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02 September 2013

S U M M O N S

MEETING: Regulatory Board
DATE: 10 September 2013
TIME: 6.00 pm
PLACE: Council Chamber, Town Hall, Gosport
Democratic Services contact: Vicki Stone



LINDA EDWARDS
BOROUGH SOLICITOR

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 MEETINGS OF THE BOARD HELD ON 16 JULY AND 06 AUGUST 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 Friday 06 September 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 Friday, 06 September 2013).

6. REPORTS OF THE BOROUGH SOLICITOR

*Schedule of planning applications with recommendations.
(grey sheets – pages 1-37/1)*

PART II
Contact Officer:
Debbie Gore
Ext: 5455

7. ANY OTHER ITEMS

**A MEETING OF THE REGULATORY BOARD
WAS HELD ON 16 JULY 2013**

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

It was reported that in accordance with Standing Order 2.3.6, Councillor Chegwyn had been nominated to replace Councillor Diffey for this meeting and Councillor Hook had been nominated to replace Councillor Gill.

16 APOLOGIES

Apologies for inability to attend the meeting were received from Councillors Diffey, Jessop and Gill.

17 DECLARATIONS OF INTEREST

There were none.

18 DEPUTATIONS

A deputation had been received on the following application:

- 13/00067/FULL – Land to Rear of 206-216 Brockhurst Road, Gosport

19 PUBLIC QUESTIONS

No public questions had been received.

PART II

20 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:

Members were advised that Item 2 of the report (Bay House School) had been withdrawn from the agenda and would be reported to a future meeting of the Regulatory Board.

21 13/00067/FULL – ERECTION OF 4 NO. DETACHED BUNGALOWS WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING (AS AMENDED BY PLANS RECEIVED 21.03.13, 26.03.13 AND 17.05.13 AND AMPLIFIED BY PLAN RECEIVED 31.05.13 AND 05.06.13 LAND TO REAR OF 206-216 BROCKHURST ROAD, GOSPORT

Consideration was given to the report of the Borough Solicitor and Deputy Chief Executive requesting that consideration be given to planning application 13/00067/FULL.

Members were advised that a site visit had been carried out to view the proposed access

from Jason Way.

Mr Collett was invited to address the Board whereby he advised that he was the agent for the applicants. Mr Collett advised that as discussed at the Regulatory Board meeting held on the 5th June 2013 a comprehensive consultation exercise had been carried out with residents.

Mr Collett advised that the application was fully policy compliant, subject to no objections from any statutory consultees including the Fire Authority and that concerns raised during consultation with residents had resulted in the buildings being designed as bungalows which residents had acknowledged represented no harmful impact.

In response to a question from a Member, Mr Collett advised that a range of access options had been investigated in collaboration with the Highway Authority, of which the proposed access from Jason Way had been identified as the preferred option, providing an appropriate and safe means of access. Mr Collett further advised that direct access from Brockhurst Road would involve demolishing an occupied house and it was felt that due to this being a busy main road that it would not be a feasible option for access.

Members were advised that the Highways Authority had raised no objection to the proposal and had confirmed that the proposed access and junction arrangements provided the necessary level of visibility required and complied with Highway policies.

Members were advised that the Fire Authority had confirmed that the access to the development was wide enough for appliances to drive into the site, turn and exit in a forward gear. It was further confirmed that the proposal complies with the required standards enabling more than one fire appliance to adequately serve in an emergency situation. Some Members considered that access from Jason Way and development of land, the garden to the rear of properties on Brockhurst Road was not acceptable.

RESOLVED: That application 13/00067/FULL – Land to the rear of 206-216 Brockhurst Road, Gosport be approved subject to the payment of a commuted sum towards transport infrastructure, services and facilities and the payment of a commuted sum towards the provision and/or improvement of outdoor playing space and subject to the conditions in the report of the Borough Solicitor.

15 ANY OTHER BUSINESS

There was no other business

The meeting concluded at: 18:31pm

CHAIRMAN

**AN EXTRAORDINARY MEETING OF THE REGULATORY BOARD
WAS HELD ON 6 AUGUST 2013**

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

It was reported that in accordance with Standing Order 2.3.6, Councillor Mrs Cully had been
nominated to replace Councillor Wright for this meeting

23 APOLOGIES

Apologies for inability to attend the meeting were received from the Mayor and Councillor
Wright.

24 DECLARATIONS OF INTEREST

There were none.

25 DEPUTATIONS

No deputations had been received.

26 PUBLIC QUESTIONS

No public questions had been received.

PART II

27 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:

**28 13/00099/FULL – DEMOLITION OF EXISTING SPORTS FACILITY
BUILDING TOGETHER WITH ASSOCIATED REFUSE STORE,
EXTERNAL WORKS AND ACCESS FROM BROWNDOWN ROAD (AS
AMPLIFIED BY INFORMATION RECEIVED 31.05.13 AND 21.06.13 AND
AMENDED BY PLAN AND INFORMATION RECEIVED 11.06.13, 19.06.13
AND 20.06.13)
BAY HOUSE SCHOOL FIELD, GOMER LANE, GOSPORT**

Consideration was given to the report of the Borough Solicitor and Deputy Chief Executive
requesting that consideration be given to planning application 13/00099/FULL.

Members were advised that following the publication of the agenda, 5 letters of objections had
been received and had raised the following additional issues:

- Concern regarding the timescale for determination
- Concern regarding the school starting works on the site before planning permission had
been granted
- Concern regarding the agenda being issued before the time period for representation had
expired

- Concern regarding the completion of a contract for development before planning permission had been granted
- No objection in principle, however there had been no consideration for neighbouring properties
- Alternative siting would alleviate concerns and could incorporate car parking and provide improved arrangements for the collection of waste
- The all-weather pitch was constructed with limited impact on the neighbouring properties
- Harmful impact on outlook from existing residential properties
- The footprint of the building exceeds the footprint of the existing sports hall and tennis courts
- Loss of habitat for Brent Geese, Redwing, Starling and Wood Pigeon
- Incorrect reference to 'infrequent' visits to the site by Brent Geese
- Lack of renewable energy of the design
- Concern regarding hours of operation.

Members were advised that in order to address concerns regarding the hours of operation, it was proposed to recommend an additional condition as follows:

- **Condition 25** – No development shall take place outside the hours of 0800 and 1800, Monday to Friday, 0900 and 1300 on Saturday's and at no time on Sunday's or Bank Holidays.
- **Reason:-** To preserve the amenities of the neighbouring residential properties and to comply with Policies R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review and the NPPF...

A Member sought clarification on the wording relating to hours of operation. It was confirmed that an error had been made in the report and that the facility may be used on occasion until 2200 during the week only.

Further to a question from a Member regarding the location of the facility it was advised that two other options had been investigated, however, due to the land constraints and allocations as set out in the Gosport Borough Local Plan and the requirement to maintain the visual appearance of strategic gap, the proposed location was the preferred option.

Members were advised that the western part of the site, adjacent to the River Alver, fell within flood zone 3.

Members unanimously agreed that the proposed sports facility would benefit both the School and the community and welcomed the additional condition to address residents concerns of the operational hours.

RESOLVED: That application 13/00099/FULL – Bay House School Field, Gosport be approved subject to the conditions in the report of the Borough Solicitor and the following additional condition as follows:

- No development shall take place outside the hours of 0800 and 1800, Monday to Friday, 0900 and 1300 on Saturday's and at no time on Sunday's or Bank Holidays.
- Reason - To preserve the amenities of the neighbouring residential properties and to comply with Policies R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review and the NPPF

29 ANY OTHER BUSINESS

There was no other business

The meeting concluded at: 18:09pm

CHAIRMAN

GOSPORT BOROUGH COUNCIL – REGULATORY BOARD

10th September 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>	INDEX		<u>Recommendation</u>
			<u>Address</u>		
01.	3	13/00266/FULL	154 Fareham Road Gosport Hampshire		Grant Permission
02.	8	13/00318/VOC	Land To The Rear Of 154 Fareham Road Gosport Hampshire PO13 0AS		Grant Permission
03.	17	13/00312/EXT	Fort Gilkicker Fort Road Gosport Hampshire		Grant Permission
04.	30	13/00224/FULL	Daedalus Airfield Chark Lane Lee-On-The-Solent Hampshire PO13 9FL		Grant Permission

ITEM NUMBER: 01.
APPLICATION NUMBER: 13/00266/FULL
APPLICANT: Mr Harry Hutchinson Oceanic Estates Ltd
DATE REGISTERED: 27.06.2013

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 Hampshire

The Site and the proposal

The application site is located on the north-eastern side of Fareham Road (A32), within the Urban Area Boundary, the Coastal Zone Policy Area and an Existing Employment Area, as defined on the Proposals Map of the Gosport Borough Local Plan Review. The site is also located within the military Safeguarded Area for Bedenham, Fleetlands and Frater and the Safeguarded Area for the Aerodrome at Lee-on-the-Solent.

The application site is set back in excess of 50 metres from Fareham Road and is located to the north of a row of mature and semi-mature trees the subject of Tree Preservation Order G.125. The site, which is 1.17 hectares, includes a partially demolished, two storey, factory building, with a footprint of approximately 11680 square metres. The building is constructed, for the most part, from red brick with cladding. It has various openings in all its elevations, including loading/unloading bays. Parts of the building, including a five storey office complex (and a number of associated outbuildings and extensions), were recently demolished under planning reference KD13. The front façade of the building, facing Fareham Road, requires extensive refurbishment before it can be brought back into use.

The site is located between Barwell Lane and Lederle Lane, both of which are private roads that provide access to a number of other industrial (Class B) units. The application site forms part of the larger site that was previously occupied by the Cyanamid factory. The former Cyanamid site, including the land the subject of this planning application, was recently granted consent, under planning permission reference K12345/76, to be used for flexible Class B1(b) research and development, Class B1(c) light industry, Class B2 general industry and B8 storage and distribution, with ancillary Class B1 (a) offices, together with alterations to the existing car parking provision and the existing northern access from Lederle Lane. The applicant sought to maximise the flexibility of the planning permission in terms of the mix of uses available at the site, so as to better respond to the specific operational requirements of prospective occupiers/tenants and, in doing so, helping to secure the long-term economic viability of the land and buildings for employment uses.

The land immediately to the north of the application site was recently the subject of planning application reference 13/00178/FULL which was granted consent in July 2013 for the erection of a two storey building for flexible Class B1(b) and (c), B2 and B8 use, together with associated access, parking, storage yard and landscaping. The approved plans show a building 15 metres wide and 39 metres long (including a covered external bay), with a shallow, pitched roof, set to a height of 7.6 metres. The approved plans show the building to have a profiled, metal clad, light grey exterior, with a blue, metal gutter trim and blue, powder coated window frames. The approved plans show the southern elevation, facing the application site, to contain 2no. first floor windows, serving office areas. Upon completion, the southern elevation of the building would be sited in excess of 40 metres from the northern boundary of the application site. The approved plans show the provision of a large loading bay/door in the northern elevation which, together with 18no. car parking spaces, would be accessed via a new access from Lederle Lane. The plans show that the new access would be positioned in excess of 65 metres from the application site. Planning permission reference 13/00178/FULL was granted subject to a number of planning conditions. A subsequent planning application (reference 13/00318/VOC) has been submitted to the Local Planning Authority for consideration, which seeks to vary, or remove, a number of these conditions as the applicant

wishes to establish a consent that is most likely to comply with the operational and logistical requirements of likely prospective occupiers.

