

*Please ask for:*

Vicki Stone

*Direct dial:*

(023) 9254 5651

*E-mail:*

Vicki.stone@gosport.gov.uk

1 September 2014

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

**MEETING:** Regulatory Board  
**DATE:** 9 September 2014  
**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 Gill) (ex-officio)  
Chairman of the Policy and Organisation Board (Councillor Hook) (ex-officio)

Councillor Mrs Hook (Chairman)  
Councillor Jessop (Vice Chairman)

Councillor Allen	Councillor Farr
Councillor Bateman	Councillor Hicks
Councillor Carter CR	Councillor Hazel
Councillor Dickson	Councillor Langdon
Councillor Ms Diffey	Councillor Wright

### **FIRE PRECAUTIONS**

(To be read by the Chairman 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:** Please note that mobile phones should be switched off or on silent for the duration of the meeting.

**AGENDA**

RECOMMENDED  
MINUTE FORMAT

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 REGULATORY BOARD  
HELD ON 5 AUGUST 2014

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, 5 September 2014. The total time for deputations in favour and against a proposal shall not exceed 10 minutes).*

5. PUBLIC QUESTIONS – STANDING ORDER 3.6

*(NOTE: The Board is required to allow a total of 15 minutes for questions from Members of the public on matters within the terms of reference of the Board provided that notice of such Question(s) shall have been submitted to the Borough Solicitor by 12 noon on Friday, 5 September 2014).*

6. REPORTS OF THE BOROUGH SOLICITOR AND DEPUTY  
CHIEF EXECUTIVE

*Schedule of planning applications with recommendations.  
(grey sheets – pages 1-11)*

PART II  
Contact Officer:  
Debbie Gore  
Ext: 5455

7. ANY OTHER ITEMS

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

**A MEETING OF THE REGULATORY BOARD  
WAS HELD ON 5 AUGUST 2014 AT 6PM**

Chairman of the P & O Board (Councillor Hook) (ex-officio) (P), Councillors Allen (P), Bateman (P), Carter C (P), Dickson (P), Ms Diffey (P), Farr (P), Hicks (P), Hazel (P), Mrs Hook (P), Jessop (P), Langdon (P), and Wright (P).

**32. APOLOGIES**

An apology for inability to attend the meeting was submitted on behalf of the Mayor.

**33. DECLARATIONS OF INTEREST**

- Cllr Jessop declared a personal interest in item 6 of the agenda as he is a Trustee of the Rowner Community Trust based at the Nimrod Centre. He advised that he would remain in the room and would not take part in the debate or vote on the application but would wish to make a statement to the Board.

**34. MINUTES**

**RESOLVED:** That the Minutes of the Regulatory Board meeting held on 15 July 2014, be approved and signed by the Chairman as a true and correct record.

**35. DEPUTATIONS**

A deputation had been received on agenda item 6 – 14/00203/FULL – Rowner Re-development (Phase 4).

**36. PUBLIC QUESTIONS**

No public questions had been received.

**PART II**

**37. 14/00203/FULL – PLANNING APPLICATION FOR THE ERECTION OF 127 NO. RESIDENTIAL UNITS TOGETHER WITH PARKING, INCLUDING AMENDED ACCESS FROM PHASE 2 OF THE ROWNER RE-DEVELOPMENT (PHASE 4) (AS AMPLIFIED BY PLAN RECEIVED 21.07.14 AND AMENDED BY EMAIL RECEIVED 25.07.14)**

**Councillor Jessop declared a personal interest in this item, remained in the room but did not take part in the debate or in the voting thereon.**

Consideration was given to a report of the Borough Solicitor and the Deputy Chief Executive recommending that planning application 14/00203/FULL for the erection of 127 no. residential units together with parking, including amended access from Phase 2 of the Rowner Redevelopment be approved.

Members were advised that since the publication of the report, the final consultation responses had been received from the Local Highway Authority, the Building Control Partnership, Housing Services and the Crime Prevention and Design Officer, all of whom raised no objection to the development.

Councillor Jessop was invited to make his Statement to the Board. He explained that he welcomed the redevelopment of Rowner advising Members that the area was improving and

that active community engagement was a result of the regeneration.

