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02 June 2014

S U M M O N S

MEETING: Regulatory Board
DATE: 10 June 2014
TIME: 6.00 pm
PLACE: Council Chamber, Town Hall, Gosport
Democratic Services contact: Vicki Stone

LINDA EDWARDS
BOROUGH SOLICITOR

MEMBERS OF THE BOARD

(To be confirmed at the adjourned meeting of the Council on the 5th June 2014)

FIRE PRECAUTIONS

(To be read from 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 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 MEETING OF THE REGULATORY BOARD HELD ON 08 APRIL 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, 6 June 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, 6 June 2014).

6. REPORTS OF THE BOROUGH SOLICITOR AND DEPUTY CHIEF EXECUTIVE

*Schedule of planning applications with recommendations.
(grey sheets – pages 1-49)*

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 8TH APRIL 2014**

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

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

83 APOLOGIES

Apologies for inability to attend the meeting were received from The Mayor, Councillors Jessop and Langdon.

84 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

85 DEPUTATIONS

Deputations had been received on the following applications:

- 14/00105/FULL, 3 Chark Cottages, Shoot Lane, Lee-on-the-Solent
- 13/00387/FULL – Land at the Junction of Green Road and Little Lane– The Chairman asked the Board, under Standing Order 6.3.6, to consider receiving the deputation despite notice under Standing Order 3.5.1 not being given. The Board agreed to receive the deputation notwithstanding the notice under Standing Order 3.5.1 had not been given.

86 PUBLIC QUESTIONS

No public questions had been received.

PART II

**87 14/00076/OUT – HYBRID APPLICATION COMPRISING:
DEMOLITION OF ALL EXISTING BUILDINGS AND THE ERECTION OF A 1550
SQUARE METRE FOOD STORE (CLASS A1) AND 1 NO. 275 SQUARE METRE
COMMERCIAL UNIT (CLASSES A1, A2, A3, A4, A5, B1 AND D1)
(APPEARANCE, LAYOUT, SCALE, ACCESS AND LANDSCAPING) AND THE
ERECTION OF UP TO 48 NO. RESIDENTIAL UNITS (CLASS C3) (SCALE,
LAYOUT AND ACCESS)**

Consideration was given to the report of the Borough Solicitor and Deputy Chief Executive requesting that consideration be given to planning application 14/00076/OUT.

The Board were advised that since the publication of the report two additional letters of representation had been received. One was an additional letter of observation from a local resident advising that whilst they had no objection to the redevelopment of the site as it was an eyesore they expressed concern at the loss of trees.

The Board were advised that matters relating to landscaping, including the removal of trees at the site was considered in Paragraph 8.8 of the Officer Report and in particular paragraph 8.8.4.

A letter of representation had also been received from Peacock and Smith, on behalf of Morrisons supermarket.

A copy of the letter from Peacock and Smith and a copy of the Planning Officer's written update in response to the letter was distributed to Members and the applicant prior to the start of the meeting for consideration.

In summary, the Board were advised by the Planning Officer that it was considered that the proposed development complies with both Local and National Planning Policy.

It was not considered that that the development proposal would harm the vitality or viability of the Town Centre. Rather, it was considered that the proposed development, by reason of its edge of centre location, adjacent to the Town Centre, with good links to the High Street, would help make the Centre less vulnerable from competing centres, secure greater expenditure in the High Street, and 'claw-back' expenditure that was currently leaving the Borough.

In answer to a Member's question the Board were advised that only a small proportion of the application site was located within Flood Zones 2 and 3, and where this was the case, the floor levels would be set above the relevant threshold for flooding in that zone.

Members also questioned the provision of car parking for the residential element of the proposal. The Board were advised that consultation had been undertaken with the Local Highway Authority and that, given the proposal was for a Town Centre location the level of parking spaces was deemed adequate for the site.

Members sought further clarification as to how the supermarket car parking would be controlled and were advised that a 'Private Eye System' would be used to record number plates as cars entered the car park and for the prescribed period and take enforcement action if necessary.

Members expressed concern that an additional supermarket would create additional issues with the abandonment of trolleys as they felt they presented a real problem within the Borough. Members were advised that the Local Authority had the power to address abandoned trolleys under the Environmental Protection Act 1990.

Members commented that Southern Water had advised that the sewers were currently inadequate for the site, and questioned whether improvement to this

would be a condition of the application and what level of improvement work would need to take place. Members were advised that details of the measures to deal with foul water and surface water drainage across all parts of the site are to be controlled by condition.

Members recognised that the existing site was an eyesore and that bringing commercial development to the area was part of the Local Plan and were pleased that retailers had confidence in the rejuvenation of the High Street area. Members recognised that retail units on the main High Street were not always large enough for large retailers but were pleased that the current statistics of empty units of one in fifteen, was well below the national average of one in seven. Members also welcomed the updating of High Street furniture and the introduction of wayfinding signage.

Members welcomed the fact that the landlords of the site had assisted the current tenants, Quirepace, to move to a more suitable unit within the Borough and that the proposal would bring jobs to the Borough and add to the attractiveness of the High Street area.

Members recognised that shopping trends had changed as consumers used a number of different supermarkets for their shopping needs and were looking for best value; they also recognised that concern had been expressed for the viability of Asda when Morrisons had opened.

A Member stated that they welcomed the reduction in residential units from the previous application and the jobs that the store would bring to the Borough, but expressed concern that the entry and exit point for traffic was on a bend in the road.

RESOLVED: That application 14/00076/OUT be approved subject to:

- a) appropriate conditions covering those matters set out in Appendix B of the report of the Borough Solicitor and Deputy Chief Executive;
- b) appropriate planning obligations to secure the provision of, or a contribution towards, improvements towards highway and transport infrastructure; Traffic Regulation Orders; open space; educational facilities; affordable housing; ecological and recreational disturbance mitigation measures; and a training and employment plan; and
- c) delegated authority being given to the Head of Development Control, in consultation with the Borough Solicitor and Deputy Chief Executive, to determine the appropriate planning obligations, subject to viability assessments, and conditions.

88 REPORTS OF THE BOROUGH SOLICITOR AND DEPUTY CHIEF EXECUTIVE

The Borough Solicitor and Deputy Chief Executive 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:

89 13/00387/FULL – DEMOLITION OF CAR GARAGE AND SHOWROOM AND PAIR OF SEMI - DETACHED HOUSES AND ERECTION OF 5 NO. THREE BEDROOM AND 3 NO. FOUR BEDROOM HOUSES AND ASSOCIATED ACCESS, CAR PARKING AND CAR PORT (CONSERVATION AREA) (as amplified by plans received 21.03.14) LAND AT JUNCTION OF GREEN ROAD AND LITTLE LANE GOSPORT HAMPSHIRE PO12 2ET

Consideration was given to the Report of the Borough Solicitor and Deputy Chief Executive requesting that consideration be given to planning application 13/00387/FULL.

Members were advised that an additional letter of objection had been received since the publication of the report. The letter was from the same objector as contained within the report. The objector requested that the letter be read out to the Regulatory Board.

A copy of the letter and the Planning Officer's response to the letter were distributed to Members and the applicant prior to the start of the meeting. The Planning Officer read to the Board the issues raised in the letter and their response as follows.

- Do the garages mentioned in paragraph 11 have walls, if not there is potential for noise nuisance.

The Planning Officer advised that the garages would have walls.

- Why was it proposed to allow the application if the proposed garages are smaller than those set out within the SPD and whether approval is legal?
- Whether it is legal of the Local Highway Authority to accept the proposed development on the basis of insufficient car parking, viability splays, aisle widths and the absence of a contribution to Transport infrastructure, services and facilities
- The impact on future planning standards.
- The Gosport Society conclude that the failure to mention visitor parking spaces in contrary to the policy further emphasises the sub-standard of this development.

The Planning Officer advised that these matters were addressed in paragraph ten on page twelve of the grey pages, each planning application being determined on its own merits.

- The comments from the Economic Prosperity team were a contradiction.

The Planning Officer advised that this matter was addressed in paragraph two on page ten of the grey pages.

- The wording of paragraph one on page ten is misleading in that there are multiple trees and shrubs on the site. Building Control state that foundation depths may be affected by existing trees. Trees and Shrubs may have been removed by the developer and this may have been done without Conservation Area Consent. The wording of the report should be amended to reflect this.

The Planning Officer advised that there were a number of trees and shrubs on site but that none were worthy of formal protection, foundation depths required by the Building Regulations will take into account of previous and existing trees and planting both on and off the site.

- The wording of paragraph two, line one is misleading, the occupiers of the existing residential properties have been under pressure to leave the site which may have affected their willingness to object. Question fourteen of the application for states the site is vacant, which it is not. This does not instil confidence that the site has been properly marketed and suggests the applicant is trying to make the site more developable.

The Planning Officer advised that Tenancy agreements for existing occupiers on the site were a private legal matter. The site was not protected for employment purposes and in the local plan and nevertheless had been marketed since 2006.

- The wording of paragraph five, lines two and four raise concern. The position of the windows relative to the eaves look unnatural in architectural terms and do not represent the local vernacular. The requirement for energy efficient measures has been ignored and, nevertheless, is not a reason to ignore the architectural inadequacies of the proposed development.

The Planning Officer advised that the design was considered to be acceptable as set out in paragraphs three, four and five of the principal issues section of the report and there was no policy requirement for energy efficiency to be incorporated into the design.

- The wording of paragraph six, line one was misleading, there have been commercial operations at the site since 1950.

The Planning Officer advised that the report stated that the commercial operations have been on the site since 'at least' 1968 and it is accepted that development may have been present on the site since before this time.

- The wording of paragraph six, lines thirteen and fourteen cause concern as, although it is considered that the use is more consistent with surrounding development, other contrasts between the proposals and the surrounding areas have been ignored.

The Planning Officer advised that the design and impacts of the development were considered within the principal issues section of the report.

- The wording of paragraph seven, line twelve ignores the fact that there is insufficient car parking.

The Planning Officer advised that car parking was addressed within the report.

- The wording of paragraph seven, line thirteen does not consider that open car ports will magnify noise, be used for car maintenance and that noise does not travel in straight lines and will affect Charlotte Mews.

The Planning Officer advised that this matter was addressed within the report.

- Paragraph nine, lines one to three suggest that it is acceptable to allow development not compliant with current planning policy. The Local Plan Review sought to improve the planning standards and if the Local Planning Authority does not properly consider its policies an inspector may not take any notice at appeals.
- Plot one is detrimentally affected by the access road.

The relevant policies have been considered within the report and each application is determined on its own merits, taking all relevant planning matters into consideration. The car parking Supplementary Planning Document provides guidance to assist and is not policy.

- Concern regarding car parking conflict with the parish centre. Visitors may park in the parish centre car park.

Car Parking and Highway and pedestrian safety are addressed within the report.

- Recent vandalism to a local bus shelter and takeaway highlight opportunistic crime in the area.

The Planning Officer advised that lighting, to minimise the likelihood of opportunistic crime, is recommended to be secured by condition as set out in paragraph nine on page twelve of the grey pages.

- Indiscriminate car parking in the parish centre car park cannot be controlled by planning condition.

The Planning Officer advised that parking on private land was a private matter.

- Trees overhanging the access road may be impacted by large vehicles accessing the site.

The Planning Officer advised that an access route is established along the side of the site and any damage to private property was a private legal matter.

- The discussion regarding the Section 106 agreement ignores the fact that children may play on the green at the junction of Green Road and The Avenue, The nuisances and litter this may cause are ignored.

The planning Officer advised that the space in question is a protected open space already available for public use.

- The units may be subdivided in future or used as a hotel, hostel, or bed and breakfast or another socially undesirable use.

The Planning Officer advised that planning permission would be required for any future subdivision of the units and enforcement action could be considered in respect of any unauthorised change of use.

- Whether the granting of planning permission would undermine the Council's future policy position.

The Planning Officer advised that each application was considered on its own merits.

The letter also requested that some points raised in the earlier letter of representation regarding concern about the increase in access points to the site from Green Road, lack of car parking, noise and disturbance from the car port, likelihood of crime to cars within the carport, revisions made to the application not taking into account the previous objection and the requirements for archaeological surveys are brought to the attention of Members.

The Board were advised that there was no change to the recommendation set out in the report.

Mr Dyer, the applicant was invited to address the Board. He advised that he was surprised at the objection as the removal of the MOT testing garage would lead to a decrease in fumes and the removal of the contamination. He advised that the remaining tenant was not being forced out, and was being rehoused in a property of their choice for the same rent they were paying on their current property. The Board were advised that the site had been marketed for commercial use, but that there had been no interest in purchasing it.

Mr Dyer advised that a previous application for flats and a small Co-op had drawn opposition and that the applicant had worked hard to ensure that the proposal was an acceptable one.

RESOLVED: That application 13/00387/FULL – Land At Junction Of Green Road And Little Lane Gosport, be approved subject to the payment of a commuted sum towards public open space and management and mitigation against recreational disturbance and subject to the conditions in the report of the Borough Solicitor and Deputy Chief Executive.

90 13/00559/FULL – ERECTION OF COASTAL SAFETY TRAINING HUB AND RESCUE STATION WITH TRAINING WALL AND ASSOCIATED ENGINEERING WORKS, ACCESS, CAR PARKING AND LANDSCAPING (as amplified by information received 20.01.14, 21.01.14 and 06.02.14 and amended by forms received 04.02.14) DAEDALUS AIRFIELD CHARK LANE LEE-ON-THE-SOLENT HAMPSHIRE PO13 9FL

Consideration was given to the Report of the Borough Solicitor and Deputy Chief Executive requesting that consideration be given to planning application 13/00555/FULL.

Members were advised that there was a proposed additional condition to be added to the proposal.

RESOLVED: That application 13/00559/FULL – Daedalus Airfield, Chark Lane, Lee-on-the-Solent, be approved subject to the conditions in the Report of the Borough Solicitor and Deputy Chief Executive and the additional condition listed below.

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

LS01
EBG285227DA-P-001
EBG285227DA-P-002
EL(SK)00-00 Rev B
SK005 Rev A
SK006 Rev A
SK007 Rev A
SK11 Rev A
SK12 Rev A
SK13 Rev A
SK16 Rev 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.

**91 14/00105/FULL - ERECTION OF TWO STOREY SIDE AND FIRST
FLOOR REAR EXTENSION
3 CHARK COTTAGES SHOOT LANE LEE-ON-THE-SOLENT
HAMPSHIRE PO13 9PA**

Consideration was given to the Report of the Borough Solicitor and Deputy Chief Executive requesting that consideration be given to planning application 14/00105/FULL.

The Board were advised that since the publication of the report, two letters of support for the application had been received; advising that the property would benefit from the work proposed by the application and would still be in character with the property and surrounding area.

The Planning Officer advised that the issues raised had been addressed within the report.

The Board were advised that there was no change to the recommendation as set out in the report.

Cate Mullen, the applicant was invited to address the Board.

She advised the Board that her and her partner were seeking approval for an amendment to their original plans which were approved in January of this year. She thanked the Board for the opportunity to speak and represent the views of both herself and her family.

Miss Mullen advised the Board that herself and her partner were born and brought up in the Borough and that they now had two children aged 6 and 3. Their eldest son attended the local infant school and their youngest son attended the attached pre-school. She advised that her partner was a stay at home parent and that in addition to this role he was also to undertake the building of the extension during school hours, as the project was a 'self build'.

The Board were advised that despite Miss Mullen's daily commute to work being nearly a 100 mile round trip they had always been committed to remaining in Lee On The Solent as they believed that it was a fantastic place to bring up a family.

She advised the Board that they had moved to Chark Cottages in June 2013 and loved the property as soon as they saw it and felt that it was their forever home. She acknowledged that there was a possibility that their children would remain with them into their 20s or beyond so were therefore keen for it to be a property they could grow into.

Miss Mullen advised that Chark Cottage had never previously been sold since being built, and understood that it was a tied cottage to the adjoining farmland. There were 3 pairs of cottages, 2 of which were demolished relatively recently leaving only theirs and their neighbours house. The cottage was built for a working family and it had been poorly maintained over the years, including an extension in the 1940s and some modernisation in the 50s/60s which involved a lot of artex. Other than the internal doors, no other original features remained. She advised the Board that they had not been able to find any photographs of the cottage to guide them to how it would have looked in the past and that the cottage was not Listed nor was it in a Conservation Area, however it was recognised that it had views across the Alver Valley and that they considered it to be in a nice location.

Miss Mullen advised that whilst in planning terms the house was considered to be Outside of the Urban Area, it was difficult to consider it to be so in real terms as when you looked at what surrounded the house. From the front windows the newly constructed college was very evident as would be the Innovation Centre which will be adjacent to it. In addition, running down the side of the house was the new road linking Lee-on-the-Solent to Gosport and on the other side of the road was the Cherque Farm development. She advised that they were not opposed to these factors, as development of the local area meant progress and financial benefits to the Borough that her family would benefit from, but acknowledged that they also however, meant changes to the landscape, traffic noise and other urban trappings.

The Board were advised by Miss Mullen that when the house was purchased it was known that it would need to be updated and extended to make it suitable for modern family living. The house currently had no upstairs bathroom and in order to make room for this an additional bedroom would be required. Pre-planning advice had been sought both before purchasing the house and afterwards and liaisons had taken place with the Planning Officer throughout. The application sought to add a bedroom upstairs and a living room downstairs. It was simple and therefore affordable in its design. The house has no central heating and no means of accessing mains gas, meaning that in the long term it would need to be heated in a more sustainable way and that modern methods of doing this required significantly more space than more usual means, for example a combination boiler.

Miss Mullen advised that original plans had been approved for an extension with a width of 3.5 metres, and that this would allow an internal measurement of approximately 3.2 metres. The Board were advised that a research had shown that with the exception of retirement properties which seem to be designed with a floor plan of a postage stamp, other comparable properties, three bedroom semi detached houses do not have living space akin to this. She advised that upon marking out the 3.5 metres demonstrated it would be a narrow living space and would compromise what it could be utilised for.