To the east of the site, beyond Lederle Lane, is an open, grassed area used by Fleetlands Football Club. This site is designated as Existing Open Space and a Site of Importance for Nature Conservation (SINC) on the Proposals Map of the Gosport Borough Local Plan Review due to its importance as a feeding ground for Brent Geese. Immediately to south of this area are 2no. detached dwellinghouses. The dwellings, which are located over 50 metres from the application site, and on the opposite side of Lederle Lane, have frontage car parking and windows in their western (front) elevations. Fareham Creek is located over 200 metres to the north of the application site, beyond a number of other industrial buildings/sites. It is designated a Site of Special Scientific Interest (SSSI), Special Protection Area (SPA) and Ramsar Site, due to its importance for nature conservation, principally with regard to overwintering birds.

This proposal is to re-roof the remaining building on the land (including the provision of new portal rafters), clad the external elevations and provide new windows, doors and loading bays. The new roof would have an overall height of approximately 9.6 metres (a maximum of 0.6 metres higher than the existing) and it would be finished using light grey, profiled metal cladding, with dark grey metal trims and guttering. It would include a number of rooflights in order to increase the amount of daylight entering the building. The external elevations would also be finished in light grey, metal cladding. The southern (principal) elevation, facing Fareham Road, would include light grey, micro-rib panels, with extensive areas of glazing surrounding the pedestrian entrance doors. The submitted plans show the provision of 2no. loading bays on the northern elevation, 2no. in the southern elevation, 7no. in the eastern elevation and 5no. in the western elevation. The doors to the loading bays would be approximately 3.65 metres wide and 4.6 metres high. They would be finished in grey aluminium powder coating. New grey, aluminium powder coated, ground and first floor windows would be inserted in to all elevations, with new external access steps and railings fitted to the eastern elevation (to take account of a changing ground levels).

As Barwell Lane and Lederle Lane are both private roads, the provision of any new accesses into the application site does not require planning permission, in accordance with the Town and Country Planning (General Permitted Development) Order, 1995 (as amended). Notwithstanding this, the application has been supported by indicative plans that show how the building, together with the associated loading bays, parking and turning areas, could be accessed, including by HGVs, and how the siting of the accesses relate to the access approved under planning permission reference 13/00178/FULL.

The applicant has submitted an additional plan to clarify the difference in height between the proposed and existing roof.

Relevant Planning History

154 Fareham Road (including application site)

K12345/68 - retention of existing works and further works to change the use and subdivide the existing planning unit into multiple undefined planning units for industrial use (Class B1 and B2) and storage and distribution (Class B8) uses (as amended by plans received 18.06.02, 20.06.02 and 05.08.02) - permitted 01.04.04 subject to conditions to control the mix of uses, access and circulation into and around the internal road system, parking provision, landscape planting, drainage and open storage

K12345/76 - use of land and buildings for flexible class B1 (b) and (c), B2 and B8 use (including open storage) with ancillary B1(a) and alterations to existing car parking and existing access from Lederle Lane - permitted 25.10.12

154 Fareham Road (excluding application site)

13/00178/FULL - erection of two storey building for flexible class B1(b) and (c), B2 and B8 use together with associated access, parking, storage yard and landscaping - permitted 11.07.13

Tree Preservation Order G.125 - 27 no. and 2 no. groups of trees - confirmed 17.10.12

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/CH1

Development within the Coastal Zone

R/EMP5

Extension of Existing Employment Uses and Redevelopment of Redundant Employment Sites

R/OS11

Protection of Areas of National Nature Conservation Importance

R/OS12

Locally Designated Areas of Nature Conservation Importance

R/OS13

Protection of Habitats Supporting Protected Species

R/ENV5

Contaminated Land

R/ENV9

Safeguarded Areas

R/ENV14

Energy Conservation

Consultations

Defence Estates	No response.
Environmental Health	No objection.
Building Control	No objection. The proposal will require consent under the Building Regulations.
HCC Ecology	No objection.
Natural England	No objection. In order to protect the nature conservation interests of the SPA, Ramsar Site and SSSI, a condition should be attached which restricts the use of heavy machinery that results in a noise level in excess of 69dbA being audible from the receptor site being undertaken during the overwintering period (ie, October - March inclusive), unless the existing noise level when measured from the receptor site already exceeds 69dbA - in which case, no works shall be undertaken during the specified period if the resultant noise level would exceed the existing noise level when measured from the sensitive receptor.

Local Highway Authority

No objection. Lederle Lane and Barwell Lane are both private roads. The closest adopted public highway is the A32. This highway will not be affected by the proposals.

Response to Public Advertisement

Nil

Principal Issues

1. The main issues in this case are the acceptability of the design of the proposed external alterations and their impact on the visual amenity of the locality, the character of the coastline, the amenity of neighbouring commercial and residential occupiers and the interests of nature conservation and energy conservation.

2. Although the application site is sited a significant distance from the public highway and beyond a row of mature and semi mature trees, it is visible from a number of vantage points when travelling along the A32. It is important, therefore, that the external alterations do not harm the appearance of the streetscene, or the wider visual amenity of the locality. In this respect, the provision of light grey, metal cladding, together with darker grey trims is considered appropriate to the industrial context to which the application site relates. The cladding will have a similar appearance to a number of other industrial units within the immediate locality, including the building recently approved under planning permission reference 13/00178/FULL. The new ground and first floor windows are appropriately proportioned and introduce an appropriate level of articulation to the long side elevations, helping to reduce the perceived mass of flank walls when travelling along Barwell Lane and Lederle Lane. The increase to the height of the roof is negligible when compared to the existing, particularly given the overall scale of the building, and will not be readily noticeable when viewed from any public vantage point. The resultant building height will also be similar to many other industrial buildings in the locality, including the building approved to the north, under planning permission reference 13/00178/FULL. The provision of loading bays/doors is common in such locations and will not harm the overall appearance of the building. The provision of large areas of glazing and flat metal panels to the southern (front) elevation will help to create a contemporary principal façade that will reflect the positive regeneration work taking place at the site. The application site is located a significant distance from the coastline and due to the siting of the building relative to existing industrial units, the proposal will not harm landward or seaward views. Given the siting of the building, the development will not have a harmful impact on the health or amenity value of the protected trees to the south of the site. Under the circumstances, the proposed development is acceptable in design terms and accords with the aims and objectives of paragraph 56 of the National Planning Policy Framework and Policies R/DP1 and R/CH1 of the Gosport Borough Local Plan Review.

3. Whilst the proposed development will increase the number of windows in the building, due to its siting relative to the existing buildings, the proposal will not result in an unacceptable loss of privacy to neighbouring occupiers. The separation distance between the northern elevation of the application building and the opposing southern elevation of building approved under planning permission reference 13/00178/FULL is such that there will be no harmful mutual overlooking between the users of these buildings. Due to its siting away from neighbouring buildings, the marginal increase to the height of the roof will not result in a harmful loss of light or outlook to neighbouring occupiers. The development, therefore, complies with the National Planning Policy Framework and Policy R/DP1 of the Gosport Borough Local Plan Review.

4. Due to the nature of the proposed development, the existing use of the adjacent sites and the fact that no ground works (including piling) are necessary, the proposal is unlikely to harm the nature conservation interests of the nearby Portsmouth Harbour Special Protection Area (SPA) and Ramsar site, or the Site of Importance for Nature Conservation (SINC) at Fleetlands. Notwithstanding this, in order to preserve the environment for the over-wintering bird population, a condition is proposed that will restrict the use of heavy, noisy machinery during the over-wintering

bird period (March - October inclusive). The proposal will not pose an unacceptable risk with regard to contaminated land. As such, and subject to the above condition, the development complies with the aims and objectives of paragraph 109 of the National Planning Policy Framework or Policies R/ENV5, R/OS11, R/OS12 and R/OS13 of the Gosport Borough Local Plan Review.

5. The submitted plans show that the application building is set back a sufficient distance from the adjoining private roads to ensure that there is sufficient space and visibility to allow delivery vehicles (including HGVs) to manoeuvre and access the proposed loading bays safely and conveniently. The development, therefore, complies with the National Planning Policy Framework and Policies R/DP1 and R/T11 of the Gosport Borough Local Plan Review.

6. The alterations to the roof will not result in the height of the building exceeding the consultation requirements for the military Safeguarded Area for Bedenham, Fleetlands and Frater and the Safeguarded Area for the Aerodrome at Lee-on-the-Solent. The development, therefore, complies with Policy R/ENV9 of the Gosport Borough Local Plan Review.

7. The proposal incorporates features designed to promote energy efficiency and make best use of renewable energy. The development, therefore, complies with the aims and objectives of paragraph 93 of the National Planning Policy Framework and Policy R/ENV14 of the Gosport Borough Local Plan Review.

RECOMMENDATION: Grant Permission

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:

978-RC-P01, 978-RC-P02, 978-RC-P03, 978-RC-P08 and 978-RC-P09

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 percussive piling or works involving the use of heavy machinery that results in a noise level exceeding 69bdA being audible when measured from the nearest point of the Portsmouth Harbour Special Protection Area (SPA) shall be permitted to take place during the overwintering period (October - March inclusive), unless the existing noise level at the nearest point of the Portsmouth Harbour Special Protection Area (SPA) already exceeds 69dbA, in which case, no works shall be undertaken during the specified period if the resultant noise level would exceed the existing noise level when measured from the sensitive receptor site.

Reason - To preserve the environment for the over-wintering bird population and to comply with the National Planning Policy Framework and Policies R/DP1, R/OS11, R/OS12 and R/OS13 of the Gosport Borough Local Plan Review.

ITEM NUMBER: 02.
APPLICATION NUMBER: 13/00318/VOC
APPLICANT: Mr Harry Hutchinson Oceanic Estates Ltd
DATE REGISTERED: 19.07.2013

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 Hampshire PO13 0AS

The Site and the proposal

The application site is located on the north-eastern side of Fareham Road (A32), within the Urban Area Boundary, the Coastal Zone Policy Area and an Existing Employment Area, as defined on the Proposals Map of the Gosport Borough Local Plan Review. The site is also located within the military Safeguarded Area for Bedenham, Fleetlands and Frater and the Safeguarded Area for the Aerodrome at Lee-on-the-Solent. The site, which is 0.42 hectares, is set back in excess of 200 metres from Fareham Road and is, for the most part, hardsurfaced. There is a short row of mature trees on the eastern boundary of the application site.

Fareham Creek is located over 200 metres to the north of the application site, beyond a number of other industrial buildings and storage/parking areas. It is designated a Site of Special Scientific Interest (SSSI), Special Protection Area (SPA) and Ramsar Site, due to its importance for nature conservation, principally with regard to overwintering birds. To the east of the site, and beyond Lederle Lane, is an open, grassed area used by Fleetlands Football Club. This site is designated as Existing Open Space and a Site of Importance for Nature Conservation (SINC) on the Proposals Map of the Gosport Borough Local Plan Review, due to its importance as a feeding ground for Brent Geese. Immediately to south of this area, there are 2no. detached dwellinghouses. The dwellings, which are located approximately 130 metres from the application site, and on the opposite side of Lederle Lane, have frontage car parking and windows in their western (front) elevations.

