge of the footway. Policy R/DP10 encourages innovative design that improves the overall appearance and character of Marine Parade.

3. The massing of the proposed building is consistent with other flatted buildings already present along Marine Parade East. The site is at the junction of the larger flatted blocks to the north west and the individual residential dwellings to the south east. The drop in the height of the proposed building at the southern end successfully addresses this change in character. The varying heights across the proposed building together with the three projecting gable features vertically emphasise the different sections of the building. The mix of hipped roof and gable ends provides interest and visually identifies the division between the Sailing Club and the residential units. This is consistent with the aims of the Marine Parade Area of Special Character SPD. The proportions and arrangement of glazing on the south west elevation are appropriate to the coastal location, emphasise the presence of the Sailing Club and assist in differentiating its presence from the residential units attached.

4. The depth of the building is greater than both of the neighbouring buildings and it will extend approximately 6m beyond the rear elevation of Seaview Court to the north west at a height of 12.8m and 1.4m from the north west boundary. The proposed building would extend 10m beyond the two storey section of the rear elevation of no. 47 Marine Parade East to the south east and approximately 7m beyond the existing rear single storey extension. The proposed building would be 8m high at this point and would be sited 1m from the south west boundary, whereas the existing building is on the boundary. The separation distance between the proposed building and the neighbouring ones will result in the rearward projection of the building not being read in the streetscene. The building will be visible from Cambridge Road beyond the rear of Seaview Court but the mix of materials and variety of roof forms visible from this vantage point mean that the building will not have a harmful visual impact.

5. The proposed gardens to serve the flats on the south west side of the building will enhance the setting of the building by providing a break in the hard landscaping. This feature will also assist in differentiating the recreational and residential uses on the site. The south west elevation of the Sailing Club will, in part, be less than 6m from the back edge of the footway. The entrance to the Sailing Club on the south west elevation is emphasised by an open sided projecting pointed canopy which, at its closest point would be 3m from the back edge of the footway, however, this would be at ground floor level only. Above, the first floor balcony would be set back 4.4m and the second floor balcony 6.4m. The sail detail along the north edge of the balconies would be set back 3.8m from Marine Parade East. The canopy, balconies and sail detail assist in articulating the south west elevation of the building and will reinforce the vertical rhythm of the building. Further south along the south west elevation, the centre of the flatted section of the building would be set back 5.5m from Marine Parade East, however, this section of the building would be only 2.5m wide. The remaining sections of the proposed south west elevation are set back over 6m. Notably, at the southern end of the south west elevation, the building would be set back over 11m from Marine Parade which is 5.5m further back than the existing building. The above range of separation distance from Marine Parade East reflect the principle aims of the SPD which is to avoid long, unbroken horizontal plots and provides visual interest to the elevation and streetscene. The Sailing Club is a key economic feature which benefits from the seafront location and contributes towards the local economy and tourism and it is one of only two recreational premises along this section of Marine Parade East (the other being The Ship public house). For the above reasons, the proposal complies with the aims and objectives of R/DP10 and the minor projections forwards of the 6m guideline figure are considered acceptable in this instance.

6. The height, scale and external appearance of the refuse store proposed adjacent to the service road is acceptable and will appropriately screen and contain the bins in a single area and will not adversely affect the visual amenities of the area. The space along the northern side of the building is wide enough to allow the bins to be moved from the rear of the building to the front for collection. The appearance of the proposed car and cycle parking is considered to be visually acceptable in the context of existing development in the rear service road. Conditions requiring details of materials and finished floor levels are recommended. The proposal, therefore, complies with Policies R/S10, R/DP1 and R/DP10 of the Gosport Borough Local Plan Review and meets the aims and objectives of the Marine Parade Area of Special Character SPD.

7. The mass of the building will extend further along the boundaries with Seaview Court and no 47 Marine Parade East than the existing building does. Although the proposed building is sited to the south of Seaview Court, the space to the rear of this neighbour is used for car parking and servicing. Given the use of this space any overshadowing will not, therefore, be harmful to the amenities of the occupiers of these properties. The introduction of two areas of balcony to the northern end of the south west elevation of the Sailing Club as compared to only one, enclosed space at present means that there is the potential for an increased level of overlooking towards the balconies and private indoor space of the flats in Seaview Court. In order to address this, the height of the wall along the northern edge of the balcony at second floor level will extend 2m above the level of the balcony and at first floor level the glazed sail, screen will extend along the north side of the balcony. The provision of both of these screens is proposed to be controlled by condition to ensure that there is no harmful overlooking towards the neighbouring properties and to ensure the materials to be used are robust.

8. The building will extend along 7m beyond the rear, north east elevation of no. 47 at a height of 8m with a separation distance of 1m to the common boundary. The proposed building, however, will be sited to the north of this neighbour and, therefore, no harmful overshadowing will result. A condition is recommended to require the secondary windows in the south east elevation at first floor level to be fixed shut and fitted with obscure glazing to avoid any harmful overlooking. The width of the garden serving no. 47 and the arrangement of extensions to the rear of the property result in the primary space used by the occupiers of this property being to the south west corner of the garden; the point furthest away from the boundary with the application site. The single storey extension to the north side of the north east elevation of no. 47 will provide some physical and visual separation to the proposed building. Taking these factors into consideration, the relationship between the proposed building and no. 47 is considered to be acceptable and there will be no harmful impact on outlook from this neighbouring property.

9. To the north east, a separation distance of approximately 30m will be retained between the proposed building and nos. 37, 39 and 41 Cambridge Road which complies with the guideline separation distances set out in Appendix B of the Gosport Borough Local Plan Review. All of the windows on the rear (north east) elevation of the proposed building at first and second floor will serve bedrooms or ancillary space to the Sailing Club which, taking into account the guideline separation distance, is considered to be an acceptable arrangement in this type of residential environment. There will be no harmful loss of light to these surrounding neighbours as a result of the separation distance. There is existing access to the roof terrace at the Sailing Club and the application proposes to retain this arrangement albeit above the second floor as compared to first floor at present, and to serve the residential units as compared to the Sailing Club at present. The roof terrace will be set in over 5m from north east elevation of the building to prevent harmful overlooking and any views from the roof down over neighbouring properties will be oblique. The provision of a screen around the perimeter of the roof terrace will further assist in preventing any harmful overlooking. A condition restricting the timing of the use of the terraces is recommended to prevent any harmful noise and disturbance to the surrounding neighbours. The proposal will not, therefore, have a harmful impact on the neighbouring properties and complies with Policies R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review and the NPPF.

10. The continued operation of the Sailing Club together with the proposed residential units on the site will result in an increase in comings and goings. This is, however, an already active location, with Marine Parade East, being a key route through this part of the Borough. The seafront is a visitor and tourist attraction and the Sailing Club, with associated function space, as existing, attracting activity. Beyond the site to the north, south and east is residential development with a number of the sites already occupied by flats. The proposed building will be larger than the existing building resulting in less outdoor space and associated activity on the site. It is not considered that the proposed combination of uses will create a significant amount of additional noise generating activity in this location. The re-arrangement of the layout of the Sailing Club does mean that activity associated with this use will be concentrated adjacent to the boundary with Seaview Court. To prevent any harmful noise levels emanating from the internal function space, a condition is recommended to require the circular windows in the north elevation of the proposed building to be fixed shut. The amended plans show smaller balconies than were originally proposed resulting in

fewer people being able to congregate outdoors close to the existing balconies serving Seaview Court. This, together with the screens means that any noise, disturbance and air pollution from outdoor activity at the Sailing Club will be limited and contained within the application site. The Sailing Club has operated on the site since 1951 and no reports of complaints regarding noise have been received by Environmental Health. The proposed increase in floorspace for the Sailing Club is not likely to significantly increase the activity associated with this use. The residential use is consistent with other developments immediately adjoining the site and the provision of 8 residential units will not create a significant amount of noise and activity that would be out of keeping with the established patterns of noise and disturbance in this area. In combination, taking into account the limited increase in floorspace for the Sailing Club, the historic use of the site, the absence of complaints about noise, the existing character of the area in terms of land uses, noise and activity, the proposal is considered to be acceptable and is not likely to have a harmful impact on the character or residential amenities of the area.

11. The arrangement of balconies in close proximity to the highway is well established along Marine Parade East and West and it is not considered that the arrangement is unsafe. To ensure that smells and noise from the kitchen facilities do not harmfully impact on the neighbouring properties, a condition is recommended to require details of the extraction system to be provided, and details of materials, to allow acoustic performance to be considered, are also recommended to be controlled by condition. Any noise and disturbance associated with bins being moved from the rear of the site to the front for collection will be for a limited period and along an established access route between the Sailing Club and Seaview Court. The refuse vehicle already travels along Marine Parade East and it is not considered that the additional stopping time associated with this proposal, in the context of the existing traffic, will create harmful levels of noise and disturbance. The rear service road is not an adopted highway and the refuse vehicle cannot, therefore, utilise it to collect refuse from the site.

12. Cars will no longer be parked at the front of the premises with 20 of the car parking spaces to be located in the basement. As such, there will be a reduction in car engines starting and doors being opened and closed adjacent to the balconies serving Seaview Court. A condition is recommended to require the existing access from Marine Parade East to be permanently closed. Additional noise on the rear service road resulting from the basement car parking will be for a limited period whilst cars access and egress the parking spaces but then the noise will be contained underground. The depth of the gardens serving surrounding properties, boundary treatments along the rear service road and existing outbuildings will provide separation from any noise for the residential properties. It is already the case that taxis collecting people from the Sailing Club or any other properties along Marine Parade East together with delivery vehicles to the application site could stop and wait on the highway and this arrangement will not change.

13. The Sailing Club currently operates without restriction and it is not considered reasonable to impose conditions restricting the hours of operation. Taking this into consideration, the existing levels of activity associated with traffic, passers-by and the existing use in this prominent position in the Borough, the noise and disturbance resulting from the proposal will not have a harmful impact on the amenities of the occupiers of the neighbouring properties. To minimise any harmful impacts on the neighbours resulting from dirt, dust and noise associated with the development process, a condition requiring a Construction Environmental Management Plan to be submitted is recommended. The proposal will not, therefore, have a harmful impact on the amenities of the occupiers of the surrounding residential properties as a result of noise and disturbance and the proposal complies with Policies R/ENV10 and R/DP1 of the Gosport Borough Local Plan Review and the NPPF.

14. Following the receipt of amended plans showing a revised car parking layout, the proposed arrangement of car parking spaces is considered to be acceptable. There will be a reduction in four spaces based on the current availability, however, the proposed spaces are to be marked out and as a result, they will be used more efficiently than the current arrangement. Each of the residential properties will have two car parking spaces with the remaining 10 spaces being available for use by Sailing Club members. To ensure that the spaces are appropriately allocated and that the spaces available for members of the Sailing Club are unrestricted, a condition requiring details of car

parking allocation is proposed. There are two public car parks within 400m of the application site which will contribute towards car parking availability for members and some members will walk and cycle to the club. The entrance ramp into the basement achieves acceptable sight lines to and from the rear service road as do the 6 parking spaces to be provided at ground level. All of the spaces achieve acceptable visibility splays and to ensure this remains the case, a condition is recommended to prevent anything over 600mm being sited within these splays. To ensure access to the northernmost space at ground floor level is satisfactorily retained, a condition is recommended to prevent doors on the bin store from opening outwards over it. The rear access road is an established route that already provides access to the Sailing Club and approximately twenty residential properties. There is no planning requirement for the applicant to provide 2m to the rear of the site to accommodate vehicles passing along this access. Its width acts as a natural speed deterrent and the number of garages visible to existing and future users of the road provides a visible indication of the existing level of usage. It is unlikely, therefore, that traffic will be travelling quickly along the access road. Taking this into account, it is not considered that the proposal will have a detrimental impact on highway safety. Pedestrian access along the rear service road is established and there are two points where pedestrians can access the application site from the rear service road and safely enter both the Sailing Club and residential units without conflicting with vehicular traffic accessing the site. The proposed uses will result in an increase in the number of multi modal trips on the highway network and, therefore, the applicant is required to enter into a Section 106 agreement to make a contribution towards Transport Infrastructure, Services and Facilities. The applicant has confirmed a willingness to do so and without this obligation the development would be unacceptable. The provision shown for long stay cycle parking is satisfactory and there is satisfactory space within the site to accommodate short stay cycle parking which is recommended to be controlled by condition. The proposal is, therefore, acceptable in respect of highway and pedestrian safety and complies with Policies R/T2, R/T3, R/T4, R/T11 and R/DP3 of the Gosport Borough Local Plan Review and the NPPF.

15. The provision of a balcony for each of the residential units provides some private amenity space for the occupiers of each of the units. In lieu of provision of on site outdoor playing space, the applicant is required to enter into a Section 106 agreement to make a contribution towards outdoor playing facilities within the Borough. The applicant has confirmed a willingness to do so and without this obligation the development would be unacceptable. The proposal, therefore, complies with Policy R/OS8 of the Gosport Borough Local Plan Review and the NPPF. The application is accompanied by a biodiversity survey which clarifies that no protected species are present on the site and that, whilst the site has limited ecology at present, there is potential to improve this through appropriate conditions imposed on any planning permission granted. There is a requirement nationally for development to enhance biodiversity where possible and a condition is, therefore, recommended to require details of ecological enhancement features to be agreed and implemented on the site in compliance with the NPPF and Policy R/OS13 of the Gosport Borough Local Plan Review.

### **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.

### **Subject to the following condition(s):-**

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:

1525-02 Rev S  
1525-03 Rev Z  
1525-04 Rev S  
1525-05 Rev Q  
1525-06 Rev B  
1525-07 Rev B

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. Before development, excluding demolition, is commenced, details of the proposed finished floor levels of the development and proposed site levels shall be submitted to and agreed, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the agreed details unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure the appearance of the development is satisfactory and to comply with Policies R/DP1 and R/DP10 of the Gosport Borough Local Plan Review and the NPPF.

4. Before development is commenced, details of a Construction Environmental and Traffic Management Plan shall be submitted to and approved, in writing, by the Local Planning Authority. The Construction Environmental and Traffic Management Plan shall include details of hours of working and deliveries, car parking for site operatives, the site compound, materials storage, measures to prevent debris from the site being transported on to the public highway and measures to control dirt and dust. The development shall be carried out in accordance with the approved Construction Environmental and Traffic Management Plan unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure the development is carried out satisfactorily, to ensure there is no harmful impact to the occupiers of the neighbouring properties as a result of the carrying out of the development, to ensure there is no harmful impact to highway and pedestrian safety and to comply with Policies R/DP1, R/ENV10, R/T3 and R/T11 of the Gosport Borough Local Plan Review and the NPPF.