In conclusion, Councillor Jessop felt that the design standards of the scheme were a credit to both the Developer and Officers and thanked them for their hard work in developing the site.

A Member sought clarification with regards to drainage at the site. It was confirmed that a condition to control surface water drainage was proposed and that this would allow further consultation with Southern Water to ensure that adequate drainage would be achieved.

In response to a Member's question concerning the potentially inadequate car parking provision at the site, which would not comply with the Council's Parking Supplementary Planning Document, officers advised that the proposed parking provision would exceed the approved threshold established under the Outline permission and that, following consultation with the Local Highway Authority, officers were satisfied that the proposed development would provide an adequate level of car parking. It was further confirmed that the County Council were considering an application for additional car parking spaces at Siskin School, which would off-set the loss of the existing informal car parking on the land at the front of the Nimrod Centre.

Further to Member's question in relation to the demolition of the remaining block of flats at the site, it was advised that the developers were in discussions with Southern Water regarding the drainage of the basement, which is currently flooded. It was hoped that this matter would be resolved within the next few weeks but there was not yet a definitive timeframe for the demolition of the remaining flats.

Members felt that the proposed development would positively contribute to the redevelopment of Rowner, would enhance the appearance of the area and thanked Officer's for providing a comprehensive report.

**RESOLVED:** That application 14/00203/FULL, Rowner Re-development (Phase 4) be approved subject to;

- a) the conditions contained within Appendix A of the report of the Borough Solicitor and Deputy Chief Executive and delegate authority to the Head of Development Control, in consultation with the Borough Solicitor and Deputy Chief Executive, to impose the conditions contained within Appendix A of the report with amendments if necessary and;
- b) a Section 106 Agreement relating to the payment of a commuted sum towards the funding of a Traffic Regulation Order.

### **31. ANY OTHER BUSINESS**

There was no other business

The meeting concluded at 6.15pm

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

**9th September 2014**

### **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.

**INDEX**

<b><u>Item</u></b>	<b><u>Page No</u></b>	<b><u>Appl. No.</u></b>	<b><u>Address</u></b>	<b><u>Recommendation</u></b>
01.	3-11	14/00305/FULL	Royal Sailors Rest Grange Lane Gosport Hampshire PO13 9RX	Refuse

**ITEM NUMBER: 01.**  
**APPLICATION NUMBER: 14/00305/FULL**  
**APPLICANT: Driftstone Developments Ltd**  
**DATE REGISTERED: 18.06.2014**

**ERECTION OF 6 NO. THREE BEDROOM HOUSES AND 7 NO. TWO BEDROOM HOUSES WITH ASSOCIATED ACCESS, CAR PARKING AND LANDSCAPING (ADJACENT TO CONSERVATION AREA)**  
**Royal Sailors Rest Grange Lane Gosport Hampshire PO13 9RX**

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

1. The application site is located in the Urban Area on the east side of Grange Lane. The southern boundary of the Rowner Village Conservation Area abuts the site to the north. The site is an irregular 'L' shape with a stagger in the northern boundary dropping from east to west. The site is a maximum of 67m long and 51m wide. The site was historically occupied by the Royal Sailors Rest; a part single, part two storey flat roofed building which functioned as a community centre. The majority of the application site is allocated under Policy R/CF2 of the Gosport Borough Local Plan Review as an existing Community Facility. The easternmost section of the site is also protected by this Policy, having fallen within the curtilage of the Royal Sailors Rest, but lies outside of the allocation on the Proposals Map. The building had begun to fall into disrepair and following a fire in 2013, the remnants of the building were demolished to make the site safe. The site now lies vacant of buildings, however, there are two mounds of building spoil and an earth mound on the site alongside some grasses which have begun to grow on the eastern part of the site. There is an established access to the site from Grange Lane which is approximately 3.5m wide and there are some small trees and bushes on the sites boundaries. Beneath the spoil the land is flat and due to historic land uses in the area the site is potentially contaminated.