The land to the south of the application site currently comprises a partially demolished, two storey, factory building, with a footprint of approximately 11680 square metres. The building is constructed, for the most part, from red brick with cladding. It has various openings in all its elevations, including loading/unloading bays. The remainder of the building, including a five storey office complex (and a number of associated extensions), was recently demolished, under planning reference KD13. The remaining building is currently the subject of planning application 13/00266/FULL, which is seeking planning permission to re-roof and re-clad the building, together with the installation of portal rafters and new doors, windows and loading bays.

The site is located between Barwell Lane and Lederle Lane, both of which are private roads that provide access to a number of industrial (Class B) units. It forms part of the larger site that was previously occupied by the Cyanamid factory. Over time, a number of the industrial buildings associated with the former factory have been demolished. Some of the buildings have been replaced under separate planning permissions, including Apex House to the north-west of the application site, approved in 2009 under planning permission reference K12345/75. A two storey industrial unit has also recently been approved immediately to the north of the application site, under planning permission reference 13/00052/FULL. North of this site, is the land occupied by Seldon Masts.

In July 2013, the land, the subject of this application, was granted planning permission, under reference 13/00178/FULL, for the erection of a two storey building for flexible Class B1(b) and (c), B2 and B8 use, together with associated access, parking, storage yard and landscaping. The approved plans show the building to be 15 metres wide and 39 metres long (including a covered

external bay), with a shallow, pitched roof, set to a height of 7.6 metres. The approved plans show the building to have a profiled, metal clad, light grey exterior, with a blue, metal gutter trim and blue, powder coated window frames. Windows are shown in the southern, northern and western elevations. The approved drawings show the provision of a large loading bay/door in the northern elevation which, together with 18no. car parking spaces and a storage yard, would be accessed via a new access from Lederle Lane. The plans show that the new access would be positioned in excess of 250 metres from the junction with Fareham Road. The planning permission was granted subject to a number of planning conditions.

The applicant is seeking to establish a more flexible consent that is more likely to serve the operational and logistical requirements of prospective occupiers and avoid delays associated with the requirement to discharge conditions prior to the commencement of development. The overall design and layout (including the access and parking arrangements) of the proposed development remains unchanged from that which was approved under planning permission reference 13/00178/FULL, however, it is proposed to vary/remove a number of conditions attached to the consent, namely, conditions; 3, 4, 5, 7, 8, 9, 11, 12 and 13. Additional information has also been provided in order to try and satisfy, upfront, the requirements of certain aspects of the various conditions.

Condition 3 of the consent relates to the submission, and approval of, materials to be used in the construction of the approved building, before any development above slab is carried out.

Condition 4 restricts the provision of new accesses into the site, other than those shown on the drawings approved under planning application reference 13/00178/FULL.

Condition 5 stipulates that no goods, plant, or material can be deposited or stored in the open, or displayed for sale, without the prior consent, in writing, of the Local Planning Authority.

Condition 7 restricts the use of percussive piling and works involving heavy machinery (or works that involve plant exceeding 69dB, when measured from the application boundary) during the over-wintering bird period (1 October - 31 March inclusive).

Condition 8 requires the submission and approval, in writing, of an Environmental Mitigation Strategy in order to preserve the nature conservation interests of the Portsmouth Harbour SSSI, SPA and Ramsar site and the amenities of neighbouring occupiers. The condition requires the applicant to submit details relating to the timing of construction works; the method of construction; measures to control noise during construction; measures to control dust and smoke during construction and; measures to control harmful discharge into Portsmouth Harbour.

Condition 9 of planning permission reference 13/00178/FULL requires details of the surfacing for the 6 car parking spaces proposed on the eastern side of the site adjacent to the existing trees.

Condition 11 of the consent restricts the removal of the trees and vegetation on the eastern boundary of the application site, whilst condition 12 requires the submission of details of a soft landscaping scheme for the development, as well as the details of the proposed external lighting. Condition 13 requires that the details approved under condition 12 are completed within six months from the completion of the building shell or, within the next available planting season.

The applicant is proposing that the roof and walls of the building be constructed from profiled, metal cladding, grey in colour (Goosewing: RAL 7038 or Albatross: RAL 240 80 05), with blue trims (Ocean: RAL 220 30 25 or Sargasso: RAL 5003) and blue, powder coated windows to match the colours of the trims. In light of this additional, supporting information, it is proposed that condition 3 be removed.

The applicant considers that the requirements of condition 4 of planning permission reference 13/00178/FULL would affect the efficient and flexible development of the site for employment purposes. It is, therefore, proposed to remove the condition so that, in the unlikely event that new accesses are required in the future (in order to meet the operational demands of a particular user),

the associated works can be undertaken without the requirement to obtain additional approval from the Local Planning Authority.

Planning permission reference 13/00178/FULL includes consent to use the site for Class B1, B2 and B8 purposes (Storage and Distribution), and the provision for some open storage on this site is likely to be required for the future operation of the site. It is, therefore, proposed to remove condition 5, which currently prevents any open storage on the site.

The applicant is requesting that the requirements of condition 7 be reconsidered to take account of the existing background noise levels associated with adjacent industrial sites, and Fleetlands, which operates helicopters. Similarly, it is proposed to remove the requirements of condition 8, in so far as they relate to the requirement to submit details of a method of construction and measures to control noise during the construction process. The applicant acknowledges, however, that notwithstanding this, the remainder of this condition, relating to the requirement to submit details of the measures to control dust and smoke during construction and measures to avoid harmful discharge into Portsmouth Harbour, remain appropriate and relevant.

The applicant considers that, in accordance with the guidance outlined within the Government Circular 11/95 ('Use of Conditions in Planning Permission'), it is not reasonable to require condition 11 of planning permission reference 13/00178/FULL, which requires the trees on the eastern boundary to be retained in perpetuity.

The applicant has indicated that, given the consented use of the site for industrial Class B uses, and the requirement to provide external turning spaces, car parking and open storage area, and the limited amount of remaining land, it is not proposed to provide any additional soft landscaping as part of the development. It is, therefore, proposed to remove conditions 12 and 13 of the consent.

The applicant has submitted a plan that shows that 2no. existing lighting columns will be relocated within the site, with 1no. existing lighting column retained in its current position, adjacent to the northern boundary. The applicant has confirmed that lighting will also be provided beneath the approved canopy on the western side of the building, with a maximum luminance level of 500 lux.

The applicant has also indicated that the 6no. car parking spaces proposed on the eastern side of the site will be surfaced using grasscrete paving, so as to avoid damage to the root system of the adjacent trees and therefore requests that condition 9 be amended to reflect this additional information.

Relevant Planning History

154 Fareham Road (including application site)

13/00178/FULL - erection of two storey building for flexible class B1(b) and (c), B2 and B8 use together with associated access, parking, storage yard and landscaping - permitted 11.07.13

K12345/68 - retention of existing works and further works to change the use and subdivide the existing planning unit into multiple undefined planning units for industrial use (Class B1 and B2) and storage and distribution (Class B8) uses (as amended by plans received 18.06.02, 20.06.02 and 05.08.02) - permitted 01.04.04 subject to conditions to control the mix of uses, access and circulation into and around the internal road system, parking provision, landscape planting, drainage and open storage

K12345/76 - use of land and buildings for flexible class B1 (b) and (c), B2 and B8 use (including open storage) with ancillary B1(a) and alterations to existing car parking and existing access from Lederle Lane - permitted 25.10.12

154 Fareham Road (excluding application site)

Tree Preservation Order G.125 - 27 no. and 2 no. groups of trees - confirmed 11.07.12

Development known as Apex House

K12345/75 - erection of two storey industrial unit (Class B2 and B8) with associated parking and access (amended scheme to K12345/73) - permitted 13.11.09

Land to the north of the application site

13/00052/FULL - erection of two storey industrial unit (Class B1, B2 and B8) with associated parking and access - permitted 03.07.13

Relevant Policies

National Planning Policy Framework (NPPF), March 2012

Gosport Borough Local Plan Review, 2006:

R/ENV12

Air Quality

R/CH1

Development within the Coastal Zone

R/DP1

General Standards of Development within the Urban Area

R/DP3

Provision of Infrastructure, Services and Facilities

R/EMP3

Protection of Existing Employment Sites from Inappropriate Development

R/EMP5

Extension of Existing Employment Uses and Redevelopment of Redundant Employment Sites

R/EMP7

Low Employment Generating Uses

R/T2

New Development

R/T3

Internal Layout of Sites

R/T4

Off-site Transport Infrastructure

R/T11

Access and Parking

R/OS11

Protection of Areas of National Nature Conservation Importance

R/OS12

Locally Designated Areas of Nature Conservation Importance

R/OS13

Protection of Habitats Supporting Protected Species

R/ENV2

River and Groundwater Protection

R/ENV4

Treatment of Foul Sewage and Disposal of Surface Water

R/ENV9

Safeguarded Areas

R/ENV10

Noise Pollution

Consultations

Streetscene Parks & Horticulture

Update to be provided.

Defence Estates

No response.

Local Highway Authority

No objection. Barwell Lane and Lederle Lane

are both private roads and the removal of condition 4 will not have an impact on any public highway, including Fareham Road (A32).

Natural England

No objection. In light of the information regarding the existing background noise level, condition 7 should be amended so as to preclude works within the over-wintering bird period that would exceed 69dbA when measured from the nearest point of the Portsmouth Harbour SPA, unless the existing noise level at this point already exceeds 69dbA, in which case, no works shall be undertaken during the specified period if the resultant noise level would exceed the existing noise level when measured from the sensitive receptor site.

HCC Ecology

No objection. The wording of condition 7 should be amended to take account of existing noise levels, as indicated by Natural England.

Response to Public Advertisement

1 letter of comment

Issues raised:-

- with regard to condition 11, the Local Planning Authority should consider the impact the removal of the trees will have on the visual amenity of the area

Principal Issues

1. The principle of the proposed development in land use terms, together with the mix of uses proposed, the height, scale, mass and layout of the development, the access, car parking, bicycle parking and refuse storage arrangements and the likely impact on the amenities of neighbouring occupiers has been assessed and considered acceptable under planning permission reference 13/00178/FULL. The only issues for consideration in the determination of this application, therefore, are whether the proposals to remove/amend conditions 3, 4, 5, 7, 8, 9, 11, 12 and 13 are acceptable in planning terms, with particular regard to the long term economic viability of the site, the impact on the character and visual amenity of the locality, including the coastline, the amenity and access arrangements of neighbouring occupiers and the interests of nature conservation.

2. The application site is located in excess of 200 metres from nearest public highway and the use of light grey, metal cladding, together with blue trims and blue, powder coated windows is appropriate to the industrial context to which the application site relates. The cladding will have a similar appearance to a number of other industrial units within the immediate locality, including Apex House to the north-west of the site and is, therefore, acceptable. As the proposed colours are considered appropriate, and the use of profiled metal cladding is commensurate with adjacent buildings, it is not considered necessary to require the submission of any further details of the external facing and roofing materials. It is, therefore, considered that the requirements of condition 3 of planning permission reference 13/00178/FULL have been satisfied. Subject to a revised condition that will require the building to be finished in the colours and materials specified in the application documentation, the proposal remains acceptable in design terms. It will not harm the character or visual amenity of the area, including the coastline, in accordance with the aims and objectives of the NPPF and Policies R/DP1 and R/CH1 of the Gosport Borough Local Plan Review.

3. As Lederle Lane and Barwell Lane are private roads and the application site is located over 200 metres from the nearest public highway, the provision of new accesses into/out of, and within the site, will not compromise the interests of highway safety. It is not considered that application site represents such an exceptional circumstance (as referred to in Circular 11/95) as to warrant the restriction of permitted development rights relating to the provision of new accesses and, therefore, condition 4 can be removed.