5. Before the development is commenced, a scheme and timetable for the provision of ecological enhancement of the site shall be provided in accordance with details contained in Biodiversity Survey Report ref BSR/LOSSC/46/MPE/LOS.01 and approved, in writing, by the Local Planning Authority. The approved ecological enhancement scheme shall be provided in accordance with the approved details and timetable and retained for that purpose at all times thereafter unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure that the development provides appropriate enhancement to biodiversity and to comply with Policy R/OS13 of the Gosport Borough Local Plan Review and the NPPF.

6. Before development is commenced, details of the hard landscaping works and timescale for implementation shall be submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved details. These details shall include hard surfacing materials, boundary treatment, and lighting.

Reason - In the interests of the amenities of the occupiers of the neighbouring properties and prospective occupiers, in the interests of the appearance of the locality and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review and the NPPF.

7. No development shall take place until details of a scheme to close the existing site access from Marine Parade East to vehicular traffic, including a timetable for completion, shall be submitted to and approved, in writing, by the Local Planning Authority. The approved scheme shall be carried out in accordance with the approved details and timetable and retained at all times unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure that safe access to the site is maintained and to comply with Policies R/T3 and R/T11 of the Gosport Borough Local Plan Review and the NPPF.

8. Before development is commenced, details of crime prevention measures to be included in the development shall be submitted to and approved, in writing, by the Local Planning Authority. The



development shall be carried out in accordance with the agreed details unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To provide a safe environment for future occupiers and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review and the NPPF.

9. No development above slab level shall commence until details of the materials to be used in the construction of the screens hatched green on plans 1525-03 Rev Z and 1525-05 Rev Q along the north side of the first and second floor balconies have been submitted to and approved, in writing, by the Local Planning Authority.

Reason - To ensure the amenities of the occupiers of the neighbouring properties are preserved and to comply with Policies R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review and the NPPF.

10. No development above slab level shall take place until details of the screen to be erected around the perimeter of the roof terraces have been submitted to and approved, in writing, by the Local Planning Authority.

Reason - To ensure the amenities of the occupiers of the neighbouring properties are preserved and to comply with Policies R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review.

11. No development shall take place until details of the extraction system to be installed in the kitchen areas serving the Sailing Club have been submitted to and approved, in writing, by the Local Planning Authority.

Reason - To ensure the amenities of the occupiers of the neighbouring properties are preserved and to comply with Policies R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review.

12. Before development above slab level is commenced, details of the soft landscaping works shall be submitted to and approved, in writing, by the Local Planning Authority. These details shall include a planting scheme showing species, numbers, densities, heights and a future maintenance scheme.

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

13. Before works above slab level are commenced, details, including samples, of all external facing and roofing materials shall be submitted to and approved, in writing, by the Local Planning Authority. The development shall, thereafter, be carried out in accordance with the approved details unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure the external appearance of the development is satisfactory, to ensure the acoustic performance of the building is satisfactory and to comply with Policies R/DP1, R/DP10 and R/ENV10 of the Gosport Borough Local Plan Review and the NPPF.

14. No development shall be occupied until the car parking spaces have been laid out in accordance with plans 1525-02 Rev S and 1525-03 Rev Z unless otherwise agreed, in writing, by the Local Planning Authority. The car parking shall be retained for that purpose at all times thereafter unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure a satisfactory level of car parking is provided on site and to comply with Policies R/T3 and R/T11 of the Gosport Borough Local Plan Review and the NPPF.

15. No development shall be occupied until the long stay cycle parking and refuse store have been provided in accordance with plans 1525-02 Rev S, 1525-03 Rev Z and 1525-06 Rev B unless otherwise agreed, in writing, by the Local Planning Authority. The long stay cycle parking and refuse store shall be retained for the parking of cycles and storage of refuse respectively at all times thereafter unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure that a satisfactory level of long stay cycle parking and refuse storage are provided on site and to comply with Policies R/T3, R/T11 and R/DP1 of the Gosport Borough Local Plan Review and the NPPF.

16. No development shall be occupied until facilities for the provision of short stay cycle parking have been provided in accordance with a scheme to be submitted to and approved, in writing, by

the Local Planning Authority. The short stay cycle parking shall be retained for the parking of cycles at all times thereafter unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure a satisfactory level of short stay cycle parking is provided on the site and to comply with Policies R/T3 and R/T11 of the Gosport Borough Local Plan Review and the NPPF.

17. The Sailing Club shall not be brought into use until the screens to be erected along the north side of the first and second floor balconies have been constructed in accordance with the details approved under condition 9 unless otherwise agreed, in writing, by the Local Planning Authority. The screens shall be retained at all times thereafter in accordance with the approved details unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure the amenities of the occupiers of the neighbouring properties are preserved and to comply with Policies R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review.

18. No residential units shall be occupied until the screen to be erected around the perimeter of the roof terraces has been provided in accordance with the details approved under condition 10 unless otherwise agreed, in writing, by the Local Planning Authority. The screen shall be retained at all times thereafter in the accordance with the approved details unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure the amenities of the occupiers of the neighbouring properties are preserved and to comply with Policies R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review.

19. The Sailing Club shall not be brought into use until the extraction system to be installed in the kitchen areas has been installed in accordance with the details approved under condition 11 unless otherwise agreed, in writing, by the Local Planning Authority. The extraction system shall be retained in accordance with the approved details at all times thereafter unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure the amenities of the occupiers of the neighbouring properties are preserved and to comply with Policies R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review.

20. The Sailing Club shall not be brought into use until the windows outlined in red on plan no. 1525-05 Rev Q have been fixed shut. The windows shall be retained in that condition at all times thereafter.

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

21. No residential units shall not be occupied until the windows outlined in blue on plans 1525-05 Rev Q and 1525-03 Rev Z have been fitted with obscure glazing and are fixed shut. The windows shall be retained in that condition at all times unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To preserve the amenities of the occupiers of the neighbouring properties and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review and the NPPF.

22. The development shall not be brought into use or occupied until details of a scheme for the allocation of car parking spaces to residents and Sailing Club members has been submitted to and approved, in writing, by the Local Planning Authority. The car parking shall be allocated in accordance with the approved details and maintained at all times unless otherwise agreed, in writing, by the Local Planning Authority.

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

23. The development shall not be brought into use or occupied until the areas shown on the approved plan for access and the parking and turning of vehicles have been made available, surfaced, and marked out, and these areas shall be retained for those purposes at all times.

Reason - In the interests of highway safety and to ensure adequate access and parking is provided and retained, and to comply with Policies R/T3 and R/T11 of the Gosport Borough Local Plan Review and the NPPF.

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

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

25. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), nothing over 0.6 metres in height above the level of the carriageway shall be erected between the points marked A - A on plan no. 1525-02 Rev S unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - In the interests of highway safety and to comply with Policies R/DP1, R/T3 and R/T11 of the Gosport Borough Local Plan Review and the NPPF.

26. The door to the bin store shall not open over the adjoining pedestrian access or car parking space.

Reason - To ensure satisfactory pedestrian access and access to the adjoining car parking space are retained and to comply with Policies R/T3 and R/T11 of the Gosport Borough Local Plan Review and the NPPF.

27. The roof terraces hatched green on plan no. 1525-04 Rev S shall not be in use outside of the hours of 9am and 10pm on any day.

Reason - To preserve the amenities of the occupiers of the neighbouring residential properties and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

**ITEM NUMBER: 02.**  
**APPLICATION NUMBER: 13/00329/FULL**  
**APPLICANT: Linden Homes Southern**  
**DATE REGISTERED: 06.08.2013**

**ERECTION OF 13 NO. TWO STOREY DWELLINGS (8 NO. THREE BEDROOM AND 5 NO. FOUR BEDROOM) WITH ASSOCIATED CAR PARKING, LANDSCAPING AND NEW ACCESSES FROM WESTLAND DRIVE AND MAGISTER DRIVE AND PROVISION OF OPEN SPACE (as amplified by Stage 1 Road Safety Audit received 9.10.13 and plan received 15.10.13)**

**Land At Junction Of Magister Drive And Westland Drive Lee-On-The-Solent Hampshire**

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

The site, the subject of this application, is a 0.4 hectare plot of land located within the Cherque Farm residential estate and within the Urban Area Boundary and the Safeguarded Area for the Aerodrome at Lee-on-the-Solent, as defined on the Proposals Map of the Gosport Borough Local Plan Review. Cherque Farm is characterised, for the most part, by 2 and 2.5 storey properties, set on rectangular plots, with rear gardens in the region of 10-15 metres long. There are, however, examples of dwellings occupying corner plots that have smaller, irregularly shaped gardens. Many of the dwellings are set back from the road in order to provide frontage car parking. There is variety of detached, semi-detached and terraced dwellings. Speed restrictions apply throughout the Cherque Farm estate, mainly comprising speed cushions and raised highway tables.

The application site is currently enclosed by wire mesh fencing with wooden fencing along the southern boundary. The roads, comprising Magister Drive and Westland Drive, border the site on its eastern and western sides respectively. The northern side of the site is bordered by the short length of highway that extends west-east, linking Westland Drive to Magister Drive. The site is allocated for Shopping and Commercial use on the Proposals Map of the Gosport Borough Local Plan Review.

The properties immediately to the south of the site are 2 and 2.5 stories high. They have been constructed from red brick, with a variety of red, brown and grey tiled, pitched roofs. Number 24 Magister Drive, is a two storey dwelling, sited adjacent to the south eastern corner of the application site. The rear garden of the property runs parallel with the southern boundary. There is a separation distance of approximately 1 metre between the windowless, side elevation of the property and the southern boundary of the application site. It has a pitched roof garage in the rear garden, sited on the shared boundary with the application site, beyond which, is a long, hipped roof, car port, which serves the residential properties further south, in Seafire Road. The rear boundaries of numbers 25 Westland Drive and 16 and 18 Seafire Road also adjoin the southern boundary of the application site, towards its south western corner. These 2 and 2.5 storey dwellings have first floor windows in their rear elevations, facing onto the application site. There is a separation distance of approximately 13 metres between the rear elevations of these dwellings and the southern boundary of the application site.

To the north of the site, and on the opposite side of the section of highway that links Westland Drive to Magister Drive, are numbers 2-10 (evens) Westland Drive. These properties, which have been constructed from a combination of buff and red brick, all have first floor windows in their southern elevations, facing onto the application site. To the west of the application site are the rows of two storey terraced dwellings, numbers 40-48 (evens) and 48-56 (evens) Westland Drive. The ridge tiles of numbers 40-46 (evens) are orientated parallel with the road, while the ridge tiles of numbers 48-56 are orientated perpendicularly to the highway.

The re-development of Cherque Farm was brought forward through a series of 'Reserved Matters' applications, pursuant to the original Outline planning permission reference K15000/1, which was granted consent in 1999. The Outline consent granted planning permission for the comprehensive

redevelopment of Cherque Farm and the erection of 1050 dwellings, with ancillary development, open space, landscaping and a road linking Broom Way with Privett Road.

Under the Outline planning permission reference K15000/1, the area of land immediately to the south of the application site comprised an Urban Park. In 2004, however, planning permission was granted, under reference K16750, for a major redesign of part of the southern end of the Cherque Farm estate (Phases 6 and 7), including the land immediately to the south of the application site.

The amendments included a revision to the internal road system, the siting of a cross-site cycleway/footpath, the position of house plots and the type/design of the dwellinghouses. The revisions also permitted the erection of residential properties on the land designated as an Urban Park under Outline planning permission reference K15000/1. These properties now form part of Magister Drive and Seafire Road. The loss of the Urban Park was considered acceptable, on balance, as the revised layout, permitted by planning permission reference K16750, provided additional areas of open space and landscaping, Local Areas of Play (LAPs) and Locally Equipped Areas of Play (LEAPs) overall, when compared to the proposals approved under the original Outline planning permission reference K15000/1. A second Urban Park, located further north, opposite the junction between Megson Drive and David Newberry Drive has, however, been provided, in accordance with the original Master Plan for the Cherque Farm re-development area.

Under Outline planning permission reference K15000/1, the land, the subject of this planning application, was allocated as one of 2no. reserved shopping sites for the Cherque Farm estate and included a 0.01 hectare, square-shaped, Local Area of Play (LAP) in its north western corner. Although Outline planning permission reference K15000/1 identified 2no. areas of land as potential shopping sites, it was always acknowledged that market forces would likely dictate that only 1no. of the sites would be developed for commercial use, as recognised by Policy R/S1 ('Shopping and Commercial Allocations') of the Gosport Borough Local Plan Review. As a consequence, the principle of residential development was established as an acceptable alternative for whichever of the sites remained undeveloped, to reduce the likelihood of it being left undeveloped indefinitely. The northernmost of the sites, to the east of Twyford Drive, was brought forward in 2005 and developed for 6no. commercial units with 14no. flats, in accordance with planning permission reference K16930. The land, the subject of this planning application has, however, never been developed and remains vacant. The site is currently overgrown.

In May 2012, the application site was subject of Outline planning application reference K18093, which was for the erection of 13no. dwellings (5no. four bedroom and 8no. three bedroom properties). Approval was sought for layout and means of access only. The application included a Local Area of Play (LAP) measuring approximately 0.028 hectares, positioned in the north-eastern corner of the site, adjacent to the junction between Magister Drive and Westland Drive.

The application was considered at the Regulatory Board on 17 October 2012, at which time Members resolved to grant Outline planning consent, subject to the completion of a Section 106 legal agreement relating to the payment of a commuted sum towards the provision and/or improvement of outdoor playing space and transport infrastructure, services and facilities. The requisite legal agreement is currently being progressed, following a resolution over private land ownership issues.

This application is for full planning permission for the re-development of the same vacant 0.4 hectare site and the erection of 13no. dwellings with associated access, parking, amenity space and a Local Area of Play (LAP).

The submitted plans show that, as with the previous Outline application, the proposed 13no. dwellings would be arranged in 3no. distinct groups, positioned on the northern, eastern and western sides of the site, fronting onto their respective highways.

As with the Outline application, it is again proposed to erect 5no. four bedroom, detached properties on the eastern side of the site. The dwellings would be 13.1 metres long and 6.3 metres wide. 4no. of the dwellings would have an identical appearance. They would have pitched roofs, set to a height

of 8.5 metres, with the ridge tile orientated perpendicularly to the highway. The dwellings would contain lean-to canopies over the front door, set onto a supporting column, and would contain windows in all elevations. The dwellings would be constructed from brick, with brick cills and brick quoin detailing.