The Board were advised by Miss Mullen that the reason for requesting the amendment they was not that they were attempting to 'supersize' a Victorian cottage nor detract from its charms, or to spoil the location in which it was situated. It was not their intention to

develop and then sell on the property. They were simply attempting to create a home for their family. The amendment sought an adjustment of 70cms. The impact of 70cm internally to them would be significantly greater in their opinion than the impact of 70cm externally.

Miss Mullen advised that she would like to comment upon some of the points made by the planning department for this meeting:

- The extension was subservient to the existing building by virtue of it being set well back from the existing front elevation and the dropped ridge line as per the plans
- The front gable would remain as the dominant visual feature, as they would want it to be – as to be able to look at the entire frontage of the house would require people to be in the front garden as the planting at the front and side of the property made this view rather challenging to obtain
- That they could not see how an additional 70cm could impact negatively upon the appearance or character of the Strategic Gap, and would contest this; and
- That they would be very happy to plant some indigenous trees upon the western boundary and northwest corner to reduce the potential visual prominence of the building from the road which is public realm.

Miss Mullen concluded that the additional 70cm was described as rendering their amendment as 'excessive' in its width and that she had very little knowledge of planning terms and laws but wondered if the use of the term 'excessive' to describe the plans was a subjective opinion of the planning department rather than an objective application of planning terminology or law and that it seemed curious that an application could move from approval at 350cm to being viewed as 'excessive' with the addition of 70 further centimetres.

She reinstated that the purpose of the amendment and the original plan was to allow them to provide a modern family home which would serve them as their family grew up. The sole focus of the amendment and the department's reason for recommending refusal was a 70cm increase to the original plan.

Members sought clarification as to why the applicant had originally only applied for an extension width of 350cm, when it was deemed to be too narrow for a family size extension. The applicant advised that the Planning Officer had advised that 350cm would be an acceptable width for an extension so that was the application they had made. As the proposal was a self build, it was only when the proposal was measured out they realised it was too small for their needs.

Members sought clarification as to whether there were any other amendments, or whether it was just a proposed increase in the width of the extension.

The Head of Development Control clarified that the proposal was for an increased width of 70cm and that design was a subjective matter, however, approval had previously been given to an application that respected the existing symmetrical design, with gables paired in the middle of the properties which was in line with the Supplementary Planning Document guidance. The Board were advised that although 0.7m might not seem a significant width, it would emphasise the width of the building, rather than allowing the

gables to be the focus creating a horizontal emphasis, rather than the vertical emphasis retained within the original proposal.

A Member noted that the applicant had admitted that the previous extension was too small and that they were hoping to 'push the envelope' by submitting an application for a larger extension and expressed concern that should the application be refused the applicant would appeal and if the appeal was won, Gosport Borough Council would be liable for costs.

It was proposed, seconded and subsequently voted on and agreed by the Board that the application be approved.

RESOLVED: That application 14/00105/FULL – 3 Chark Cottages, Shoot Lane, Lee-on-the-Solent, be approved and delegated authority be granted to the Borough Solicitor and Deputy Chief Executive and planning officers to add appropriate conditions.

**92 14/00071/FULL – ERECTION OF ENCLOSED DECKED AREA
PEBBLE BEACH BISTRO STOKES BAY ROAD GOSPORT
HAMPSHIRE PO12 2BL**

Consideration was given to the Report of the Borough Solicitor and Deputy Chief Executive requesting that consideration be given to planning application 14/00071/FULL.

RESOLVED: That application 14/00071/FULL – Pebble Beach Bistro, Stokes Bay Road, Gosport, be approved subject to the conditions in the Report of the Borough Solicitor and Deputy Chief Executive.

93 ANY OTHER BUSINESS

The Chairman advised that this would be his last meeting Chairing the Regulatory Board and that he had found it both interesting and challenging. He expressed thanks to the Planning Officers for the work they had undertaken during the period of his chairmanship and extended thanks to the Borough Solicitor and Deputy Chief Executive and to his Vice-Chairman for their support over the last Municipal Year.

The meeting concluded at: 6.50pm

CHAIRMAN

GOSPORT BOROUGH COUNCIL – REGULATORY BOARD

10th June 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.

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01.	03-16	14/00151/DETS	154 Fareham Road Gosport Hampshire		Grant Permission subject to Conditions
02.	17-20	14/00152/ADVT	154 Fareham Road Gosport Hampshire		Grant Advert Consent subject to Conditions
03.	21-24	14/00153/FULL	149-151 High Street Lee-On-The-Solent Hampshire PO13 9BX		Grant Permission subject to Conditions
04.	25-29	14/00043/FULL	Unit 3-9 Venture Park Fareham Road Gosport Hampshire PO13 0BA		Grant Permission subject to Conditions
05.	30-41	14/00104/FULL	8 Elmhurst Road Gosport Hampshire PO12 1PG		Grant Permission subject to Conditions / s106
06.	42-47	14/00012/FULL	Land Adjacent To Fort Cottage Crescent Road Gosport Hampshire		Grant Permission subject to Conditions
07.	48-49	14/00135/FULL	23 Kennedy Crescent Gosport Hampshire PO12 2NL		Grant Permission

ITEM NUMBER: 01.
APPLICATION NUMBER: 14/00151/DETS
APPLICANT: Mr Harry Hutchinson OCEANIC ESTATES LTD
DATE REGISTERED: 28.03.2014

DETAILS PURSUANT TO APPLICATION 13/00411/OUT - ERECTION OF DRIVE-THROUGH RESTAURANT (CLASS A3/A5) AND DRIVE-THROUGH COFFEE SHOP (CLASS A3/A5) WITH ASSOCIATED ACCESS AND CAR PARKING - LAYOUT, APPEARANCE, SCALE AND LANDSCAPING (as amplified by plans received 13.05.14 and email dated 14.05.14)
154 Fareham Road Gosport Hampshire

The Site and the proposal

1. 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. Fareham Creek is located approximately 450 metres to the north, beyond a number of other industrial buildings and storage/parking areas, and is designated as 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.
2. The land, the subject of this application, is located immediately beyond a row of trees that are formally protected by Tree Preservation Order G125. The Tree Preservation Order includes 27 no. individual trees and 2 no. groups of trees. The site currently comprises grass and rubble, associated with the recent demolition of a former office block and is enclosed, for the most part, by wooden hoarding. The land 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. Both roads are the subject of 15 mile per hour (mph) speed restrictions. Barwell Lane is a one-way road, with no access permitted onto Fareham Road. The junction of Barwell Lane with Fareham Road is designed so as not to permit access for traffic travelling in a northerly direction (i.e., the junction is configured to inhibit right turns into Barwell Lane). Lederle Lane provides access both on to and off of the A32, via a traffic light controlled T-junction. The junction provides both left and right-turn lanes. A right-turn lane on the A32 provides access on to Lederle Lane for northbound traffic on the A32. The A32, which is subject to a 40 mph speed restriction, has dedicated cycle lanes on both sides of the road. A pelican crossing is sited to the front of the application site. There are 2 no. bus stops within 100 metres of the application site, on opposite sides of the A32.
3. The application site is 0.97 hectares and 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, over 200 metres to the north of the application site, which was approved in 2009, under planning permission reference K12345/75. A two storey, industrial unit has also recently been approved adjacent to Apex House, under planning permission reference 13/00052/FULL. North of these sites, is the land occupied by Seldon Masts.
4. In 2012, consent was granted under planning permission reference K12345/76 to use the previous Cyanamid site (i.e., the land and buildings), including the land the subject of this planning application, 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. A total of 250 car parking spaces were approved to the north, east and west side of the main factory building with open storage identified for the existing parking area at the northern end of the site and possibly also the area to the south of the retained factory building.

5. In July 2013, the land to the north of the application site, 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 plans show that a new access from Lederle Lane would be provided, positioned in excess of 250 metres from the junction with Fareham Road. The planning permission was granted subject to a number of planning conditions, some of which were removed, or amended in September 2013, through the grant of planning permission reference 13/00318/VOC.

6. Immediately to the north of the application site is the partially demolished, two storey, former main factory building, with a footprint of approximately 11,680 square metres. The remainder of this building, including a five storey office complex (and a number of associated extensions/outbuildings) was recently demolished, under planning reference KD13. The office complex that was demolished was located on part of the land the subject of this planning application. Consent was recently granted under planning permission reference 13/00266/FULL for the re-roofing and re-cladding of the main building, together with the installation of portal rafters and new doors, windows and loading bays. Works relating to the implementation of this consent have commenced.

7. To the north-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 and to the east of the application site, there are 2no. detached dwellinghouses. The dwellings, which are located eastern side of Lederle Lane, have frontage car parking and windows in their western (front) elevations. The front elevations are sited over 20 metres from the application site. To the south of the site, and on the opposite side of Fareham Road, are two storey, residential properties. The front elevations are set back approximately 15 metres from the back edge of the highway. The majority of the properties use the front of the plot for the parking of vehicles. There is a separation distance of approximately 35 metres from the front elevations of the dwellings and the south western boundary of the application site.

8. At the Regulatory Board meeting, held on 10 December 2013, Members resolved to grant Outline planning permission for a drive-through restaurant (Class A3/A5) and a drive-through coffee shop (Class A3/A5) on the application site, under reference 13/00411/OUT. Details of the Access only were approved. Layout, Appearance, Scale and Landscaping were to be the subject of Reserved Matters applications.

9. Indicative plans were submitted showing how the proposed development could be accommodated on the site. The indicative plans show a drive-through restaurant with a floor area of 305 sq. metres and a drive-through coffee shop with a floor area of 209 sq. metres. The indicative plans show the buildings to be single storey in scale with a modern design, including glazed sections fronting onto Fareham Road. The indicative drawings show the proposed buildings to be set back from Fareham Road by approximately 20 metres. The drive-through restaurant is shown towards the eastern side of the plot, with the drive-through coffee shop located to the west.

10. Under the Outline planning permission reference 13/00411/OUT, a total of 46 no. car parking spaces were shown for the drive-through uses. The indicative drawings show the proposed drive-through restaurant to be served by a total of 24 no. spaces with the drive-through coffee shop served by a total of 22 no. spaces. The spaces were shown for use by both staff and customers of the drive-throughs.

11. Under Outline planning permission reference 13/00411/OUT, 2 no. new vehicular accesses into the site were approved. The approved plans show 1 no. access from Barwell Lane, sited approximately 35 metres from the junction with Fareham Road. The approved plans show the access to be 6.8 metres wide, with a radii of 6 metres. The access would allow two-way entry into and out of the application site, however, as Barwell Lane does not permit access back onto the A32, it was anticipated that this access will only likely be used for entry and, due to the configuration of the junction between Barwell Lane and Fareham Road, only by vehicles travelling southbound

along the A32 (no right turn is permitted into Barwell Lane for northbound traffic). The approved access to the site from Lederle Lane is shown to be 6 metres wide with an 8 metre radii. The access is shown to be sited over 50 metres from the traffic light controlled junction with Fareham Road.

12. Outline planning permission reference 13/00411/FULL was supported by a Transport Statement, which analysed the predicted peak and daily trips associated with the proposed drive-through uses, the anticipated car parking requirements, access and visibility requirements, servicing requirements and the impact of the development on the local road network. The Transport Statement concluded that the proposed drive-through uses, together with the extant planning permission reference 13/00178/FULL, would result in 183 no. less daily movements (including 32 no. less movements in the morning peak and 23 no. less movements in the evening peak), when compared to the existing planning permission for mixed Class B uses at the site, as permitted by planning permission reference K12345/76 and when considering the previous traffic movements associated with the demolished office block.

13. The application was also supported by a Traffic Distribution Comparisons Technical Note which was submitted in order to provide a comparison of the trip distributions through the Fareham Road/Lederle Lane signalised junction for the existing and proposed uses at the site. The Technical Note analysed the traffic movements during various periods of the day, including during the peak morning, lunchtime and evening periods. The Technical Note concluded that, when compared the previous office use at the site, the proposed development would result in 42 no. less movements through the junction in the morning peak and 7 no. additional trips through the junction in the evening peak.

14. In granting Outline planning permission, the Council, following consultation with the Local Highway Authority, considered that the drive-through uses at the site could be delivered without harming the free flow of traffic on the A32, or on Lederle Lane or Barwell Lane and without compromising the access arrangements of existing, adjacent occupiers. Likewise, it was concluded that the development will not have a negative impact on the performance of the signalised junction between Lederle Lane and the A32, which will continue to operate and be controlled under the existing SCOOT system. The applicant demonstrated, with appropriate evidence, that the drive-through uses will not result in an overall increase in the number of weekday vehicular movements onto the A32 when compared to the previous office use and that a significant proportion of visitors to the drive-through uses will be "pass-by" drivers (i.e., those already using the local highway network). The indicative total of 46 no. car parking spaces for the quantum of development proposed was considered to be an appropriate provision and it was not, therefore, considered that the development will result in a harmful level of overspill parking in the local highway network, to the detriment of local amenity or highway safety.

15. This application is for the approval of details pursuant to Outline planning permission reference 13/00411/OUT, i.e., the Reserved Matters, relating to layout, appearance, scale and landscaping, following the principles established by the Outline planning consent.

16. The submitted plans show that, like the indicative drawings submitted in support of Outline planning permission reference 13/00411/OUT, the drive-through restaurant would be sited on the eastern side of the site, with the drive-through coffee shop located further west. As with the indicative drawings, the drive-through restaurant would be set back approximately 20 metres from the back edge of Fareham Road, with the drive-through coffee shop sited approximately 15 metres from the back edge of the pavement. The eastern elevation of the drive-through restaurant is again shown to be sited approximately 50 metres from the front elevations of the dwellings to the east, in Lederle Lane. There would be a separation distance of over 50 metres between the southern elevations of the buildings and front elevations of the two storey dwellings located on the southern side of Fareham Road.

17. The proposed drive-through restaurant would have a largely rectangular footprint and, internally, would comprise a restaurant seating area, a kitchen, toilet facilities, a servery, cold rooms, storage areas and an enclosed yard. The drive-through restaurant would be single storey in

scale, with flat roofs, set to a maximum height of 4.5 metres. It would also contain a projecting panel at the eastern end of the roof, positioned towards the front of the building, with an overall height of 6.8 metres. The projection would display the company name on its northern and southern sides. The plans show that 3 no. solar panels would also be affixed to the roof, towards the western end of the building, and orientated south, to maximise the likely exposure to sunlight.

18. The plans show that the building would be finished using insulated panels, red and white in colour, with silver, aluminium window frames. The pedestrian entrance door, which would be located in the eastern elevation, would have a bronze colour finish. The entrance door would be set within a red, projecting portico, which would display the company logo on its eastern side, above the door. Full height glazing would be included in the eastern, northern and southern elevations, to provide natural light to the proposed restaurant seating area. The customer, drive-through order-point would be sited in the western elevation of the building, over 80 metres from the residential properties in Lederle Lane. The collection point would be located centrally within the northern elevation, approximately 60 metres from the front elevations of properties in Lederle Lane. The drive-through lane would be finished in a printed concrete and would extend around the building on its southern, western and northern sides. The plans show that there would be an area of hard surfacing (concrete interlocking tiles) on the eastern side of the building, which would contain picnic benches. This outside eating area would be partially enclosed by pedestrian barriers, set to a height of 1 metre.

19. The drive-through restaurant would be ventilated by an extraction system that would discharge via a vertical flue, positioned within a service yard on the western side of the building. The yard would be enclosed on all sides but would not be covered. The plans show that the flue would terminate at eaves level via a high velocity vertical discharge cowl. The walls of the service yard would include a 0.3 metre high parapet. The cowl of the flue would not extend above the top of the parapet. The extraction system would include grease filters and an odour abatement system and the applicant has confirmed that the system would be fitted in such a way so as to allow for retrofitting of additional filters. The flue would be sited in excess of 75 metres from the residential properties in Lederle Lane and over 65 metres from the residential properties on the southern side of Fareham Road.

20. The proposed drive-through coffee shop would be sited 29 metres to the west of the drive-through restaurant. The building would have a largely rectangular footprint, consistent with the indicative plans considered under Outline planning application reference 13/00411/OUT. Internally, the coffee shop would comprise a restaurant seating area, WC facilities, a servery area and a store/office. There would be an enclosed, flat roof refuse store on the western elevation of the building. A projecting bay on the northern side of the building would provide an ordering/collection point. The order/collection point would be sited approximately 115 metres from the residential properties in Lederle Lane.

21. Like the drive-through restaurant, the coffee shop would also be single storey in scale. It would have a mono-pitched roof which would extend from 3.6 metres to 5.9 metres in height. The building would be constructed onto a brick plinth. The external walls would be finished using a variety of stained, larch cladding, grey, composite insulated panels and grey render. There would be areas of glazing in the southern elevation (fronting Fareham Road) and the eastern elevation (fronting the drive-through restaurant). A canopy would extend along the frontage of the southern elevation, which would include the customer entrance door. The canopy would be constructed from fabricated steel, with a galvanised finish.

22. As with the indicative Outline planning permission, the drive-through restaurant and drive-through coffee shop would be served by 46 no. car parking spaces. The submitted plans show that an additional 90 no. spaces would be provided for use in association with the permitted Class B uses, to the north of the application site, an increase of 18 no. spaces when compared to the car parking shown on the indicative drawings considered under Outline planning permission reference 13/00411/OUT.

23. The parking spaces would be arranged, for the most part, as parallel bays. Areas of slate gravel would be provided at the end of the bays to denote the back edge of the parking spaces. The access roads and parking bays would be surfaced using tarmac. The plans show that white arrows would be painted on to the tarmac in order to direct traffic flow, together with wording to indicate the entrance to the drive-through and areas of 'No Entry'.

24. A pedestrian crossing would be provided on the eastern side of the site, to link the drive-through restaurant with the industrial units to the north. The submitted plans show that the drive-through restaurant would be serviced by a designated delivery bay (for articulated vehicles), positioned on the western side of the building. The proposed drive-through coffee shop would be serviced from within the car parking area on the western side of the building, as was shown on the indicative plans considered under Outline planning application reference 13/00411/OUT.

25. Areas for the parking of cycles would be provided on the northern side of the vehicular access from Lederle Lane, as well as adjacent to the southern elevation of the drive-through restaurant.