4. Planning permission reference 13/00178/FULL is for flexible Class B1(b) and (c), B2 and B8 use. Class B8 uses specifically relate to development associated with storage and distribution and the nature of such uses generally can require the storage of goods, plant and/or material in the open. Under the circumstances, and in the interests of securing the long term economic viability of the site, it is considered reasonable to remove condition 5 but include an amended condition that restricts the height of any such storage to a maximum height of 10 metres, so as to preserve the wider visual amenity of the locality. Subject to this revised condition, the proposed development accords with the NPPF and Policies R/DP1, R/EMP3, R/EMP5 and R/EMP7 of the Gosport Borough Local Plan Review.

5. The site is located near to the Portsmouth Harbour Special Protection Area (SPA), and Ramsar site, both of which are designations of international importance to nature conservation and the Site of Importance for Nature Conservation (SINC) at Fleetlands, which is designated due to its importance as a feeding ground for Brent Geese. In light of this, condition 7 of planning permission reference 13/00173/FULL, restricted the use of percussive piling, or works involving heavy machinery, or plant exceeding 69dB, when measured from the site boundary, during the over-wintering bird period (1 October - 31 March). In recognition of the existing noise levels associated with existing industrial uses within the vicinity of the application site, the use of helicopters at the adjacent Fleetlands site, and having discussed the matter and taken advice from Natural England and Hampshire County Council Ecology Section, it is considered that the wording of condition 7 can be amended. An amended condition is proposed, therefore, that restricts the use of percussive piling, or works involving the use of heavy machinery, that results in a noise level exceeding 69bda being audible when measured from the nearest point of the receptor site (ie, Portsmouth Harbour Special Protection Area) during the over-wintering bird period (October - March inclusive), unless the existing noise level at the nearest point of the receptor site already exceeds 69dba, in which case, no works shall be undertaken during the specified period if the resultant noise level would exceed the existing noise levels when measured from Portsmouth Harbour SPA. Subject to this condition, the proposed development will preserve the environment for the over-wintering bird population, in accordance with the NPPF and Policies R/DP1, R/OS11, R/OS12 and R/OS13 of the Gosport Borough Local Plan Review.

6. The control afforded by the above mentioned condition negates the need for the applicant to submit details relating to the timing of construction works, the method of construction and the measures to control noise during construction, and this particular aspect of condition 8 is, therefore, no longer required. Notwithstanding this, in the interests of preserving the amenity of neighbouring occupiers, it is still considered necessary to include a condition that requires the submission of details of the measures to control dust and smoke during construction and measures to avoid harmful discharge into Portsmouth Harbour, associated with the carrying out and operation of the development. Subject to this condition, the proposed development will preserve the interests of nature conservation and the amenities of neighbouring occupiers, in accordance with the NPPF and Policies R/DP1, R/OS11, R/OS12 and R/OS13 of the Gosport Borough Local Plan Review.

7. Paragraph 77 of Circular 11/95 advises that where a Local Planning Authority includes a condition relating to the retention of trees at a development site, it should include a timeframe for compliance, after which the tree(s) may be removed without the requirement for further consent. In this respect, the Circular states that conditions requiring the retention of trees, in perpetuity, should not be used as a substitute for the making of a Tree Preservation Order, which remains the appropriate mechanism for ensuring long term protection. In light of this, the main issue for consideration when determining whether to amend condition 11 of planning permission reference 13/00178/FULL, is whether the trees on the eastern boundary are worthy of formal protection by a Tree Preservation Order. In making this determination, the health and life expectancy of the trees,

and their amenity value, with particular reference to their contribution to the character and appearance of the locality, has to be considered. In this respect, it is noted that, whilst the trees are mature specimens, that make a positive contribution to their immediate surroundings, as they are sited over 200 metres from the nearest public highway, they make a limited contribution to the wider character and visual amenity of the locality, which is of industrial character. There are a significant numbers of trees located on the opposite side of Lederle Lane, which provide a long, and largely uninterrupted, screen of healthy vegetation, stretching almost the entire the length of the highway. In light of this, the trees are not considered worthy of a Tree Preservation Order in this instance. It is, therefore, proposed to amend condition 11, so as to require the trees on the eastern boundary to be retained for a period of five years from the date of the first occupation of the building for its permitted use, which is consistent with normal landscaping conditions and will assist in preserving the current biodiversity value of the site. As with planning permission reference 13/00178/FULL, it remains appropriate to include a condition that will require the submission and approval, in writing, of suitable tree protection measures to be used during the construction period. Subject to these conditions, the development complies with the NPPF and Policy R/DP1 of the Gosport Borough Local Plan Review.

8. The applicant has confirmed that, given the consented use of the site, the operational requirements of the likely prospective occupiers and the limited remaining land available at the site, it is not proposed to provide additional areas of soft landscaping. Such an arrangement is not uncommon within an industrial site and is considered acceptable in this particular location, given its siting over 200 metres from the nearest public highway and where there are a significant number of existing mature trees in the immediate locality. Under these circumstances, the requirements of conditions 12 and 13, in so far as they relate the submission of details of soft landscaping, are no longer required. The applicant has, however, submitted details of the proposed lighting for the site, which includes the relocation of 2no. existing light columns and the retention of a further column in its current location. As these lights are already in situ, their continued use/retention is considered acceptable. The applicant has also confirmed that lighting will be provided beneath the approved canopy on the western side of the building, with a maximum luminance level of 500 lux. It is not considered that this level of luminance would cause unacceptable levels of glare, preserving the amenity of neighbouring occupiers and the interests of nature conservation. It is, therefore, proposed to include a condition that requires the lighting to be installed as shown on the submitted plan, unless otherwise agreed, in writing, by the Local Planning Authority. Subject to this condition, the development complies with the NPPF and Policy R/DP1 of the Gosport Borough Local Plan Review.

9. As with planning permission reference 13/00178/FULL, it is again proposed to attach a condition requiring the car and bicycle parking and refuse storage facilities to be provided before the development is first brought into use. Subject to this condition, the proposal complies with the NPPF and Policies R/DP1 and R/T11 of the Gosport Borough Local Plan Review. The applicant has submitted a plan showing that the 6no. car parking spaces approved on the eastern side of the site are to be surfaced using grasscrete paving, so as not to harm the root system of the adjacent trees, as was required under condition 9. It is proposed to control the implementation of this surfacing material. Subject to the condition, this aspect of the development complies with the NPPF and Policy R/DP1 of the Gosport Borough Local Plan Review.

RECOMMENDATION: Grant Permission

Subject to the following condition(s):-

1. The development hereby permitted must be begun within three years from the date of 11 July 2013.

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:

975-EXS-P01 A
975-EXS-P03 B
975-EXS-P03 C
975-EXS-P04 A
975-EXS-P05 A
975-EXS-P06 A
975-EXS-P07 A
975-EXS-P08 A

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

3. The building hereby permitted shall be constructed in accordance with the approved plans listed in Condition 2 and from the following materials and colour finishes, unless otherwise agreed, in writing, by the Local Planning Authority:

Walls: Profiled metal cladding - Goosewing: RAL 7038 or Albatross: RAL 240 80 05
Roof: Profiled metal cladding - Goosewing: RAL 7038 or Albatross: RAL 240 80 05
Trims: Metal cladding - Ocean: RAL 220 30 25 or Sargasso: RAL 5003
Windows: Aluminium powder coating - Ocean: RAL 220 30 25 or Sargasso: RAL 5003

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

4. The development hereby approved shall not be brought into use until the facilities for the parking of cars and bicycles and the storage of refuse bins, as shown on approved plan, reference 975-EXS-P03 C, have been provided, in accordance with the approved details, unless otherwise agreed, in writing, by the Local Planning Authority. The approved car and bicycle parking and refuse storage facilities shall be retained for those purposes at all times thereafter.

Reason - To ensure satisfactory levels of car and bicycle parking and refuse storage are provided and to comply with the National Planning Policy Framework and Policies R/DP1 and R/T11 of the Gosport Borough Local Plan Review.

5. The approved car parking spaces, hatched grey on approved plan reference 975-EXS-P03 C shall be surfaced using grasscrete paving. The car parking spaces shall be surfaced and made available before the development hereby permitted is first brought into use and retained for that purpose thereafter unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To protect the health of adjacent trees and to ensure that satisfactory levels of car parking are provided and to comply with the National Planning Policy Framework and Policies R/DP1 and R/T11 of the Gosport Borough Local Plan Review.

6. No goods, plant or material stored in the open, outside of the application building, within the site shall exceed 10 metres in height, without the prior consent, in writing, of the Local Planning Authority.

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

7. No percussive piling or works involving the use of heavy machinery that results in a noise level exceeding 69bdA being audible when measured from the nearest point of the Portsmouth Harbour Special Protection Area (SPA) shall be permitted to take place during the overwintering period (October - March inclusive), unless the existing noise level at the nearest point of the Portsmouth Harbour Special Protection Area (SPA) already exceeds 69dbA, in which case, no works shall be undertaken during the specified period if the resultant noise level would exceed the existing noise level when measured from the sensitive receptor site (SPA).

Reason - To preserve the environment for the over-wintering bird population and to comply with the National Planning Policy Framework and Policies R/DP1, R/OS11, R/OS12 and R/OS13 of the Gosport Borough Local Plan Review.

8. No development shall take place until details of the measures to;
a) control dust and smoke during the construction period;
b) avoid harmful discharge into Portsmouth Harbour associated with the carrying out and subsequent use of the development
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 - To preserve the interests of nature conversation and the amenities of neighbouring occupiers, in accordance with the National Planning Policy Framework and Policies R/DP1, R/ENV2, R/ENV4, R/ENV10, R/ENV12, R/OS11, R/OS12 and R/OS13 of the Gosport Borough Local Plan Review.

9. No trees or shrubs within the area hatched green on approved plan, reference 975-EXS-P03 C, shall be permitted to be removed for the first five years from the date of the first occupation of the building for its permitted use, unless otherwise agreed, in writing, by the Local Planning Authority.

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

10. No development shall take place until details of the tree protection measures for the existing trees on the eastern boundary, to be implemented during the construction period, have been submitted to and approved, in writing, by the Local Planning Authority. The approved tree protection measures should accord with BS5837:2012 - Trees in relation to design, demolition and construction and shall be agreed in situ by a representative from the Local Planning Authority prior to commencement of development and thereafter retained as agreed for the duration of development on site. Any tree protection measures that become unstable, or otherwise, during construction works shall be reinstated in accordance with the approved details with immediate effect.

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

11. The external lighting for the site shall be provided in accordance with approved plan reference 975-EXS-P03 C unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To preserve the interests of nature conversation and the amenities of neighbouring occupiers, in accordance with the National Planning Policy Framework and Policies R/DP1, R/OS11, R/OS12 and R/OS13 of the Gosport Borough Local Plan Review.