The northernmost of the proposed 5no. four bedroom dwellings would have a different design. Whilst the dwelling would have the same footprint as the 4no. proposed dwellings to the south, the principal elevation would front onto Westland Drive, as opposed to Magister Drive, to take account of its location towards the junction between the two roads. The front door, which would be in the northern elevation, would be set under a small, decorative canopy. The property would contain windows in the northern, eastern and western elevations. There would be no windows in the southern elevation. The windows would include brick cills. The plans show that the property would be rendered. The opposing side elevations of the proposed 5no. detached dwellings would be separated by between 1.5 - 3 metres. The plans show that the dwellings would have a slightly staggered layout. The space in front of each of the dwellings would be used to provide vehicular access and car parking. Each of the 5no. detached dwellings would be served by 2no. car parking spaces and a garage, together with driveways between 15 - 20 metres in length. The 2no. northernmost properties would have their own private accesses from Magister Drive, the closest of which would be sited over 20 metres from the junction between Magister Drive and Westland Drive. The other 3no. detached dwellings would share a 6 metre wide access, onto a shared driveway. The access would be sited approximately 10 metres from the junction between Magister Drive and Corsair Close, to the south.

A triple garage is proposed at the front of the southernmost of the detached dwellings, for use by the occupiers of the 2no. southernmost properties. The garages would be sited approximately 3 metres from the windowless northern elevation of number 24 Magister Drive, to the south of the site. The triple garage would not extend beyond the front or rear elevations of number 24. Due to the staggered layout, there would be a separation of over 20 metres between the front elevation of the southernmost dwelling and the rear elevation of number 24 Magister Drive. Given the siting of the dwellings, the front and rear elevations of the properties would not be directly opposing.

On the northern side of the site, and towards the north western corner, it is proposed erect 2no. pairs of three bedroom, semi-detached dwellings, linked by garages. The plans show that the proposed dwellings would be set back from the highway by approximately 3.5 metres. The dwellings would be 5.2 metres wide and 9.1 metres long. They would be constructed from brick, with brick cills and brick quoin detailing and would have pitched roofs. The ridge of the roofs would be orientated parallel to the highway and would be set to a height of 9.3 metres. Small, pitched roof canopies would be provided over the front entrance doors and there would be windows in all elevations. The properties would each have a single car parking space, together with a garage, with internal dimensions measuring 6 x 3 metres. The westernmost driveway would be sited in excess of 10 metres from the bend in the road, where Westland Drive turns east, towards Magister Drive. The side elevation of the westernmost of the proposed dwellings would be set in from the highway by approximately 2 metres. The plans show that the space between the dwelling and the highway would be utilised as a soft landscape strip.

On the western side of the site, and towards the south west corner, it is proposed to erect 2no. further pairs of two storey, three bedroom, semi-detached properties. The properties would have the same design and dimensions as the properties proposed on the northern side of the site and, like these dwellings, would also be linked by a pair of double garages. Each of the properties would have access to 2no. car parking spaces (1no. on a drive and 1no. within a garage or car port). The northernmost driveway would be sited over 20 metres from the bend in the road to the north. The southernmost driveway would be sited approximately 25 metres from the junction between Westland Drive and Seafire Close, to the south. There would be a separation distance of over 15 metres between the two storey side elevation of the northernmost property and the opposing rear elevation of the properties proposed along the northern boundary of the site. The rear gardens would back onto the rear gardens of the proposed detached dwellings on the eastern side of the site. There would be a separation distance of over 25 metres between the opposing rear elevations.

The submitted plans show that each dwelling would be provided with its own private rear garden. The gardens measure between 11 and 19 metres in length. Areas of soft landscaping are shown at the frontages of the dwellings and around the perimeter of the proposed triple garage on the eastern side of the site.

It is proposed to provide a Local Area of Play (LAP) in the north-eastern corner of the site, in the same location as was proposed under the Outline planning application reference K18093. The LAP would have a rectangular shape and would measure approximately 0.024 hectares.

The application is supported by a Transport Statement which analyses the likely car parking requirements for the development and the likely impact of the proposal on local traffic characteristics. The application has also been supported by a Stage 1 Road Safety Audit. The Road Safety Audit concludes that the proposed development can be accommodated without harming the interests of highway and pedestrian safety. The application has also been supported by plans showing swept path analysis (to demonstrate that there is adequate manoeuvring space to allow vehicles to enter and access parking areas safely and conveniently), and plans showing the visibility splays that can be achieved at the proposed shared access on the eastern side of the site.

The applicant has confirmed that a pair of existing speed cushions in Westland Drive would be removed. The removal of the speed cushions is considered necessary to prevent vehicles having to 'bump up' over the traffic calming features when entering and exiting the drive of one of the proposed dwellings on the western side of the site. A raised traffic table, to the south of the site and away from the proposed accesses, would be retained. For the same reasons it is proposed to relocate 2no. existing speed cushions in Magister Drive, to prevent vehicles having to 'bump-over' these traffic calming features in order to enter/exit the proposed shared access on the eastern side of the site. Whilst, according to the Road Safety Audit, such an arrangement would not be unsafe in highway safety terms, it is recognised that in the interests of convenience, and the future maintenance of the highway, it would be preferable to relocate these features away from the proposed access.

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

K15000/1 - Outline - erection of 1050 dwellings with ancillary development, open space and landscaping and the construction of a road linking Broom Way to Privett Road - permitted 18.08.99  
K15000/3 - Details Pursuant to K15000/1 - erection of 1050 dwellings with associated access roads, car parking and open space - permitted 10.11.00  
K16750 - Details Pursuant to K15000/1 - erection of 222no. dwellings, to include internal roads, footpaths, cycleways and areas for play (phases 6 and 7) - permitted 03.11.04  
K16930 - erection of two storey neighbourhood shopping centre comprising 6 units with 14 residential flats above - permitted 24.06.05  
K18093 - Outline - erection of 13no. two storey dwellings with associated car parking, landscaping and new accesses from Westland Drive and Magister Drive and provision of open space - resolution to grant Outline planning permission at the Regulatory Board on 17.10.12, subject to the completion of a legal agreement relating to the provision and/or improvements of outdoor playing space and transport infrastructure, services and facilities.

### ***Relevant Policies***

National Planning Policy Framework (NPPF), March 2012

Gosport Borough Local Plan Review, 2006:

R/DP1

General Standards of Development within the Urban Area

R/DP3

Provision of Infrastructure, Services and Facilities

R/S1

Shopping and Commercial Allocations

R/H4

Housing Densities  
R/T4  
Off-site Transport Infrastructure  
R/T11  
Access and Parking  
R/ENV4  
Treatment of Foul Sewage and Disposal of Surface Water  
R/ENV5  
Contaminated Land  
R/ENV9  
Safeguarded Areas  
R/OS8  
Recreational Space for New Residential Developments

### **Consultations**

Southern Water	No objection. Southern Water requires a formal application for a connection to the foul and surface water sewer to be made by the applicant/developer. An informative should be attached to any planning permission to advise the applicant/developer of this requirement.
HCC Education Office	No objection. Based on current information, there is no requirement for the applicant to pay a commuted sum towards improvements to education facilities.
Building Control	The applicant will need consent under the Building Regulations. Access for Fire Service vehicles appears adequate. The design of the foundations will need to be agreed.
Housing Strategic	No objection.
Streetscene Leisure & Play	No response.
Streetscene Waste & Cleansing	No objection.
Local Highway Authority	No objection. The proposed car parking provision is acceptable. The proposed visibility splays are acceptable. A condition should be attached, however, that restricts anything over the height of 600mm being permitted to remain adjacent to the proposed shared access, so as to retain an appropriate level of visibility for vehicles exiting the site. The removal of the 2no. existing speed cushions on Westland Drive will negate the need for vehicles to 'bump over' the cushions which, although not unsafe, would have implications for highway maintenance. As this section of Westland Drive is not a through road and there is an existing raised table immediately to the south of the site, the removal of these traffic calming features will not result in unacceptably high vehicle



speeds, or harm highway and pedestrian safety. Likewise, the existing speed cushions on Magister Drive will need to be relocated in order to provide convenient access into the shared access on the eastern side of the site and this can be controlled by condition. The applicant should note that the proposed access arrangements will require the relocation of an existing street lighting column. A Transport Contribution will be required to take account of the additional multi modal trips generated by the proposed development.

#### Environmental Health

No objection. Construction work should be undertaken in accordance with the BRE Pollution and Control Guide - Controlling particles, vapours and noise pollution from construction sites.

Details of the foundation design should be submitted for approval and be consistent with the foundations approved for the Cherque Farm development.

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

2 letters of observation

Issues raised:-

- generally supportive of the application, but is concerned about there being adequate visibility for vehicles exiting the proposed access on the eastern side of the site
- suggests that the traffic calming feature on the eastern side of the site are relocated
- questions whether provisions will be made to improve the broadband network in the locality due to the extra strain associated with 13no. new dwellings

### ***Principal Issues***

1. There is currently no Local Plan Policy requirement for applicants to make contributions towards improvements to the existing broadband network. The acceptability of the principle of residential development at the site has been established by Outline planning permission reference K15000/1 and by the resolution to grant Outline planning permission for 13no. dwellings under planning reference K18093.

2. Since the consideration of Outline planning application K18093, the emerging Gosport Borough Local Plan 2011-2029 has been approved by the Council's Economic Development Board and has recently been subject to the first round of public consultation. In many instances, the emerging Local Plan provides a more up-to-date policy context/position (and is more aligned to the objectives of the National Planning Policy Framework) than the statutory Gosport Borough Local Plan Review and appropriate weight must, therefore, be given to this document when considering development proposals. In accordance with Policy LP9C of the emerging Local Plan 2011-2029, the land, the subject of this planning application, is allocated for residential development. Policy LP9C identifies the site as being suitable to accommodate 13no. dwellings (approximate figure). The application seeks planning permission for the erection of 13no. dwellings. The proposal, therefore, complies with the objectives of Policy LP9C of the Local Plan 2011-2029.

3. As the principle of residential development is acceptable in this location, the only issues for consideration in this case are, the acceptability of the proposal in terms of its design, layout and access, the impact of the development on the character and appearance of the locality, the amenity of existing and prospective occupiers, highway and pedestrian safety and the traffic conditions in

the locality, whether adequate provision has been made for car and bicycle parking, refuse storage and collection, amenity space, highway infrastructure improvements and whether due regard has been given to issues of contamination.

4. The proposed development would provide a residential density of approximately 32 dwellings per hectare (dph), which is within the guideline density range of 30-50 dph, as set out within Policy R/H4 of the Gosport Borough Local Plan Review, and is reflective of the established pattern of development in the locality. The immediate locality is characterised by a variety of detached, semi-detached and terraced dwellings and the proposed mix of dwelling types is, therefore, appropriate in this location. Each of the proposed dwellings would front a highway and occupy a generally rectangular plot, which is also reflective of the established pattern of development in Cherque Farm. Similarly, the plans show that each dwelling would have its own private garden, positioned at the rear of the property which is also characteristic of the area. The size of the gardens will be commensurate with neighbouring plots and will exceed the guideline dimensions set out in Appendix B of the Gosport Borough Local Plan Review and within the draft 'Design' Supplementary Planning Document attached to the emerging Gosport Local Plan 2011-2029.

5. The plans show that the larger, detached dwellings, will be located on the eastern side of the site, where they would be sited adjacent to, and opposite, the existing detached dwellings in Magister Drive, thereby, helping to achieve continuity along this section of the road. The proposed building heights have been carefully considered to ensure that the new dwellings do not create over prominent, over bearing, or incongruous features in the streetscene and the ridges will be lower than the maximum building height parameters set out under Outline application reference K18093. Although the detached dwellings would be set further back into their plots than at adjacent sites, the staggered layout is typical of the area and would allow meaningful areas of soft landscaping to be provided, enhancing the overall appearance of the development and reducing the perception of the built mass on the western side of Magister Drive. The plans show that the proposed detached dwellings will sit comfortably within their plots to reflect the spacious layouts evident elsewhere in locality, particularly on the eastern side of Magister Drive. The proposed triple garage will not occupy a significant footprint and will be sited behind an area of soft landscaping, the details of which can be controlled by condition. There are other front car ports and detached garages in the locality, including immediately to the north, at numbers 5 and 7 Magister Drive, and the siting of the proposed garage block is, therefore, acceptable.

6. The plans show that the northernmost of the proposed detached properties on the eastern side of the site will be sited approximately 15 metres from the junction between Magister Drive and Westland Drive. As with Outline application reference K18093, siting the proposed LAP in the resultant space will help to ensure that this prominent corner plot remains absent of buildings and will enhance the overall appearance of the development, particularly when travelling south, along Magister Drive. The position of the LAP will help to ensure that an appropriate level of visibility is retained at the junction between Westland Drive and Magister Drive and it is proposed to control the final details of boundary treatments and soft landscaping by appropriately worded conditions. The LAP has been sited away from the nearest residential properties helping, not only, to preserve the amenities of neighbouring and prospective occupiers, but also ensuring that the play area receives increased levels of sunlight. The rectangular shape of the LAP maximises the functionality and usability of the space and at approximately 0.024 hectares, it significantly exceeds the size of the LAP that was approved for this area under Outline planning permission reference K15000/1.

7. The proposed pairs of semi-detached properties will be sited on the northern and western sides of the site, where the immediate locality is characterised by smaller dwellings. The dwellings would be set back from the road, which is reflective of the established pattern of development in Cherque Farm and the use of attached garages, set back into the plots, will help to add articulation and reduce the mass of brickwork fronting the highway. The plans show that adequate space can be made available at the side of the westernmost of the proposed dwellings on the northern side of the site to create a meaningful landscape strip, which will help to enhance the overall appearance of the development. The side elevations of the end properties have been carefully considered to include windows and this will help to provide active frontages with the street, enhancing opportunities for passive surveillance. A condition is proposed which will require the submission of details of the

boundary treatments that will be used to enclose the rear gardens. This condition is considered necessary in order to ensure that new boundary walls are constructed from an appropriate brick and provide a sufficient level of detail to ensure that, where they are sited adjacent to the highway, they do not create stark, oppressive features, which harm the interests of creating a hospitable public realm, particularly for the pedestrian user.

8. The proposed palette of materials and the repetition of design features, including pitched roofs with gable ends, front canopies and brick cills, will be reflective of the design of neighbouring dwellings and will help to achieve an appropriate level of continuity across the application site. Notwithstanding this, the use of render, as opposed to brick, on the northernmost of the proposed detached dwellings on the eastern side of the site, will help to provide an interesting focal point, particularly when approaching the site from the north. The dwellings have a simplistic design that will complement the existing built form and, upon completion, the development will enhance the appearance of the currently overgrown, vacant site. In order to preserve the future visual amenity of the locality, a condition is proposed that will prevent the erection of any means of enclosure, forward of the front elevation.