2. To the south of the application site is the Royal Navy Crossley Community Centre which is a private Naval club primarily serving the Naval community. Membership to the bar facilities within the club operate at a ratio of 60:40 in favour of naval membership and due to high levels of existing naval usage bookings by non-naval groups for other space in the centre is limited. Access to the Crossley Centre travels parallel with the southern boundary of the application site with the centre itself and its associated car parking located approximately 14m from the south east corner of the application site. To the south of the access to the Centre is a part single, part two storey brick building under a pitched roof which operates as a depot and office for the development arm of the MOD (MODern housing solutions). The building is sited approximately 7m back from the eastern edge of the footway in Grange Lane and it has openings at ground and first floor levels.

3. East of the application site is an area of Open Space protected for this purpose by Policy R/OS4 of the Gosport Borough Local Plan Review. This Space continues north wrapping around the northern boundary of the application site to meet Grange Lane to the west. Beyond this space to the east are the two storey, semi-detached residential properties in Shackleton Road. The rear, west elevations of these properties are 34m from the eastern boundary of the application site. The area of protected Open Space extends 100m to the north to terminate where the land meets Rowner Lane and incorporates the Rowner Bowling Club with its associated Bowling Green. There are a number of trees on the Open Space around the site and 6 no. Alders located to the north of the northern boundary, and 1 no. Oak to the south west corner of the site. Following receipt of this planning application two TPO's, references G.133 and G.134 respectively, have been made in respect of those trees. This ensures that the Local Planning Authority can control any works to, or in the vicinity of the trees, to ensure that they are not harmed and their health and contribution to visual amenity, is not compromised. The Alder trees lie within the Rowner Conservation Area with St Mary's Church and 176 - 178 Rowner Lane (the Church Cottages) as its focus. The historic core of the former parish of Rowner is a unique example of the rural settlements that characterised much of the Gosport peninsula until the early twentieth century. The Conservation Area is characterised by its historic buildings, open spaces and significant trees visible from the public domain. Grange Lane, which extends south beyond the boundary of the Conservation Area, is a relatively narrow

carriageway at less than 6m wide and to the west of the carriageway is Grange Junior School with its buildings set over 50m from the highway.

4. The proposal is to redevelop the site to provide 6 no. three bedroom and 7 no. two bedroom houses with associated access from Grange Lane, car parking and landscaping. The existing access point would be widened to 5.5m splaying to 10m to provide a centrally located shared access road to extend approximately 43m into the site and then turn south to extend a further 20m to the southern boundary. The properties would be divided into three areas of development on the site.

5. In the south west corner of the site it is proposed to erect four properties comprising two pairs of semi detached properties. The westernmost pair, plots 1 and 2, would comprise a three and two bedroom property respectively. Plot 1 would open onto Grange Lane whilst the principle elevation of plot 2 would be on its north side facing into the site. Each of these properties would have 8m - 8.5m long gardens. A pair of tandem car parking spaces is proposed to the west side of plot 1. Plot 2 would not have any in curtilage car parking. Plots 3 and 4 would be located 1m to the east of plot 2. Both of these properties would open on the north into the site and they would be two and three bedroomed respectively. Six parking spaces are proposed to be located to the east side of plot 4, four arranged perpendicular to the east elevation of this property. The two northernmost spaces are proposed to be located under a car port. It is proposed to allocate three of these spaces to plots 2, 3 and 4 with the remaining three being available for parking second cars or visitors.

6. In the south east corner of the site, 20m east of the east elevation of plot 4, a terrace of four properties, plots 5 - 8, comprising 2 no. three bedroom and 2 no. two bedroom dwellings is proposed. The terrace would be orientated east to the west with doors opening on the west side. The rear gardens serving these properties would be located to the east extending 9m to the east boundary of the site. To the north and southern ends of the terrace, two pairs of tandem car parking spaces are proposed to serve plots 5 and 8. To the west side of the terrace six car parking spaces are proposed all of which would be accessed direct from the internal road serving plots 5 - 8.