ITEM NUMBER: 03.
APPLICATION NUMBER: 13/00312/EXT
APPLICANT: Mr Ian Pearce
DATE REGISTERED: 18.07.2013

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 23.08.13)
Fort Gilkicker Fort Road Gosport Hampshire

The Site and the proposal

Fort Gilkicker is a Grade II* Listed Building and Scheduled Ancient Monument (SAM) located at the southernmost tip of Gosport borough fronting Stokes Bay. The site is located in Flood Zone 3, adjacent to a SSSI/SPA/Ramsar and it is a local Site of Importance for Nature Conservation (SINC). The site is outside of the Urban Area, however, has been allocated within the Gosport Borough Local Plan Review as being appropriate for housing reflecting the special heritage circumstances of this site and the Council's objectives to allow housing in order to restore the Listed Building and SAM. It has also been included as a housing allocation in the emerging Gosport Borough Local Plan 2011-2029.

It was built in 1863 as part of a network of 19 coastal defences. As originally constructed the semi-circular outer walls were built of granite with arched openings facing the sea and surrounded by a low earth bank. It comprised a battery of 22 guns at first floor with magazine and shell stores below and a further 5 heavier guns on the roof. To sustain the weight of these guns the roof was strengthened with a thick layer of concrete. The arrangement of arches and cross vaulting in the casements coupled with the weight of the guns and concrete on the roof led to the outward movement in the walls. By the latter part of the 19th century the first floor guns had become redundant so the casemates were filled with concrete and the earth banks raised to stabilise the structure. At the rear of the fort is a 2 storey barrack block. As it was a defensive structure it had main windows on the south side of the building with only small sashes next to the firing loopholes on the northern elevation.

A planning application was originally submitted in 2008. That application was called in for decision by the Secretary of State by a direction made under Section 77 of the Town and Country Planning Act 1990 as a result of an unresolved objection from the Environment Agency relating to whether the access and egress to and from the development would be safe for its users and remain safe throughout the lifetime of the development. Following a Public Inquiry, planning permission was granted in 2010 for the upgrade and conversion of the Fort to provide 26 no. residential units in the casemates and barrack block together with an interpretation centre in part of the barrack block. The residential accommodation was approved over the first and second floors with additional storage at ground floor level. The approved plans show the earth bank along the southern elevation lowered with the height of the mounds at the east and west ends retained to provide public viewing platforms linked to the existing southern coastal footpath network and Military Road. The plans also showed the concrete capping to the roof to be removed to reduce the weight of the roof on the walls with further alterations to prevent any further movement. To accommodate a satisfactory access, Military Road was to be widened to 3m and raised to 2.5m AOD between the junction with Fort Road and the entrance into the Fort with the existing passing place upgraded and an additional passing place provided. Traffic management measures were approved along with a shared surface for vehicles and pedestrians. A total of 48 parking spaces were approved along with a new mitre gate, flood barrier to be erected at the entrance to the Fort.

This extant planning permission is nearing expiry and works to implement the permission have not yet commenced. This application seeks to renew the planning permission to allow the time for

implementation to be extended. There are no alterations proposed to the previously approved scheme.

Relevant Planning History

K9316/3 - Regulation 3 - Removal of earth banks and restoration of exposed granite walls - permitted 17.01.96

K9316/4 - Regulation 13 - Listed Building Consent for removal of earth banks and renovation of exposed granite walls - permitted 23.03.95

K9316/5 - Restoration and conversion to 17 dwellings including museum and associated parking, road junction and car parking with new revetment and earth mounding - permitted 03.10.01

K9316/6 - Demolition of Coastguard signal tower and mast and erection of replacement radar mast and base station - permitted 04.12.02

K9316/7 - Restoration of Grade II Listed Building and Scheduled Ancient Monument and conversion to 26 dwellings, residents stores and interpretation room - permitted following Public Inquiry - 30.06.10

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/H2

Major Housing Proposals

R/H4

Housing Densities

R/H5

Affordable Housing

R/CH1

Development within the Coastal Zone

R/BH3

Development Affecting Listed Buildings

R/BH8

Archaeology and Ancient Monuments

R/OS1

Development Outside of the Urban Area

R/OS4

Protection of Existing Open Space

R/OS8

Recreational Space for New Residential Developments

R/OS11

Protection of Areas of National Nature Conservation Importance

R/OS12

Locally Designated Areas of Nature Conservation Importance

R/OS13

Protection of Habitats Supporting Protected Species

R/CH2
 Pedestrian Access Along the Coast
 R/ENV2
 River and Groundwater Protection
 R/ENV4
 Treatment of Foul Sewage and Disposal of Surface Water
 R/ENV5
 Contaminated Land
 R/ENV11
 Minimising Light Pollution
 R/ENV14
 Energy Conservation
 R/ENV15
 Renewable Energy

Consultations

Local Highway Authority	No objection, however, conditions relating to appropriate routing plans for deliveries should be included on any planning permission.
Streetscene Waste & Cleansing	No objection. Previous comments remain applicable.
Southern Water	No objection.
HCC Education Office	No education contribution required.
HCC Landscape, Planning & Heritage	No objection. Refer to consultation response in respect of the previous application for recommended conditions.
Housing Strategic	No response.
The Gosport Society	No objection.
English Heritage	The application should be determined in accordance with national and local policy guidance, and on the basis of in-house specialist conservation advice.
Eastern Solent Coastal Partnership	No objection subject to the conditions and obligations within the Section 106 agreement relating to the previous approval relating to flood risk management and flood mitigation requirements being included on any future planning permission.
Environment Agency (Hants & IOW)	No objection. Whilst the Environment Agency previously objected to the proposal the application was called in for Decision by the Secretary of State who concluded that the although there was some conflict with national policy on flooding, the residual risk to future residents is capable of management and there are no material considerations which indicate that the application should be

determined other than in accordance with the development plan. It is, however, recommended that all the planning considerations set out in Annexe A of the Secretary of State's decision letter that relate to floor risk issues should be imposed on any future consent.

The application site lies in tidal Flood Zone 3 as defined by the Environment Agency Flood Map as having a high probability of flooding. The proposed conversion of Fort Gilkicker will result in people being at risk. As the safe access and egress of the site is unlikely to be achieved over the fully lifetime of the development, the issue of safe refuge and the implementation of a flood management plan for the site is crucial in managing risk and ensuring the safety of the occupants.

Building Control

An application for Building Regulations is required. The access road will require upgrading to allow fire brigade access. Within the monument there are some concerns regarding access and fire fighting capabilities.

Environmental Health

No objection. Construction operations that result in noise at the site boundary shall only be undertaken between 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. Having reviewed the previously submitted report relating to contamination, there is no risk to human health.

HCC Ecology

No objection. A bat survey has recently been carried out and a reptile mitigation method statement has been established with an appropriately sized receptor site identified. There is no evidence of bats roosting at the site at present, however, due to the nature of the site their presence cannot be completely ruled out and ecological clearance/demolition works as well as updated surveys should be provided before any further works are undertaken. Although some clearance and mitigation works have been undertaken at the site, the conditions at the site may change and become more suitable for various protected species. It is, therefore, recommended that an updated ecological mitigation strategy be provided which details the timing, extent and methodology for any ecological mitigation works. It is no longer considered necessary to require a mitigation strategy relating to construction during the over-wintering bird period to be approved.

This is a large, complex scheme and the opportunity to maintain open dialogue with the applicant, their contractors and their ecological consultant, during construction, is welcomed.

Natural England

No objection. The application site is in close proximity to the Gilkicker Lagoon Site of Special Scientific Interest (SSSI) which forms part of the Solent and Southampton Water Ramsar and Solent and Isle of Wight Lagoons Special Area of Conservation (SAC). If undertaken in accordance with the details submitted, the proposed development is not likely to have a significant effect on the interest features for which the Lagoons have been classified. It is not, therefore, necessary for the Local Planning Authority to undertake an Appropriate Assessment to assess the implications of this proposal on the site's conservation objectives.

If carried out with the details submitted with the application, the proposal will not damage or destroy the interest features for which the Gilkicker Lagoon SSSI has been notified.

No objection is raised in respect of bats. The incorporation of Green Infrastructure is encouraged together with biodiversity enhancements and landscape enhancements.

Response to Public Advertisement

Nil

Principal Issues

1. The acceptability of the development has been established by the Secretary of State's decision following Public Inquiry. The only issues for consideration in the determination of this application to extend the time limit within which to implement this consent are whether there have been any changes to local or national planning policy that alter the policy context within which the application must be considered, whether the proposed development continues to be acceptable in planning terms, in light of such changes and, whether there have been any material changes in the locality that alter the context to which the proposal relates.

2. The planning policy framework has altered since the original decision was made in that the national planning policy documents (PPG's and PPS's) have been replaced by the National Planning Policy Framework (NPPF) in March 2012. The development must, therefore, now be considered in light of this policy change. The NPPF states that there is a presumption in favour of sustainable development and that development proposals that accord with the development plan should be approved without delay. Local planning policy has also advanced since permission was previously granted with the publication of Draft Gosport Borough Local Plan 2011 - 2029. However, this document remains at draft stage and the determination of planning applications under the relevant policies of the Gosport Borough Local Plan Review (2006) remains appropriate.

3. The NPPF requires Local Planning Authority's to take account of the positive contribution that the conservation of heritage assets can make to sustainable communities including their economic viability and the desirability of the new development in making a positive contribution to local character and distinctiveness. The proposals will expose the original structure of the Fort revealing its historic form which will aid a better public understanding of the building and its former function. The occupation of the building improves the likelihood of it being maintained which will ensure the heritage asset is preserved. The site or its surroundings have not altered significantly since the previous decision and it remains the case that the proposal will not harm the historic and architectural character of the building or its setting. An hours of working condition is recommended by Environmental Health, however, taking into consideration the position of the site relative to the closest residential properties and the contained nature of the Fort which will mean emanating construction noise will be limited, it is not considered necessary or reasonable to recommend this condition. The proposal remains acceptable from a conservation and design perspective and, subject to conditions relating to the completion of the development, the proposal continues to comply with Policies R/BH3, R/BH8, R/ENV10 and R/DP1 of the Gosport Borough Local Plan Review and the NPPF.

4. In determining the appeal, the Inspector concluded that it was clear that from 2026, the access road could flood and safe access and egress may not be possible in an inundation event. Nevertheless, it was concluded that this risk was capable of being managed and that this matter must be balanced against the other planning benefits offered by the proposed development. Conditions and obligations within the Section 106 agreement associated with the planning permission ensure that flood risk is appropriately managed. Considering of the proposal under the guidance within the NPPF relating to flooding would not result in a differing conclusion and the development, therefore, remains acceptable in compliance with this document and Policy R/DP1 of the Gosport Borough Local Plan Review.

5. Locally, the emerging car parking Supplementary Planning Document (SPD) has also been through a period of consultation and carries weight in terms of assessing the proposal. The SPD introduces car parking standards for residential developments which did not apply during the determination of the previous planning application. Applying the car parking standards contained within the SPD a total of 51 car parking spaces would be required compared to 48 as proposed and previously approved. The proposal has been designed to preserve the historic setting on the site including the former parade ground where the car parking would be accommodated. Any additional car parking provision would erode this character and 48 car parking spaces remains acceptable in this location taking into account the likely demand. Taking into consideration the importance of bringing the heritage asset back into a functional use, it is not considered appropriate to apply the car parking standards strictly in this instance and require the scheme to be revised to accommodate the additional car parking spaces required. Conditions relating to the provision of car and cycle parking were imposed by the Inspector and, accordingly are recommended below. The proposal, therefore, complies with the NPPF and Policies R/DP1 and R/T11 of the Gosport Borough Local Plan Review.