9. In addition to areas of car parking, the plans show that soft landscaping will be introduced at the front of the properties, which will help to reduce the extent of hard surfacing, thereby enhancing the overall appearance of the development. Frontage parking is evident throughout the Cherque Farm estate and the proposed parking arrangements will not, therefore, appear incongruous. Each of the 13no. dwellings will have independent access to its rear garden and the plans show that adequate space can be made available for long stay and visitor bicycle parking and for the storage of refuse bins, the details of which can be controlled by condition. There is adequate space at the front of each property for refuse bins to be placed out, adjacent to the highway, on collection days and the carry distances are acceptable.

10. The plans show that the separation distances between the opposing elevations of both the proposed and existing dwellings would exceed the guideline separations distances outlined within Appendix B of the Gosport Borough Local Plan Review and the draft 'Design' Supplementary Planning Document attached to the emerging Local Plan 2011-2029. In light of this, the orientation of the dwellings, the siting of the dwellings relative to existing properties and the position of the proposed and existing windows, the proposed development will not harm the amenities of existing or prospective occupiers in terms of loss of light, outlook or privacy. The proposed areas for car parking will be sited a sufficient distance away from the adjacent dwellings to ensure that their use does not harm the amenities of neighbouring occupiers in terms of noise disturbance.

11. In light of the above, the proposed development is acceptable in terms of its design and layout. The provision of 13no. dwellings, together with a 0.024 hectare (approx) LAP can be accommodated on this site without harming the character or appearance of the area, the visual amenity of the locality, or the amenities of neighbouring occupiers, in accordance with the National Planning Policy Framework and Policies R/DP1 and R/H4 of the Gosport Borough Local Plan Review.

12. Given its size, it is not anticipated that the proposed LAP will generate its own requirement for car parking, as it is most likely to be used by local children/families living who are able to walk to the site. The comings and goings associated with the provision of 13no. dwellings is unlikely to have a significant effect on local traffic conditions or result in congestion in the local highway network, particularly when it is considered that the site was originally allocated for commercial use. The proposed development provides the proposed three bedroom properties with 2no. car parking spaces and the proposed four bedroom properties with 3no. car parking spaces. The detached, four bedroom dwellings will also have long, side driveways which provide additional space to park at least 2no. further vehicles. The provision of 31no. car parking spaces for 13no. dwellings (2.4 spaces per unit) was considered acceptable under the previous Outline application, reference K18093 and the development is unlikely to result in overspill parking in the local highway network, to the detriment of highway safety.

13. The proposed spaces are of adequate width to allow safe entry and egress and where shared access is proposed, the plans show that adequate manoeuvring space will be available to allow vehicles to pass, and turn, safely and conveniently. The siting of the proposed triple garage is such that its use will not interfere with the safe use of the adjacent car parking spaces. The plans accompanying the Stage 1 Road Safety Audit show that appropriate visibility splays can be achieved at the proposed shared access on the eastern side of the site. In order to retain an appropriate level of intervisibility between vehicles exiting the site and all other users of the highway, it is proposed to include a condition that restricts the provision of anything exceeding 600mm in height (including soft landscaping) within the identified splays. The proposed LAP can be accessed safely and conveniently by the existing level access footpaths/pavements. It is proposed to include an informative on the decision notice relating to the relocation of an existing street lighting column and the requirement to obtain the necessary consents/licenses from Hampshire County Council.

14. Due to the configuration of the roads and the presence of existing traffic calming features within the vicinity of the site, vehicle speeds in the locality are reduced. Notwithstanding this, careful consideration has been given to the siting of the proposed accesses to ensure that their use does not interfere with, or compromise, the continued safe use of the existing accesses and junctions. The applicant has confirmed that 2no. existing speed cushions on Westland Drive will be removed in order to prevent vehicles having to pass over these highway features when entering/exiting an adjacent driveway (as was considered acceptable under Outline planning application reference K18093). As this section of Westland Drive is not a through road and there is an existing raised highway table immediately to the south, the Local Highway Authority has confirmed that the removal of these traffic calming features will not result in unacceptably high traffic speeds, or harm highway and pedestrian safety. A condition is proposed which will prevent the affected driveway and car parking space being used, until such a time that the speed cushions have been removed and the surface 'made good', in accordance with a detailed scheme submitted to and approved, in writing, by the Local Planning Authority. Similarly, the Local Highway Authority has confirmed that re-siting the 2no. existing speed cushions on Magister Drive is acceptable and a condition is proposed to control this aspect of the proposal. Under the circumstances, and subject to the above conditions and informative, the proposed means of access and parking arrangements for the proposed 13no. dwellings and LAP are acceptable. The development will not harm highway or pedestrian safety and it, therefore, complies with the National Planning Policy Framework and Policies R/DP1 and R/T11 of the Gosport Borough Local Plan Review.

15. As the Cherque Farm redevelopment area was formerly used for gravel extraction and subsequently for the tipping of hard material to restore the land, matters relating to land remediation were considered by both the County Council, as the appropriate planning authority for minerals and waste matters, and by the Borough Council as part of Outline planning permission reference K15000/1. A remediation report for the whole of the Cherque Farm site, including the land the subject of this application, was submitted as a supplementary document to the submission of Reserved Matters application K15000/3. The remediation strategy for the site required the excavation of the existing surface material followed by the installation of a 300mm thick granular venting blanket sandwiched between two layers of geotextile fabric and topped with a nominal 1.8 metre thick compacted clay capping. The supervision and certification of the works was undertaken by ENSR International Limited, on behalf of the applicant, and to the satisfaction of the County Council and Borough Council. Contamination at the site has, therefore, been addressed through the approval of this remediation report. Notwithstanding this, a condition is proposed requiring that should contamination not previously found to be present at the site be identified, then no further development shall be permitted to take place, until such a time that a method statement, outlining the methods for dealing with the contaminated land, and its subsequent remediation, has been submitted to and approved, in writing, by the Local Planning Authority. In order to protect the ongoing function of the geotextile membrane, installed as part of the approved remediation strategy, it is also proposed to attach a condition requiring details of the foundation design and servicing facilities, including the method by which any alterations to the membrane will be carried out and made good, to the satisfaction of the Local Planning Authority, to be submitted to and approved, in writing, by the Local Planning Authority, prior to the commencement of development. Subject to the

above conditions, the development complies with the National Planning Policy Framework and Policy R/ENV5 of the Gosport Borough Local Plan Review.

16. Based on the proposed building heights, the development falls outside of the consultation requirements for the Aerodrome in Lee-on-Solent. The development, therefore, complies with Policy R/ENV9 of the Gosport Borough Local Plan Review.

17. The applicant has confirmed a willingness to enter a planning obligation under Section 106 relating to the payment of a commuted sum towards the provision and/or improvement of outdoor playing space and transport and highway improvements, in accordance with Policies R/OS8, R/DP3 and R/T4 of the Gosport Borough Local Plan Review. Without these obligations the proposal would be unacceptable in this respect.

### **RECOMMENDATION: Grant Permission**

Subject to Section 106 agreement relating to

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

### **Subject to the following condition(s):-**

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:

130425/LP, 130425/SL/01 Rev C, 130425/HT/850/EP Rev A, 130425/HT/1275/EP Rev A, 130425/HT/1380/EP, 130425/CP1/EP, 130425/AB/SG1/EP, 130425/AB/SG2/EP, 130425/AB/DG1/EP, 130425/TG1/EP and 130425/SS/01 Rev B

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. No development shall commence until a scheme for the method of working and construction, including the design of foundations and services, foul and surface water drainage, and the method by which any alterations to the existing geotextile membrane shall be made good, has been submitted to and approved, in writing, by the Local Planning Authority. The works shall be carried out in accordance with the approved details thereafter unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - In order to ensure health and safety of prospective and existing occupiers and to comply with the National Planning Policy Framework and Policy R/ENV5 of the Gosport Borough Local Plan Review.

4. No development above slab level shall take place until details, including samples, of all external facing and roofing materials, have been submitted to and approved, in writing, by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - Such details have yet to be provided and to ensure that the appearance of the development is acceptable and to comply with the National Planning Policy Framework and Policy R/DP1 of the Gosport Borough Local Plan Review.

5. No development above slab level shall take place until full details of all boundary treatments, gates and external lighting fixtures to communal car parking areas, including details of lux levels, have been submitted to and approved, in writing, by the Local Planning Authority. The boundary

treatments, gates and external lighting fixtures shall be provided in accordance with the approved details before the development is first occupied and thereafter retained.

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

6. No development above slab level shall take place until full details, including samples, of the hard landscaping works have been submitted to and approved, in writing, by the Local Planning Authority. The approved details shall be provided before the development is first occupied and shall be retained thereafter unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - In the interests of amenity, the appearance of the locality and highway and pedestrian safety and to comply with the National Planning Policy Framework and Policies R/DP1 and R/T11 of the Gosport Borough Local Plan Review.

7. No development above slab level shall take place until full details of the soft landscaping works, including for the LAP, have been submitted to and approved, in writing, by the Local Planning Authority. These details should include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment), schedules of plants noting species, plant sizes, the proposed number/densities and an implementation programme.

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

8. The landscaping scheme approved pursuant to condition 7 shall be completed within six months from the completion of the final building, and any trees or plants which die are removed or become seriously damaged or diseased during the first five years, shall be replaced with others of identical species (or as may otherwise be agreed in writing with the Local Planning Authority) during the next planting season.

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

9. No development above slab level shall take place until details of the materials to be used for the surfacing of the car parking and turning areas have been submitted to and approved, in writing, by the Local Planning Authority. The parking areas shall be provided in accordance with the approved details before occupation of the first dwelling and retained thereafter.

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

10. The car parking spaces for dwellings 11 and 12, shown on plan 130425/SL/01 Rev C, shall not be used for the parking of vehicles until the off-site highway works, comprising the removal of the 2no. speed cushions on Westland Drive, have been carried out, in accordance with a detailed scheme submitted to and approved, in writing, by the Local Planning Authority.

Reason - In order to provide satisfactory vehicular access to the site, and to comply with the National Planning Policy Framework and Policies R/DP1 and R/T11 of the Gosport Borough Local Plan Review.

11. The car parking spaces for dwellings 1, 2 and 3, shown on plan 130425/SL/01 Rev C shall not be used for the parking of vehicles until the off-site highway works, comprising the removal and relocation of 2no. speed cushions on Magister Drive, have been carried out and completed, in accordance with a detailed scheme submitted to and approved, in writing, by the Local Planning Authority.

Reason - In order to provide satisfactory vehicular access to the site, and to comply with the National Planning Policy Framework and Policies R/DP1 and R/T11 of the Gosport Borough Local Plan Review.

12. No dwelling shall be occupied until details of a management plan for the future maintenance and upkeep of the LAP shown on plan 130425/SL/01 Rev C has been submitted to and approved, in writing, by the Local Planning Authority.

Reason - Such details have yet to be submitted and in the interests of the future visual amenity of the locality and to comply with the National Planning Policy Framework and Policy R/DP1 of the Gosport Borough Local Plan Review.

13. No dwelling shall be occupied until bicycle storage facilities have been provided in accordance with a detailed scheme submitted to and approved, in writing, by the Local Planning Authority. The approved facilities shall be retained and kept available for these purposes at all times.

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

14. No dwelling shall be occupied until facilities for the storage and removal of refuse from the site have been provided in accordance with a detailed scheme submitted to and approved, in writing, by the Local Planning Authority. The approved facilities shall be retained and kept available for these purposes at all times.

Reason - In order to protect the amenities of the area, and to comply with the National Planning Policy Framework and Policy R/DP1 and R/T11 of the Gosport Borough Local Plan Review.

15. If during development contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from, the Local Planning Authority, a Method Statement detailing how the unsuspected contamination may be dealt with.

Reason - In order to ensure health and safety of prospective and existing occupiers and to comply with the National Planning Policy Framework and Policy R/ENV5 of the Gosport Borough Local Plan Review.

16. Nothing exceeding 600mm in height, including soft landscaping, shall be permitted to remain on the land hatched green on plan 4400/001 of the Stage 1 Road Safety Audit, dated October 2013.

Reason - To retain appropriate visibility splays for vehicles exiting the shared access, in the interests of highway and pedestrian safety and to comply with the National Planning Policy Framework and Policies R/DP1 and R/T11 of the Gosport Borough Local Plan Review.

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), no walls, fences or other means of enclosure shall be erected beyond the forward most part of any wall of any original dwellinghouse which fronts onto or flanks a highway (or a private driveway providing the main access to that dwelling) without the prior consent, in writing, of the Local Planning Authority.

Reason - In order to protect the visual amenity of the locality and to comply with the National Planning Policy Framework and Policy R/DP1 of the Gosport Borough Local Plan Review.

**ITEM NUMBER: 03.**

**APPLICATION NUMBER: 13/00406/FULL**

**APPLICANT: Mr Patrick McGee PMC Construction & Development services Ltd**

**DATE REGISTERED: 09.10.2013**

**DEMOLITION OF SWIMMING POOL BUILDING AND ERECTION OF 6 NO. ONE AND 6 NO. TWO BEDROOM FLATS AND 4 NO. TWO BEDROOM AND 7 NO. THREE BEDROOM HOUSES WITH ASSOCIATED LANDSCAPING AND PARKING (as amplified by information received 10.10.13)**

**Site Of Former Recreation Centre Davenport Close Gosport Hampshire**

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

The application site is located to the north of numbers 14 to 22 Davenport Close and is 0.38 hectares in area. At the eastern end of the site is a large, two storey brick flat roof building. The first floor element on the northern side of the building is supported on concrete pillars with a void beneath. The building was formerly in use as a swimming pool and social club but has been vacant since 2004 and is now in a poor state of repair due to damage from fire and vandalism. To the west of this building is a large tarmac parking area. The remaining land within the application site is grass and low quality planting.

Pedestrian footpaths adjoin the northern, eastern and western boundaries of the site. To the north, beyond the existing footpath, is a grass bund and beyond this a senior football pitch, pavilion and children's play area. Two storey terraced residential properties lie to the south, east and west. The rear gardens of the properties to the south immediately adjoin the application site whereas the other gardens are separated from the application site by the existing footpaths. The properties to the south and east are on raised ground, approximately 1m above the level of the application site, with retaining walls and fencing on the boundary varying between 2m and 3.8m in overall height. The terrace to the west is approximately 0.5m lower than the tarmac parking area. The rear gardens of these properties are bound by 1.8m high walls. The northern side elevation of 22 Davenport Close, which faces onto the application site does not contain any windows. Vehicular access to the site is from Davenport Close in the south west corner of the site.