7. 6m to the north west of plot 8 (the northernmost of the terrace of four properties), a further terrace of 3 no. two bedroomed properties is proposed (plots 9 - 11). The easternmost, plot 9, would have a pair of tandem car parking spaces located to its east side. Each dwelling would have a back garden on its north side ranging between 8.5m and 10m long. A 9m wide car port is proposed to be attached to the west side of plot 11 providing three car parking spaces, with three further spaces beyond to the north in a tandem arrangement. The car port would provide two spaces for each of plots 10, 11 and 12. To the west of the car port in the north west corner of the site it is proposed to erect a pair of detached, three bedroom properties (plots 12 and 13). Plot 12 would open on its south side onto the internal road with a garden extending the north ranging between 8m and 10m long to account for the stagger in the northern boundary of the site. Plot 13, to the west, would open onto the Grange Lane but also have its garden on the north side. The garden would be shorter ranging between 6m and 8m long. A pair of tandem car parking spaces would be located to the west side of this property accessed from the internal road.

8. All of the dwellings would range between 6.5m and 8.5m long, 5.5m and 8m wide, and be between 7.4m and 8.8m high under pitched roofs with a mix of hips and gables. A mix of brick and timber weather boarding is proposed to the elevations with brick sills and brick arches over the ground floor windows. Porch canopies are proposed over the entrance doors to each of the properties and chimneys are proposed to be incorporated into the roofs. The frontages of each area of development on the site are proposed to be staggered. This is most notable along the terrace of properties to the north side of the site where plots 9 and 10 are to be stepped back from plot 11 to the west by 1.5m to take account of the stagger in the northern boundary line.

9. A total of 31 car parking spaces are proposed including three visitor spaces shown on the southern side of the internal road adjacent to plots 2, 3 and 4 where the carriageway would be 5.5m wide. It is proposed to treat the boundaries around the perimeter of the site with a range of 1.2m - 1.5m high post and rail fence and 1.8m high brick wall with infill panels of hit and miss timber fencing around where the boundary adjoins the rear gardens of the proposed properties. Each

property would have in curtilage long stay cycle and refuse storage. No short stay cycle storage is shown, however, there is space within the proposed layout where it could be accommodated.

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

Nil

### ***Relevant Policies***

National Planning Policy Framework (NPPF), March 2012

Gosport Borough Local Plan, 2011 – 2029 (Publication Version 2014):

- LP3
- Spatial Strategy
- LP32
- Community and Built Leisure Facilities

Gosport Borough Local Plan Review, 2006:

- R/BH8
- Archaeology and Ancient Monuments
- R/DP1
- General Standards of Development within the Urban Area
- R/DP3
- Provision of Infrastructure, Services and Facilities
- R/CF2
- Protection of Existing Health and Community Facilities
- R/ENV5
- Contaminated Land
- R/ENV10
- Noise Pollution
- R/ENV11
- Minimising Light Pollution
- R/T2
- New Development
- R/T3
- Internal Layout of Sites
- R/T4
- Off-site Transport Infrastructure
- R/T11
- Access and Parking
- R/H4
- Housing Densities
- R/BH1
- Development in Conservation Areas
- R/OS8
- Recreational Space for New Residential Developments
- R/OS13
- Protection of Habitats Supporting Protected Species
- R/ENV4
- Treatment of Foul Sewage and Disposal of Surface Water

### ***Consultations***

HCC Landscape, Planning & Heritage

No objection subject to conditions to secure the approval and implementation of a Written Scheme of Archaeological investigation and archaeological recording.

Local Highway Authority	<p>No objection. Visibility splays of 2.4m x 43m are proposed and are considered to be acceptable. The internal roads are not to be offered for adoption. A licence from the Local Highway Authority will be required for the reconstruction of the vehicular access and no water will be permitted to run onto the public highway from the application site. Refuse vehicle tracking within the site shows that there may be a conflict with one of the visitor spaces. A central refuse collection point should be provided if the refuse vehicle will not enter the site. A contribution towards Transport Infrastructure, Services and Facilities is required.</p>
Streetscene Waste & Cleansing	<p>No objection. Each property will require a 240 litre domestic and 240 litre recycling wheeled bin and bins will need to be placed kerbside on collection day. The access road is narrow between visitors car parking bays and the road edge which is likely to result in issues regarding the movement of the collection vehicle around the site. If the collection vehicle is to enter the site, the carriageway must be constructed to HCC adoptable standards.</p>
Streetscene Parks & Horticulture	<p>The categorisation of trees within the tree survey are agreed. T4 - T9 are collectively worthy of protection as they provide a natural screen and may be at risk as a result of the proposed development from works or requests for removal. These trees have a safe and useful life expectancy of 20 - 30 years. T14 is individually worthy of protection due to its prominent position and structure condition and would have a safe and useful life expectancy of approximately 40 years. No other trees on or off site are worthy of protection.</p>
Environmental Health	<p>No objection. Due to historic uses of the site it is potentially contaminated, however, due to the nature of the suspected contamination a full assessment is not considered to be necessary. To ensure that any contamination is satisfactorily dealt with a discovery strategy should be secured by condition.</p>
Natural England	<p>The application site is within 2km of the Portsmouth Harbour SSSI/SPA/Ramsar site. The proposal for additional residential development is likely to result in additional recreational disturbance within this internationally important habitat. Without measures to mitigate the resulting harmful impacts of this disturbance the proposal is</p>