6. The status of the Nature Conservation designations located close to the site remain the same as when the application was previously determined. Similarly, the site remains likely to support a series of important and protected species. In order to ensure both the designations and species were protected the Inspector imposed appropriate conditions requiring a methodology of how works would be undertaken during the overwintering bird season and, secondly, a broader ecological mitigation strategy. In respect of the works relating to overwintering birds, following further surveys, it has been deemed that the impacts from construction works would have a negligible impact on overwintering birds. It is not, therefore, considered necessary to re-impose the Inspector's condition. In relation to the ecological mitigation works, in seeking to implement the previous permission the applicant previously submitted details pursuant to this condition which were agreed informally and some scrub clearance was undertaken as a result. Those details have been submitted in support of this current application, however, it is possible that since the previous clearance took place plants and scrub have re-grown and the site has again, become suitable to host protected species. In the interests of the continued preservation of features of importance for nature conservation it is necessary to require the ecological mitigation work previously completed and submitted to be

updated and accordingly a condition is recommended to secure this. Subject to this condition, the development complies with the NPPF and Policies R/DP1, R/OS11, R/OS12 and R/OS13 of the Gosport Borough Local Plan Review.

7. The previous planning permission was granted subject to a Section 106 agreement relating to an Open Space contribution, 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, flood warning measures, CCTV and the appointment of a management company. All of the obligations previously required remain necessary and appropriate to make the development acceptable. The applicant has confirmed a willingness to enter into a new agreement and with it the development would be unacceptable. In this respect the development complies with the NPPF and Policies R/OS8, R/H5, R/BH3, R/BH8, R/OS4, R/T2, R/T3, R/T11 and R/DP1 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 provision of affordable housing;
3. public access works;
4. the provision of an interpretation centre and access to the parade ground;
5. a flood warning and evacuation plan;
6. the provision of mitre gates and details of the access gates at Fort Road;
7. flood warning measures;
8. CCTV; and
9. the appointment of a management company.

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 plans approved under planning permission reference K9316/7 (08/00423/FULL):

508 L 100 Rev P1
508 L 110 Rev P1
508 L 111 Rev P1
508 L 112 Rev P1
508 L 101 Rev P2
508 L 101 Rev P2
508 L 100 Rev P2
508 L 101 Rev P1
508 L 102 Rev P2
508 L 103 Rev P2
508 L 104 Rev P1
508 L 105 Rev P1
508 L 106 Rev P1
508 L 200 Rev P1
508 L 201 Rev P1
508 L 202 Rev P1
508 L 300 Rev P1
508 L 301 Rev P1
508 L 302 Rev P1

508 L 303 Rev P1

508 L 304 Rev P1

508 L 110 Rev P1 (Flat A)

508 L 111 Rev P1 (Flat B)

508 L 112 Rev P1 (Flat C)

508 L 113 Rev P1 (Flat D)

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 works pursuant to this permission, including tree felling, shrub and undergrowth clearance, laying of temporary services and service media, ground investigation, erection of site accommodation or provision of temporary accesses, shall take place until an update to the Ecological Impact Assessment (J Denton, January 2012) has been submitted to and approved, in writing, by the Local Planning Authority. The updated Ecological Impact Assessment shall include details of a site walkover and any required updated bat and reptile survey's and mitigation strategies, measures for addressing the impact on protected species and their habitats and details of the timetable for a nominated Ecologist to be present on site. The development, including demolition and landscaping, shall be carried out in accordance with the updated Ecological Impact Assessment unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - In the interests of nature conservation and to comply with the NPPF and Policies R/OS12 and R/OS13 of the Gosport Borough Local Plan Review.

4. No works pursuant to this permission, including laying of temporary services and service media, ground investigation, erection of site accommodation or provision of temporary accesses, shall take place until an Archaeological Methodology Statement with a supporting Archaeological Impact Assessment has been submitted to the Local Planning Authority and approved in writing. The Archaeological Impact Assessment shall be based on a desk-top study and on site survey of the fort and its surrounding landscape and archaeology to evaluate the impact of the reduction of the existing banks and mounds and the proposed new banks and mounds, paths, vehicle waiting area and other parts of the development which require excavation. The Archaeological Impact Assessment shall be used to develop an Archaeological Mitigation Strategy. The Archaeological Mitigation Strategy shall include proposals for recording all archaeological evidence and a justification for the removal and proposed relocation of any artifacts, fixtures and fittings from in-situ. The Archaeological Mitigation Strategy shall be incorporated into the Archaeological Methodology Statement. All development including demolition, excavation and mounding works shall be carried out in accordance with the approved Archaeological Methodology Statement and in the presence of an Archaeologist. The Archaeologist shall be nominated by the developer within the Archaeological Methodology Statement approved by the Local Planning Authority.

Reason - In the interests of preserving archaeological heritage assets and to comply with the NPPF and Policies R/BH1 and R/BH8 of the Gosport Borough Local Plan Review.

5. No works for the repair, modification and restoration of the Ground Floor former magazines and associated corridor and structures beneath the Casemates shall be carried out until a methodology and specification for such works has been submitted to and approved by the Local Planning Authority in writing. The methodology and specification shall include:

- (i) Plans and elevations at a scale of 1:20 showing the extent of any removal of the historic fabric and proposed new construction works;
- (ii) The extent of repairs;
- (iii) Samples of all proposed replacement materials, external paints and renders (identifying BS Numbers);
- (iv) Sample panels of brickwork showing mortar mix, brick bonds and method of pointing.

The works shall be carried out in accordance with the approved methodology and specification.

Reason - To preserve the historic and architectural character of the building and its setting, to comply with the NPPF and Policies R/BH3 and R/BH8 of the Gosport Borough Local Plan Review.

6. No works for the repair and restoration of the 19th Century railing and 1906 railing to the stairs from the Courtyard to the 1st floor, along the 1st floor balcony facing the Courtyard, linking the Barracks to the Casemates at 1st floor, and alongside the staircases and the roof at the end of the Casemate ranges, shall be carried out until a methodology and specification for such works has been submitted to and approved by the Local Planning Authority in writing. The methodology shall include:

- (i) The extent of replacements;
- (ii) The extent of repairs;
- (iii) Typical elevations at 1:10 and sections at 1:1, showing the form of handrails and balustrades;
- (iv) A sample of proposed mesh/safety panel infill to railing;
- (v) The colour finish of the railings and mesh/safety panels;
- (vi) Details of the proposed specification for the repair and installation of the railing.

The works shall be carried out in accordance with the approved methodology and specification.

Reason - To preserve the historic and architectural character of the building and its setting, to comply with the NPPF and Policies R/BH3 and R/BH8 of the Gosport Borough Local Plan Review.

7. No works for cleaning and repairing existing internal and external brickwork, granite and render shall be carried out until a methodology and specification for such works have been submitted to and approved by the Local Planning Authority in writing. The methodology shall include:

- (i) The extent of replacement;
- (ii) The extent of repairs;
- (iii) Samples of all proposed replacement materials, external paints and renders (identifying BS Numbers);
- (iv) Sample panels of brickwork showing mortar mix, brick bonds and method of pointing.

These works shall be carried out in accordance with the approved methodology and specification.

Reason - To preserve the historic and architectural character of the building and its setting, to comply with the NPPF and Policies R/BH3 and R/BH8 of the Gosport Borough Local Plan Review.

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

Reason - To preserve the historic and architectural character of the building and its setting, to comply with the NPPF and Policies R/BH3 and R/BH8 of the Gosport Borough Local Plan Review.

9. Details including plans and elevations at a scale of 1:20 showing the extent of any removal of the historic fabric and the proposed new construction works required to provide stairs between the casemates and proposed new upper floor shall be submitted to and approved by the Local Planning Authority in writing before any such works are commenced. The development shall thereafter be carried out in accordance with the approved details.

Reason - To preserve the historic and architectural character of the building and its setting, to comply with the NPPF and Policies R/BH3 and R/BH8 of the Gosport Borough Local Plan Review.

10. Details including samples of materials, method of installation and sections at a scale of 1:10, of all proposed new floor surfaces, stud walls, insulation, damp proofing and treatment of the wall surfaces and ceilings within the existing building shall be submitted to and approved by the Local Planning Authority in writing before any such works are commenced. The works shall be carried out in accordance with the approved details.

Reason - To preserve the historic and architectural character of the building and its setting, to comply with the NPPF and Policies R/BH3 and R/BH8 of the Gosport Borough Local Plan Review.

11. Details including samples of proposed materials and elevations at 1:20 and sections at 1:10 of the proposed new parapet to the terrace overlooking the courtyard above 1st floor shall be submitted to and approved by the Local Planning Authority in writing before that part of the development is commenced. The works shall be carried out in accordance with the approved details.

Reason - To preserve the historic and architectural character of the building and its setting, to comply with the NPPF and Policies R/BH3 and R/BH8 of the Gosport Borough Local Plan Review.

12. A schedule of new materials including samples of all proposed external paints and renders (identifying BS Numbers), and sample panels of brickwork showing mortar mix, brick bonds and method of pointing, shall be submitted to and approved by the Local Planning Authority in writing before any new build works are commenced. The works shall be carried out in accordance with the approved details.

Reason - To preserve the historic and architectural character of the building and its setting, to comply with the NPPF and Policies R/BH3 and R/BH8 of the Gosport Borough Local Plan Review.

13. Details including samples of materials and sections and elevations at 1:20 of the proposed new entrance within the eastern mound, and lift within the western mound, shall be submitted to and approved by the Local Planning Authority in writing before that part of the development is commenced. The works shall be carried out in accordance with the approved details.

Reason - To preserve the historic and architectural character of the building and its setting, to comply with the NPPF and Policies R/BH3 and R/BH8 of the Gosport Borough Local Plan Review.

14. Details including sample panels of brickwork showing mortar mix, brick, brick bonds and method of pointing, coping details, and sections and elevations at 1:20 of the proposed new retaining wall to the eastern mound and the proposed new walls at the northern ends of the casemate at 2nd floor level shall be submitted to and approved by the Local Planning Authority in writing before work to each of those parts of the development is commenced. The works shall be carried out in accordance with the approved details.

Reason - To preserve the historic and architectural character of the building and its setting, to comply with the NPPF and Policies R/BH3 and R/BH8 of the Gosport Borough Local Plan Review.

15. Details including sample panels of brickwork showing brick, brick bonds, mortar mix, method of pointing, samples of coping materials and railings, and elevations at 1:20 and vertical and horizontal sections at 1:10 of windows, of the proposed new links to be formed between the Barracks and Casemates shall be submitted to and approved by the Local Planning Authority in writing before that part of the development is commenced. The works shall be carried out in accordance with the approved details.

Reason - To preserve the historic and architectural character of the building and its setting, to comply with the NPPF and Policies R/BH3 and R/BH8 of the Gosport Borough Local Plan Review.

16. Details including elevations at 1:20 and sections at 1:10 of the timber screens forming the entrances at first floor level to the flats within the casements, and glazing to the casemate openings, together with a methodology for the alteration and repair and samples of proposed door and window furniture shall be submitted to and approved by the Local Planning Authority in writing before that part of the development is commenced. The works shall be carried out in accordance with the approved details.

Reason - To preserve the historic and architectural character of the building and its setting, to comply with the NPPF and Policies R/BH3 and R/BH8 of the Gosport Borough Local Plan Review.

17. Details including materials, colour finish and elevations and plans at a scale of 1:20 and sections at a scale of 1:10 of any external pipes and ventilation equipment shall be submitted to and approved by the Local Planning Authority in writing before that part of the development is commenced. The works shall be carried out in accordance with the approved details.