Attempts have previously been made to secure the continued use of the existing building as a leisure facility but these have been unsuccessful, largely due to the condition of the existing building and viability issues. Planning permission was previously granted in 2009 under reference 09/00413/OUT for the redevelopment of the site to provide a replacement community facility together with residential development.

This application proposes the demolition of the existing building and the construction of 6 no. one and 6 no. two bedroomed flats, 4 no. two bedroomed and 7 no. three bedroomed houses (12 no. flats and 11 no. houses) together with associated landscaping and car parking. The existing vehicular access to the site would be retained and extend east across the south side of the site. The proposed flats would be sited immediately north of the access from Davenport Close in a three storey building under an asymmetric roof. There would be four flats on each floor. The ground floor flats would have enclosed balcony spaces along with the flats on the first and second floors on the north side of the building. The building would be approximately 18.6m wide, 23m deep and range in height between 8m on the west side to 11.6m at the highest part of the roof. The building would be finished in a mix of brick, render and cladding panels. There would be a communal garden to the west side of the building with a bike store sited at its southern end. The bike store would be 7.8m wide, 6m deep and 2.4m high, have a flat roof and be finished in brick. Long stay cycle parking for the flats would be within the designated cycle store and refuse would be stored in a designated refuse store on the southern boundary of the site. This building would be a brick building 5.5m long, 3.5m wide and 2.4m high under a flat roof.

To the east of the flats would be a terrace of 4 no. three bedroomed dwellings, a terrace of 3 no. three bedroomed dwellings and a pair of 2 no. two bedroomed dwellings. The terrace of four would



be 23.8m wide, 11.9m deep and 8.5m high. 1.8m to the east of this, the terrace of three dwellings would be 17.8m wide, 11.9m deep and 8.5m high. 1.8m to the east of this would be one of the pairs of two bedroomed semi-detached properties 10.2m wide, 11.2m deep and 8.5m high. This pair would be positioned approximately 2m further to the south than the terraces of four and three properties. All of these properties would be orientated north to south and there would be a single window in the east elevation of the easternmost property at first floor level serving a bathroom. There would be windows in the south elevation at first floor level of all of the properties.

To the south side of the site would be the remaining 2 no. two bedroomed dwellings, two storeys high, 10.2m wide, 11.2m deep and 8.5m high. This pair would be orientated east to west with two windows in each of the properties in the west and east elevations at first floor level. There would be one window in the north elevation at first floor level and one in the ground level. There would be no windows in the south elevation.

The application proposes the total of 41 no. car parking spaces. Each of the houses is to be allocated 2 no. spaces totalling 22 no. spaces. The flats would have the use of the 16 no. parking spaces located to the south and east of the flatted block and the remaining 3 no. spaces would be available for visitor use. The remaining areas within the site are to be hard and soft landscaped. The boundaries around the site are to consist of a mix of wall with railings and timber fencing. Each of the houses would have long stay cycle and refuse storage within its curtilage.

Due to an anomaly between the proposed layout and elevation drawings it has been necessary to re-register and re-advertise the application. The application publicity period has not yet expired and an update on any additional representations received will be provided at the Regulatory Board meeting. Amended plans have also been submitted seeking to address concerns raised about the impact of the proposals on the neighbouring properties. The amendments show the flat building re-sited 2.2m further to the east and 0.2m further to the north, the removal of the balconies on the south elevation of the flatted building, the re-siting of the balconies on the east elevation to the north elevation and the re-siting of units 22 and 23 2.6m further to the east.

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

09/00413/OUT - Outline application - redevelopment of existing site to provide a community sports building and 14 no. four bedroomed dwellings - permitted 19.05.10

### ***Relevant Policies***

National Planning Policy Framework (NPPF), March 2012

Gosport Borough Local Plan Review, 2006:

- R/DP1
- General Standards of Development within the Urban Area
- R/DP3
- Provision of Infrastructure, Services and Facilities
- R/T2
- New Development
- R/T3
- Internal Layout of Sites
- R/T11
- Access and Parking
- R/H4
- Housing Densities
- R/H5
- Affordable Housing
- R/CF9
- Recreation and Leisure Allocations
- R/OS8
- Recreational Space for New Residential Developments

R/OS11  
Protection of Areas of National Nature Conservation Importance  
R/OS13  
Protection of Habitats Supporting Protected Species  
R/ENV5  
Contaminated Land  
R/ENV10  
Noise Pollution  
R/ENV11  
Minimising Light Pollution  
R/ENV4  
Treatment of Foul Sewage and Disposal of Surface Water

### **Consultations**

Natural England	No objection. Provided the development is carried out in accordance with the submitted details there will be no harmful impact on the nearby SSSI at the Wildgrounds. On the basis of the submitted information it is not considered that there will be a harmful impact to protected species. Biodiversity and landscape enhancements should be considered as part of the proposal.
HCC Ecology	No objection. The site is of negligible ecological value and is considered to be unsuitable to support most protected species. Badgers have been noted in the area: the applicant has submitted measures to ensure that the development process is carried out so as not to put Badgers at risk of harm. These measures should be secured by condition. The cumulative impact from recreational pressure on the Portsmouth Harbour SPA should be considered - it is recommended that consultation with Natural England is carried out.
Environmental Health	No objection. The development should not be carried out other than between 0800 and 1800 hours on Monday to Friday, 0900 and 1300 on Saturday's and at no time on Sunday's or Bank Holiday's. The details submitted in respect of lighting are acceptable. The contamination assessment is acceptable and the recommendations within it should be complied with.
HCC Education Office	No education contribution is required.
Local Highway Authority	No objection. The designs set out in the Safety Audit should be complied with. No additional surface water should discharge onto the adopted highway. Planting adjacent to parking bays should be kept below 600mm to ensure reversing cars have intervisibility of other moving vehicles. A site

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	traffic management plan should be required by condition. No Transport Infrastructure, Services and Facilities contribution applies. The levels of car and cycle parking are acceptable.
Streetscene Waste & Cleansing	No objection. The bin store is of adequate size to accommodate the required bins.
Streetscene Leisure & Play	No response.
Housing Strategic	No objection. This much needed affordable housing is welcomed. There is currently a long wait for affordable housing and this proposal will contribute to meeting these needs.
Building Control	No objection. An application for Building Regulations approval is required. Access for Hampshire Fire and Safety will need to be provided and the internal road will need to be made up to 12.5 tonnes.
Sport England South East	No objection. It is recognised that the swimming pool has been closed and unavailable for community use for a substantial period of time, no existing users would be displaced and it is unlikely that the pool could be brought back into use. Gosport has pools at Brune Park Community College and Gosport Leisure Centre which are open to the community and are within a reasonable travelling distance. Gosport Leisure Centre has capacity to accommodate additional users. The proposed development would not prejudice the use of the pitch to the north of the application site.
Crime Prevention & Design	High levels of natural surveillance should be provided where possible. Rear access to plots 13 to 21 could result in opportunistic crime and the rear access gates should, therefore, be fitted with a key operated lock. Plots 13 to 19 have front doors that are set within a recess which does mean they will have a low level of natural surveillance. All communal access points and accesses to individual flats should be certificated to PAS24 standard. An appropriate level of lighting should be provided within the development and along adjacent footpaths.
Southern Water	No objection. There is a public sewer crossing the site which would need to be diverted at the developer's expense and in order to protect drainage apparatus a condition is recommended the require

measures to divert public sewers. There is currently inadequate capacity to accommodate the surface water disposal from the proposed development into the existing network and, therefore, a condition is recommended to ensure that surface water disposal is adequately provided on site.

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

2 letters of objection to original plans.

Issues raised:

- overlooking and loss of privacy
- flats could be moved further away from existing residential properties
- the proposed access path along the west side of the site to the playing field is too narrow
- the restricted width of the path does not accord with the wider redevelopment of Rowner whereby wide, well lit paths reduce the fear of crime
- the siting of the bin store is unacceptable
- the bin store will smell and attract vermin
- noise associated with the use of the bin store will be harmful
- cars being parked may cause damage to existing fence
- the flats will cause congestion at the entrance to the site

### ***Principal Issues***

1. The main issues for consideration are the acceptability of the principle of the development, the appropriateness of the design, the impact on the occupiers of the neighbouring properties, highway and pedestrian safety, the impact on features of importance for nature conservation, land contamination, provision of affordable housing and Open Space.

2. Policy R/CF9 of the Gosport Borough Local Plan Review allocates the application site for built recreation/leisure facilities and Policy R/CF10 aims to protect existing built leisure facilities unless alternative provision is made available or there are adequate existing facilities in the locality. The proposal is contrary to these policies, however, the site has, unfortunately, fallen into disrepair and has not been used for a considerable length of time and now significantly detracts from the appearance of the immediate area. Moreover, since the site was originally allocated, a number of improvements to recreational facilities have taken place in the wider area. Those improvements include:

- Completion of the redevelopment at Gosport Leisure Park;
- Completion a new BMX facility and adventure playground;
- The Rowner Renewal project where planning permission has been granted for the comprehensive redevelopment of the area including a new centre with a supermarket to link with existing community facilities such as the Sure Start centre, school, multi-use games area and youth centre;
- Proposals for the Alver Valley Country Park;
- Planning permission granted for a new sports hall with associated community use at Bay House School Playing Field; and
- Planning permission granted for a new synthetic sports pitch at Bridgemary Community Sports College.

For the above reasons, it is considered that that there is now no requirement to re-provide recreational facilities on this particular existing site, particularly taking into consideration the improvement to recreational facilities that have taken place in the wider area since the application site was originally allocated.

3. Planning permission has previously been granted for residential development on the site, in conjunction with recreational development. The application site has also now been identified in Policy LP7 of the emerging Gosport Borough Local Plan 2011-2029 as being appropriate for residential development with an indicative figure of 15 dwellings. Due to the condition of the

existing facility on the site and the considerable length of time that has passed since it was last used, it is considered that the site no longer represents an 'existing facility'. Whilst the emerging Plan is at an early stage in the preparation process, it is a material consideration in this instance as the proposed residential allocation demonstrates the Council's overall ambitions for the site and accords with the wider regeneration of the Rowner (Alver Village) area. The 15 dwellings set out in the Policy is only an indicative figure with higher figures being acceptable subject to design and other relevant, material planning considerations. It is considered that the redevelopment of the site for housing would complement the wider Rowner Renewal project. A regenerated Rowner is one of the Borough Council's Strategic Priorities and consequently it is clear that the Rowner Recreation Centre site should be considered as part of the Council's overall objectives for the area. Consequently, whilst the proposal represents a departure from the current Gosport Borough Local Plan Review, the emerging Local Plan (2011-2029) indicates that the Borough Council will no longer be seeking on-site re-provision of the recreation use and acknowledges the importance of comprehensive regeneration of the wider area to provide a mix of housing, including affordable housing, and recreational facilities. There are a number of improved facilities (completed or proposed) in close proximity to the application site. In the light of this and in the context of the Rowner Renewal project, it is now appropriate for this site to be redeveloped for residential purposes to complement the wider redevelopment of the surrounding area.

4. The proposal reflects the design of the properties which are part of the wider Rowner Renewal redevelopment in terms of their layout, form and appearance, having a contemporary appearance and range of materials with a mix of asymmetric roof forms and varied fenestration. Taking into consideration the poor appearance of the existing building on the site, in design terms, the proposal will significantly enhance the appearance of the site and its surroundings. Whilst the maximum height of the flatted block exceeds the surrounding development by one storey, the mix of materials, including contrasting windows and render panels, together with articulation of the elevations in the form of balconies and setbacks and the range of roof shapes and heights mean the building will be visually interesting and will not dominate its surroundings. The houses follow a similar vernacular and, together, the flatted block and housing will provide design continuity across the site. The proposed bin and cycle stores have a simple appearance and a mix of hard and soft landscaping is proposed to provide some variety at ground level. A range of boundary treatments are proposed around the site to reflect the enclosure of public and private spaces and this will provide some visual interest to the appearance of the site when viewed from outside its boundaries. The finishes to the buildings and hard landscaping, together with types of planting are to be controlled by condition to ensure that they are appropriate to the location and the materials used on surrounding development. The proposal, therefore, complies with Policy R/DP1 of the Gosport Borough Local Plan Review.

5. Appendix B of the Gosport Borough Local Plan Review sets out guideline separation distances between the opposing rear elevations of two and three storey properties of 28m and 15m between 3 storey windowed elevations and opposing gable ends. These guidelines seek to inform decisions in respect of the resulting relationships between existing and proposed development to protect privacy and prevent unacceptable overshadowing and loss of outlook. In this instance, the rear elevations of the two storey terrace properties to the west of the application site will be 20m from the three storey flatted block; 8m below the guideline. Within the elevation of the flats will be nine windows, three of which will serve circulation space within the block with the remaining 6 serving kitchens within the flats. The internal arrangement of the flats shows no doors between the kitchens and the living/dining space meaning that kitchen windows are secondary and provide only light and not outlook. The plans show the windows on the west elevation to be fitted with obscure glazing and there is no requirement under the Building Regulations for them to be openable. To ensure no harmful overlooking results from these windows a condition is recommended to require them to be obscure glazed and fixed shut. Similarly, the secondary windows to the living/dining areas are also recommended by condition to be fitted with obscure glazing and be fixed shut. The balconies at first and second floor levels on the north elevation will be screened along their west sides to prevent any harmful overlooking of the neighbouring properties to the west. The slope of the roof away from the boundary, articulation to the west elevation and mix of materials, including white painted render, will result in a building of acceptable mass and bulk when viewed from these neighbouring properties. Shadow diagrams have been submitted with the application which show the ends of the gardens

serving the properties to the east will be overshadowed at 9.00am in the morning during the winter months. There will be no significant changes at other times of the day or year than is currently the case and therefore there will not be harmful overshadowing of neighbouring properties. In conclusion, whilst the separation distances fall below the guidance set out in Appendix B, for the reasons set out above, the relationship between the flatted block and properties to the west of the application site is considered to be acceptable and the proposal will not harm the amenities of the occupiers of these properties.

6. A separation distance of 28m will be achieved between the flats and the neighbouring properties to the south and the north-south relationship means that there will be no overshadowing of these neighbours. The articulation and visual interest to the south elevation means that the building will not have an overbearing impact or result in harmful loss of outlook. There will be a total of 18 openings on this elevation. Six of them will be at ground floor level. From the remaining twelve, two will serve circulation space at first and second floor levels, two will be high level windows to the kitchens, two will be tall, slim windows 0.4m wide which provide an interest feature rather than a position from which to look out from the flats they serve, and two serve bedroom space which is considered to be secondary living space where residents would not spend prolonged periods of time during the daytime. The remaining four will serve living/dining space to four of the flats on the south side of the flatted block. Whilst this is considered to be primary living space, the separation distance, which meets the guidelines set out in Appendix B of the Gosport Borough Local Plan Review, means that the windows will not give rise to any harmful overlooking of the neighbouring properties to the south. Oblique outlook from the corner windows in the first and second floor flats on the east side of the building will be possible over the properties to the west in Hereford Court, however, these windows will be over 30m away from the rear, east boundaries of these properties and it is not, therefore, considered that this will give rise to a harmful level of overlooking..