	unacceptable.
Southern Water	No objection subject to a condition being imposed on any planning application to require details of the proposed means of foul and surface water drainage to be submitted and agreed and an informative reminding the applicant of the requirement to obtain the approval of Southern Water before connecting to the public sewerage system.
HCC Ecology	No objection. The information accompanying the application is satisfactory and no further ecological information is required. The Phase 1 Ecology Survey which accompanies the application provides a sound assessment of the current ecological value of the site. There are no overriding ecological concerns, however, any planning permission should be subject to a condition requiring the development to be carried out in accordance with mitigation and enhancement measures contained within the Ecological Survey. The impact of recreational disturbance in the Portsmouth Harbour and Solent and Southampton Water SPA/Ramsar sites will need to be satisfactorily mitigated.
Crime Prevention & Design	The application site is surrounded by publically accessible open space with limited natural surveillance which may leave the proposed development vulnerable to anti-social behaviour and crime. The proposed car ports do not offer protection to the parked vehicles from crime. All gates and external ground floor windows should be fitted with locks that meet British standards. The boundaries should be treated with 1.8m high close boarded fencing to provide a high level of security and the development should be well lit.
HCC Education Office	No education contribution is required as there are surplus spaces in local schools.

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

2 letters of objection

Issues raised:

- Policy R/CF2 of the Gosport Borough Local Plan Review applies to this development which states that adequate and appropriate alternative facilities need to be available in the locality for the loss of the community use to be acceptable
- it is argued that the Royal Navy Crossley Community Centre adjacent to the site provides an adequate alternative, however, the Crossley Centre is primarily for the Royal Navy and their families; it is a members club and non-naval membership is limited. It does not, therefore, provide facilities for the whole of the local community

- whilst the wish to maximise profit is understandable, it does not override the obligation to mitigate the effect of the development and compensate for the loss of the current designated community space
- part of the development should provide a community facility to meet the needs of all families in the Grange Lane area
- the site may be enlarged in the future to encompass the Open Space to the east
- no provision for public housing is shown and, therefore, compensatory recompense will need to be secured by condition
- the proximity of the site to the depot site to the south raises concerns regarding the acceptability of the site for residential development
- a new entrance will be created opposite Grange Lane School where traffic moves quickly and there will be harm to highway safety as a result

### ***Principal Issues***

1. The main issues for consideration are the loss of land available to provide a community facility, the appropriateness of the design and impact on the streetscene, whether the proposal preserves or enhances the setting of the Conservation Area, the impact on the amenities of the adjoining neighbouring properties, residential amenity for prospective occupiers, the impact on highway and pedestrian safety, open space, trees, areas of importance for nature conservation, provision for dealing with contaminated land and archaeology and the impact on foul and surface water drainage.