26. Plans and specifications have been submitted detailing the proposed soft landscaping for the site. The plans show that the parking areas would include Ginkgo Bilboa, Oak, Maple and Hornbeam trees, positioned within the areas of slate gravel. The plans show that a row of 5 no. Oak trees would be planted on the eastern side of the site, adjacent to Lederle Lane with an area of hedging introduced between the 2 no. northernmost trees. There would be a further Oak tree planted on the northern side of the approved vehicular access from Lederle Lane.

27. 3 No. Conifer trees are proposed in the south eastern corner of the site, adjacent to the junction between Lederle Lane and Fareham Road. The Conifers would be sited behind the existing trees fronting Fareham Road. A single Gum tree is proposed to the south of the proposed drive-through coffee shop, on an existing area of grass. The plans also show that it is proposed to introduce a shrub bed to the south of the central area of car parking that will separate the drive-through coffee shop from the drive-through restaurant. The shrub bed would include a variety of species and would be created within an existing area of grass. The existing trees along the Fareham Road frontage, which are protected by Tree Preservation Order G.125, would be retained. The plans show that 3 no. bird boxes would be affixed to the trees, sited 3 metres above ground level. Details of the bird boxes have been submitted as part of the application.

28. 3 no. paths would be introduced from the pavement on the northern side of Fareham Road to the application site in order to improve pedestrian access from the surrounding area. A new pedestrian path would also be introduced on the eastern side of the site, adjacent to Lederle Lane.

29. The application has been supported by a plan showing how the site would be enclosed by hoarding and Herass fencing during the construction period, in an attempt to reduce disturbance to neighbouring occupiers. Wheel washing facilities (to help prevent mud entering the highway network) and the location of the proposed contractors huts have also been shown. Information has been submitted to explain the prospective operator's site management policies, including the use of CCTV and measures to remove litter from the site.

30. The Council is currently considering an application for the erection and display of advertisements associated with the drive-through restaurant, including illuminated signage on the building itself. The advertisement application is being considered under planning reference 14/00152/ADVT.

Relevant Planning History

154 Fareham Road (including application site)

13/00318/VOC - variation/removal of conditions 3, 4, 5, 7, 8, 11, 12 and 13 of planning permission reference 13/00178/FULL relating to samples of external materials, new accesses, open storage, percussive piling, the submission of an environmental mitigation strategy, the removal of trees/shrubs and details and completion of landscape scheme - permitted 12.09.13

13/00266/FULL - re-roofing, re-cladding and installation of portal rafters together with alterations to elevations to provide new windows, doors and loading bays - permitted 12.09.13

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

KD13 - demolition consultation - prior approval not required 29.10.12

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

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

13/00411/OUT - Outline Application - erection of drive-through restaurant (Class A3/A5) and drive-through coffee shop (Class A3/A5) with associated access and car parking - permitted 18.12.13

14/00152/ADVT - erection and display of 1 no. non-illuminated wall-mounted sign, 1 no. non-illuminated banner sign, 7 no. internally illuminated fascia signs, 2 no. internally illuminated freestanding signs and 12 no. non-illuminated freestanding signs - pending

154 Fareham Road (excluding application site)

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

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

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/T3

Internal Layout of Sites

R/T4

Off-site Transport Infrastructure

R/T11

Access and Parking

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/S2
Location of Additional Shopping & Leisure Floorspace
R/OS11
Protection of Areas of National 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/ENV5
Contaminated Land
R/ENV9
Safeguarded Areas
R/ENV10
Noise Pollution
R/ENV12
Air Quality
R/ENV14
Energy Conservation
R/ENV15
Renewable Energy

Consultations

Environment Agency (Hants & IOW)	No objection.
Natural England	No objection.
Southern Water	No objection. The applicant should be aware of existing sewers at the site which might need to be protected during the construction works.
HCC Ecology	The details submitted are acceptable. The application will provide additional soft landscaping and bird boxes which will enhance biodiversity. Further opportunity could have been taken to provide more native species.
Crime Prevention & Design	The proposed pedestrian paths linking the site to the pavement on Fareham Road should be lit. The car parking areas should be well lit. Some consideration should be given to the installation of barriers or gates at the vehicular access, to allow the site to be secured if necessary.
Building Control	No objection. Approval under the Building Regulations will be required.
Environmental Health	No objection. The extraction system is acceptable and the applicant has confirmed that it will be fitted to allow for retrofitting of

	additional filters.
Streetscene Parks & Horticulture	No objection. Root protection area and the proposed tree protection measures are appropriate. It will be beneficial to view the protective fencing once it is in situ. The landscape proposals are appropriate and well thought out.
Streetscene Waste & Cleansing	No objection.
Local Highway Authority	No objection, subject to a condition requiring lighting to be provided along the pedestrian footpaths.

Response to Public Advertisement

1 letter of observation received

Issues raised:-

- questions whether the prospective occupiers will meet with local residents and Ward Councillors to discuss the proposals
- traffic calming measures should be introduced within the parking areas, as was suggested by the Crime Prevention and Design Officer when the Outline application was considered

2 letters of objection received

Issues raised:-

- the proposed development is too close to Oaklands in Lederle Lane
- the occupiers of Oaklands will be adversely affected by light pollution from car headlights and signage, noise pollution, odour problems, litter and waste, overlooking and loss of privacy
- the proposed development is incompatible with the surrounding residential area
- the drive-through restaurant should be sited on the western side of the site, as this side has a more industrial character
- the outside seating area will result in noise disturbance, litter and odour problems for the occupiers of nearby properties
- the layout should be reconfigured so the outside seating area is sited further away from residential dwellings

Principal Issues

1. The Council has made the applicant aware of the residents request for a meeting and all letters of representation are publicly available for the applicant to view. The principle of a 309 square metre drive-through restaurant (Class A3/A5) and a 205 square metre drive-through coffee shop (Class A3/A5) in this existing employment area, together with the access into the site has been approved by Outline planning permission reference 13/00411/OUT. Likewise, the traffic generation associated with the proposed development, as well as the likely impact on the highway network and the nearby Portsmouth Harbour Special Protection Area and Ramsar site, has also been considered and approved by the Outline permission. Drainage matters are controlled by a planning condition attached to the Outline planning permission. The only issues in this case, therefore, relate to the consideration of the Reserved Matters and whether the proposed appearance, scale, layout and landscaping are acceptable, the impact on the visual amenity of the locality, the amenities of neighbouring occupiers and whether adequate provision has been made for car and bicycle parking, deliveries, refuse storage and collection, biodiversity and energy conservation.

2. The overall height and design of the buildings has been carefully considered to ensure that neither building will create an incongruous feature when viewed from Fareham Road, Barwell Lane or Lederle Lane, or when compared to the established pattern of development in the locality. The

buildings will be set back from the road frontages and will be well screened from public view by existing and proposed vegetation. Notwithstanding this, both buildings will have a modern appearance that is appropriate to the industrial location to which they relate. The use of extensive areas of glazing will add to the visual interest of the buildings and will help to create active, vibrant frontages. The external materials relate well to the existing commercial buildings to the north of the site (including the recladding approved under planning permission reference 13/00266/FULL) and will not harm the character of this section of Fareham Road. The low, pedestrian fencing on the eastern side of the drive-through restaurant is appropriate and will not detract from the appearance of the area. The extraction cowl, by reason of its location within the service yard, where it will terminate below parapet level, will not be visible from public view and this will, therefore, help to preserve the visual amenity of the locality. The provision of large car parking areas is not uncommon within industrial locations. Notwithstanding this, the development will utilise a variety of hard surfacing materials to add visual interest, which will be further enhanced by tree planting, so as to avoid uninterrupted rows of parked vehicles. The proposed development has, therefore, been designed so as to successfully integrate into the immediate, industrial context to which it relates, as well as the wider locality. The scale of the development is appropriate and will be more sympathetic to the two storey industrial building to the north and the two storey residential properties to the south and east, than the five storey, office building, that previously occupied part of the site. The scale and external appearance of the building is appropriate and the development, therefore, complies with the National Planning Policy Framework and Policy R/DP1 of the Gosport Borough Local Plan Review.

3. The proposed buildings will occupy a very small footprint relative to the overall size of the site and particularly when compared to the size of the adjacent industrial unit to the north. There will be a separation distance of approximately 30 metres between the opposing elevations of the drive-through restaurant and drive-through coffee shop which will be sufficient to avoid the appearance of a cramped or congested layout. Likewise, the buildings will be set a sufficient distance away from the industrial building to the north to avoid them being dominated by the existing built form. The layout of the development is such that the buildings will be sited a sufficient distance away from the trees to the south (TPO G.125), to ensure that there is not detrimental impact on their health or amenity value. The development will provide a practical layout that will allow vehicles to negotiate and manoeuvre around the site safely and conveniently, assisted by the provision of appropriate road markings and the use of varied hard surfacing materials. The layout of the car parking areas has also been carefully considered to ensure that the development, once operational, does not result in vehicles queuing at the accesses, or onto the adjacent highways and has been designed so as not to prejudice the access arrangements of the adjacent industrial uses to the north. The aisle width between parking bays is adequate and the car parking spaces are of sufficient size to allow vehicles to be parked safely and conveniently. Adequate space will be available for turning and, in the interests of highway and pedestrian safety, there will be an appropriate level of visibility at internal junctions within the site. The layout of the car park will likely dictate that vehicle speeds are low and it is not, therefore, considered necessary to include a condition requiring the provision of traffic calming measures, to be implemented across the site. Due to the potential twenty-four hour operation of the industrial units to the north of the site, it is not possible to restrict vehicular access into the site at night. The drive-through restaurant will be serviced from a designated delivery bay, the siting of which has been carefully considered to ensure that articulated vehicles will have adequate space to manoeuvre, without harming the safety of other uses of the site. The delivery bay and the service yard for the restaurant will be sited on the western side of the building, away from the residential properties to the east. Adequate space is also shown for deliveries to the proposed drive-through coffee-shop. The development, therefore, complies with the National Planning Policy Framework and Policies R/DP1 and R/T11 of the Gosport Borough Local Plan Review.

4. The proposed drive-through restaurant will be sited in excess of 50 metres from the 2 no. residential properties in Lederle Lane, in the same location as was shown on the indicative drawings considered under Outline planning application reference 13/00411/OUT. In light of this, the limited building heights, the commercial use of the Existing Employment Site and due to the intervening existing and proposed vegetation, the layout is considered acceptable. The development will not harm the amenity of neighbouring occupiers with regard to loss of light,

outlook, or privacy, in accordance with the National Planning Policy Framework and Policy R/DP1 of the Gosport Borough Local Plan Review.

5. The Noise Assessment, submitted in support of the Outline Planning application demonstrated that, once operational, the noise associated with the proposed development (including the use of the Customer Order Point, car doors being shut, the movement of vehicles, the use of plant i.e., extraction systems), will not result in harmful levels of noise disturbance to adjacent occupiers, taking into account existing background noise levels. Notwithstanding this, the customer order point has been sited on the western side of the drive-through restaurant, away from the neighbouring properties in Lederle Lane. The provision of hoarding and fencing around the perimeter of the site will help to reduce the likely level of disturbance to neighbouring occupiers during the construction period, the provision and retention of which will be controlled by condition. The requirement to submit details of the measures to control the emission of dust, dirt and smoke from the site during construction is controlled by a condition attached to the Outline planning permission. The luminaire profiles submitted in support of the application show that the lighting associated with the proposed car parking areas can be provided so as to avoid glare to neighbouring occupiers, preserving the amenity of local residents whilst, at the same time, creating a safe/pleasant environment during hours of darkness. The lighting will also help to reduce instances of crime and anti-social behaviour. The proposed buildings and associated car parking areas will also be located beyond a row of mature and established, protected trees, which will help to screen the residents of Fareham Road from harmful levels of glare/light spillage. The tree screen will also help to reduce noise emanating from the site. A condition will be included requiring the submission of details relating to the provision of low level lighting along the proposed paths linking the application site to the pavement on the northern side of Fareham Road. The proposed extraction system will be sufficient to ensure that the drive-through restaurant can operate without harming the amenity of neighbouring occupiers in terms of problems with odour and the requirement to submit details of the extraction system/equipment to be used to ventilate the drive-through coffee shop will be controlled by condition.

6. In light of this, the separation distances, the tree screen, the proposed planting on the eastern boundary and the fact the hours of opening are controlled by a planning condition attached to the Outline consent, it is not considered that the proposed development, by reason of its appropriate design and layout, will result in unacceptable levels of noise disturbance to the occupiers of these dwellings, particularly when considering the industrial location and the background noise levels associated with the use of the A32. Likewise, the proposed development will not harm the amenity of neighbouring occupiers in terms of light spillage/glare or odour. The development, therefore, complies with the National Planning Policy Framework and Policies R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review.

7. The provision of litter bins (including the exact number, type and location) will be controlled by condition and this will help to reduce problems of littering. The prospective operator has outlined measures in its site management strategy that will also help to reduce littering at the site, including litter picking programmes undertaken by staff. The operator has indicated that bins are, typically, emptied by staff 3 - 4 times per day. The outside seating area would be sited in the same location as it was shown on the indicative drawings submitted in support of Outline Planning permission reference 13/00411/OUT. It continues to be considered that the drive-through restaurant and the operations/activities associated with this use, including of the outside seating area, will not result in an unacceptable level of disturbance to adjacent occupiers.

8. A significant number of new trees will be planted across the site, including a number of Oak and Conifer trees on the eastern side. This will enhance the appearance of the site and will complement the existing, extensive areas of vegetation along the Fareham Road frontage. The provision of Oak trees, which are a native species, together with areas of hedging will help to create an element of natural screening between the application site and the neighbouring properties in Lederle Lane and this will, in turn, help to preserve the outlook, privacy and amenity of the occupiers of these dwellings. The provision of trees throughout the car parking areas will help to 'break up' the larger areas of hard surfacing and will enhance the overall appearance of the development. Likewise, the provision of a shrub bed at the southern end of the site will, not only enhance the biodiversity value

of the site, but will also provide an attractive feature. No trees are to be removed as part of the development proposal and, as part of the application, the applicant has identified a tree protection area, to be provided during the construction period, the implementation and retention of which is controlled by a condition attached to the Outline consent. The siting of the proposed buildings is such that the development will not harm the health or amenity value of the protected trees. The landscaping proposals, including the choice of species are, therefore, acceptable, in accordance with the National Planning Policy Framework and Policy R/DP1 of the Gosport Borough Local Plan Review.

9. The submitted drawings show locations for the installation of solar panels on the roof of the drive through restaurant and this will help to promote the use of renewable energy sources, in line with the requirements of the National Planning Policy Framework and the aims and objectives of Policies R/ENV14 and R/ENV15 of the Gosport Borough Local Plan Review. A condition attached to the Outline planning permission requires the applicant to submit a timeframe within which to fit the renewable energy measures.

10. The provision of 3 no. bird boxes, together with the proposed landscaping scheme, will enhance the biodiversity value of the site, in accordance with National Planning Policy Framework. The provision and retention of the bird boxes will be controlled by condition.

RECOMMENDATION: Grant Permission

Subject to the following condition(s):-

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

978-DTRM-P02
2310/PL211 Rev A
2310/PL126 Rev A
2310/PL125/ Rev B
2310/G209
978-DTRM-05
978-DTRM-04
2310/G124 Rev 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.

2. No development relating to the drive-through restaurant hereby approved shall commence until the site compound, wheel washing facilities, hoardings around the part of the site to be constructed and provisions to be made for the access and parking of contractors, site operatives, employees, visitors, demolition and construction vehicles, have been provided, in accordance with the details contained within the Construction Management Document and drawing number 978-CM-01. The site compound, wheel washing facilities, hoardings and provisions to be made for the access and parking of contractors, site operatives, employees, visitors, demolition and construction vehicles shall be retained, in accordance with the approved details, until the construction of the drive-through restaurant has been completed, unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - In the interests of the amenity of neighbouring occupiers and highway safety and to comply with the National Planning Policy Framework and Policies R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review.

3. No development relating to the drive-through coffee shop shall take place until a detailed Construction Environmental Management Plan (CEMP) has been submitted to and approved, in writing, by the Local Planning Authority. The CEMP shall contain details of:

(a) the location of the site compound and any buildings within it;

- (b) the means of enclosure of the site compound and hoardings to be erected around the site;
- (c) the provisions to be made for the parking of contractors, site operatives, employees and visitors vehicles;
- (d) access to the site for demolition and construction vehicles;
- (e) the provision for wheel washing facilities;
- (f) measures to control the emission of dust, dirt and smoke from the site during construction;

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

Reason - To ensure the environment is protected and that the construction works on site do not impact surrounding properties and/or adjacent occupiers and to comply with the National Planning Policy Framework and Policies R/DP1, R/T2, R/T3, R/T10, R/T11 R/ENV2, R/ENV4, R/ENV10 and R/ENV12 of the Gosport Borough Local Plan Review.

4. The development hereby approved shall not be brought into use until the new vehicle accesses have been provided in accordance with approved drawings 978-DTRM-01, 978-DTRM-P02 and 2310/G124 Rev A. The accesses shall be retained in accordance with the approved details thereafter.

Reason - In the interests of highway and pedestrian safety and the visual amenity of the locality and to comply with the National Planning Policy Framework and Policy R/DP1, R/T3 and R/T11 of the Gosport Borough Local Plan Review.

5. The development hereby approved shall not be brought into use until the 3 no. pedestrian paths linking the application site to the pavement on the northern side of Fareham Road have been provided in accordance with approved drawing 978-DTRM-P02. The pedestrian paths shall be retained in accordance with the approved details thereafter.

Reason - In the interests of highway and pedestrian safety and the visual amenity of the locality and to comply with the National Planning Policy Framework and Policy R/DP1, R/T3 and R/T11 of the Gosport Borough Local Plan Review.

6. The internal roads, footpaths, footways, road markings, vehicle parking areas, turning areas and delivery areas shall be made up, surfaced and marked out in accordance with approved plans 978-DTRM-01, 978-DTRM-P02 and 2310/G124 Rev A. The internal roads, footpaths, footways, road markings, vehicle parking areas, turning areas and delivery areas shall be provided in accordance with a programme/timetable to be agreed, in writing, by the Local Planning Authority and retained thereafter.