7. A separation distance of 32m will be achieved between the houses along the northern boundary of the site and the existing properties located to the south in Davenport Close. The proposed dwellings will be two storey in height with only bedroom windows at first floor level. It is not, therefore, considered that there will be a harmful impact on the amenities of the occupiers of these neighbouring properties in terms of loss of light, outlook or privacy. There is a separation distance of 17m between the proposed two storey dwellings in the north east corner of the site and the neighbouring properties to the east. The proposed separation distances meet the guidelines set out in the Appendix B of the Gosport Borough Local Plan Review in respect of rear elevations to gable ends and it is not, therefore, considered that the proposal will have a harmful impact on the amenities of the occupiers of these properties. The dwellings, again, will be two storey in height with their gable ends facing towards the neighbouring properties. There will be only one window in the east elevation of the easternmost proposed dwelling which will serve a bathroom. There is also a land level change where the properties to the east stand higher than the application site and there are some mature trees along the rear, west boundaries of these neighbouring properties which provide some screening of the application site. The pair of semi-detached properties proposed to the southernmost part of the site, will be 2.4m to the north of no. 22 Davenport Close. There will be no direct overlooking between the opposing elevations, however, a degree of oblique overlooking of the rear garden of no. 22 Davenport will be possible from the first floor windows in the east elevation of the new properties. This relationship is common in this type of residential environment and is similar to the relationship already established between no. 22 and its attached neighbour to the south. It is not, therefore, considered that the proposal will give rise to harmful overlooking or overbearing of this neighbouring property.

8. The rear gardens of the pair of dwellings located to the south side of the site will be 11m deep and will abut the north side of the rear garden of no. 21 Davenport Close. The separation distance between the first floor, bedroom windows in the proposed dwelling and windows on the rear, north elevation of no. 21 will be 19m. This rear elevation will be positioned to the south west of the proposed properties meaning that any overlooking of the neighbouring dwelling will be at an oblique angle. It is possible that the first floor windows in the proposed properties will overlook the garden serving this neighbour, however, views towards the primary space, immediately north of the rear elevation will, as with the rear elevation itself, be oblique. The proposed properties will be positioned to the north of this neighbour meaning that there will be no harmful overshadowing or loss of

outlook. All of the houses proposed by the application will have private garden space along with the flats having a communal garden. The gardens are consistent with the size of gardens provided in surrounding development.

9. The bin and cycle stores will create concentrations of activity at the application site boundaries, some of which directly adjoin the neighbouring properties, however, both stores are to be solid, enclosed buildings and neither will be in constant use meaning that the noise associated with this activity will be minimal. The type of materials to be used in the construction of both is recommended to be controlled by condition to ensure they are suitably robust and will appropriately prevent harmful noise and odour from emanating from either. Some noise and disturbance will result from cars, cycles and pedestrians accessing and moving around the site generally, nevertheless, compared to the historic use of the site as a recreation centre and tennis courts, and in the context of the mixed recreational and residential use approved under planning permission reference 09/00413/OUT, it is not considered that this will be harmful. Damage to private property, including boundary fences, is a private legal matter, however, a condition requiring approval of the hard and soft landscaping is recommended to ensure that hard and soft landscaping within the site is appropriate and robust. On balance, therefore, this relationship is considered to be acceptable and the amenities of the occupiers of these neighbouring properties will not be harmfully impacted. In conclusion, the proposed development is considered to be acceptable, will not have a harmful impact on the amenities of the occupiers of the neighbouring properties and complies with Policies R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review and the NPPF.

10. The principle of the access in the south east corner of the site was approved under planning permission reference 09/00413/OUT. Whilst the number of residential units will increase, the pattern of activity using the access will differ from the previous planning permission as the Community Sports Facility would have been likely to attract peaks in the use of the access in the evening and at weekends. The residential use now proposed is likely to create fewer concentrations of overall noise and disturbance for the occupiers of the neighbouring residential properties. Planning permission reference 09/00413/OUT approved 34 car parking spaces for 14 no. four bedroomed dwellings together with a Community Sports Building. Whilst this current application proposes a higher number of dwellings, no Community Sports Building is proposed and 41 car parking spaces are now proposed. The previous planning permission indicatively showed allocated residential car parking within garages and driveways. The current application seeks a mix of allocated and unallocated car parking which is more flexible. The car parking provision proposed is, therefore, considered to be acceptable. Long and short stay cycle parking is to be provided to an acceptable level and is recommended to be secured by condition along with acceptable provision for refuse storage. To ensure that debris resulting from the development is not transported onto the existing public highway, details of construction traffic management are proposed to be required by condition. The proposal, therefore, complies with Policies R/DP1, R/ENV10, R/T3 and R/T11 of the Gosport Borough Local Plan Review and the NPPF.

11. The site is considered to have a low ecological value, however, badgers have been noted as being present in the vicinity of the site. To ensure the construction process is carried out without harm to this protected species a condition is recommended to secure badger management measures. The cumulative impact of this proposal in conjunction with other residential developments taking place in the surrounding area is not likely to have a harmful impact on the protected European sites along the nearby coast. The contamination investigation identifies measures to reduce risk from contamination which are recommended to be secured by condition. Adequate drainage is proposed to be secured by condition. The proposal is, therefore, considered to be acceptable in respect of features of importance for nature conservation, land contamination and drainage and complies with Policies R/OS11, R/OS13, R/ENV5 and R/ENV4 of the Gosport Borough Local Plan Review and the NPPF.

12. Policy R/H5 of the Gosport Borough Local Plan Review requires the provision of 40% of the dwellings to be affordable. The application proposes that 19 of the 23 units proposed will be affordable which equates to an 82.6% provision on site; the remaining 4 units (17.4%) will be for open market sale. Of the affordable housing, 12 units (63.2%) will be affordable rented tenure flats and the remainder will be shared ownership (36.8%). This provision, therefore, significantly exceeds

the requirement of Policy R/H5 and will make a positive contribution to meeting the high demand for affordable housing in the Borough. In lieu of provision of outdoor playing space on site the applicant is required to enter into a Section 106 agreement to make a contribution towards public open space facilities within the Borough. The site is located directly adjacent to a large area of protected Open Space which has been identified in the 2012 Open Space Monitoring Report as being of high value and medium quality. Access to this space along the west side of the application site will be retained and the route is of a sufficient width to allow pedestrian access. Details of lighting within the development are to be controlled by condition to ensure that this path is well lit to reduce the fear of crime. This space will provide outdoor playing and informal space for use by the occupiers of the new development along with the Alver Valley which the 2012 Open Space Monitoring Report identifies as having high value to the Grange Ward. In addition, as set out in paragraph 1 above, a number of additional recreational facilities have recently been developed or granted planning permission in close proximity to the application site. The applicant seeks to provide more than double the policy requirement for affordable housing on site. Taking the need for affordable housing together with the improvements to recreational facilities that have taken place in the surrounding area into account, a contribution towards public open space is not required in this instance. The proposal, therefore, meets the aims and objectives of Policies R/H5 and R/OS8 of the Gosport Borough Local Plan Review and the NPPF.

### **RECOMMENDATION: Grant Permission**

Subject to Section 106 agreement relating to

1. Provision of affordable housing

### **Subject to the following condition(s):-**

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 and documents:

12A\_066 013 Rev C

12A\_066 014 Rev C

12A\_066 015 Rev L

12A\_066 020 Rev E

12A\_066 021 Rev F

12A\_066 022 Rev E

12A\_066 023 Rev D

12A\_066 024 Rev C

12A\_066 025 Rev B

12A\_066 027 Rev B

Contamination Investigation

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. Before development, excluding demolition, is commenced, details of the proposed finished floor levels of the development and proposed site levels shall be submitted to and agreed, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the agreed details unless otherwise agreed, in writing, by the Local Planning Authority.

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

4. Before development is commenced, details of a Construction Environmental and Traffic Management Plan shall be submitted to and approved, in writing, by the Local Planning Authority. The Construction Environmental and Traffic Management Plan shall include details of hours of



working and deliveries, car parking for site operatives, the site compound, materials storage, measures to prevent debris from the site being transported on to the public highway and measures to control dirt and dust. The development shall be carried out in accordance with the approved Construction Environmental and Traffic Management Plan unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure the development is carried out satisfactorily, to ensure there is no harmful impact to the occupiers of the neighbouring properties as a result of the carrying out of the development, to ensure there is no harmful impact to highway and pedestrian safety and to comply with Policies R/DP1, R/ENV10, R/T3 and R/T11 of the Gosport Borough Local Plan Review and the NPPF.

5. Before the development is commenced, details of the measures to divert existing public sewers on the site shall be submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the agreed details unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure a satisfactory sewerage network is provided for the development and to comply with Policies R/DP1 and R/ENV4 of the Gosport Borough Local Plan Review and the NPPF.

6. Before development is commenced, details of the proposed means of foul and surface water disposal shall be submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved foul and surface water disposal details unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure that adequate disposal of foul and surface water sewerage is provided on site and to comply with Policies R/DP1 and R/ENV4 of the Gosport Borough Local Plan Review and the NPPF.

7. Before development above slab level is commenced, details of the hard landscaping works shall be submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved details before the development is occupied. These details shall include hard surfacing materials and lighting.

Reason - In the interests of the amenities of the occupiers of the neighbouring properties and prospective occupiers, in the interests of the appearance of the locality and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review and the NPPF.

8. Before development above slab level is commenced, details of the soft landscaping works shall be submitted to and approved, in writing, by the Local Planning Authority. These details shall include a planting scheme showing species, numbers, densities, heights and a future maintenance scheme.

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

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

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

10. The development shall not be carried out other than in accordance with the Badger Management Measures submitted on 10.10.13.

Reason - In the interests of a protected species and to comply with Policies R/DP1 and R/OS13 of the Gosport Borough Local Plan Review and the NPPF.

11. The development shall be carried out in accordance with the measures set out in section 6.6 of the approved Contamination Investigation unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure that contamination is satisfactorily managed during development and to comply with Policy R/ENV5 of the Gosport Borough Local Plan Review and the NPPF.

12. Before development above slab level is commenced, details, including samples, of all external facing and roofing materials shall be submitted to and approved, in writing, by the Local Planning Authority. The development shall, thereafter, be carried out in accordance with the approved details unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure the external appearance of the development is satisfactory, to ensure that noise and odours are appropriately controlled within the bin and cycle stores, and to comply with Policies R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review and the NPPF.

13. The development shall not be occupied until the short stay cycle parking has been provided in accordance with a scheme to be submitted to and approved, in writing, by the Local Planning Authority. The short stay cycle parking shall be retained for the parking of cycles at all times thereafter unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure a satisfactory level of short stay cycle parking is provided on the site and to comply with Policies R/T3 and R/T11 of the Gosport Borough Local Plan Review and the NPPF.

14. The development shall not be occupied until the long stay cycle parking and refuse store have been provided in accordance with the details shown on approved plan nos. 12A\_066 015 Rev L, 12A\_066 020 Rev E, 12A\_066 021 Rev F and 12A\_066 022 Rev E unless otherwise agreed, in writing, by the Local Planning Authority. The long stay cycle parking and refuse store shall be retained for the parking of cycles and storage of refuse at all times thereafter unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure that satisfactory levels of long stay cycle parking and refuse storage are provided on site and to comply with Policies R/T3, R/T11 and R/DP1 of the Gosport Borough Local Plan Review and the NPPF.

15. The development shall not be occupied until a Car Parking Management Scheme has been submitted to and approved, in writing, by the Local Planning Authority. The Car Parking Management Scheme shall contain details of car parking allocation for residents and visitors to the site. The car park shall be operated in accordance with the approved Car Parking Management Scheme at all times thereafter unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure that adequate car parking is available for residents and visitors to the site and to comply with Policy R/T3 and R/T11 of the Gosport Borough Local Plan Review and the NPPF.

16. The development shall not be occupied until the car parking areas have been laid out in accordance with the details shown on approved plan no. 12A\_066 015 Rev L unless otherwise agreed, in writing, by the Local Planning Authority. The car parking facilities shall be retained for that purpose and operated in accordance with the Car Parking Management Scheme approved by condition 15 at all times thereafter unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure a satisfactory level of car parking is provided on site and to comply with Policies R/T3 and R/T11 of the Gosport Borough Local Plan Review and the NPPF.

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

Reason - In the interests of highway safety and to ensure adequate access and parking is provided and retained, and to comply with Policies R/T3 and R/T11 of the Gosport Borough Local Plan Review and the NPPF.

18. Before the development is first brought into use, the boundary treatments shall be provided in accordance with the details shown on plan no. 12A\_066 013 Rev C and details, including samples, of materials to be submitted to and approved, in writing, by the Local Planning Authority. The approved boundary treatments shall be retained at all times unless otherwise agreed, in writing, by the Local Planning Authority.

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Reason - To ensure a satisfactory appearance to the development, to ensure the amenities of the occupiers of the neighbouring residential properties are preserved, to ensure the prospective occupiers have a satisfactory level of amenity and to comply with Policies R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review and the NPPF.

19. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed, in writing, with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from, the Local Planning Authority, a Method Statement detailing how the unsuspected contamination may be dealt with.

Reason - In order to ensure health and safety of prospective and existing occupiers and to comply with Policy R/ENV5 of the Gosport Borough Local Plan Review and the NPPF.

20. The development shall not be occupied until the windows outlined in red on plan nos. 12A\_066 015 Rev L and 12A\_066 021 Rev F have been fitted with obscure glazing and are not openable. The windows shall be retained in that condition at all times unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To preserve the amenities of the occupiers of the neighbouring properties and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review and the NPPF.