Reason - To preserve the historic and architectural character of the building and its setting, to comply with the NPPF and Policies R/BH3 and R/BH8 of the Gosport Borough Local Plan Review.

18. Details including materials, and colour finish and elevations and plans at a scale of 1:20 showing the construction form of the proposed Retractable Flood Defence Barrier and its relationship to the adjoining historic fabric shall be submitted to and approved by the Local Planning Authority in writing before that part of the development is commenced. The works shall be carried out in accordance with the approved details.

Reason - To preserve the historic and architectural character of the building and its setting, to comply with the NPPF and Policies R/BH3 and R/BH8 of the Gosport Borough Local Plan Review.

19. Details including samples of the materials, elevations and photomontages showing the relationship to the existing building at 1:20 and sections at 1:10 of the proposed Louvre Panels and glazing to the new upper floor (second floor) to the Barracks shall be submitted to and approved by the Local Planning Authority in writing before that part of the development is commenced. The works shall be carried out in accordance with the approved details.

Reason - To preserve the historic and architectural character of the building and its setting, to comply with the NPPF and Policies R/BH3 and R/BH8 of the Gosport Borough Local Plan Review.

20. Details including elevation drawings at 1:20 of the design of the proposed new windows on the north elevation of the Married Quarters shall be submitted to and approved by the Local Planning Authority in writing before any works to that elevation commence.

Reason - To preserve the historic and architectural character of the building and its setting, to comply with the NPPF and Policies R/BH3 and R/BH8 of the Gosport Borough Local Plan Review.

21. No development pursuant to this permission shall be commenced until arrangements have been put in place to secure the repositioning of the existing radar mast.

Reason - To enhance the historic setting of the Listed Building and Scheduled Ancient Monument and to comply with the NPPF and Policies R/DP1, R/BH3 and R/BH8 of the Gosport Borough Local Plan Review.

22. The development shall not be brought into use until details of soft landscaping including finished levels, method of ground preparation, number, size, species and planting densities of all plants trees and shrubs, and proposals for future maintenance, have been submitted to and approved by the Local Planning Authority. The soft landscaping shall be completed before the end of the first planting season following first occupation of the development in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason - To ensure the appearance of the development is satisfactory, the historic setting of the site is appropriate, the site is appropriate for features of nature conservation interest and to comply with the NPPF and Policies R/DP1, R/BH3, R/OS11, R/OS12 and R/OS13 of the Gosport Borough Local Plan Review.

23. The development shall not be brought into use until the hard landscaping has been completed in accordance with details submitted to and approved by the Local Planning Authority in writing. Such details shall include all materials to be used for hard-surfacing, all lighting, the location and method of display of any artifacts removed from their original position, and all types of street furniture including the bollards to be used on Military Road and within the turning area.

Reason - To ensure the appearance of the development is satisfactory, the historic setting of the site is appropriate, the site is appropriate for features of nature conservation interest and to comply with the NPPF and Policies R/DP1, R/BH3, R/OS11, R/OS12 and R/OS13 of the Gosport Borough Local Plan Review.

24. The development shall not be brought into use until details of the gates to be installed at the junction of Military Road and Fort Road have been submitted to and approved by the Local Planning Authority in writing. The gates shall thereafter be installed in accordance with the approved details.

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

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

Reason - To ensure the satisfactory level of cycle storage is provided, in the interests of the amenities of future occupants and to comply with the NPPF and Policies R/DP1 and R/T11 of the Gosport Borough Local Plan Review.

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

Reason - In the interests of the amenities of future occupants, to ensure waste is satisfactorily removed from the site and to comply with the NPPF and Policy R/DP1 of the Gosport Borough Local Plan Review.

27. The vehicle waiting area and hammerhead turning area shall be provided before the development is first brought into use and shall thereafter be retained.

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

28. The development hereby permitted shall not be brought into use until areas for the parking of vehicles have been provided and surfaced in accordance with the approved plans and landscaping details and these areas shall be subsequently retained and kept available at all times for these purposes.

Reason - In the interests of the amenities of future occupants, to ensure a satisfactory level of car parking is provided and to comply with the NPPF and Policies R/DP1 and R/T11 of the Gosport Borough Local Plan Review.

29. The works to create a sales facility or show home for marketing purposes shall be completed in accordance with the details submitted on 22.08.13, except for information relating to the Agent's Sign Board, unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To preserve the historic and architectural character of the building and its setting, to comply with the NPPF and Policies R/BH3 and R/BH8 of the Gosport Borough Local Plan Review.

30. No development pursuant to this permission shall be commenced until arrangements have been put into place to secure alterations to the access road including passing places, and junction improvements with Fort Road.

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

31. No development pursuant to this permission shall be commenced until arrangements have been put into place to secure alterations to the access road including the provision of additional culverts to enable the passage of water under the access road.

Reason - To ensure appropriate drainage improvements are secured and, in particular, that any floodwater is drained away from the site and access road and to comply with the NPPF and Policy R/DP1 of the Gosport Borough Local Plan Review.

32. No development shall be carried out until details of measures to improve drainage of flood water from the site by the formation of either:

- (i) A replacement to the existing drainage culvert to the Solent from Gilkicker Lagoon; or
- (ii) A new culvert within the development boundary;

in either case together with a scheme of maintenance to be applied over the lifetime of the development, has been submitted to and approved in writing by the Local Planning Authority.

Reason - To ensure appropriate drainage improvements are secured and, in particular, that any floodwater is drained away from the site and access road and to comply with the NPPF and Policy R/DP1 of the Gosport Borough Local Plan Review.

33. No development shall be brought into use until the measures approved under condition 31 above have been installed.

Reason - To ensure appropriate drainage improvements are secured and, in particular, that any floodwater is drained away from the site and access road and to comply with the NPPF and Policy R/DP1 of the Gosport Borough Local Plan Review.

34. No development shall be carried out until details of the drainage for surface, foul and flood water have been submitted to and approved in writing by the Local Planning Authority. Such details shall include a system for pumping flood water from the area in front of the mitre gates and leakage/percolating water from within the Parade Ground. The development shall be carried out in accordance with the approved drainage scheme.

Reason - To ensure appropriate drainage improvements are secured and, in particular, that any floodwater is drained away from the site and access road and to comply with the NPPF and Policy R/DP1 of the Gosport Borough Local Plan Review.

ITEM NUMBER: 04.
APPLICATION NUMBER: 13/00224/FULL
APPLICANT: Homes & Communities Agency
DATE REGISTERED: 08.07.2013

INSTALLATION AND CONSTRUCTION OF SECTION OF ROAD AND ASSOCIATED WORKS
Daedalus Airfield Chark Lane Lee-On-The-Solent Hampshire PO13 9FL

The Site and the proposal

The application site straddles the administrative boundary of Gosport and Fareham Borough Council's and is located on the south east corner of the Daedalus airfield, south of the airfield perimeter road and north of Chark Lane. The site is located at the south eastern corner of the Solent Enterprise Zone and is part of the wider area allocated for employment-led, mixed-use development. The site was included in the application for Outline planning permission reference 11/00282/OUT, submitted in 2011 for the redevelopment of the Daedalus site. The plans accompanying that application showed a new access to the site from Broom Way which travelled over the land the subject of this current application. Negotiations in respect of the Section 106 agreement relating to the Outline application are on-going, however, the implementation of the infrastructure to support the employment needs of the site is being progressed separately.

The application site is undulating and currently grassed and has historically been used in conjunction with the airfield. It lies outside of the Urban Area and within the Strategic Gap which extends north into Fareham and provides a visual gap between Lee-on-the-Solent and Stubbington. The site is identified as having the potential for important archaeological finds and being potentially contaminated. The site is currently bound on its southern side by a wire fence which prevents unauthorised access to the airfield.

There is an existing road around the perimeter of the airfield which provides access to the existing hangers to the east and west of the airfield and to the buildings and Conservation Area sited to the south side of the airfield. This perimeter road travels across land within both Gosport and Fareham Borough Council's jurisdiction. The primary route into the Daedalus site is presently from the south side of the airfield on Chark Lane where there is an existing gatehouse. This lies within land controlled by Gosport Borough Council. Upon accessing the site there is a 'T' junction and the route turns sharply left (west), to provide the primary access route into the built up section of the Daedalus site and the Daedalus Conservation Area adjacent to Marine Parade West, and right (east) to provide access around the south east corner of the airfield to Hangars East. Separate accesses to Hangars East and West from Broom Way and Gosport Road respectively have been approved by Fareham Borough Council and works to implement these permissions are currently underway.

Fareham Borough Council granted planning permission for the new, main access to Daedalus from Broom Way on 22 May 2013. Part of the planning application site fell within Gosport Borough Council's administrative boundary, however, on 27 March 2013 Members deferred the decision making powers as Local Planning Authority for this application to Fareham Borough Council. That access included a fourth arm to the existing traffic signal junction on Broom Way and also provided access to the proposal by Fareham College to construct a Centre of Excellence for Engineering, Manufacturing and Advanced Skills Training (CEMAST), approved separately by Fareham Borough Council on 21 June 2013.

This application proposes the continuation of the access already approved by Fareham Borough Council and will extend west along the southern edge of the Daedalus site almost parallel with Chark Lane. The proposed section of road will terminate at the existing access to Daedalus from Chark Lane. The road will be a double carriageway route to ensure vehicles can travel safely in both directions. Along the northern edge of the road will be a footway ranging between 1m and 2m in width and along the southern edge will be a 3m wide footway and cycle route which will continue

along to the east (along the section of access road previously approved by Fareham Borough Council) to link with the existing cycle route along the west side of Broom Way. 6m lighting columns will be positioned along part of the northern and part of the southern sides of the road at between 25m to 30m intervals. The capacity of the proposed section of road, along with the new access previously approved by Fareham Borough Council, has been designed in accordance with the details submitted with the Outline planning application.

Fareham Borough Council has delegated its authority to Gosport Borough Council to register and determine the application which involves a small section of land within its administrative boundary. This land is located to the north east of the existing access to Daedalus along Chark Lane and it is approximately 68m long and 9.5m wide. It is required to accommodate a section of the proposed road and allow it to safely tie in to the existing access to Daedalus.