Reason - In the interests of highway and pedestrian safety and the visual amenity of the locality and to comply with the National Planning Policy Framework and Policy R/DP1, R/T3 and R/T11 of the Gosport Borough Local Plan Review.

7. The external lighting for the site shall be carried out in accordance with approved plan 978-DTRM-P02 and the details contained within the LITEtask and Thorns lighting documents. The lighting shall be provided in accordance with a programme/timetable to be agreed, in writing, by the Local Planning Authority and retained thereafter.

Reason - To ensure an adequate and appropriate level of lighting is provided at the site and to comply with the National Planning Policy Framework and Policy R/DP1 of the Gosport Borough Local Plan Review.

8. The drive-through restaurant hereby permitted shall not be occupied until the cycle parking facilities for the restaurant have been provided in accordance with approved plans 2310/G124 Rev A and 978-DTRM-P02. The cycle parking facilities shall be retained for use by the drive-through restaurant and in accordance with the approved details thereafter.

Reason - To ensure adequate cycle parking facilities are provided and to comply with the National Planning Policy Framework and Policy R/DP1 of the Gosport Borough Local Plan Review.

9. No development above slab level relating to the drive-through coffee shop hereby approved shall take place until details of the cycle parking facilities for the coffee shop have been submitted to and approved, in writing, by the Local Planning Authority. The cycle parking facilities shall be

provided in accordance with the approved details before the coffee shop is first brought into use and retained for use by the drive-through coffee shop thereafter.

Reason - To ensure adequate cycle parking facilities are provided and to comply with the National Planning Policy Framework and Policy R/DP1 of the Gosport Borough Local Plan Review.

10. The drive-through restaurant hereby permitted shall not be occupied until the refuse storage facilities for the drive-through restaurant have been provided in accordance with approved plan 2310/PL125 Rev B. The refuse storage facilities shall be retained in accordance with the approved details thereafter, unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure adequate refuse storage facilities are provided and to comply with the National Planning Policy Framework and Policy R/DP1 of the Gosport Borough Local Plan Review.

11. The drive-through coffee shop hereby permitted shall not be occupied until the refuse storage facilities for the drive-through coffee shop have been provided in accordance with approved plan 978-DTRM-04. The refuse storage facilities shall be retained in accordance with the approved details thereafter, unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure adequate refuse storage facilities are provided and to comply with the National Planning Policy Framework and Policy R/DP1 of the Gosport Borough Local Plan Review.

12. The drive-through restaurant hereby permitted shall not be occupied until the litter bins have been provided, in accordance with the details shown on approved plan 2310/G124 Rev A. The litter bins shall be retained in accordance with the approved details thereafter, unless otherwise agreed, in writing, by the Local Planning Authority.

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

13. No development above slab level shall take place until details of the lighting for the 3 no. paths linking the application site to the pavement on the northern side of Fareham Road, as shown on approved plan 978-DTRM-P02, have been submitted to and approved, in writing, by the Local Planning Authority. The lighting for the 3 no. paths shall be provided in accordance with the approved details before the development hereby permitted is first brought into use and shall be retained thereafter, unless otherwise agreed, in writing, by the Local Planning Authority.

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

14. Bird boxes shall be provided in accordance with approved plan 978-DTRM-P02 and the details contained within the document entitled 'RSPB Bird boxes', within 6 months of completion of the drive-through restaurant or drive-through coffee shop, whichever is completed first. The bird boxes shall be retained, in accordance with the approved details thereafter, unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - In the interests of biodiversity and to comply with the National Planning Policy Framework and Policy R/OS14 of the Gosport Borough Local Plan Review.

15. The soft landscaping, including the trees and shrub beds shall be provided in accordance with approved plan 978-DTRM-P02 and details outlined in the 'Landscape Specification Management' within 6 months of completion of the drive-through restaurant or drive-through coffee shop, whichever is completed first, or within the next available planting season following completion. The soft landscaping, including the trees and shrub beds, shall be managed in accordance with the approved 'Landscape Specification Management' thereafter, unless otherwise agreed, in writing, by the Local Planning Authority.

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

16. The drive-through restaurant hereby approved shall be constructed in accordance with the materials specified on approved plan 2310/PL211 Rev A unless otherwise agreed, in writing, by the Local Planning Authority.

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

17. The drive-through coffee shop hereby approved shall be constructed in accordance with the materials specified on approved plan 978-DTRM-05 unless otherwise agreed, in writing, by the Local Planning Authority.

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

18. The drive-through restaurant hereby approved shall not be brought into use until the extraction system for the drive through restaurant has been installed in accordance with the following approved plans and details:

2310/G209

2310/PL125 Rev B

Section 1: Kitchen Extract System Details (paragraphs 1.1 - 1.17 inclusive)

Section 2: Odour Abatement System (paragraphs 2.01 - 2.04 inclusive)

Email received 15.05.14 titled 'Extraction System - Drive Through Restaurant (154 Fareham Road)'

The extraction system shall be retained and maintained in accordance with the approved details thereafter.

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

19. No development relating to the drive-through coffee shop hereby approved shall commence until details of the equipment to be used to control the emission of fumes and odour from the building and details of the future retention and management of the equipment have been submitted to and approved, in writing, by the Local Planning Authority. The equipment shall be provided in accordance with the approved details before the drive-through coffee shop is first brought into use and retained and maintained in accordance with the approved details thereafter.

Reason - To protect the amenities of surrounding properties and to comply with the National Planning Policy Framework and Policies R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review.

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), no accesses or egresses other than those shown on approved plans 978-DTRM-01, 978-DTRM-P02 and 2310/G124 Rev A shall be formed to the site.

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

ITEM NUMBER: 02.
APPLICATION NUMBER: 14/00152/ADVT
APPLICANT: Mr Harry Hutchinson OCEANIC ESTATES LTD
DATE REGISTERED: 07.04.2014

ERECTION AND DISPLAY OF 1 NO. NON-ILLUMINATED WALL-MOUNTED SIGN, 1 NO. NON-ILLUMINATED BANNER SIGN, 7 NO. INTERNALLY ILLUMINATED FASCIA SIGNS, 2 NO. INTERNALLY ILLUMINATED FREESTANDING SIGNS AND 12 NO. NON-ILLUMINATED FREESTANDING SIGNS (as amended by plan received 01.05.14)
154 Fareham Road Gosport Hampshire

The Site and the proposal

1. The application site is located on the north-eastern side of Fareham Road (A32). The land, the subject of this application, is located immediately beyond a row of trees that are formally protected by Tree Preservation Order G125. The Tree Preservation Order includes 27 no. individual trees and 2 no. groups of trees. The site currently comprises grass and rubble, associated with the recent demolition of a former office block and is enclosed, for the most part, by wooden hoarding. The land is located between Barwell Lane and Lederle Lane, both of which are private roads.
2. To the north-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 and to the east of the application site, there are 2no. detached, dwellinghouses. The dwellings, which are located eastern side of Lederle Lane, have frontage car parking and windows in their western (front) elevations. The front elevations are sited over 20 metres from the application site. To the south of the site, and on the opposite side of Fareham Road, are two storey, residential properties. The front elevations are set back approximately 15 metres from the back edge of the highway. The majority of the properties use the front of the plot for the parking of vehicles. There is a separation distance of approximately 35 metres from the front elevations of the dwellings and the south western boundary of the application site.
3. At the Regulatory Board meeting, held on 10 December 2013, Members resolved to grant Outline planning permission for a drive-through restaurant (Class A3/A5) and a drive-through coffee shop (Class A3/A5) on the application site, under reference 13/00411/OUT. Details of the Access only were approved. Layout, Appearance, Scale and Landscaping were to be the subject of Reserved Matters applications. The Council is currently considering an application for the approval of details pursuant to the Outline planning permission 13/00411/OUT, i.e., the Reserved Matters, relating to layout, appearance, scale and landscaping. The details include the detailed design of the 2 no. drive-through buildings and the layout of the parking areas and drive-through facilities. The application is being considered under reference 14/00151/DETS.
4. This application advertisement consent is for the erection and display of signage associated with the drive-through restaurant being considered under planning application 14/00151/DETS. It is for 1 no. illuminated wall mounted sign, 1 no. non-illuminated banner sign, 7 no. internally illuminated fascia signs, 2 no. internally illuminated freestanding signs and 12 no. non illuminated freestanding signs.
5. The proposed illuminated wall mounted sign would be displayed on the eastern elevation of the drive-through restaurant (facing towards Lederle Lane), above the proposed entrance door. The sign, which would display the company logo, would be 1.95 metres wide and 1.95 metres high. It would be set 2.55 metres above ground level and would comprise a white and black graphic on a red background. The sign would be of Perspex construction and would be internally illuminated (static) to 250 cd/sq.m.

6. The proposed internally illuminated fascia signs would display the company name, comprising the letters 'KFC'. 3 no. of the signs would be white in colour. 1no. of the signs would be have an overall width of 2.26 metres and an overall height of 0.6 metres, set to a height of 2.35 metres above ground level. The 2 no. remaining, white coloured signs, would have an overall width of 2.598 metres, would be 0.7 metres high and would be set 4.775 metres above ground level. The signs would be illuminated to a level of 250 cd/sq.m. The remaining fascia signs would be red in colour. They would have an overall width of 2.598 metres and would be 0.7 metres high. The signs would be set 3.31 metres above ground level and would be illuminated to a level of 250 cd/sq.m.

7. It is proposed to erect a banner sign on the eastern side of the site, to the north of the junction between Lederle Lane and Fareham Road. The sign would be sited approximately 5 metres from the back edge of Lederle Lane. The banner sign would be set within a galvanised metal frame, with an overall length of 5.1 metres and a total height of 1.32 metres. The sign would be sited opposite the driveway of Oaklands, in Lederle Lane. It would not be illuminated. Approximately 15 metres to the south of the banner sign, and adjacent to the junction between Lederle Lane and Fareham Road, it is proposed to erect a 6 metre high, internally illuminated, freestanding sign. The sign would have a depth of 0.2 metres and would be 1.734 metres wide. The middle section of the sign would display the restaurant logo and the fact that drive-through facilities are available at the site. The top 2.3 metres of the sign and the lower section of the sign would remain free of advertisements, so that it may be used by other industrial uses, if necessary. The sign would have a red background with a black and white graphic. It would be illuminated to a level of 250 cd/sq.m. The sign would be sited approximately 30 metres from the front elevation of the residential property, Oaklands, in Lederle Lane. The sign would be orientated at an angle to the front elevation of the property and would not, therefore, directly oppose the property.

8. The remaining signs proposed at the site would either have a directional/operational function (i.e., associated with the use of the drive-through restaurant and the car park), or would be used to display menu choices. They would principally be displayed around the perimeter of the building, in close proximity to the drive-through vehicle lane. The signs displaying menu options would be illuminated by internal florescent tubes, with a maximum luminance level of 250 cd/sq.m. The remaining signs would be non-illuminated.

9. The applicant has submitted an amended plan after the Local Planning Authority expressed concern that there would be insufficient space under the canopy of the protected trees to site the proposed 6 metre high, internally illuminated, freestanding sign. The sign has, therefore, been sited approximately 1 metre closer to Lederle Lane, to avoid the tree canopy.

10. Since the submission of the application, the applicant has confirmed that the 2 no. internally illuminated signs on the eastern elevation of the building, facing towards Lederle Lane, would be turned off within thirty minutes of restaurant closing to members of the public.

Relevant Planning History

13/00411/OUT - Outline Application - erection of drive-through restaurant (Class A3/A5) and drive-through coffee shop (Class A3/A5) with associated access and car parking - permitted 18.12.13

14/00151/DETS - Details Pursuant to application 13/00411/OUT - erection of drive-through restaurant (class a3/a5) and drive-through coffee shop (Class A3/A5) with associated access and car parking - layout, appearance, scale and landscaping - currently under consideration

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

Consultations

Local Highway Authority

No objection. The proposed signs will be located off of the public highway and will not interfere with visibility splays.

Response to Public Advertisement

2 no. letters of objection received

Issues raised:-

- the proposed freestanding sign adjacent to the junction between Lederle Lane and Fareham Road is entirely unreasonable for the occupiers of Oaklands in Lederle Lane
- the drive-through restaurant should be relocated to the western side of the site, where it would have less of an impact on the amenities of the occupiers of the properties in Lederle Lane

Principal Issues

1. The siting of the drive-through restaurant is being considered under planning application reference 14/00151/DETS and cannot be considered in the determination of this application. In accordance with the relevant legislation, the only issues for consideration in the determination of this application for advertisement consent are the impact of the proposed advertisement signs on amenity and public safety.
2. The type, design and quantum of signage proposed at the site, together with the type and level of luminance, is appropriate to the context to which it relates. Many of the signs will serve a functional purpose and are required to facilitate the safe and convenient use of the proposed drive through facility. The proposed illuminated, freestanding sign positioned adjacent to the junction between Lederle Lane and Fareham Road has been positioned in order to advertise the site to passing trade. It will have a slender appearance and will be viewed against the backdrop of a number of trees, which will help to lessen its visual impact. The provision of taller, freestanding signs at the entrance to industrial sites is not uncommon and the design and overall size is acceptable in this particular location where it relates to an established commercial site. The proposed freestanding banner sign is of limited height and will occupy a relatively short section of the eastern boundary. This sign will also be viewed against the backdrop of the adjacent, established vegetation, again, reducing its impact on the visual amenity of the locality. Neither sign will, therefore, create incongruous or harmfully prominent features in the streetscene, to the detriment of the visual amenity of the locality. The proposed illuminated fascia signs will be small, relative to the overall size of elevation to which they relate and they will not, therefore, detract from the overall appearance of the building, or the wider visual amenity of the locality. The contemporary design of the signage at the site, which is complemented by an appropriate palette of colours and materials, is acceptable and will relate well to the design of the modern, purpose-built, drive-through restaurant. The majority of the signs will also be well screened by vegetation.
3. It is recognised that the 2 no. internally illuminated signs on the eastern elevation of the building will face towards the residential properties in Lederle Lane. The applicant has confirmed, therefore, that the illumination will be turned off within thirty minutes of the restaurant closing to customers, which will help to preserve the amenity of the occupiers of these dwellings, and this can be controlled by condition. The illuminated freestanding sign and the junction between Lederle Lane and Fareham Road will be orientated at an angle to the residential properties in Lederle Lane, so as not to be directly opposing, and this, together with the appropriate level of proposed luminance, will preserve the amenity of these neighbouring occupiers. Whilst the proposed banner sign will be sited opposite the driveway to the residential property Oaklands, it will occupy a small proportion of the eastern boundary and will have a limited overall height. In light of this, the adjacent existing and proposed vegetation and the fact it will not be illuminated, it is not considered that it will harm the amenity of neighbouring residential occupiers. In considering all of the above matters and the commercial location to which the advertisements relate, the proposed level of signage, and the associated levels of luminance are considered acceptable and will not harm visual or residential

amenity. The signs are set back a sufficient distance from the public highway and the level of luminance is such that the proposal will not have a detrimental impact on highway or public safety.

4. The proposed signage is acceptable in respect of its impact on amenity and public safety. It, therefore, complies with the National Planning Policy Framework (NPPF) and Policy R/DP9 of the Gosport Borough Local Plan Review.

RECOMMENDATION: Grant Advert Consent

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

1. The 2 no. internally illuminated signs on the eastern elevation of the building hereby permitted, as shown on approved plan 2310/PL211 Rev B, shall not be illuminated outside the following hours unless otherwise agreed, in writing, by the Local Planning Authority.

0700 - 2330 Monday to Saturday

0800 - 2230 Sunday and Bank Holidays

Reason - To preserve the amenity of neighbouring occupiers and to comply with the National Planning Policy Framework and Policy R/DP1 of the Gosport Borough Local Plan Review.

ITEM NUMBER: 03.
APPLICATION NUMBER: 14/00153/FULL
APPLICANT: Mrs Danielle Jenner - Rainbows Childcare
DATE REGISTERED: 04.04.2014

CHANGE OF USE FROM A SHOP (CLASS A1) TO A DAY NURSERY (CLASS D1)
(CONSERVATION AREA)
149-151 High Street Lee-On-The-Solent Hampshire PO13 9BX

The Site and the proposal

1. The site is located on the southwest side of the High Street and consists of the ground floor of a three-storey building, which forms a terrace extending from Milvil Road to one shop unit to the southeast of the application site. The ground floor forms part of larger commercial unit that has been split into two, since the closure of the previous fireplace showroom/shop use (Class A1). There is an existing shopfront facing onto High Street with a pedestrian access door to the shop at its northeast end. There are windows on the rear elevation facing onto a pedestrian access, beyond which is an existing outbuilding. The outbuilding, which has the appearance of a garage, is linked to the property by a small single storey extension located on the southeast boundary. Beyond this is a gravelled area used for car parking, with the vehicular access from Milvil Road. The site is located within the Lee-on-the-Solent Conservation Area and the character of this part of the area is defined by similarities in the height of the buildings and their terraced arrangement. The site is also located within the District Shopping Centre as designated within the Gosport Borough Local Plan Review.

2. The floors above the commercial unit of the property are in residential use, with their main access from High Street. There are also metal fire escapes to the rear serving the upper floors. To the northwest is a further vacant shop unit, which was previously linked to the application site. This shop unit is vacant, but has planning permission, granted under reference 14/00011/FULL, for use as a community 'drop-in' centre (sui generis). To the southeast of the site, at ground floor level, is a shop, beyond which is a vehicular access, primarily serving the properties within Pier Street, but also providing pedestrian access to the rear of the application site. Opposite the site, to the northeast, are commercial and residential properties, within two to three storey buildings across the highway, which include a variety of retail uses at ground floor. To the southwest is a gravelled parking area, which includes numerous garage blocks, informal parking and servicing areas for the commercial units and flats.