**ITEM NUMBER: 04.**  
**APPLICATION NUMBER: 13/00285/FULL**  
**APPLICANT: Mr Kenneth White**  
**DATE REGISTERED: 23.09.2013**

**PARTIAL DEMOLITION, EXTENSIONS, ALTERATIONS AND PARTIAL CONVERSION  
TO PROVIDE 4 NO. TWO BEDROOM FLATS AND 9 NO. ONE BEDROOM FLATS  
(CONSERVATION AREA AND ADJACENT TO LISTED BUILDING)  
39 - 45A Stoke Road And 79 - 81 Jamaica Place Gosport Hampshire**

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

The application site is located on the southern side of Stoke Road, within the Stoke Road Conservation Area and Stoke Road District Shopping Centre. The site is currently occupied by a three storey building fronting Stoke Road with retail uses over all three floors and flats within additions to the rear (39-45a Stoke Road). The site also contains further two storey buildings to the rear, fronting Jamaica Place, that are currently being used as offices and storage (79-81 Jamaica Place). The westernmost building, number 79 Jamaica Place, is set back from the highway by 6.4m and is attached to 45 Stoke Road. This building has a staggered front elevation with two garage doors and three first floor windows in the south eastern elevation. There are three parking spaces available in the areas adjacent to the highway which are not marked out and are currently used by the existing business on the site. 81 Jamaica Place is a similarly designed detached building that also has a garage door facing the highway.

The buildings in the locality of the application site, facing Stoke Road, mostly date from the early to mid-19th Century. The scale of these buildings varies from 2-3 stories, with no overarching architectural theme on the road. Jamaica Place, at the rear of the site, is an area of mixed character and property types, which include a number of newer properties fronting the highway. The main building of 39-45a Stoke Road is constructed of brick and render and has a pair of gables fronting Stoke Road. There are two courtyard areas to the rear beyond which are pitched roofed buildings orientated with the ridge tile running north to south fronting Jamaica Place. These buildings are constructed of red brick and are positioned at an angle to the highway. There is a rearward projecting section of 39 Stoke Road that fronts Jamaica Place at the rear, 9.9m away from the highway.

To the east of the site is a pedestrian footpath leading from Stoke Road to Jamaica Place beyond which is the Grade II Listed Royal Arms Public House building. To the west is 47a Stoke Road, which is a restaurant/takeaway that extends to the rear of the site, backing onto Jamaica Place. Parking and waiting restrictions apply along the length of the Jamaica Place and Stoke Road. At the rear of the site there is a parking bay on the opposite side of the highway and a Council owned car park, which is short stay, to the west of 47a Stoke Road, approximately 7m to the west and with access from Jamaica Place. To the north, beyond the highway, is the Stoke Road Methodist Church and Cray House, a four storey block of flats.

It is proposed to convert, alter and extend the existing buildings to provide 4 no. two bedroom flats and 9 no. one bedroom flats.

The existing retail floorspace fronting Stoke Road would be retained at ground floor level with the first and second floors altered and extended to provide:

Flat 1- 2 bedrooms over ground and first floor  
Flat 2 - 2 bedrooms over ground and first floor  
Flat 7 - 1 bedroom over ground and first floor  
Flat 8 - 1 bedroom on first floor  
Flat 9 - 1 bedroom over first and second floor  
Flat 10 - 2 bedrooms on first floor  
Flat 11 - 1 bedroom on first floor

Flat 12 - 2 bedrooms on second floor  
Flat 13 - 1 bedroom on second floor  
97.5m<sup>2</sup> Office space over ground and first floor  
The third floor would be used as storage for the flats below.

The buildings to the rear that front Jamaica Place would be altered and extended to provide:

Flat 3 - 1 bedroom on ground floor  
Flat 4 - 1 bedroom on first floor  
Flat 5 - 1 bedroom on first floor  
Flat 6 - 1 bedroom on first floor

Overall the development proposes the loss of 419m<sup>2</sup> of retail floorspace over the first and second floors and an increase of 11 flats on the site to create a total of 13. The application also proposes the retention of 97.5m<sup>2</sup> of ancillary office space located on the east side of the site, meaning there will be a net loss of 26m<sup>2</sup>. The ground floor of number 81 Jamaica Place and the rearward section of number 79 would be used for bin and cycle storage. Access to the retail would be from the front, north side of the site with access to the ancillary office space and flats being from the rear.

No external alterations are proposed to the Stoke Road elevation. The buildings at the rear of the site, however, would be reconfigured with the demolition of sections of building within the central courtyard area and new sections being constructed on the retained footings. The new sections would include the creation of a first floor extension in between 79 Jamaica Place and the rear of 45 Stoke Road. A walkway would be created underneath this extension leading to the courtyard alongside the western boundary and an access to one of the flats.

The buildings at the rear of the site that front Jamaica Place would be altered to provide a row of three, two storey, brick faced buildings with hanging tile sections. A first floor extension would be constructed in between numbers 79 and 81 Jamaica Place. The altered buildings would have pitched roofs and would have splayed lintels over the windows fronting Jamaica Place. The application also proposes to erect a pitched roof over the rearward projecting section of 45 Stoke Road that is visible from Jamaica Place. It is proposed to change the fenestration of the building with new windows being inserted in the side and rear elevations and roof slopes and the infilling of other openings.

The application proposes 6 no. parking spaces accessed from Jamaica Place, including an undercroft parking area within number 79. These spaces are to be unallocated. The application proposes 40 no. cycle spaces throughout the development (26 no. long stay and 14 no. visitor).

The application is supported by a Design and Access Statement that includes a Heritage Statement, a Bat Survey and assessments of the Retail and Traffic implications of the proposed development.

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

13/00058/FULL - partial demolition, extensions, alterations and partial conversion to provide 6 no. two bedroom flats and 8 no. one bedroom flats (Conservation Area and adjacent to Listed Building)  
- withdrawn 30.04.13 to address issues

### ***Relevant Policies***

National Planning Policy Framework (NPPF), March 2012

Gosport Borough Local Plan Review, 2006:

R/DP1

General Standards of Development within the Urban Area

R/BH1

Development in Conservation Areas

R/H4  
 Housing Densities  
 R/OS8  
 Recreational Space for New Residential Developments  
 R/S3  
 Principal & District Shopping Centres  
 R/S6  
 Residential Development at Ground Floor within Defined Shopping Centres  
 R/S7  
 Use of Upper Floors  
 R/T2  
 New Development  
 R/T4  
 Off-site Transport Infrastructure  
 R/T11  
 Access and Parking  
 R/OS13  
 Protection of Habitats Supporting Protected Species  
 R/ENV10  
 Noise Pollution  
 R/BH8  
 Archaeology and Ancient Monuments  
 R/DP3  
 Provision of Infrastructure, Services and Facilities  
 R/ENV4  
 Treatment of Foul Sewage and Disposal of Surface Water  
 R/T3  
 Internal Layout of Sites  
 R/BH3  
 Development Affecting Listed Buildings

### **Consultations**

The Gosport Society	No objection.
HCC Ecology	No objection. No further ecological survey works are necessary. The Bat Presence/Absence Report satisfactorily demonstrates that the site is unsuitable for bats and it is, therefore, considered that the buildings offer a negligible potential for supporting bats. The survey also demonstrates that the site has no potential for supporting other legally protected species.
Southern Water	No development or new tree planting should be located within 3m either side of the centre of the foul sewer. No new soakaways should be located within 5m of a public sewer. All existing infrastructure should be protected during the course of construction works. Should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and the potential means of access before any further works commence on site.

HCC Education Office	No education contribution required.
HCC Landscape, Planning & Heritage	No objection. The applicant has submitted a statement that there will be no new ground disturbance and that the replacement structures will be constructed on the existing foundations. Provided this is the case there would be no archaeological issues, however if there are to be any additional groundworks then these should be subject to an archaeological watching brief.
HCC Lighting	The applicant should obtain approval from HCC Street Lighting for any proposals to relocate street lights to accommodate the proposed development.
Building Control	No objection. An application for Building Regulations Approval is necessary. Means of escape will need careful consideration in terms of fire brigade access and windows.
Economic Prosperity	<p>It is noted that the commercial space will be reduced, however, it is recognised that a large proportion is currently underused. The proposal preserves the retail premises opening onto Stoke Road with their rear access retained. Both storage and office space is also retained, albeit reduced in area.</p> <p>The condition of the buildings is poor and the development will result in an overall improvement for the site. The proposal slightly reduces the employment opportunities on the site; however the development offers the opportunity to improve the appearance of the retail and office space which will serve to support viability and employment over the longer term.</p>
Environmental Health	No objection. Conditions relating to hours of construction works, and sound insulation between the new dwellings are recommended.
Local Highway Authority	<p>No objection. Vehicular access, with dropped kerbs, is available to the rear of the site, directly from Jamaica Place, with an existing area of hardstanding and existing garage structures providing car parking for up to three vehicles.</p> <p>Jamaica Place is an Unclassified Road subject to a 30mph speed limit, largely providing rear access to the properties within</p>

Stoke Road, and various on-street and public car parking facilities. There are residential dwellings fronting on to Jamaica Place on the opposite side of the carriageway to the proposed development, with associated parking bays provided perpendicular to the carriageway. There are waiting restrictions in place in the form of single yellow lines along the extent of the northern side of Jamaica Place, in addition to restricted daytime kerbside parking of up to one hour within Stoke Road. The public car parks located along Jamaica Place are largely short stay facilities for parking of up to two-hours.

The existing buildings, garages and hard standing within the proposed site are located immediately adjacent to the carriageway within Jamaica Place, with a margin of approximately 300mm from the kerb line. This situation will be retained following the proposed works on the development site. All works associated with the proposal will be undertaken outside of the public highway.

The proximity of the buildings to the edge of the carriageway means there will be limited intervisibility between highway users and reversing vehicles, however, this is a common arrangement along Jamaica Place and is, therefore, acceptable.

In view of the location of the site, and the proximity of public transport links and local amenities, the application site is considered to be accessible meriting a reduction in the number of spaces required. 6 spaces is considered to be acceptable.

The provision of short and long-stay cycle parking for the site is considered adequate for both the residential units and business uses proposed to the ground floor.

A Transport Infrastructure, Services and Facilities Contribution will be required in relation to the provision of the additional dwellings at the site. The contribution will be used to fund local access schemes including improvements to pedestrian and cycle facilities, as identified within the Gosport Transport Statement.

#### Streetscene Waste & Cleansing

No objection. Adequate areas for the storage of bins shown.



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

3 letters of objection

Issues raised:-

- unsuitable postal provision
- excessive density
- flats are too small and have inadequate facilities
- would harm retail function of Stoke Road
- loss of employment
- development would harm character of building
- timber cladding should be prohibited for maintenance reasons
- loss of privacy to Cray House and properties south of Jamaica Place
- development would create traffic and parking issues

### ***Principal Issues***

1. The adequacy of the provision for postal deliveries is not a material consideration in the determination of a planning application. The application site is located within the Urban Area Boundary where the principle of development is acceptable, provided that the details accord with the relevant policies of the National Planning Policy Framework (NPPF) and the relevant policies of the Gosport Borough Local Plan Review. There will be separate and independent access to the flats, in compliance with Policy R/S7 of the Gosport Borough Local Plan Review. The development would, at 163 dwellings per hectare (dph), be higher than the density range of 30-50dph set out in Policy R/H4 of the Gosport Borough Local Plan Review, however, the supporting text to this policy states that, in order to minimise the need to travel and to encourage the use of public transport, higher density housing developments may be permitted in locations close to Principal or District centres. Such developments are required to provide a mix of dwelling sizes and types to reflect the needs of those seeking housing in the Borough and there are no minimum standards for flat sizes. The density proposed, albeit high, reflects the character of this part of the Conservation Area. The main issues in this case, therefore, are the effect on the retail function of the Shopping Centre and loss of the office space, the impact on the character and visual amenity of the locality, whether the development would preserve or enhance the character and appearance of the Stoke Road Conservation Area, the impact on the amenities of adjoining and prospective occupiers, the adequacy of access and parking arrangements and the provision for cycle parking, refuse storage and collection, open space and highway infrastructure improvements, nature conservation and archaeology.

2. The change of use of the existing retail premises to any uses falling within Classes A2 (financial and professional services), A3 (restaurants and cafes) or B1 (business) could be carried out, for a temporary period of 2 years, as permitted development. The proposal would retain the existing Class A1 use at ground floor level fronting Stoke Road and although the loss of retail floorspace and office space is proposed over the upper floors, Policy R/S7 allows the change of use at this level, particularly offices and residential accommodation, provided the proposal does not have a detrimental effect on the adjoining uses and appropriate access can be achieved to both residential and commercial accommodation on the site. The retained ground floor retail unit would retain sufficient access and areas for storage and servicing and its retail function would not be compromised by the proposed residential development above and to the rear. The active retail frontage along Stoke Road would be retained and continue to contribute to the vitality of the District Shopping Centre. In light of the above, the proposal would not harm the viability of the retail unit and not compromise the retail function of the District Shopping Centre, in compliance with the NPPF and Policies R/S3, R/S6 and R/S7 of the Gosport Borough Local Plan Review.

3. There are other, similar, residential uses located to the rear of commercial properties on this side of Stoke Road fronting Jamaica Place, and the principle of such development is established within the Stoke Road Conservation Area Appraisal. The Stoke Road frontage is to be unchanged. The built mass on the site will increase, however, the existing, utilitarian buildings fronting Jamaica Place are unappealing in design and the alterations would result in a uniform, residential appearance that is more in keeping and consistent with the emerging domestic character of the

locality. The window detailing and roof forms are appropriate in design terms and the external materials can be controlled by planning condition meaning that the long term appearance of the materials used can be carefully considered. Overall, the conversion works and the scale, form and design of the alterations and extensions are sympathetic to the overall form and proportions of the buildings in the locality and will give the buildings a more residential appearance that will enhance the character and appearance of the Conservation Area. Within the building there is an existing staircase which is of important historic interest. The application does not propose to alter or remove this staircase and it will, therefore, be preserved. Subject to the recommended condition the proposal complies with the NPPF and Policies R/DP1 and R/BH1 of the Gosport Borough Local Plan Review.

4. The Royal Arms former public house, to the east of the application site, is a grade II Listed Building. The proposal will improve the appearance of the application site which will improve the setting of the Royal Arms. There will be a change in the pattern of activity on the application site associated with the increase in residential units and decrease in commercial space. The increase in the residential nature of the activity and decrease in commercial activity and its associated deliveries will have a positive impact on the setting of the listed building. The proposal will not harmfully impact the setting of the Listed Building in compliance with Policy R/BH3 of the Gosport Borough Local Plan Review.