Relevant Planning History

Planning applications considered by Gosport Borough Council:

11/00282/OUT (K17976) - EIA - Outline application with all matters reserved for employment led mixed use scheme - resolution to grant Outline permission subject to the completion of the related S106 agreement 29.03.12

Related planning applications permitted by Fareham Borough Council:

P/11/0544/FP - Improvements to an existing vehicular access including construction of a new ghost island and pedestrian facilities from the B3385 Broom Way and construction of a new site access road - permitted 13.01.12

P/11/0545/FP - Construction of new vehicular access and associated access road from the B3334 Gosport Road to provide access to existing hangars west area of Daedalus airfield - permitted 13.01.12

P/13/0194/FP - New vehicular and pedestrian access from Broom Way including alterations to existing junction and construction of internal access road and associated drainage works - permitted 03.06.13

P/13/0201/FP - Construction of purpose built engineering training facility for Fareham College, comprising single storey building including engineering workshop, classrooms and other supporting facilities including car parking - permitted 21.06.13

Relevant Policies

National Planning Policy Framework (NPPF), March 2012

Gosport Borough Local Plan Review, 2006:

R/OS1

Development Outside of the Urban Area

R/OS2

Strategic Gaps

R/DP1

General Standards of Development within the Urban Area

R/BH8

Archaeology and Ancient Monuments

R/ENV5

Contaminated Land

R/ENV9

Safeguarded Areas

R/ENV10

Noise Pollution
R/T2
New Development
R/T3
Internal Layout of Sites
R/T11
Access and Parking
R/OS11
Protection of Areas of National Nature Conservation Importance
R/OS12
Locally Designated Areas of Nature Conservation Importance
R/OS13
Protection of Habitats Supporting Protected Species
R/DP3
Provision of Infrastructure, Services and Facilities

Consultations

Environmental Health	No objection. Based on historic records it appears that the site may be contaminated. Conditions are recommended to ensure that any contamination is appropriately dealt with. All development works audible at the site boundary shall only be undertaken between 0800 and 1800, Monday to Friday, 0900 and 1300 on Saturday's with no noisy operations taking place on Saturday afternoons, Sunday's or Bank Holidays.
HCC Ecology	No objection. The application is accompanied by several ecological reports including information relating specifically to the application site. The application site has low ecological value comprising species-poor regularly mown grassland. There is negligible potential for this area to support legally protected species and there is no recorded evidence of badgers, bats, nesting birds, reptiles, or great crested newts. The site is a significant distance from any internationally or nationally designated nature conservation sites and the proposal is, therefore, unlikely to have a harmful impact on these sites.
Local Highway Authority	No objection. The application is for the formation of a new section of road between the proposed Daedalus main access junction onto Broom Way that has recently been granted planning permission by Fareham Borough Council, and the existing site access from Chark Lane. This proposal is concordant with the principle of development at the Daedalus site established through the outline planning applications submitted in 2011 and the accompanying indicative masterplan. The proposal, together with the proposed new main access, will enable the

formation of a new access road which will provide for commercial traffic to and from the Waterfront part of the Daedalus site without the need to use the existing route via Chark Lane.

The road has been designed by Hampshire County Council to adoptable standard and makes provision for all vehicles, pedestrians and cyclists (via a shared cycle/footpath) together with street lighting, surface water drainage and other appropriate highway infrastructure. The proposed road will provide an adequate means of access to the Waterfront for the purpose described above.

Until the road proposed by this application and the adjacent new main access are constructed and opened for use, Chark Lane will remain the sole means of access to the Daedalus Waterfront and part of the Daedalus East sites. It is, therefore, important that these road construction projects are completed as soon as practicable to provide an alternative route, relieving Chark Lane from construction traffic to other development projects at Daedalus and also from existing Daedalus commercial traffic. It is also important to remove Daedalus traffic from Chark Lane as far as possible before works starts on any future residential development in the vicinity.

For these reasons it is considered advisable that the proposed site road and access junction are constructed in a single phase which will minimise the time until the new access route can be opened to traffic. This will require construction access for both projects to be taken from Chark Lane.

Conditions relating to the closing of the existing Chark Lane access, construction vehicle routing and parking and measures to prevent mud on the highway are recommended.

Fareham LPA

No objection.

Minerals & Waste Planning Section

No response received.

HCC Landscape, Planning & Heritage

No objection. The site has the potential to contain previously unidentified below ground archaeology and it is recommended within the information supporting the application that further archaeological evaluation should be undertaken. This view is agreed with and some preliminary archaeological survey work

should be carried out before development is commenced to assess whether any further mitigation is required. This should be controlled by condition.

Environment Agency (Hants & IOW)

Update to be provided.

Response to Public Advertisement

Nil

Principal Issues

1. The main issues for consideration are the principle of the development, the visual impact of the proposal, highway and pedestrian safety, the effect on features of importance for nature conservation, archaeology and land contamination. The site lies outside of the Urban Area and within the Strategic Gap where Policies R/OS1 and R/OS2 of the Gosport Borough Local Plan Review only allow for development that is essential to the operational requirements of public and other essential services and will not physically or visually diminish the Gap. The principle of development, including the principle of an access and road in this location, is established by the resolution to grant Outline planning permission reference 11/00282/OUT (K17976), the assessment of which carefully considered the impact on the physical and visual impact on the land outside of the Urban Area and within the Strategic Gap. The economic importance of the wider Daedalus site is recognised by its designation as an Enterprise Zone and its allocation in the Gosport Borough Local Plan Review. The provision of appropriate infrastructure, including accesses and roadways, is integral to the site's success in performing an economic function. As such, this proposal outside of the Urban Area is acceptable as it supports the Enterprise Zone which will contribute to public services in providing employment opportunities. In relation to Policy R/OS2 it is recognised that there has already been some built development on Daedalus outside of the Urban Area boundary (the Maritime and Coastguard Agency's (MCA) Search and Rescue (SAR) building located to the south side of the airfield) and this proposal relates visually and physically to this existing development and the existing married quarters residential development, within the Urban Area, to the west of Chark Lane. The proposed road will be visible as it will create a hard surfaced route on what is currently a grassed area, however, the limited height of the proposal, its position at the southern edge of the Gap and proximity to existing development means that it will not have a significant impact in respect of physically or visually diminishing the Gap. The proposal, therefore, complies with Policies R/OS1 and R/OS2 of the Gosport Borough Local Plan Review and the NPPF.

2. The proposed development forms part of the wider works to improve and upgrade the infrastructure, in this case, access, to the Daedalus site, to facilitate its long term regeneration to provide an employment-led, mixed-use development for Gosport and Fareham. It is important to consider the proposal in conjunction with the planning permission granted by Fareham Borough Council (reference P/13/0194/FP) in June this year. To ensure that no unacceptable piecemeal development takes place, conditions have been recommended to ensure a coordinated approach to the development in compliance with Policies R/DP1, R/T2 and R/T3 of the Gosport Borough Local Plan Review and the NPPF.

3. The road has been designed in accordance with the principles previously resolved to be approved under Outline application 11/00282/OUT (K17976) meaning that it can satisfactorily accommodate the existing volume of traffic travelling into and out of the site along with the increase on the site as a result of the development. The section of road, the subject of this current application, has been designed to coordinate with the new access from Broom Way and section of road approved by Fareham Borough Council (P/13/0194/FP). This route will improve access to Daedalus for vehicles, cyclists and pedestrians. As a result of this proposal, together with the new access from Broom Way, Chark Lane will be freed of traffic travelling into Daedalus meaning there will be less likelihood of waiting on the highway and an improved level of amenity for the occupiers of the existing residential development. To avoid any harmful interruption to the traffic along both

Chark Lane and the proposed route into Daedalus and to ensure both routes are safe for users, a condition requiring the existing, Chark Lane site access to be closed in accordance with details to be agreed, is recommended. Similarly, to preserve existing highway safety, conditions relating to construction vehicle routing and measures to prevent mud on the highway, are recommended. The proposal is, therefore, acceptable and complies with Policies R/DP1, R/T2 and R/T3 of the Gosport Borough Local Plan Review and the NPPF.

4. As the site comprises regularly mown grassland it has negligible potential to support protected species. The distance from the application site to the designated sites at Solent and Southampton Water and Portsmouth Harbour also means that the proposal is unlikely to have any harmful impacts on these sites. As such, the proposal complies with Policies R/OS11, R/OS12 and R/OS13 of the Gosport Borough Local Plan Review. The site may have potential for archaeological finds and in the interest of preserving the heritage assets of the site it is important that no finds are lost or harmed. As such, a condition is recommended to secure a programme of archaeological investigation in compliance with Policy R/BH8 of the Gosport Borough Local Plan Review. Due to the historic uses on the site and its surroundings, the site also has potential to be contaminated. In order to ensure that there is no risk to human health, land, air or water, conditions are recommended to secure appropriate investigation and remediation in compliance with Policy R/ENV5 of the Gosport Borough Local Plan Review and the NPPF.

RECOMMENDATION: Grant Permission

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:

EC/RJ504381/005

EC/RJ504381/006

EC/RJ504381/007

Reason - To ensure that the development is completed satisfactorily in all respects and to comply with Policies R/OS1, R/OS2 and R/DP1 of the Gosport Borough Local Plan Review.

3. Before the development is brought into use details of the soft landscaping works shall be submitted to and approved, in writing, by the Local Planning Authority. These details should 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.

4. The approved landscaping scheme shall be completed within the next planting season following first use 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.

5. Before development is commenced, a programme of archaeological investigation (a Watching Brief) shall be submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the agreed Watching Brief unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure that archaeological features of interest on the site are appropriately preserved and to comply with Policy R/BH8 of the Gosport Borough Local Plan Review and the NPPF.

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

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

7. Development shall not commence until each of the following, to deal with the risks associated with contamination of the site, have been submitted to and approved, in writing, by the Local Planning Authority:

a) A desk top study of the former uses of the site and adjacent land and their potential for contamination together with a report of the findings of a site walkover and a preliminary risk assessment.

b) Should the details submitted pursuant to a) above reveal potential for contamination, a report of the results of an intrusive site investigation and assessment of the risks posed to human health, the fabric of buildings and receptors in the wider environment including water resources.

Where the details submitted pursuant to b) above reveal the presence of contamination, a detailed scheme(s) for remedial works to mitigate the contamination, eliminate risks to receptors and ensure the site is suitable for the proposed development shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall also include details of how the completion of the remedial works will be validated and, where appropriate, maintained and monitored.

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.

8. 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 proceed in accordance with the agreed 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.

9. Before the development hereby approved is brought into use, the existing site access from Chark Lane shall be closed to vehicular traffic, save for access by pedestrians, cyclists and emergency vehicles, in accordance with a scheme to be submitted and approved, in writing, by the Local Planning Authority. At no time shall the existing access be re-opened to vehicular traffic unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - In the interests of highway safety and to comply with Policies R/T2, R/T3 and R/DP1 of the Gosport Borough Local Plan Review and the NPPF.

10. Before development is commenced a Construction Traffic Management Plan, including details of provision to be made on site for contractors parking, construction traffic access, the turning of delivery vehicles and lorry routing, a programme of works and measures to prevent mud from vehicles leaving the site during the construction works being deposited on the public highway, shall be submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the agreed Construction Traffic Management Plan unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - In the interests of highway and pedestrian safety and to comply with Policies R/DP1, R/T2 and R/T3 of the Gosport Borough Local Plan Review and the NPPF.

11. No materials obtained from site clearance or from construction works shall be burnt on the site.
Reason - In the interests of the amenities of the nearby residential properties and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

12. Before development is commenced details of the width, alignment, gradient and type of construction process for the road, footway and cycleway, including horizontal cross sections and longitudinal sections showing the existing and proposed levels, together with details of street lighting and the method of disposing of surface water, and details of a programme for making up the road, footway and cycleway 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 - In the interests of highway safety and to comply with Policies R/T2, R/T3 and R/DP1 of the Gosport Borough Local Plan Review and the NPPF.

13. Before development is commenced a schedule for the timing of works in coordination with planning permission reference P/13/0194/FP, approved by Fareham Borough Council, shall be submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the agreed schedule unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To prevent any harmful piecemeal development and to comply with the NPPF and Policies R/DP1, R/T2 and R/T3 of the Gosport Borough Local Plan Review.

14. The road hereby approved shall, once provided to an acceptable standard, thereafter be kept available for the public to pass and re-pass.

Reason - To ensure a satisfactory access to the site is provided and retained and to comply with the NPPF and Policies R/DP1, R/T2, R/T3 and R/T11 of the Gosport Borough Local Plan Review.