3. The proposal is for the change of use of the ground floor to a day nursery (Class D1). There are no external changes proposed to the building. Two vehicle spaces are indicated to the rear of the existing outbuildings, accessed from Milvil Road, which would be in a tandem arrangement. The applicant has confirmed that they will provide a minibus service for some of the children. They have indicated that there would be a maximum of 15 children between the hours of 8.30am and 3.30pm, with an additional 15 before and after school, between 7.30am and 8.30am and 3.30pm to 6.00pm Monday to Friday only. Two full time and four part time employees are anticipated for the use. The applicant has also confirmed that there is no outside playspace at this property and that they intend to install display boards, set back from the windows, to form part of a shop display.

Relevant Planning History

Nil

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/S3

Principal & District Shopping Centres

R/CF5

Development of Childcare and Day Care Facilities

R/S5

Non 'Class A' Uses in Shopping Centres at Ground Floor

R/T11

Access and Parking

R/ENV10

Noise Pollution

R/BH1

Development in Conservation Areas

Consultations

Local Highway Authority

Insufficient information provided. The proposed parking spaces will restrict access to the existing garages. The proposal does not provide parking in accordance with the Parking Supplementary Planning Document (SPD). Having regard to the existing use, no contribution towards transport infrastructure services and facilities should be sought.

The Gosport Society

Would make the observation that we believe the lack of outside space for the proposed nursery at this location makes it completely unsuitable for this usage.

Response to Public Advertisement

3 letters of objection

Issues raised: -

- the parking facilities are not available for pick up and drop offs
- there is already a lack of parking in the High Street and the nursery will exacerbate this
- there should be an outside space for the children to play and there is no space for such a facility
- the proposed use contravenes Policy R/S5 and would have a detrimental impact on the viability of the Shopping Centre
- existing rear service road in poor state of repair
- the supporting statement indicates that cars (plural) and a minibus will park to the rear, however, only 2 spaces are proposed
- refuse collection is also proposed from the rear access, and the implications need to be discussed with Streetscene

Principal Issues

1. Whilst concerns have been expressed regarding the lack of external space for this use, this is a matter for the applicant, persons wishing to use the facility and the registering body. Issues relating to the maintenance of the service area to the rear would be a private legal matter. Waste collection from commercial premises is undertaken by private contractors, which would be the case for all of the units within High Street, Pier Street and Marine Parade West and there is no indication that the existing arrangements will alter. The main issues in this case are, therefore, whether the proposal is an appropriate use within the District Shopping Centre, the impact on the occupiers of adjoining properties, the impact on highway and pedestrian safety and whether the proposal would preserve or enhance the character and appearance of the Lee-on-the-Solent Conservation Area.

2. Policy R/S3 of the Gosport Borough Local Plan Review relates to Principal and District Shopping Centres and states that proposals for uses falling within Classes A1-A5 (retail uses), would be acceptable, provided not more than 33% of the commercial units comprise uses other than Class A1(shops) and A2 (financial and professional services). Policy R/S5 of the Gosport Borough Local Plan Review relates to non 'Class A' uses in shopping centres and states that such uses will be permitted provided they are appropriate to a shopping centre, would not contribute to a significant reduction in the vitality or viability of the centre and would maintain a window display. Policy R/CF5 of the Gosport Borough Local Plan Review relates to childcare facilities and states that such proposals would be permitted, provided they are easily accessible, do not have a significant impact on the amenities of local residents and there is no significant loss of open space.

3. The proposed change of use from Class A1 to Class D1 would alter the overall proportion of shop frontages that would be in A1 and A2 use. The most recent survey indicates that the level of non-A1 and A2 uses is 24% and the proposal would increase this to 25.4%. Having regard to extant permissions and current applications awaiting determination within the Centre, the level of non-A1 and A2 uses would still fall below the 33% threshold indicated within Policy R/S3 and would, therefore, not result in a significant reduction in the vitality or viability of the Centre. The proposed use is considered to be appropriate within the District Shopping Centre and could encourage linked trips, to other uses in High Street. A condition is proposed requiring a shop window display to be maintained at all times. The site is located within an accessible location and would not result in any loss of open space. The proposal could improve the vitality and viability of the District Shopping Centre with shared trips and as the proposal would comply with the 33% threshold, it is considered that the application is in compliance with the aims and objectives set out in Policies R/S3 and R/S5 of the Gosport Borough Council Local Plan Review.

4. The application site is an existing unrestricted Class A1 shop unit within a District Shopping Centre and it can reasonably be expected that this lawful use would create a level of noise from its associated activity, and could be operated 24 hours a day and 7 days per week. There are also other uses close by that would result in noise and disturbance at more anti-social hours of the day, such as restaurants and takeaways. The proposed use would be contained within the building and the level of activity associated with it, would generally be confined to the drop-offs and collections. Having regard to the proposed opening hours, there would be no activity at weekends, very early in the mornings, or late in the evening and there are other uses within the High Street that open earlier than the proposed operating hours. Although there are residential properties surrounding the site, given the unrestricted nature of this existing Class A1 shop and the sites location within this District Shopping Centre, the proposal would not generate a harmful level of noise and disturbance from vehicles or persons entering and leaving the property in connection with its operation. It is, however, considered appropriate to condition the hours of operation to ensure that appropriate controls are in place, should any increased operation be proposed in the future so that its impact can be properly assessed. It is also proposed to impose a condition preventing the creation of an outdoor space, for use by the children, to ensure that any impact from such a proposal could be appropriately assessed. Given the location of the site within a commercial centre and the possibility that some children could be collected by minibus, the proposed use would not generate a significant number of additional trips over that to be expected from a normal retail use and, therefore, a condition is not proposed to control the numbers of children or staff, which would be determined by the registering body on the basis of and the space within the unit. The use, therefore, would not have a detrimental impact on the occupiers of adjoining properties in compliance with Policies R/DP1, R/CF5 and R/ENV10 of the Gosport Borough Local Plan Review.

5. The Local Highway Authority has raised concerns regarding the proposed use and have indicated that the two spaces proposed may restrict the existing garaging at the rear of the site, which is, in fact, the storage building associated with this and the adjoining use. Whilst it would be desirable to provide parking in line with the Parking SPD, the development is not required to address existing deficiencies and the fact that this is a change of use of an existing commercial premises, with existing parking impacts, is a material consideration. The Local Highway Authority has confirmed that no contribution towards transport infrastructure services and facilities is required, indicating there would not be an increase in vehicle trips associated with this use, compared to its

lawful use as a shop. Whilst there may have been parking associated with the shop use, this would have been in a similar informal arrangement to that proposed, with tandem spaces in front of the outbuildings and would also have included commercial vehicles, such as vans and delivery lorries. The drop-offs and collections, not undertaken by the mini bus, are unlikely to be concentrated at one time, spread across the peak travel times between 7.30am and 9.00am and between 4.00pm and 6.00pm when parents are travelling to, or from work. During these times the majority of shops within High Street will either be closed, or the level of demand for on-street parking should be at its lowest. There are also parking restrictions within the High Street of 1 hour which should increase the turnover of vehicle spaces. Having regard to the fact that there is no opportunity to increase the availability of parking in this location, due to nearly 100% coverage of the site, confirmation from the Local Highway Authority that there would be no net gain in trips over the existing permitted use, the sites location in a highly accessible location with good links to public transport and the existence of nearby short and long stay car parks and on street parking, the proposed use will not have a detrimental impact on highway and pedestrian safety or traffic/parking conditions in the locality. There are no short or long stay cycle storage facilities on the site at present. There are short stay cycle hoops in close proximity to the site that can be used by visitors to the site. The applicant has indicated that staff can use the existing building for cycle storage if desired, but do not anticipate any demand. In view of the existing situation, this informal approach is considered acceptable in this case. The proposed use is considered, to comply with Policy R/T11 of the Gosport Borough Local Plan Review.

6. The application does not propose any alterations to the appearance of the building and the use within this existing commercial area is acceptable and, as such, would preserve the character and appearance of the Lee-on the-Solent Conservation Area, in compliance with Policy R/BH1 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 shop window in the front elevation shall be used for display purposes at all times.

Reason - To ensure the continuity of the retail frontage is retained, and to comply with Policies R/DP1 and R/S3 of the Gosport Borough Local Plan Review.

3. The use hereby permitted shall not be operated before 07.30 or after 18.00 Mondays to Fridays and at no time whatsoever on Saturdays, Sundays, Bank and Public Holidays.

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

4. No outdoor area, for use by the children, shall be created.

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

ITEM NUMBER: 04.
APPLICATION NUMBER: 14/00043/FULL
APPLICANT: Mr Tony Coveva - Coveva Ltd
DATE REGISTERED: 04.03.2014

CHANGE OF USE OF PART OF GROUND FLOOR TO CAR VALETING (SUI GENERIS) AND EXTERNAL ALTERATIONS TO INCLUDE THE CREATION OF 2 NO. DOOR OPENINGS TO WEST ELEVATION AND 1 NO. DOOR OPENING TO SOUTH ELEVATION AND THE PROVISION OF ROLLER SHUTTER DOORS (as amended by plans received 04.04.14 and amplified by e-mail dated 04.04.14)
Unit 3-9 Venture Park Fareham Road Gosport Hampshire PO13 0BA

The Site and the proposal

1. The application site is located on the east side of Fareham Road, on the north side of its junction with Bedenham Lane. The site comprises the ground floor of the southwest corner of a part two-storey and part single storey industrial building (Class B2). The site extends along 39m of the existing building's frontage to Bedenham Lane and 12m of the Fareham Road frontage. Within the building the site narrows to 8m in width, approximately half way along its length. On the western side of the site is the two-storey part of the building which has a flat roof and extends 10m to the east, before dropping to the single storey element which has a part curved and part pitched roof of almost the same height as the two-storey element. The two-storey element has windows at ground and first floor on its west elevation, facing onto Fareham Road, and its south elevation, facing onto Bedenham Lane. The windows on the south elevation have been boarded over. There is a hard surfaced car park area immediately adjacent to the western boundary of the application site, which is approximately 12m deep, providing vehicular access directly onto Fareham Road. This hard surfaced area has recently been increased in area under 'Permitted Development' allowances and is owned by the applicant. Along the south elevation, the building has a number of other windows and doors beyond which is a 2.4m high metal palisade fence, a grass verge and timber posts along the back edge of the highway. The application site falls within an Existing Employment Site designated by Policy R/EMP3 of the Gosport Borough Local Plan Review which seeks to protect the land for this purpose.

2. The remainder of the building has a general industrial use (Class B2). Beyond this, and to the north, are further industrial buildings, parking areas and the North Star Public House. On the opposite side of Fareham Road, to the west, are a mix of flats, houses and the petrol filling station, which incorporates a drive through car wash facility and shop. To the east of the site is the Frater Gate Business Park, which comprises more modern two-storey buildings, accessed from Aerodrome Road. Bedenham Lane, to the south, is a no through road, with wooden posts along the edge of its grass verge. There are also posts at its eastern end to prevent vehicular access into the Business Park beyond and double yellow lines along its perimeter. To the south of the application site, on the opposite side of Bedenham Lane, are residential properties. No. 92 Fareham Road, a west facing property, is the closest some 18m away, which has a grass verge along its boundary with Bedenham Lane. The property has three vehicular accesses serving the property, one adjacent to its rear, east boundary, one to its detached garage, close to the rear elevation of the property and one serving the parking area in the front garden. Planning permission was granted in December 2011, under reference K17880, for a 20 bed care home, in the rear garden, which would use an altered access towards its rear, east boundary and would make provision for 7 parking spaces. The care home approved would be located on the opposite side of Bedenham Lane and approximately 12m to the southeast of the proposed entrance.

3. The proposal is to use the southwest corner of the building for a car valeting operation. Three roller shutters would be installed; with two on the west elevation and one on the south elevation, providing access into the building from Bedenham Lane. The new entrance from Bedenham Lane would be towards the rear of the site, approximately half way along the south elevation of the building. The proposed openings would be approximately 4m wide and 2.5m high. The applicant has indicated that the proposed use would be related to the industrial use of the overall building,

where storage and repackaging of cleaning products, including those that would be used on the vehicles, will take place. The applicant has indicated that there would be 10 full time and 10 part time staff, who would work in both car valeting use and the main industrial use. Vehicles would enter the proposed facility from Bedenham Lane and exit via the two proposed doors, accessing Fareham Road, via the existing vehicular access, with an anticipated level of 25-30 vehicles per day, which is the equivalent of 3-4 per hour. The applicant has indicated that the operations would be undertaken within the building and would use three distinct areas, washing, drying and valeting. The building could accommodate at least 5 vehicles at any time. The proposed equipment would be hand jet sprays, located on either side of the vehicle, a fixed dryer (goal post appearance), with additional drying undertaken by hand and vacuum cleaners for internal valeting, which would all be intermittent operations. The noise levels are indicated as being 58dBA for the jet sprays and 50dBA for the dryer and vacuum cleaners which the applicant confirms should not be audible above the background noise of Fareham Road. The proposed hours of operation are 0800 until 1900 Monday to Saturday and 0900 until 1800 on Sunday's, Bank and Public Holiday's.

4. Amended plans have been received providing a blue line on the plans to clarify the extent of the land ownership around the site. Further information has also been provided to clarify the position of the on-site parking, with 10 spaces provided on the hard surfacing immediately adjacent to the western boundary of the application site, and within the blue line. The applicant has also confirmed that there are an additional 75 spaces for this and the other uses within Venture Park, in areas to the north and northeast of the application site.

Relevant Planning History

Nil

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/T11

Access and Parking

R/EMP3

Protection of Existing Employment Sites from Inappropriate Development

R/ENV10

Noise Pollution

Consultations

Local Highway Authority

No objection - The entrance on the site is proposed to be from Bedenham Lane and, visibility emerging from Bedenham Lane is good in both directions. The exit from the site is proposed to use the existing crossover directly on to the A32. Queuing is unlikely to be an issue as cars exiting the facilities would wait within the site boundaries. The likely traffic generation indicated in the application accords with TRICS data.

No cycle parking has been indicated, this should be provided.

No Transport Contribution is required.

Environmental Health	<p>No objection.</p> <p>The demolition/construction work should be undertaken in accordance with the BRE Pollution Control Guide - Controlling particles, vapours and noise pollution from construction sites 2003 and only between the hours of 08.00-18.00 Mondays to Fridays and 09.00-13.00 on Saturdays.</p> <p>Smoke and dust on site should be controlled so as not to cause a nuisance to neighbouring premises or Local Air Quality.</p> <p>Any additional lighting to the car park area building should not cause glare or spillage which may cause nuisance to neighbouring premises.</p> <p>The site is potentially contaminated, however, it is not considered that an assessment is required in this instance as the application proposed a change of use with no excavations.</p>
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Response to Public Advertisement

2 letters of objection

Issues raised:-

- trees within Bedenham Lane were removed before the application was submitted
- fence erected without planning permission along Bedenham Lane
- impact on approved care home in Bedenham Lane
- noise impact from cleaning equipment and waiting vehicles
- highway safety issues
- access to proposed care home will be blocked for emergency vehicles
- MOD has restrictive covenants on the use of Bedenham Lane

1 petition of objection containing 6 signatures from 4 properties

Issues raised:-

- Bedenham Lane is used by dog walkers, workers, cyclists and children and with no footpath and the increased traffic will have an impact on highway and pedestrian safety
- queues will back up onto Fareham Road during busy periods, causing a danger to highway users from vehicle manoeuvres
- will impact on neighbouring occupiers during their weekend leisure time, with impact from noise and fumes from idling cars
- planning permission has been granted for a care home and with cars parked on Bedenham Lane, access will be restricted
- impacts of chemical storage near to a residential area

Principal Issues

1. The trees removed from Bedenham Lane were not covered by a Tree Preservation Order and no consent was required from the Local Planning Authority and their removal cannot be considered as part of the determination of this application. Works to create a new vehicular access from Bedenham Lane would need to be carried out under a licence granted by Hampshire County Council, being an adopted non-Classified Road and issues regarding any covenants over its use would be a private legal matter. Storage of materials and chemicals on an industrial site is acceptable and their safe handling and storage would be controlled by separate legislation outside

of the planning system. The applicant is aware that the new palisade fence erected requires planning permission and this matter is being dealt with separately, under application reference 14/00234/FULL, and there is provision within the planning legislation for retrospective applications. The main issues for consideration in this case are, therefore, the appropriateness of the use in this location, the impact on the surrounding area, including occupiers of adjacent properties, the appearance of the building and the activities associated with the use, and the impact on highway and pedestrian safety.

2. Policy R/EMP3 seeks to protect Existing Employment sites in order to create a wide range of employment opportunities within the Borough. The proposed use, together with the wider use of the site, would bring this previously vacant building back into active use and create employment opportunities, in compliance with Policy R/EMP3 of the Gosport Borough Local Plan Review.

3. The existing building has no particular visual merit, being typical of an industrial/office building. The roller shutters would only occupy a very small area of the overall elevations, with those on the west elevation replacing existing window openings. The south elevation is largely blank with occasional windows and doors and the introduction of roller shutters, as proposed, would not have a detrimental impact on the appearance of the building or wider area, and would be in accordance with Policy R/DP1 of the Gosport Borough Local Plan Review.

4. There will be space within the site for vehicles to wait, off of the highway, within the hard surfaced area before exiting onto Fareham Road. Having regard to the number of vehicles anticipated, this would equate to 3-4 per hour, accepting that there will be peaks when this number would be higher and the building can accommodate at least 5 vehicles away from Bedenham Lane and Fareham Road. The existing double yellow lines will prevent vehicles parking and waiting on Bedenham Lane, to maintain access to the other uses, including emergency vehicles and any obstruction of the highway, including those associated with the use, would be a matter for the Police. The proposed entrance to the site is some 50m from the junction with Fareham Road and it is not anticipated that the proposal would result in significant queuing within Bedenham Lane, resulting in a danger to existing and future users. The absence of a turning head at the end of Bedenham Lane is an existing situation, however, the highway is wide enough to allow vehicles to turn, and exit onto Fareham Road in a forward gear, if necessary. The absence of a footpath along Bedenham Lane is also an existing situation and the proposal would not result in an increase in vehicle speeds or volume that could cause a danger to pedestrians. The existing verges, which are protected by wooden posts, provide a route for pedestrians off of the highway.