2. Policy R/CF2 of the Gosport Borough Local Plan Review seeks to protect community facilities for the important social and recreational function they can provide to local residents. The Policy states that development proposals resulting in the loss of such facilities will not be permitted unless alternative provision is made of at least equivalent value in terms of quality, quantity or accessibility; or unless adequate and appropriate alternative facilities are available in the locality. The importance of retaining community facilities is reinforced by Policies LP3 and LP32 of the Gosport Borough Local Plan 2011 - 2029 (publication version 2014). This is reflective of the strategic aim to improve the quality of life of residents in the Borough and deliver a more sustainable community including a reduced need to travel and paragraph 156 of the NPPF which states that Local Planning Authorities should set out strategic priorities for its area to deliver the provision of community and other local facilities. The applicant states that the Royal Navy Crossley Community Centre serves the function of providing an adequate and appropriate alternative facility in the locality. This space, however, is a private club with limited availability for other non-member, community groups and it does not, therefore, serve a multi-purpose role of providing available space for community groups. It is acknowledged that there is no longer a building on the application site and before the fire and consequential demolition of the building it had begun to fall into a state of disrepair. Nevertheless, the declining quality of a building is not an indication of lack of demand and no information has been provided regarding usage levels of the facility before this time. In response to this planning application a letter of objection has been received from a locally based and active community group who require space to meet, reflecting the need for space to be made available for community groups in this area. The community group has provided details of alternative facilities that have not been appropriate. It has not, therefore, been demonstrated that the site is no longer required to provide a community facility in the area and the proposal is unacceptable in principle and contrary to Policy R/CF2 of the Gosport Borough Local Plan Review, Policies LP3 and LP32 of the Gosport Borough Local Plan 2011 - 2029 (publication version 2014) and paragraph 156 of the NPPF.

3. The site is an area of mixed character with residential development to the east, community and commercial uses to the south and educational and recreational facilities to the north and west. In general design terms, therefore, two storey residential development is considered to be acceptable on this site. In terms of height and external appearance, the modest two storey properties proposed are considered to be reflective of the external appearance of the residential development beyond the application site to the east and would not appear dominant in the context of the adjoining Conservation Area. The provision of porch canopies and arched brick details over the ground floor windows would provide some visual interest as would the chimneys and mix of hips and projecting gables. Details of the external finish could be controlled by condition to ensure the materials reflect the type and texture of surrounding development. The proximity of the dwellings on plots 1 and 13

to the back edge of the existing footway in Grange Lane is reflective of the existing depot building to the south and would not be harmful to views along the streetscene.

4. Soft landscaping is proposed on this frontage to ensure that the west side of the site does not appear as an excessively hard urban edge in an otherwise well landscaped street frontage and would ensure that inward and outward views of the Conservation Area are preserved. This is also reflected within the site where soft landscaping is shown between the parking spaces and footways. Hard landscaping could be controlled by condition to ensure the development has a visually attractive and interesting finish. The arrangement of properties around a central access road would provide a sense of ownership to this space and provide a high degree of natural surveillance within the site. The development would restrict views through and across the site, however, this is reflective of the historic layout of the site before the Royal Sailors Rest was fire damaged and demolished. The mix of boundary treatments proposed around the site would provide a mix of visually interesting elevations to the site. Any separate, future proposal which incorporates the land to the east, allocated as Open Space, would be considered on its individual merits and in the context of the relevant Policies. Policy R/H5, which relates to affordable housing, does not apply as the application proposes 13 no. dwellings and does not, therefore, meet the 15 dwelling threshold set out in this Policy. The proposal is considered to be acceptable in design terms and would ensure the special historic character of the Rowner Conservation Area is preserved. The proposal, therefore, complies with Policy R/DP1 of the Gosport Borough Local Plan Review.

5. The rear elevations of the easternmost dwellings in plots 5 - 8 would be in excess of 40m from the rear, west elevations of the two storey residential properties to the east in Shackleton Road ensuring that no harmful impact to privacy or light would result. The proposal would result in an increase in activity on this site as compared to its current use, however, this would not be harmful to the amenities of the occupiers of these neighbouring properties particularly in the context of the earlier function of the Royal Sailors Rest. The introduction of first floor windows in the north and south elevations of the proposed dwellings would improve natural surveillance over the land to the north and bowling green beyond, along with the depot and Crossley Community Centre to the south. This would improve the security of these sites. The proposed development would be located over 50m to the east of the school buildings within the grounds of Grange Junior School and, as a result, no harmful overlooking or disturbance would result.