5. The first floor extensions are to be located within the existing building envelope and given the location and scale of the extensions and alterations, the development would not have a detrimental impact on the outlook from or the light available to the new flats within the application site or either of the adjacent buildings. There are no new upper floor windows proposed in the outward side facing elevations. Although the first floor windows in the opposing elevations of some flats (Flats 1 and 2 and Flats 12, 9 and 6) are proposed to be clear glazed, this is a common arrangement for residential properties along this part of Jamaica Place. The retention of the central courtyard area will provide some privacy for these properties and create a sense of ownership for the occupiers of the site. Any requirement for sound insulation between the flats will be controlled through the Building Regulations. In addition to the commercial uses on the site there are established residential uses and in terms of patterns of activity, the retained retail unit will be accessed primarily from Stoke Road and the majority of the commercial activity will cease at the rear of the site and at first and second floor levels. It is not, therefore, considered, the increased residential comings and goings and changes in the activity pattern at the site are likely to result in an unacceptable level of disturbance to the existing or prospective occupiers of the residential uses in the immediate locality. In terms of the character of the Conservation Area, the patterns of activity associated with residential uses is more appropriate along Jamaica Place with the Stoke Road frontage being retained in a commercial use appropriate to this part of the Conservation Area. The central courtyard area will provide a small amount of amenity space on the site but given existing constraints it is not possible to provide a useable garden area for use by occupiers of the new flats. However, this is mitigated by the accessible location of the site close to local parks and facilities including Walpole Park and the waterfront. Adequate refuse storage facilities are shown for both the retained commercial and residential units with provision for the bins to be collected from Jamaica Place, the provision and retention of which will be controlled by condition. Due to the proximity of the site to existing, neighbouring residential properties it is considered appropriate to recommend a condition restricting the hours of development works on the site. The proposal will, therefore, result in an acceptable environment for prospective occupiers of the development and adjoining occupiers, in compliance with the NPPF and Policies R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review.

6. The proposed development would provide a total of 6 parking spaces that will utilise the existing, established access from Jamaica Place. The Draft Car Parking SPD suggests 1 space per residential unit is appropriate where car parking is allocated. The SPD does, however, also note that people without a car are most likely to select a home without a parking place, and will prefer a location well served by public transport, local shops and services such as the application site. A lower parking provision in this location is, therefore, a reflection of lower demand and is acceptable. The size of the units proposed, being mainly 1 bedroom with some 2 bedroom also suggests that car parking demand will be low. The application site is located within a District Centre with its links

to public transport, shops and local services. It is only a short walk from Gosport Town Centre, with its links to Portsmouth Harbour and its associated links to higher order services. There are parking restrictions in the locality which will prevent inappropriate on-street parking and the development is, therefore, unlikely to result in harmful overspill parking in the local road network to the detriment of highway safety or local amenity within this accessible location. At present, there are three spaces available for a large retail unit spread over three floors, offices to the rear and within the centre of the site and two, existing residential units. There is no clearly designated space for cycles for any of the uses and the car parking spaces are not formally marked out. The proposal will result in a significant reduction in the retail and office floorspace and, correspondingly, a reduction in the parking demand from these uses. Whilst it is accepted that there will be an increase in the number of residential units on the site, there will also be an increase in car and cycle parking, the provision and retention of which will be controlled by condition. The application proposes 40 no. cycle spaces (26 no. long stay and 14 no. short stay) and together the car and cycle parking mean there is opportunity for occupiers of the site, both commercial and residential, to have access to space for either a car or bike. There is also additional visitor parking available nearby in public car parks. The provision of long and short stay cycle parking will promote sustainable travel alternatives to the private motor vehicle, in line with the aims and objectives of the NPPF. The car and cycle parking provision is, therefore, considered to be acceptable and the proposal is unlikely to have a harmful impact on local traffic conditions, contribute to traffic congestion or result in harmful overspill parking in the local road network to the detriment of highway safety or local amenity. The proposal, therefore, complies with the NPPF and Policies R/T3, R/T11 and R/DP1 of the Gosport Borough Local Plan Review.

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

8. Whilst the proposal will require some level of vegetation clearance on the site and the conversion of a building that is capable of supporting bat habitats. The application is supported by a Biodiversity report that concludes that there is no evidence of bats on the site and there are no significant access, egress or roosting features on the exterior of the building. Therefore, it is considered that the buildings offer negligible potential for supporting roosting bats and the proposal would, therefore, not harm the nature interests of the site or the surrounding area. There is a small tree within the court yard at the site and whilst, individually is not worthy of formal protection it does enhance the setting of the internal courtyard visually and in respect of the amenities of the occupiers and also provides green infrastructure to enhance biodiversity at the site. The plans show the tree to be retained and, therefore, it is considered reasonable to recommend a condition requiring its protection during development. Subject to this condition the proposal complies with the NPPF and Policy R/OS13 of the Gosport Borough Local Plan Review. No groundworks are proposed which means that, whilst the site has potential for important archaeological finds, they are unlikely to be disturbed as part of this development. Nevertheless, to ensure that, should any works take place within the site any feature of archaeological interest of preserved, a condition required a Watching Brief on those works is recommended in compliance with Policy R/BH8 of the Gosport Borough Local Plan Review. It is possible that there is an existing sewer on the site and to ensure it remains accessible during and post development a condition requiring details of how access is to be retained is recommended in accordance with Policy R/ENV4 of the Gosport Borough Local Plan Review.

### **RECOMMENDATION: Grant Permission**

Subject to Section 106 agreement relating to

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

**Subject to the following condition(s):-**

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:

DRG No. 08-091-01, DRG No. 08-091-02, DRG No. 08-091-03, Drawing No 1093/01 Rev H, Drawing No 1093/02 Rev J, Drawing No 1093/03 Rev G, Drawing No 1093/06 Rev F, Drawing No 1093/07 Rev B and Drawing No 1093/08 Rev H

Reason - To ensure that the development is completed satisfactorily in all respects and to comply with the NPPF and Policies R/DP1, R/BH1, R/H4, R/S3, R/S6, R/S7, R/T11 and R/ENV10 of the Gosport Borough Local Plan Review.

3. Before development is commenced, details, including samples, of all external facing and roofing materials shall be submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved details, unless otherwise agreed, in writing, by the Local Planning Authority.

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

4. Before development is commenced, details of all new windows, doors and any other openings including horizontal and vertical sections at a scale 1:5 and elevations at a scale of 1:10 shall be submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved details, unless otherwise agreed, in writing, by the Local Planning Authority.

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

5. Before development is commenced, details of the cills and headers and the depth of recess of all 'bricked up windows' shall be submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

6. The development shall not be occupied until the refuse and cycle storage facilities shown on the approved plans have been provided and made available. The approved facilities for the storage of refuse and cycles shall be retained at all times unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - In order to ensure that adequate refuse and cycle storage is provided in compliance with the NPPF and Policies R/DP1, R/T3 and R/T11 of the Gosport Borough Local Plan Review.

7. The tree on the site which is to be retained, shown on plan no. 1093/02 Rev K, shall be protected during building operations by strict compliance with BS5837:2005 - Trees in Relation to Construction.

Reason - To ensure the enhancement of the development by the retention of natural features and to comply with the NPPF and Policies R/DP1 and R/BH1 of the Gosport Borough Local Plan Review.

8. Before development is commenced, full details of a soft landscaping scheme including the size/densities of tree/shrubs, the phasing of timing of planting, and provision for its maintenance during the first five years from the date of planting shall be submitted to and approved, in writing, by the Local Planning Authority.

Reason - In the interest of amenity and the appearance of the locality and to comply with the NPPF and Policies R/DP1 and R/BH1 of the Gosport Borough Local Plan Review.

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

Reason - In the interest of amenity and the appearance of the locality and to comply with the NPPF and Policies R/DP1 and R/BH1 of the Gosport Borough Local Plan Review.

10. Before development is commenced, full details of the hard landscaping works shall be submitted to and approved, in writing, by the Local Planning Authority. These details shall include all hard surfacing materials, boundary treatment, and lighting. The hard landscaping works shall be carried out in accordance with the approved details before first occupation of the flats and retained thereafter unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - In the interests of amenity and the appearance of the locality, to ensure adequate car parking is provided and retained and to comply with the NPPF and Policies R/DP1, R/BH1 and R/T11 of the Gosport Borough Local Plan Review.

11. The development shall not be occupied until the areas for the parking of vehicles have been provided in accordance with the details shown on the approved plans. The areas for the parking of vehicles shall be surfaced and subsequently retained and kept available at all times for these purposes unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - In the interests of highway safety and to ensure adequate car parking is provided and retained and to comply with the NPPF and Policies R/T3 and R/T11 of the Gosport Borough Local Plan Review.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, as amended (or any Order revoking or re-enacting that Order), no development within Class J of Schedule 2, Part 3 of the aforementioned Order shall be carried out on the site unless otherwise agreed, in writing, with the Local Planning Authority.

Reason - In the interests of the amenity of existing and future occupants and to ensure satisfactory levels of car and cycle parking and refuse storage are provided and to comply with the NPPF and Policies R/DP1, R/T3 and R/T11 of the Gosport Borough Local Plan Review.

13. No development shall take place outside of the hours of 0800 and 1800, Monday to Friday, 0900 and 1300 on Saturday's and at no time on Sunday's or Bank Holiday's unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To preserve the amenities of the occupiers of the surrounding residential properties and to comply with the NPPF and Policies R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review.

14. In the event that a sewer is found during development, all groundworks shall cease and an investigation of the sewer to ascertain its condition, the number of properties it serves, and a scheme to show the means of access during and after the development shall be submitted to and approved, in writing, by the Local Planning Authority. Works on site shall re-commence in accordance with the approved details.

Reason - To ensure that existing sewers are satisfactorily protected during development and to comply with the NPPF and Policies R/DP1 and R/ENV4 of the Gosport Borough Local Plan Review.

15. Notwithstanding the details hereby approved, in the event that any groundworks are required on site details of a scheme of archaeological investigation (a Watching Brief) shall be submitted to and approved, in writing, by the Local Planning Authority before those works take place. The groundworks shall be carried out in accordance with the approved Watching Brief unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - In the interest of ensuring features of archaeological interest are preserved and to comply with the NPPF and the Policies R/BH1 and R/BH8 of the Gosport Borough Local Plan Review.

**ITEM NUMBER: 05.**  
**APPLICATION NUMBER: 13/00397/FULL**  
**APPLICANT: Mrs Lymara Slater**  
**DATE REGISTERED: 04.09.2013**

**RETENTION OF AND FURTHER WORKS FOR THE ERECTION OF A SINGLE STOREY  
SIDE EXTENSION**  
**43 Gale Moor Avenue Gosport Hampshire PO12 2SZ**

***The Site and the proposal***

This application has been reported to the Regulatory Board as it has been submitted by a member of staff.

The application property is the end dwelling of a terrace of two storey, hipped roofed properties located on the southern side of Gale Moore Avenue. The site is approximately 28m deep and 6.6m wide at the front, increasing in width to approximately 11.2m wide at the rear. The application property is set back from the highway by approximately 10m and has a flat roofed porch on the west side of the front elevation. The hard surfaced parking area to the front of the property is open to the boundaries and there is a 1.6m high wall along the eastern boundary, toward the rear of the property enclosing the side and rear garden. There is a footpath adjacent to the eastern boundary of the site beyond which is a three storey block of flats, Moat Court. The front elevation of Moat Court is at an angle to the application site and is approximately 12m away from the existing eastern side elevation of the application property. There are windows and the main pedestrian access doors to the flats in this opposing elevation. The properties to the north, opposite the highway, are located in excess of 28m away. There is an electricity substation immediately to the south of the site, beyond which are the properties that front Moat Drive, approximately 20m away.

The application proposes the erection of a single storey side extension. The proposed extension is 2.7m wide and 8.2m deep and would not extend beyond the existing front or rear elevations of the application property. It would have a matching hipped roof with an eaves height of 2.5m and an overall height of 3.7m. There would be a single window in each of the front and rear elevations.

Works on site have commenced in the form of the demolition of part of the eastern boundary wall and the partial excavation of foundations. The proposed extension would not require planning permission but for a condition on the original consent for the estate which requires all outbuildings and extensions, other than at the rear of the dwellings, to be approved by the Local Planning Authority.

The plans also show the insertion of patio doors in the ground floor rear elevation of the existing dwelling. These works, however, do not require planning permission.

***Relevant Planning History***

K5014/1 - erection of 183 houses and garages (stage 2) - permitted 28.04.65

***Relevant Policies***

National Planning Policy Framework (NPPF), March 2012

Gosport Borough Local Plan Review, 2006:

R/DP1

General Standards of Development within the Urban Area

R/ENV5

Contaminated Land

## **Consultations**

### **Environmental Health**

No objection. The site has been identified as potentially being contaminated. Therefore, should any contamination be encountered during the construction phase, all work should cease immediately and the Council should be contacted immediately.

## **Response to Public Advertisement**

Nil

## **Principal Issues**

1. The main issues in this case are the acceptability of the design of the extension, the impact on the visual amenity of the locality and the impact on the amenities of the occupiers of the neighbouring dwellings and land contamination.
2. The proposed extension has a simple form and is of a compatible and acceptable design given the form of the original property and wider character of the locality. Whilst it would extend beyond the existing side elevation of the property, it would be located at the end of the terrace and would be largely obscured from views from the east by Moat Court. Given the above, and its location next to a footpath and its single storey height, the extension would not have a significant impact upon the streetscene and would not harm the open character of the estate. It would, therefore, not have a harmful impact on the appearance of the dwelling or the visual amenity of the locality, and is in compliance with the NPPF and Policy R/DP1 of the Gosport Borough Local Plan.
3. Given the size and design of the proposed extension and its location 8m away from Moat Court and the absence of windows in the side elevation of the extension, it would not have a harmful impact on the amenities of the occupiers of any of the neighbouring properties in terms loss of light, outlook or privacy, in compliance with the NPPF and Policy R/DP1 of the Gosport Borough Local Plan Review.
4. The application site has been identified as being potentially contaminated. A planning condition is proposed to require a suitable remediation strategy to be agreed with the Local Authority to ensure that practicable and effective measures are provided to treat, contain or control any land contaminants should they discovered during construction on the site. Given the above, and subject to this condition, the proposal would not expose the occupiers or surrounding neighbours to an unacceptable contamination risk, in compliance with the NPPF and Policy R/ENV5 of the Gosport Borough Local Plan Review.

## **RECOMMENDATION: Grant Permission**

### **Subject to the following condition(s):-**

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

Plan A, Plan B and Plan C

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

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

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

3. If contamination not previously identified is found to be present at the site, then no further development or site clearance shall be carried out until a remediation strategy detailing how this unsuspected contamination is to be dealt with has been submitted to and approved, in writing, by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved remediation strategy.

Reason - To ensure that risks from land contamination, ground gases and contaminated groundwater to the future uses of the land, neighbouring land, surface water, groundwater and wider environment are mitigated to ensure that the development can be carried out safely without any unacceptable risks to workers, neighbours and off site receptors and to comply with the NPPF and Policy R/ENV5 of the Gosport Borough Local Plan Review.