5. The Highway Authority requested further information in respect of parking, which is to be provided and retained by the applicant. The proposals would not reduce the amount of parking available on the site and the 10 spaces provided on the land within the applicant's ownership, along with those to the north and northeast of the existing building are considered to be appropriate for the adjacent uses and this proposal, which, by its nature would only generate a need for staff and temporary visitor parking. A condition is proposed requiring the parking to be provided and retained as shown within the blue line, to ensure that adequate space is available for vehicles to exit the site whilst maintaining access to the parking spaces. A condition is proposed to secure cycle parking to ensure that an alternative mode of transport to the car is available for staff. In view of the above the proposal would not have a detrimental impact on highway and pedestrian safety and, therefore, complies with Policy R/T11 of the Gosport Borough Local Plan Review.

6. The site is located within an area designated for employment uses and has historically been used for general industrial purposes, which includes all types of manufacturing, vehicle repairs and other noisy activities. Planning permission would not be required for the use of the site or the overall building to continue for these purposes. The applicant has indicated that the types of equipment would be restricted to pressure washers, dryers and vacuum cleaners and it is not anticipated that the proposed use would generate the need for more intensive machinery. The use would be contained within a building and the level of noise generated, with the doors open during the working hours, would not be harmful to the occupiers of the surrounding properties and or proposed care home, having regard to the site's location within an acknowledged industrial estate, the permitted use of the premises, and the sites location adjacent to the A32 (Fareham Road). Due to the

continual movement of vehicles through the stages of the proposed use, and the existence of the double yellow lines it is unlikely that high numbers of vehicles would wait in Bedenham Lane and, therefore, the proposal would not generate noise and fumes from this activity, to the detriment of the occupiers of adjoining properties. Notwithstanding that the existing premises could be operated 24 hours and 7 days a week, a condition is proposed limiting the operating hours to prevent the use being undertaken early in the morning or late in the evening, in accordance with the details of the application. A further condition is proposed to prevent work within the open areas adjacent to the site to control any activities that could result in a detrimental impact to the occupiers of adjacent properties. The proposed use is, therefore, in compliance with Policies R/DP1 and R/ENV10 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 plan: 13-968-PL.01B

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 use hereby approved shall not be open to customers outside of the hours of 08.00 and 19.00 Mondays to Saturdays and 09.00 and 18.00 on Sundays, Bank and Public Holidays, unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - In order to protect the amenities of the area, and to comply with Policies R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review.

4. The development hereby permitted shall not be brought into use until the areas shown on the approved plan 13-968-PL.01 B, for the parking and manoeuvring of vehicles have been made available, surfaced, and marked out, and these areas shall be retained for that purpose at all times, unless otherwise agreed, in writing, by the Local Planning Authority.

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

5. No washing, preparation, or valeting of vehicles, shall be undertaken within the area hatched red on the approved plan at any time.

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

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

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

ITEM NUMBER: 05.
APPLICATION NUMBER: 14/00104/FULL
APPLICANT: Mr S CLARIDGE
DATE REGISTERED: 17.03.2014

DEMOLITION OF EXISTING GARAGE AND CONSTRUCTION OF 2 NO. THREE BEDROOMED, SEMI-DETACHED DWELLINGS WITH ASSOCIATED ACCESS, CAR PARKING, CYCLE AND REFUSE STORES AND LANDSCAPING (CONSERVATION AREA) (as amplified by information received 20.03.14 and 20.05.14 and as amended by plans received 08.04.14)
8 Elmhurst Road Gosport Hampshire PO12 1PG

The Site and the proposal

1. The application site is located on the east side of Elmhurst Road in the Stoke Road Conservation Area. There is currently a large detached, two storey dwelling located on the northern part of the site. The property has a tiled pitched roof with gable ends to the north and south, a gable detail facing west and pitched roof orientated east to west over the rear section of the property. There are chimneys on the north and south ends of the roof. The bottom half of the property is finished in red brick with the first floor being finished in pebbled render. There is a ground floor bay window on the north side of the west elevation and a first floor overhang, which creates a porch canopy, on the south side of the west elevation. This is supported on dark painted timber upstands. There is a single storey extension on the south side of the property which also has a tiled, pitched roof over. The extension is set back from the front, west elevation and appears subservient to the main dwelling house. Beyond this to the south, but set forward in line with the front elevation of the dwelling is a detached, brick garage under a pitched roof with its gable end and up and over door facing Elmhurst Road. This garage is 5.3m long and 3.4m wide. Attached to its south side is a further garage which is finished in dark timber cladding and has a flat roof. Both are accessed from Elmhurst Road to the west and are set back from the footway by approximately 4.5m. The northernmost appears available for car parking whilst the southernmost appears to be in disrepair.

2. The property has gardens to its east, west and south sides. The garden to the west (front) is currently planted with shrubs and is surrounded by a combination of 1m high close boarded timber fence and a pebbled render wall. The wall extends along the southern side of the property dividing this part of the garden from the garages and parking area. To the east (rear) and south (side), beyond the single storey extension and garages, the garden is planted with shrubs and laid, in part, to grass. These two areas of garden are surrounded by a combination of close boarded fence and brick wall varying in height between approximately 1.5m and 1.8m. On the rear, east boundary of the garden, beyond the garages, is a pitched roof summer house. There is a Beech tree to the north side of this which is visible from Elmhurst Road. There are a number of other trees in the garden most notably on the west, front boundary. The Lime tree in the south west corner of the site is protected by Tree Preservation Order (TPO) G.80. Beyond this to the north are a Bay tree and another Lime tree neither of which are worthy of formal protection due to their form and earlier pollarding works leading to weak unions.

3. Beyond the southern boundary is the access to Bourton House which is a large, detached dwelling set in its own grounds with substantial tree cover. The grounds wrap around the south and east boundaries of the application site and Bourton House itself is situated to the north east of no. 8 Elmhurst Road beyond its northern boundary. The access travels along the southern edge of the application site and then turns north to lead up to Bourton House. The area around the access road and property is landscaped with trees, shrubs and grass. A group TPO (G.7) covers the trees within this plot including a large Monterey Cypress tree which stands just beyond the east end of the southern boundary of the application site. There are a number of other, smaller trees along the northern edge of the access to Bourton House, adjacent to the southern boundary of the application site. The boundary between these trees and the application site is treated with a timber fence approximately 1.5m high. A pair of 1.5m high timber gates flanked with 2m high brick piers secure the access from Elmhurst Road.

4. Beyond the southern boundary of Bourton House is the boundary of the Stoke Road District Shopping Centre which provides a wide range of local services and amenities along with access to public transport facilities. Portland Buildings which backs onto the access to Bourton House is a decorative 1930's flat roof building with commercial units fronting Stoke Road and servicing to the rear.

5. The surrounding area is characterised by domestic scale detached and semi-detached housing of late 19th and early 20th Century. To the north of the application site is no. 10 Elmhurst Road which is the southern half of a pair of semi-detached dwellings of a similar design to no. 8. This property differs from no.8 in that it has a two storey, projecting bay window on the south side of its east elevation. This detail is matched on its attached neighbour to the north. There is a dropped kerb in front of no. 10 and a hardstanding to the front of the property.

6. Opposite the application site are numbers 3 - 11 Elmhurst Road which are all used for residential purposes. Numbers 3 and 5 are a pair of semi-detached properties, both of which have on site car parking accessed from Elmhurst Road. The boundary with Elmhurst Road is treated with a combination of low brick wall and timber fence to a maximum height of 1.2m. Numbers 7 - 11 have been converted to provide short to long term lets as individual properties or as a single property to sleep up to 40 people. 7- 11 has a parking court accessed from Elmhurst Road to provide approximately 6 parking spaces. Part of the east boundary with Elmhurst Road is treated with a 0.8m high brick wall. Both 3 - 5 and 7 - 11 are red brick with pitched roof bay windows, dormer roofs and are visually prominent in the streetscene as a result of their decorative and notable design. The form of these buildings is reflective of other buildings within Elmhurst Road. In terms of the wider Conservation Area, there is no obvious dominance of one facing material over another with a variety of brick, rendered and painted facades, however, the properties in Elmhurst Road are notable for their general uniformity in external appearance including their setting out within their respective plots. South west of the application site is Leventhorpe Court which is part five and part six storey flatted block with access from Elmhurst Road. This building is more recent and is of lesser quality than its neighbours to the north in design terms.

7. There is unrestricted on-street car parking along Elmhurst Road, including the highway adjacent to the application site, with the exception of the access points from existing driveways, a section of double yellow lines 40m long extending from the junction of Stoke Road and Elmhurst Road and a time restricted bay providing approximately 4 spaces on the road adjacent to Leventhorpe Court.

8. This application proposes the development of a pair of semi-detached three bedroomed properties with accommodation over three floors on the existing garden to the south side of no. 8 Elmhurst Road following the demolition of the existing, flat roof garage which is the southernmost of the pair. The pair of properties would be 12.5m wide, 11.2m long into the bays and 9.7m high to the ridge of the roof. Two chimneys to the north and south edges of the roof would extend beyond this ridge by approximately 1.4m. The dwellings would be finished with facing brickwork at ground floor and coloured render at first floor and above into the gable facing Elmhurst Road. The roof is to be plain clay tiles and a corbled brick feature is proposed in the gable together with a feature band dividing ground and first floor levels. Both properties would have ground floor projecting bays on the front and rear elevations and a flat roof dormer in the rear elevation of the roof. There would be a clear glazed window in the north and south elevations of the building at ground floor level with a corresponding false window brick detail at first and second floor level in the same elevations. The accommodation would comprise living accommodation at ground floor level, two bedrooms, a bathroom and study at first floor level and a master bedroom with ensuite at second floor level. Each property would have a garden to the east side approximately 13m long and ranging between 7m and 10m wide. The Lime tree protected by TPO G.80 is to be retained and the remaining Lime and Bay trees to its north are proposed to be felled.

9. Each property would have access from Elmhurst Road to an area of hardstanding providing 2 car parking spaces for each of the properties. Each of the parking areas would range between 5m and 6m long to account for the bay window and be 7m wide. Alterations to the footway would be required to provide access to the parking spaces. The parking area is to be divided with a low brick

wall with a short section of wall and pier details fronting Elmhurst Road. A fence is proposed along the north and south edges of the parking area treating the boundary with no. 8 Elmhurst Road and the access to Bourton House respectively. The fence would be splayed at the southern edge to provide sight lines. Bin and cycle stores are proposed on the rear, east boundary of the site which would be 3.4m long, 1.2m wide and 1.9m high. The stores would be finished in stained timber with a flat felt covered roof. Each property would have access to its rear garden through a side gate.

10. The existing pitched roof garage, with its additional parking space in front, would be retained for no. 8 with an additional parking space to be created to its north side. The existing vehicular access from Elmhurst Road is proposed to be widened. This parking space would be at least 3m wide and 6m long. The summer house would be retained within the curtilage of no. 8 Elmhurst Road together with the Beech tree to its north. No works are proposed to the trees outside of the application site. An amended Design and Access statement has been submitted to regularise details about the application site.

Relevant Planning History

96/00151/TO - Tree Preservation Order G.80 - Lime confirmed - 19.03.96

Relating to land adjacent to 8 Elmhurst Road:

13/00221/FULL - Demolition of existing garage and construction of 2 no. four bedroomed, detached, two storey dwellings with associated access, car parking, cycle and refuse stores and landscaping (Conservation Area) - withdrawn to address concerns regarding the proposed layout and design 14.08.13

13/00395/FULL - Demolition of existing garage and construction of 2 no. four bedroomed, detached, two storey dwellings with associated access, car parking, cycle and refuse stores and landscaping (Conservation Area) - withdrawn to address issues relating to the purchase of the land 06.01.14

Relevant Policies

National Planning Policy Framework (NPPF), March 2012

Gosport Borough Local Plan Review, 2006:

R/DP1

General Standards of Development within the Urban Area

R/BH1

Development in Conservation Areas

R/BH2

Demolition in Conservation Areas

R/T2

New Development

R/T3

Internal Layout of Sites

R/T4

Off-site Transport Infrastructure

R/DP3

Provision of Infrastructure, Services and Facilities

R/H4

Housing Densities

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/OS14
Biodiversity Action Plans
R/ENV4
Treatment of Foul Sewage and Disposal of Surface Water
R/ENV5
Contaminated Land
R/ENV10
Noise Pollution

Consultations

Local Highway Authority

No objection. A visibility splay of 2.4m x 43m is required. The information accompanying the application states that this can be provided. It is noted that a boundary fence is proposed between the properties. This should be lowered for the last 2m adjacent to the footway to ensure adequate pedestrian intervisibility. The creation of the new access, which involves the creation of a dropped kerb, will need to be carried out under licence from the Local Highway Authority. The proposed car parking does not comply with the Car Parking SPD in relation to the size of the spaces or the garage to be retained for no. 8 Elmhurst Road. Nevertheless, the application is accompanied by a car parking survey which indicates car parking availability on the highway during the day. A Transport Infrastructure, Services and Facilities contribution is required and conditions relating to the prevention of surface water draining onto the highway, the provision of visibility splays and the height of the fence between the properties are recommended.

HCC Ecology

No objection subject to a condition requiring the development to be carried out in accordance with the mitigation and enhancement measures detailed in the Ecology report supporting the application.

Crime Prevention & Design

The rear access gate to the northernmost plot is shown at the rear of the property which creates a passageway with limited natural surveillance. The rear access gates should be fitted with a key operated lock.

Building Control

No objection. The layout is acceptable subject to level access to the front door and the internal doors opening onto the stairs being fire doors.

Environmental Health

No objection. No works audible at the site boundary shall be carried out other than between 0800 and 1800 Monday to Friday,

	0900 and 1300 on Saturday's and at no time on Sunday's or Bank Holiday's. Smoke and dust should be controlled so as not to cause a nuisance to Local Air Quality. No contamination assessment has been carried out in the last 10 years.
Streetscene Parks & Horticulture	No objection. T1 (Common Lime) is of poor form with average health and vigour due to previous pruning including some major dead wood. There are broken and hanging branches. This tree is not worthy of retention. T2 (Bay Laurel) is a multi stemmed specimen of poor form with average health and poor vigour from previous coppicing and is not worthy of retention. The plan indicating Root Protection Areas (RPA) in accordance with BS5837:2012 is sufficient to preserve trees on and off site. It is recommended that the RPA fencing be approved in situ before works commence.
Streetscene Waste & Cleansing	No objection. Each property requires 1 x 240 litre domestic and 1 x 240 litre recycling bin. Adequate storage space for bins shown.
The Gosport Society	Raise objection. The proposal would result in the loss of a mature garden including several trees and shrubs.
Southern Water	No objection. The exact position of foul sewers must be ascertained by the applicant before works are carried out. No development or new tree planting should be located within 3m of the centreline of a foul sewer. No new soakaways should be located within 5m of a foul sewer. All existing infrastructure should be protected during construction works on site. In the event that a sewer is found during construction works, an assessment of its condition, the number of properties it services and the potential means of access to it must be carried out before any works commence. An informative advising the applicant of the requirement to apply to Southern Water for connection to the public sewerage system is recommended.

Response to Public Advertisement

4 letters of objection

Issues raised:

- the NPPF states that from March 2012, decision takers can continue to give weight to policies adopted since 2004. The view has, therefore, been taken that Policies within the Gosport Borough Local Plan Review are relevant to the proposal
- Policies R/DP1, R/BH1, R/T3 and R/T11 are relevant to this proposal
- the proposal is garden grabbing

- proud to reside in a Conservation Area
- loss of trees on the application site would result in a loss of amenity
- trees are a valuable asset and provide a pleasant green aspect
- trees should be preserved for future generations
- loss of trees will impact harmfully on local wildlife including birds, bats, badgers, foxes and squirrels
- better management of existing trees on site would allow them to prosper in future
- trees on the west boundary of the application site should be made the subject of a TPO
- harmful impact on off-site trees
- trees adjoining the south and east boundaries of the application site are protected by TPO G.7, however, this Order has not been considered in the application
- works to trees outside of the applicant's ownership will not be permitted
- loss of trees would result in harmful impact to Conservation Area
- harmful impact on the distinct character of the Stoke Road Conservation Area
- incorrect reference to an existing brick wall along the site boundary with Elmhurst Road
- boundary fence provides less of a hard urban appearance
- views into the site will not be possible
- hard surface to front of property will not leave space for a garden
- the proposal will not have a beneficial impact to the landscape value of the site
- incorrect reference to properties being built during the 1930's whereas many of the properties are older than this
- information accompanying the application has not been revised since the previously withdrawn applications
- Bourton House is incorrectly referred to as Horton House and Hourton House
- harmful impact on the setting of Bourton House and views of it will be restricted
- existing shops in Stoke Road are incorrectly referred to as a contemporary form of development of shops
- no neighbours have been consulted with by the applicant and, therefore, the Statement of Community Involvement is misleading
- previously withdrawn applications were addressed as land adjacent to the 8 Elmhurst Road whereas the current application refers to 8 Elmhurst Road
- overlooking
- poor quality of living accommodation for occupiers of no. 8 Elmhurst Road
- proposal will leave no. 8 Elmhurst Road with a small garden and only one garage for parking
- the summer house to the rear of no. 8 Elmhurst Road should be preserved
- gardens for proposed properties will be too small
- application should be described as being for four bedroomed dwellings, not three
- previously withdrawn application (reference 13/00211/FULL) referred to four bedroomed dwellings but there is no difference to the layout of size of the floor plans
- the reasons for the previous applications having been withdrawn would assist consideration
- car parking requirement should be based on the provision of four bedroomed dwellings
- lack of car parking and non-compliance with the car parking SPD
- access to one of the car parking spaces is interrupted by the siting of a telegraph pole and this could be dangerous to pedestrians
- proposal will result in the loss of three on street car parking spaces
- there is inadequate on street car parking for visitors
- car parking to be retained for no. 8 is too small and unacceptable visibility splays are proposed
- an additional space is shown to the front of no. 8, however, it is unclear how this space is relevant
- increased pressure on on-street car parking will harm highway safety, residential amenity, the neighbouring community, businesses and services
- there is no map with the parking survey
- the car parking survey is too limited and lacks supporting evidence
- car parking survey was carried out by an interested party and is, therefore, unreliable
- assessment by the Local Highway Authority that car parking is always available are unsubstantiated
- car parking space closest to Stoke Road will be lost
- car parking in Elmhurst Road, north of the application site including Percy Road, is already congested

- overspill car parking into Elmhurst Road results from the spaces in Stoke Road being too narrow
- the proposal will result in increased on-street car parking congestion and indiscriminate car parking on the highway and on private land
- views of other objectors are supported
- greater weight should be given to Leventhorpe Court as it houses 48 flats

Principal Issues

1. The application has been considered under the current Development Plan which comprises the NPPF and the relevant policies of the Gosport Borough Local Plan Review. A site visit has been carried out to ascertain the site conditions, including boundary treatments, the characteristics of existing development in the area, including Portland Buildings, and to assess the proposal, including the accuracy of the information supporting the planning application. Two applications have previously been withdrawn to address concern raised during the consultation on the first application and to address private legal matters in respect of the second application. Both applications excluded the land proposed to be retained as no. 8 Elmhurst Road. This land has now been included within the application site to allow car parking for the retained property to be considered. The application has been advertised in accordance with the Council's publicity procedure and, whilst encouraged, there is no requirement for pre-application consultation to be undertaken by the applicant. All letters of representation received in response to the public advertisement have been taken into consideration. This application proposes the construction of 2 no. three bedroomed properties with a study at first floor level. The main issues for consideration are, the principle of development, the appropriateness of the design, whether proposal preserves or enhances the Stoke Road Conservation Area, the impact on the neighbouring properties, the quality of the environment for prospective occupiers, highway and pedestrian safety, the impact on trees and areas of importance for nature conservation and recreational mitigation, protected species, open space and foul and surface water drainage.