6. The proposed dwellings would have access to car parking in close proximity to the front door serving each respective property, long stay cycle parking and refuse storage. The gardens serving the proposed properties would range in depth from 8m - 11m meaning that, in some cases, the depths fall below the guidance set out in Appendix B of the Gosport Borough Local Plan Review and the Design SPD. Nevertheless, taking into account the depth of gardens serving properties in the surrounding area and the proximity of the site to areas of protected Open Space, this arrangement is considered to be acceptable in this case. The dwellings would be subject to a degree of disturbance from the comings and goings associated with the use of the Crossley Community Centre and depot site to the south, along with the School to the west. Nevertheless, the combination of the proposed inward facing arrangement of the properties on the application site and range of boundary treatments around the rear gardens would provide protection from any harmful disturbance resulting in an acceptable level of amenity for future occupiers of the site. The first floor windows in each of the elevations would provide a satisfactory degree of natural surveillance in and around the site and it is possible to secure additional crime prevention measures, such as lighting, by condition. The proposal would not, therefore, have a harmful impact on the amenities of the occupiers of the neighbouring properties or other adjoining land users, is acceptable in respect of prospective occupiers and complies with Policies R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review.

7. There is an established access to the site which historically served as the access to the Royal Sailors Rest; the application does not propose a new access into the site. The site had unrestricted use in planning terms with the associated vehicular movements in Grange Lane, to and from the site, being unrestricted. It is proposed to widen the access to ensure that vehicles can enter and exit the site without the need to carry out unsafe manoeuvres in Grange Lane and appropriate visibility splays can be achieved. A licence would be required from the Local Highway Authority to carry out

the works to widen the access. It is not proposed that the road within the application site would be offered to the Local Highway Authority for adoption, however, information accompanying the planning application demonstrates that a refuse vehicle can enter the site, turn and leave the site into Grange Lane in a forward gear, without impacting on the function of the internal road layout. Visitor car parking spaces are proposed on the southern side of the carriageway on the main route into and through the site however, the carriageway is wide enough at this point to accommodate this provision along with the movement of the refuse vehicle and details of hard and soft landscaping could be secured by condition to ensure that this is the case. The car parking SPD requires 31 parking spaces, including visitor spaces and additional provision to offset the proposal for some tandem car parking spaces. This is on the basis that all spaces are to be allocated. The applicant proposes a mix of allocated and unallocated spaces, five properties with a tandem car parking arrangement and three on street visitor spaces providing a total of 31 parking spaces across the development thereby meeting the guidance set out in the SPD. There are some examples of areas where additional visitors to individual plots could park, albeit in a tandem arrangement, without interrupting the movement of vehicles around the site. This is evident at plots 5 and 9. With each property having long stay cycle parking and there being space for short stay cycle parking this arrangement is considered to be acceptable and the proposal would not result in any harmful overspill car parking in the surrounding highway network. The proposal, therefore, complies with Policies R/T2, R/T3 and R/T11 of the Gosport Borough Local Plan Review.

8. The applicant is required to enter a planning obligation under Section 106 relating to the payment of a sum towards Transport Infrastructure, Services and Facilities. At the time the report was published the applicant has not confirmed a willingness to enter into an agreement to secure this sum and without this obligation the proposal is unacceptable. The proposal, therefore, fails to comply with Policies R/DP3 and R/T4 of the Gosport Borough Local Plan Review.

9. In lieu of provision of outdoor playing space on site the applicant is required to enter into a Section 106 agreement to make a contribution towards public open space facilities within the Borough. At the time the report was published the applicant has not confirmed a willingness to enter into an agreement to secure this sum and without this obligation the proposal is unacceptable. The proposal, therefore, fails to comply with Policy R/OS8 of the Gosport Borough Local Plan Review.