2. This site is located in the Urban Area, where the development is considered to be acceptable in principle. Each application, including proposals to develop on garden land, is considered on their own merits. The layout of the proposed properties, their appearance and proximity to existing buildings, notably no. 8 Elmhurst Road to the north, is considered to be appropriate in this location and reflective of the existing grain of development in the Conservation Area. The alignment with, and separation of 7m from the two storey south elevation of no. 8 Elmhurst Road, reflects the existing pattern and layout of development. The scale, form, height, mass and detailing of the proposed dwellings is appropriate in the context of the characteristics of the surrounding buildings. The details on the elevations, including the setting back of the windows into the reveals, the creation of a central mullion and corbelled brick details are recommended to be secured by condition to ensure the detailing reflects the existing, surrounding buildings. The final materials are also recommended to be secured by condition to ensure that the colour, tone and texture are reflective of other buildings in the Conservation Area. The existing flat roof garage, which appears in a poor state of repair, does not contribute to the streetscene or surrounding area and, therefore, its demolition will enhance the character of the Conservation Area. Views of Bourton House and the application site, from public vantage points, are already limited. The removal of the fence along the west boundary of the site to allow the development to take place will provide a greater sense of openness to this part of the streetscene and the introduction of a hardstanding as opposed to a garden is reflective of the variation in character already evident in the streetscene. The proposal will preserve the character of the Stoke Road Conservation Area, is of an acceptable design and, therefore, complies with Policies R/DP1, R/BH1 and R/BH2 of the Gosport Borough Local Plan Review and the NPPF.

3. The proposed dwellings will be over 25m to the south west of Bourton House itself. Whilst some views into the amenity space to the south of this property will be afforded from first and second floor windows in the rear elevation of the proposed dwellings, these views will be interrupted by existing protected trees and surrounding planting. This, together with the 13m long gardens ensures that there will be no harmful overlooking towards this neighbour. Overlooking from first and second floor windows in the proposed properties towards other surrounding neighbours is reflective of the existing pattern and character of development in this area. The proposed buildings will not harmfully

overshadow any other properties or have a harmful overbearing impact on the amenities of the occupiers of the neighbouring properties. It is accepted that the proposal will result in an increase in activity on the site, however, this will not be harmful in the context of existing surrounding development including the existing residential development and Stoke Road District Centre to the south. In this context it is not considered reasonable to recommend a condition restricting the hours of construction works on site. The summer house to the rear of no. 8 is proposed to be retained within the rear garden of the existing property. No. 8 will retain a 12m long garden to its east side along with in curtilage car parking. The amenities for the occupiers of no. 8 are, therefore, considered to be acceptable. Appendix B of the Gosport Borough Local Plan Review sets a guideline depth of 10.5m for private gardens. Each of the proposed properties will have 13m long gardens. The position of the gate, to the rear garden to the northernmost of the pair of dwellings, set back from the front, west elevation of the dwelling is reflective of surrounding properties. The impact on the amenities of the occupiers of existing neighbouring properties and the amenities for prospective occupiers is, therefore, considered to be acceptable and the proposal complies with Policies R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review and the NPPF.

4. The Car Parking SPD recommends 2 car parking spaces for a three bedroom dwelling and 3 spaces for a four bedroomed dwelling. This application proposes three bedroomed dwellings, however, it is noted that the floor plans show a study which could be used as a bedroom. The site is located in close proximity to Stoke Road District Centre with its links to public transport and a wide range of services and amenities. It is only a short walk from Gosport Town Centre, with its links to Portsmouth Harbour and its associated links to higher order services. As a result there is a reduced need for residents in this area to own a vehicle which is reflected in car ownership levels for the Christchurch Ward where average car ownership per household is less than 1 and almost half of households own only 1 car. The proposal, to provide two parking spaces for each of the proposed dwellings and three parking spaces for no. 8 Elmhurst Road, is considered to be acceptable in this context. Whilst the garage to be retained at no. 8 Elmhurst Road and proposed parking spaces do not comply with the size guidelines set out in the SPD, both are physically capable of accommodating a vehicle. Conditions are recommended to secure the provision and retention of car parking for both the existing dwelling at no. 8 Elmhurst and the proposed dwellings along with the provision of visibility splays and to prevent surface water draining from the site onto the highway. A condition to secure the works to the highway necessary to provide access to the proposed parking spaces, including the re-siting of the existing telegraph pole, is also recommended.

5. The proposal will result in the loss of approximately 3 on street parking spaces close to Stoke Road. The car parking survey accompanying the planning application aims to provide a general overview of car parking availability near to the application site and is not a definitive assessment of all car parking available within a mapped area, extending to Percy Road. Nor does it assess car parking availability at different times of the day during times of peak demand. Adequate car parking will be made available for the existing property at no. 8 and the proposed dwellings. There are public car parks in close proximity to the District Centre available for use by visitors to the Centre and to the proposed development. On balance, therefore, the loss of three on street car parking spaces resulting from the proposed development will not have a harmful impact on highway and pedestrian safety as a result of indiscriminate car parking in the wider highway network and the existing amenities of residents, businesses and services will be preserved. Any indiscriminate parking of vehicles on private land is a private legal matter. The applicant has confirmed a willingness to enter a planning obligation under Section 106 relating to the payment of a sum towards Transport Infrastructure, Services and Facilities in accordance with Policies R/DP3 and R/T4 of the Gosport Borough Local Plan Review. Without this obligation the proposal is unacceptable. Subject to the completion of the Section 106 agreement and conditions as set out above, the proposal complies with Policies R/T2, T/T3, R/T4, R/T11 and R/DP3 of the Gosport Borough Local Plan Review and the NPPF.

6. The Lime and Bay trees on the west boundary of the application site are not worthy of formal protection by TPO. In this context, their loss is acceptable. Subject to a condition requiring appropriate protective fencing, the Lime tree the subject of TPO G.80 can be appropriately protected during development on site. The position of this tree to the west side of the properties, away from the rear gardens of the proposed properties, means it is unlikely to be under

unacceptable pressure to be felled in future. The Beech tree will be retained in the rear garden of no. 8 Elmhurst Road and will be located to the north side of the rear gardens serving the proposed properties. It will not, therefore, be under pressure to be removed as a result of this development. No works to off-site trees are proposed and, subject to a condition requiring protective fencing during development on site, none of these trees, including those included in TPO G.7, will be at risk from harm or impact during construction. A further condition it recommended to ensure that the method of works, carried out within the Root Protection Area (RPA) of the on and off site trees, does not harm these trees. A number of significant trees are to be retained on and around the application site following the proposed development. This will ensure that the visual amenities and green aspect of the site will be preserved together with habitat for local wildlife and the landscape value of the site will not be harmfully diminished. In this context, the loss of the two trees on the west boundary is considered to be acceptable and the character and appearance of the Conservation Area will be preserved in this respect. The proposal, therefore, complies with Policies R/DP1 and R/BH1 of the Gosport Borough Local Plan Review and the NPPF.

7. In lieu of provision of outdoor playing space on site the applicant is required to enter into a Section 106 agreement to make a contribution towards public open space facilities within the Borough. The proposal will introduce 2 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 the provision of outdoor playing space will be used to address the impact of recreational disturbance within the Borough to help provide an alternative area of recreational space accessible for residents of the new development. The provision and improvement of outdoor playing space is considered to be appropriate mitigation against harmful impacts on features of importance for nature conservation. Without this obligation, the proposal is unacceptable. Whilst the ecological report supporting the application does not identify any protected species on the site, the carrying out of works in accordance with the method statement contained within the Ecology Survey supporting the application is recommended to be secured by condition to ensure that there is no overall harm to biodiversity on the site and in the surrounding area. The site does have potential to host protected species, such as bats and badgers, in the future. To remind the applicant of their obligations if protected species are found when works begin, an informative is recommended to ensure that no harm is caused to such species. Subject to the completion of the Section 106 agreement to secure commuted sums towards public open space and mitigating the impact of recreational disturbance, a condition to secure the carrying out of works in accordance with the ecological method statement along with an informative regarding protected species, the proposal complies with the NPPF and Policies R/OS8, R/OS11, R/OS12, R/OS13 and R/OS14 of the Gosport Borough Local Plan Review and the NPPF.

8. Adequate drainage is proposed to be secured by condition to avoid any harmful surface water flooding, drainage onto the highway or detrimental impact to existing foul water drainage. Subject to this condition and an informative advising the applicant of the need for approval from Southern Water to connect to foul drains, the proposal complies with Policy R/ENV4 of the Gosport Borough Local Plan Review and the NPPF.

RECOMMENDATION: Grant Permission

Subject to Section 106 agreement relating to

1. the payment of a commuted sum towards public open space and mitigating the impact of recreational disturbance
2. the payment of a commuted sum towards Transport Infrastructure, Services and Facilities

Subject to the following condition(s):-

1. The development hereby permitted must be begun within a period of three years beginning with the date on which this permission is granted.

Reason - To comply with Section 91 of the Town and Country Planning Act, 1990 (as amended).

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

CFA FULL 01 Rev 01

CFA FULL 02

CFA FULL 03 Rev A

CFA FULL 04 Rev 03

03a Rev B

BJH.03

BJH.04

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

3. No development, excluding demolition of the existing garage, shall be commenced until details of the proposed finished floor levels of the development and proposed site levels have been submitted to and agreed, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the agreed levels unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure the appearance of the development is satisfactory, the historic character and appearance of the Conservation Area is preserved and to comply with Policies R/DP1 and R/BH1 of the Gosport Borough Local Plan Review and the NPPF.

4. No development, excluding demolition of the existing garage, shall be commenced until details of the hard landscaping works, including the types of hard surfacing materials to be used and boundary treatments, have been submitted to and approved, in writing, by the Local Planning Authority. The development shall not be occupied until the hard landscaping works have been carried out in accordance with the approved details.

Reason - In the interests of the amenities of the occupiers of the neighbouring properties and prospective occupiers, to reduce the likelihood of crime, to ensure the appearance of the development is satisfactory, to ensure the historic character and appearance of the Conservation Area is preserved, to preserve highway and pedestrian safety and to comply with Policies R/DP1, R/BH1 and R/T11 of the Gosport Borough Local Plan Review and the NPPF.

5. No development, excluding demolition of the existing garage, shall be commenced until details and plans of all windows and doors at a scale of 1:20 and horizontal and vertical sections at a scale of 1:10, have been submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved details unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure the appearance of the development is satisfactory, the historic character and appearance of the Conservation Area is preserved and to comply with Policies R/DP1 and R/BH1 of the Gosport Borough Local Plan Review and the NPPF.

6. No development, excluding demolition of the existing garage, shall be commenced until a vertical section at a scale of 1:2, of the corbel detail between the ground and first floor, showing its design, has been submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved details unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure the appearance of the development is satisfactory, the historic character and appearance of the Conservation Area is preserved and to comply with Policies R/DP1 and R/BH1 of the Gosport Borough Local Plan Review and the NPPF.

7. No development, excluding demolition of the existing garage, shall be commenced until details, including samples, of the external finish of the development have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include:

- external facing and roof materials;
- the brick bond
- mortar colour
- pointing profile

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

Reason - To ensure the appearance of the development is satisfactory, the historic character and appearance of the Conservation Area is preserved and to comply with Policies R/DP1 and R/BH1 of the Gosport Borough Local Plan Review and the NPPF.

8. No development, excluding demolition of the existing garage, shall begin until details of the proposed means of foul and surface water disposal, including diversions to existing public sewers, have been submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved foul and surface water disposal details, and diversions of public sewers, unless otherwise agreed, in writing, by the Local Planning Authority.

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

9. No development shall be carried out until tree protection measures in accordance with BS5837 - 2012 have been erected in accordance with the details contained in the Arboricultural Assessment dated September 2013. The tree protection measures shall be approved in situ by the Local Planning Authority and shall be retained in that condition at all times for the duration of development on site. Any tree protection measures that become damaged or otherwise unstable shall be replaced in accordance with the approved details immediately.

Reason - To ensure the existing trees on the site are satisfactorily protected, to preserve the existing ecological habitats on site, to preserve the visual amenities of the site and the character of the Conservation Area, to preserve the amenities of the occupiers of the neighbouring properties and to comply with Policies R/DP1, R/BH1, R/OS13 and R/OS14 of the Gosport Borough Local Plan Review and the NPPF.

10. No development within the Root Protection Area's of the on and off site trees, as identified on approved plan nos. BJH.03 and BJH.04, shall be carried out other than in accordance with the approved details unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure the existing trees on the site are satisfactorily protected, to preserve the existing ecological habitats on site, to preserve the visual amenities of the site and the character of the Conservation Area, to preserve the amenities of the occupiers of the neighbouring properties and to comply with Policies R/DP1, R/BH1, R/OS13 and R/OS14 of the Gosport Borough Local Plan Review and the NPPF.

11. No development shall be carried out other than in accordance with the recommendations and enhancements set out within the Phase 1 Ecology Survey dated 05.12.13 unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure that features of ecological importance on the site are preserved and enhanced and to comply with Policies R/DP1, R/OS13 and R/OS14 of the Gosport Borough Local Plan Review and the NPPF.

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

Reason - To ensure the appearance of the development is satisfactory, the historic character and appearance of the Conservation Area is preserved and to comply with Policies R/DP1 and R/BH1 of the Gosport Borough Local Plan Review and the NPPF.

13. The soft landscaping scheme approved under condition 12 shall be completed within the next planting season following first occupation of the first new dwelling, 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 - To ensure the appearance of the development is satisfactory, the historic character and appearance of the Conservation Area is preserved and to comply with Policies R/DP1 and R/BH1 of the Gosport Borough Local Plan Review and the NPPF.

14. The development shall not be occupied until the long stay cycle parking and refuse storage facilities have been provided in accordance with the details shown on plan no. CFA FULL 04 Rev 03 unless otherwise agreed, in writing, by the Local Planning Authority. The long stay cycle parking and refuse storage facilities shall be retained for the parking of cycles and storage of refuse at all times unless otherwise agreed, in writing, by the Local Planning Authority.

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

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

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

16. No development, excluding demolition of the existing garage, shall commence until details and measures to secure the off-site highway works, shown on plan no. CFA FULL 01 Rev 01 to provide a dropped kerb, vehicular access to the site and resiting of the existing telegraph pole, have been submitted to and approved, in writing, by the Local Planning Authority.

Reason - To ensure highway and pedestrian safety and to comply with Policies R/T2, R/T3 and R/T11 of the Gosport Borough Local Plan Review and the NPPF.

17. The development shall not be occupied until the measures approved by condition 16 have been carried out in accordance with those details unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure highway and pedestrian safety and to comply with Policies R/T2, R/T3 and R/T11 of the Gosport Borough Local Plan Review and the NPPF.

18. The development shall not be occupied until the areas shown on the approved plan for access and parking of vehicles, including the garages, shall have been made available, surfaced, and marked out, and these areas shall be retained for those purposes at all times.

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

ITEM NUMBER: 06.
APPLICATION NUMBER: 14/00012/FULL
APPLICANT: Mr Stuart Knight
DATE REGISTERED: 14.03.2014

RETENTION OF AND FURTHER WORKS FOR THE ERECTION OF A DETACHED DWELLING ON LAND ADJACENT TO FORT COTTAGE (CONSERVATION AREA)
Land Adjacent To Fort Cottage Crescent Road Gosport Hampshire

The Site and the proposal

1. The application site is located in an existing residential area, on the southern side of Crescent Road, within the Anglesey Conservation Area. Fort Cottage is located towards the southern end of a large plot, 1,505 m² in area, approximately 14m wide where it adjoins Fort Road to the south, 65m deep and 31m wide where it adjoins Crescent Road to the north. The existing dwelling was constructed in the 1950's and has its main aspect facing south over Fort Road to Stokes Bay and The Solent. It is constructed in brick with tile hanging to the first floor under a hipped plain clay tiled roof. It has a projecting gabled element over the front door and single storey pitched roof side element that also contains the garage. The property has mature hedge boundaries on its southern, eastern and northern sides with a 1.8 metre high close boarded timber fence on its western side. The garden to the south of the dwelling is laid to lawn and contains a number of mature shrubs and small trees. The main expanse of the garden between the dwelling and Crescent Road is laid to lawn with a vegetable and soft fruit garden and a greenhouse to the western side. The driveway extends from the north east corner of the site down its eastern boundary before swinging to the west side of the plot to the dwelling and its single garage and parking area. There are a number of prominent and mature trees located on the site, including an Oak and Pine tree which have a Tree Preservation Order on them situated at the northern end of the site adjoining Crescent Road.

2. The application site is located within a section of the Anglesey Conservation Area that has two distinct areas of differing character. To the north of the site, on the opposite side of Crescent Road beyond their boundary walls and mature hedging, there are pairs of three storey semi-detached Regency villas with painted stucco elevations. These Grade II Listed Buildings date from the 1830's as does the adjoining grand curved terrace of Grade II* Listed Buildings known as The Crescent. The properties located on the southern side of Crescent Road and in Fort Road, however, are of varied character and appearance, smaller in scale and of different ages. To the east of the site there is the corner of the heavily landscaped Crescent Gardens and a private road that shares the access to Fort Cottage and provides rear access to properties fronting Fort Road. The extensive rear garden to Delden, accessed from Fort Road, extends along this eastern side boundary to the site. To the west of the site are numbers 63 and 64 Crescent Road. These two storey houses were constructed in the 1960's with brick elevations under concrete tiled gabled roofs running from west to east. Number 63 is located directly west of Fort Cottage and has a south-north main aspect. Number 64 is set back approximately 7m from Crescent Road and has a single storey attached garage with a gabled side elevation located adjacent to the application site boundary fence. The two storey gabled side elevation of this dwelling is located approximately 4.5m from the application site boundary and contains an obscure glazed window. This property also has a north-south main aspect.

3. Planning permission was granted in 2009, under reference K5576/10, for the erection of a two storey, detached, four bedroomed dwelling in the north west corner of the existing garden serving Fort Cottage, on a plot of approximately 560 m². This application proposed the existing vehicular access to be used to serve the development. The approved plans showed the dwelling being approximately 16m wide and to vary in depth between 4.5m and 8m due to the articulation of the elevations. There was to be an attached double carport located on the north east corner of the dwelling with a pyramidal roof, located between 2.7m and 4.6m away from the western site boundary. The dwelling was designed in a broadly 'Arts and Craft' style with a pitched roof to match that on Fort Cottage with gabled and hipped elements and dropped eaves. The windows of different shapes and sizes were shown and include two single storey square bays and a small dormer in the

north elevation. The approved plans showed the dwelling being constructed in face brickwork at ground floor level and mainly vertical plain clay tile hanging to the first floor. The external walls of the carport would have been timber weatherboarding over an oak frame with a plain clay tiled roof. The plans showed parking space for two cars in the carport with space for a further two cars in front on the driveway. Cycle storage provision was to be made on site and there would have been space within the garden for bin storage.

4. A subsequent planning application was considered and approved by the Local Planning Authority under reference K5576/11 in 2012. This application sought amendments to the previously approved application. Externally, the amendments consisted of the car port being replaced by a timber clad garage constructed with a barn hipped roof with catslide elements to the side. A section of the roof of the main dwelling was increased in height on the northern side and the chimney configuration was altered on the southern side of the dwelling. The fenestration was altered with an increase in the number of windows, however, the windows in the western elevation remained obscure glazed at first floor level. The square bay on the southern side of the dwelling was replaced by a window and the front door was moved to the north. The window configuration was also changed at ground floor level. The amendments also included the enlargement of the basement area and the omission of a previously approved bedroom at that level and the addition of a home gym, a media room and a workshop area. The application also proposed a fourth bedroom in the area over the garage, the enlargement of the front porch on the eastern elevation and other associated internal alternations. The access to the site and the amount of proposed parking and the bin and cycle storage provision were unchanged and included the creation of a 2m x 2m visibility splay at the site entrance.

5. This is a new application seeking further amendments to the previously approved applications. These additional amendments consist of alterations to the roof of both the dwelling and garage, including an increase in the overall height by 0.4m and a change in the profile and height of the eaves. This application also proposes to increase the width of the utility area in the north western corner by 1.4m to be 3.4m wide and the use of tiles on the roof over the bay window on the western elevation. This application also proposes the widening of the separation between the garage doors, the removal of ground floor windows in the northern elevations of the garage and dwelling and the removal of a roof light in the rear roof slope of the dwelling. The plans also show the insertion of two roof lights in the northern roof slope of the garage and a reduction in the height of the chimney pots on the main dwelling. The other amendments consist of the omission of the front porch and the basement area under the garage. The applicant has indicated the garage will be also used for the storage of bicycles. Internally, the amendments include an increase in size of the bedroom over the garage and changes to the layout of the basement area.

6. Works were undertaken in November 2012 to commence development on the site. The commuted sums required by the Section 106 agreement attached to the consent were paid in January 2013.

Relevant Planning History

K5576 - outline application for the use of land for detached dwelling - permitted 27.09.66

K5576/3 - outline erection of detached dwelling house - refused 26.04.93

T/APP/J1725/A/93/227750/P5 subsequent appeal dismissed 21.02.94 the inspector considered the proposal would not preserve or enhance the character and appearance of the conservation area and would be detrimental to the setting of nearby Listed buildings

K5576/10 - erection of detached dwelling on land adjacent to Fort Cottage (Conservation Area) - permitted 12.11.09

K.5576/11 - erection of detached dwelling on land adjacent to Fort Cottage - (Conservation Area) - permitted 07.12.12

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/BH1

Development in Conservation Areas

R/BH3

Development Affecting Listed Buildings

R/BH4

Demolition of a Listed Building

R/T11

Access and Parking

R/DP3

Provision of Infrastructure, Services and Facilities

R/T4

Off-site Transport Infrastructure

R/OS8

Recreational Space for New Residential Developments

R/OS13

Protection of Habitats Supporting Protected Species

Consultations

Streetscene Waste & Cleansing	No objection. Dwelling will require a 240 litre domestic and 240 litre recycling wheeled bin. Adequate space to store bins which will require placing out kerb-side on Crescent Road for collection.
The Gosport Society	No objection.
HCC Ecology	No objection.
Building Control	No objection.
Local Highway Authority	No objection.
Natural England	The proposal is likely to increase the level of recreational disturbance along the coast, the impact of which will need to be satisfactorily mitigated.

Response to Public Advertisement

3 letters of objection

Issues raised:-

- the house should revert to the previous planning consent granted in 2009
- the size of the property and facade, as seen from Crescent Road, would be substantially increased
- it is important that whatever is built on this site is entirely compatible with the Regency environment of Crescent Road
- the revised design does not meet the disciplined architectural design of Crescent Road
- improvements could be made to the layout and design
- the design rambles and lacks cohesion
- the dwelling is not orientated toward Crescent Road, which is out of character
- the elevation fronting Crescent Road would comprise a large tiled roof rather than the previous approved subordinate, pyramidal car port roof
- the house is now dominated by the garage and its bulk is out of proportion
- the rooflights in the garage roofslope do little to mitigate the large areas of unrelieved brick and tile

- the garage would extend forward of number 64 to the west
- it is not clear whether the garage would exceed the height of number 64 and it ought not to

Principal Issues

1. The Local Planning Authority is required to determine the application on the basis of the submitted plans and its individual merits and cannot control which of the consented developments is fully implemented. The principle of a residential use in this location, including the overall design, scale and orientation of the property and garage, the impact on the amenities of nearby and prospective residents, highway and pedestrian safety and refuse storage facilities and the provision for open space and Transport Infrastructure, Services and Facilities, car and cycle parking was considered and approved under application references K5576/10 and K5576/11. The proposed form, mass, configuration and design of both dwelling and garage remain to a high standard and the amendments to their overall height and external appearance does not significantly differ from the previously approved schemes. The only issues in this case, therefore, are the appropriateness of the amended roof design of the house and garage and additional roof lights to the garage and the impact of the changes on the occupiers of adjacent properties and on the setting of the nearby Listed Buildings, whether the proposal will preserve or enhance the character and appearance of the Conservation Area and the impact on the interests of nature conservation and recreational disturbance.

2. The proposed dwelling will remain smaller in height than Fort Cottage. Although the double garage is more substantial in scale than the car port approved in 2009, the footprint and roof design was considered and approved in 2012. Despite the small increase in overall height, the traditional style of the timber clad garage with a plain clay tiled roof, which is hipped at both ends, ensures that it is an acceptable form of development in this location. The garage remains subservient to the dwelling and would not exceed the height of the number 64 Crescent Road to the west. The addition of the rooflights in the northern roof slope would serve to create a visual break in the tiled roof of the garage, the details of which are proposed to be controlled by condition. Notwithstanding the small increase in the overall height of the roof of the dwelling and amendments to the eaves, it is substantially the same in terms of overall volume and design as the dwelling approved in 2012 and the proposal remains compatible with the mix of properties on the south side of Crescent Road and those on Fort Road. The use of timber on the northern elevation of the garage will complement the dwelling and will serve to diminish the visual impact of the overall proposal. Given the above and having regard to the varied character on the southern side of Crescent Road, the amended proposal is compatible with the Regency environment of the locality and will preserve the character and appearance of the Conservation Area. The proposal will not harm the protected trees on the site and proposes to retain the other trees of merit. The orientation and design of the proposal is such that given the fact that the garage roof would slope away from the northern boundary that is formed of mature hedges and protected trees, there will be no harm to the setting of the Listed Buildings to the north, on the opposite side of Crescent Road. The proposal, therefore, complies with Policies R/DP1, R/BH1 and R/BH3 of the Gosport Borough Local Plan Review.

3. Given the orientation of the site, the low height of the dwelling and its hipped roof form sloping away from the boundary with 64 Crescent Road, the location beyond an existing boundary fence and separation distances between the properties, there will be no additional loss of light to the occupiers of that dwelling or Fort Cottage to the south despite the small increase in the height of the roof of the dwelling and garage. The proposed additional roof lights in the northern roof slope of the garage overlook the highway and, therefore, would have no harmful impact in terms of loss of privacy. The first floor windows in the western elevation of the dwelling, facing number 64 Crescent Road, are shown to be installed with obscure glazing and a condition is proposed to control this. Given the above, the proposal complies with Policy R/DP1 of the Gosport Borough Local Plan Review and will not be detrimental to the amenities of the occupiers of the adjacent residential properties.

4. The applicant has previously entered into a planning obligation relating to the payment of a commuted sum towards Transport Infrastructure, Services and Facilities. Furthermore, in lieu of provision of outdoor playing space on site, the applicant has also entered into a planning obligation

to make a contribution towards public open space facilities within the Borough. The requirement for the applicant to pay commuted sums towards the provision and/or improvement of outdoor playing and Transport Infrastructure, Services and Facilities has been secured by Section 106 agreement attached to planning permission K5576/11 and, as works have commenced on site, in accordance with that agreement, the commuted sums have been paid in accordance with Policies R/OS8, R/DP3 and R/T4 of the Gosport Borough Local Plan Review and the NPPF. However, since the last planning permission was granted, evidence has shown that any additional dwellings will result in increased recreational pressure on the coast and have a consequential impact on the protected species for which the Solent and Southampton Water and Portsmouth Harbour SPA/Ramsar sites are designated. To address this impact, the commuted sum paid towards the provision of outdoor playing space will also be used to address the impact of recreational disturbance within the Borough to help provide an alternative area of recreational space accessible for residents of the new development. The impact of recreational disturbance on the coast has, therefore, been, appropriately mitigated and the proposal complies with the NPPF and Policies R/OS8, R/OS13 and R/DP3 of the Gosport Borough Local Plan Review.

RECOMMENDATION: Grant Permission

Subject to the following condition(s):-

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

1311-01B, 1311-03B, 1311-05D, 1311-07D, 1311-04D, 1311-08D and 13411-14

Reason - To ensure that the development is completed satisfactorily in all respects and to comply with the NPPF and Policies R/DP1, R/BH1 and R/BH3 of the Gosport Borough Local Plan Review.

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

Reason - Such details have yet to be provided and to ensure that the appearance of the development is acceptable and to preserve the character and appearance of the Conservation Area and the setting of the adjacent Listed Buildings and to comply with the NPPF and Policies R/DP1, R/BH1 and R/BH3 of the Gosport Borough Local Plan Review.

3. No development above slab level shall take place until details of the proposed windows, doors, rooflights and garage doors, including horizontal and vertical sections at a scale of 1:10, colour finishes and reveals, 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.

Reason - In the interests of amenity and to ensure that the appearance of the development is acceptable and would preserve the character and appearance of the Conservation Area and the setting of the adjacent Listed Buildings and to comply with the NPPF and Policies R/DP1, R/BH1 and R/BH3 of the Gosport Borough Local Plan Review.

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

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

5. The development hereby permitted shall not be occupied until the areas shown on the approved plan for the parking of vehicles have been made available, surfaced and marked out in accordance with details submitted to and approved, in writing, by the Local Planning Authority. These areas shall be retained for the purpose of car parking at all times.

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

6. No development above slab level shall take place until details of surface materials and the method of drainage of the vehicle driveway and hardstand shall be submitted to, and approved, in writing, by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details before the development is first occupied.

Reason - In the interests of amenity and to comply with Policies R/DP1 and R/ENV4 of the Gosport Borough Local Plan Review.

7. No development above slab level shall take place until details of a 2 metre x 2 metre visibility splay on the west side of the access with the adjoining highway have been submitted to, and approved, in writing, by the Local Planning Authority. Nothing over 600mm high above the footway shall be contained within the visibility splay. The approved splay shall be provided before the development is first occupied in accordance with the approved details and thereafter retained.

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

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

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

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

Reason - In order to ensure that adequate refuse storage facilities are available in compliance with the NPPF and Policy R/DP1 of the Gosport Borough Local Plan Review.

10. The windows at first floor level in the western elevation shall be glazed with obscure glass and be non-opening and shall be retained in that condition thereafter, unless otherwise agreed, in writing, with the Local Planning Authority.

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

11. The protected trees and trees and hedges on the site which are to be retained shall be protected during building operations by strict compliance with BS5837:2012 - Trees in Relation to Construction.

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

ITEM NUMBER: 07.
APPLICATION NUMBER: 14/00135/FULL
APPLICANT: Mr & Mrs Davis
DATE REGISTERED: 17.03.2014

RETENTION OF DETACHED OUTBUILDING
23 Kennedy Crescent Gosport Hampshire PO12 2NL

The Site and the proposal

1. This application has been reported to the Regulatory Board as one of the applicants is a member of staff.
2. Sited on the south side of Kennedy Crescent, the application property is a two storey, detached dwelling of brick construction. The rear garden is 15m long and 15m wide. The rear east and south boundaries are formed of timber fencing approximately 1.6m high. In front of the rear, south boundary are various trees and shrubs approximately 3m high. The west boundary is formed of timber fencing and trellising and is approximately 2m high.
3. To the east is no. 21 Kennedy Crescent which is of similar size and construction to the application property. There is a separation distance in excess of 4m between the two storey elements of this property and the application property. In the rear elevation of no. 21 are two windows at first floor level and three windows at ground floor level. In addition, there are two first floor windows in the west, side elevation. The rear elevations of the detached dwellings to the south, sited on the north side of Palmerston Way are in excess of 30m from the rear elevation of the application property. The dwelling to the west (no. 25 Kennedy Crescent) is also of similar size and construction to the application property. On the rear of this property is a single storey, flat roofed extension approximately 2.5m deep and 2.5m high. In the south (rear) elevation of the extension are two sets of patio doors and one window at ground floor level. In the main rear elevation of this property there are two windows at first floor level. There is also a ground floor and a first floor window in a side projection on the east side of this dwelling which also face south. There are no windows in the east, side elevation of this property.
4. This proposal is to retain a detached outbuilding in the south west corner of the rear garden of the application property. It is positioned at an angle to the west boundary (facing the north east) and is set off the boundary by a minimum of 0.8m. The outbuilding is 4.15m deep and 4.15m wide with an eaves height of 2.08m and an overall height of 2.82m, to the top of the pitched, shingle tiled, roof. It is constructed of timber and would have two windows and a set of doors in the north east elevation.

Relevant Planning History

Nil

Relevant Policies

National Planning Policy Framework (NPPF), March 2012

Gosport Borough Local Plan Review, 2006:

R/DP1

General Standards of Development within the Urban Area

R/ENV5

Contaminated Land

Consultations

Environmental Health

No objection. The site is potentially

contaminated and a suitable remediation strategy should be controlled by condition.

Response to Public Advertisement

Nil

Principal Issues

1. The main issues in this case are the acceptability of the design of the proposal, the impact on the visual amenity of the locality and the amenities of the occupiers of the surrounding dwellings in terms of loss of light, outlook and privacy and whether issues of contamination have been addressed.
2. Due to the scale of the outbuilding and its siting, it is not visible from Kennedy Crescent. The height, scale and mass of the outbuilding is appropriate in this location and is commensurate with the size of the rear garden of the property. The outbuilding is only 0.8m higher than the west boundary treatment at the site. Furthermore, the shallow pitched roof and low overall height helps to reduce the mass of the building. The proposal is constructed of appropriate materials. The proposal is, therefore, acceptable in this location and does not have a harmful impact on the visual amenity of the locality, in compliance with Policy R/DP1 of the Gosport Borough Local Plan Review.
3. Given the scale and orientation of the proposal, the separation distances to the neighbouring dwellings and the height of the intervening boundary treatments, the outbuilding does not have an unacceptable impact on the amenities of the occupiers of the surrounding dwellings in terms of loss of light, outlook or privacy. The outbuilding's use is for purposes ancillary to the main dwelling meaning its use will not have an unacceptable impact, in terms of disturbance, on the occupiers of the surrounding dwellings. As such, the development complies with Policy R/DP1 of the Gosport Borough Local Plan Review.
4. The application site is potentially contaminated but the outbuilding has been erected on top of a concrete slab. It is unlikely that the ground was substantially disturbed during construction. As the works have been completed, a condition requiring the submission of a remediation strategy, should contamination be found, is not appropriate. The development therefore complies with Policies R/DP1 and R/ENV5 of the Gosport Borough Local Plan Review.

RECOMMENDATION: Grant Permission