10. The trunk of the Oak tree located to the south west corner of the site, protected by TPO G.134 would be located within 5m of the dwelling on plot 1. The tree was protected due to its significant positive contribution to the character and appearance of the local environment and landscape in this area including outward views from the Rowner Conservation Area. The southernmost car parking space proposed to serve this dwelling would be constructed beneath the canopy of this tree and within its Root Protection Area. The application proposes that a no-dig method would be employed in the carrying out of works in this area. The compaction of ground within the Root Protection Area, combined with the proposed arrangement of the parking space and proposed proximity of the dwelling on plot 1 would, however, cause harm to the health to the tree and be likely to lead to its demise in the longer term contrary to Policy R/DP1 of the Gosport Borough Local Plan Review. The 6 no. Alder trees protected by TPO G.133 located beyond the northern boundary of the application site would be located beyond the northern boundary of the rear gardens serving the dwellings in plots 9, 10 and 11 and within the Rowner Conservation Area. In the event that the development was carried out, these trees would overhang the gardens serving these properties and be at risk from requests to harmfully prune and/or remove the trees. The TPO which covers these trees will allow the Local Planning Authority to control the extent of works proposed and carried out to these trees to ensure that they continue to make a valuable visual contribution to the site and the adjoining Conservation Area. To ensure that these trees were not harmed during construction, a method statement and tree protection measures could be secured by condition. Notwithstanding this, the proposal would place the Oak tree protected by TPO G.134 at unacceptable risk contrary to Policy R/DP1 of the Gosport Borough Local Plan Review.

11. The proposal would introduce 13 additional dwellings which could also result in increased recreational pressure on the coast and a consequential impact on the protected species for which the Solent and Southampton Water and Portsmouth Harbour SSSI/SPA/Ramsar sites are designated. To address this impact, a contribution towards appropriate mitigation within the

Borough is required. At the time the report was published the applicant has not confirmed a willingness to enter into an agreement to secure this sum and without this obligation the proposal is unacceptable. Whilst the ecological report supporting the application does not identify any protected species on the site, it does have the potential to host such species in the future. To ensure that no species are harmed during the carrying out of any development on site, a condition could be imposed to require works to be carried out in accordance with the measures contained within the ecological report. Notwithstanding this, appropriate provision to address the impact of recreational disturbance has not been made and the proposal fails to comply with Policies R/OS12 and R/OS13 of the Gosport Borough Local Plan Review.

12. Due to historic land uses in the area it is possible that the site is contaminated, however, a suitable discovery strategy and, if necessary remediation strategy, could be secured by condition to avoid any harmful impacts to ground, air, water or human health. The recording of features of archaeological importance could be controlled by condition. Although licence would be required from Southern Water to connect to the existing sewer connections, this could be secured by condition. The proposal, therefore, complies with Policies R/ENV5, R/BH8 and R/ENV4 of the Gosport Borough Local Plan Review.

### **RECOMMENDATION: Refuse**

For the following reasons:-

1. It has not been demonstrated that the site is no longer required to provide a community facility in the area to the detriment of the strategic aim to improve the quality of life of residents in the Borough and the delivery of a sustainable community with a reduced need to travel and the proposal is, therefore, unacceptable in principle and contrary to Policy R/CF2 of the Gosport Borough Local Plan Review, Policies LP3 and LP32 of the Gosport Borough Local Plan 2011 - 2029 (publication version 2014) and paragraph 156 of the NPPF.

2. The compaction of ground within the Root Protection Area of the Oak tree the subject of TPO G.134, combined with the proposed arrangement of the parking space and position of the dwelling on plot 1, would cause harm to the health to the tree and be likely to lead to its demise to the detriment of the character and appearance of the local environment and landscape and outward views from the Rowner Conservation Area contrary to Policy R/DP1 of the Gosport Borough Local Plan Review.

3. Adequate provision has not been made for outdoor playing space, nor the payment of a commuted sum in lieu of the provision, contrary to the National Planning Policy Framework and Policy R/OS8 of the Gosport Borough Local Plan Review.

4. Adequate provision has not been made for Transport Infrastructure, Services and Facilities, nor the payment of a commuted sum in lieu of the provision, contrary to the National Planning Policy Framework and Policies R/T4 and R/DP3 of the Gosport Borough Local Plan Review.

5. Adequate provision has not been made for mitigation against the harmful impacts of recreational disturbance in the Portsmouth Harbour and Solent and Southampton Water SSSI/SPA/Ramsar sites detrimental to the protected and other species for which these areas are designated and contrary to the National Planning Policy Framework and Policies R/OS12 and R/OS13 of the Gosport Borough Local Plan Review.