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13th January 2014

S U M M O N S

MEETING: Regulatory Board
DATE: 21 January 2014
TIME: 6.00 pm
PLACE: Council Chamber, Town Hall, Gosport
Democratic Services contact: Vicki Stone

LINDA EDWARDS
BOROUGH SOLICITOR

MEMBERS OF THE BOARD

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

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

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

FIRE PRECAUTIONS

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

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

IMPORTANT NOTICE:

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

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

NOTE:

- i. Councillors are requested to note that, if any Councillor who is not a Member of the Board wishes to speak at the Board meeting, then the Borough Solicitor is required to receive not less than 24 hours prior notice in writing or electronically and such notice shall indicate the agenda item or items on which the member wishes to speak.
- ii. Please note that mobile phones should be switched off for the duration of the meeting.

AGENDA

PART A ITEMS

1. APOLOGIES FOR NON-ATTENDANCE

2. DECLARATIONS OF INTEREST

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

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

4. DEPUTATIONS – STANDING ORDER 3.5

(NOTE: The Board is required to receive a deputation(s) on a matter which is before the meeting of the Board provided that notice of the intended deputation and its object shall have been received by the Borough Solicitor by 12 noon on Friday, 17 January 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 Friday, 17 January 2014).

6. **REPORTS OF THE BOROUGH SOLICITOR**

*Schedule of planning applications with recommendations.
(grey sheets – pages 1- 45)*

PART II
Contact Officer:
Debbie Gore
Ext: 5455

7. ANY OTHER ITEMS

GOSPORT BOROUGH COUNCIL – REGULATORY BOARD

21st January 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.

<u>Item</u>	<u>Page No</u>	<u>Appl. No.</u>	INDEX	
			<u>Address</u>	<u>Recommendation</u>
01.	03-23	13/00431/FULL	Land North Of Manor Way & West Of Bayntun Drive/Redmill Drive At HMS Daedalus Lee-on-the-Solent Hampshire	Grant Permission subject to Conditions / s106
02.	24-37	13/00274/FULL	Land To Rear 40 Bury Road Gosport Hants	Grant Permission subject to Conditions / s106
03.	38-43	13/00417/FULL	74 High Street Gosport Hampshire PO12 1DR	Grant Permission subject to Conditions
04.	44-45	13/00445/FULL	3 Chark Cottages Shoot Lane Lee-On-The-Solent Hampshire PO13 9PA	Grant Permission subject to Conditions

ITEM NUMBER: 01.
APPLICATION NUMBER: 13/00431/FULL
APPLICANT: Mr Stuart Goodwill Barratt David Wilson Southampton
DATE REGISTERED: 11.12.2013

ERECTION OF 101 RESIDENTIAL UNITS TOGETHER WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING AND WORKS TO TREES WITHIN TPO G127 (as amended and amplified by plans received 03.01.14 and 06.01.14)
Land North Of Manor Way & West Of Bayntun Drive/Redmill Drive At HMS Daedalus Lee-on-the-Solent Hampshire

The Site and the proposal

The application site lies to the south of the airfield at the Daedalus site, to the east of the Daedalus Conservation Area, to the east side of the Solent Enterprise Zone and west of the existing 148 no. MOD married quarters. The remnants of former MOD buildings are evident together with a concrete road across the southern part of the site. The remainder of the land is undulating grass land. On the east boundary of the site is a 2m high close boarded fence and with the remaining boundaries treated with mesh wire fence up to approximately 3m high along the north side. The south part of the site is covered by substantial trees and shrubs which restrict visibility through to Manor Way. TPO G.127 protects 29 of these trees individually along with three groups covering 37, 3 and 13 trees respectively and this area has some ecological value. The site is possibly contaminated due to former uses on the site and it has archaeological potential.

The land was formerly identified by the MOD as land to be used for the erection of married quarters and Outline planning permission was granted in 2004 for the erection of 300 dwellings on the application site together with additional land to the north and east. Subsequently, following the approval of Reserved Matters, 148 of the 300 married quarters were built on land to the east. An application to extend the time limit for the implementation of the remaining 152 dwellings was refused in 2011 on the basis that there was no satisfactory justification for married quarters to be provided and as the prematurity of the application may have compromised future employment opportunities on the wider Daedalus site. Since that time, the site has been included in the Solent Enterprise Zone. A resolution to grant Outline planning permission for application reference 11/00282/OUT has provided improved certainty regarding the employment generating uses, alongside commercial and residential uses coming forwards on the wider Daedalus site for the land to the west of the application site. The application site is also included in the area covered by the Daedalus Supplementary Planning Document (SPD) and Policies R/DP4 and R/H3 of the Gosport Borough Local Plan Review which anticipate that up to 500 dwellings could be provided on the overall Daedalus site. As 148 of the married quarters have been constructed and there is a resolution to grant Outline planning permission for 200 additional dwellings on the main Daedalus site, the balance of 152 dwellings remains for the land covered by the Daedalus SPD, which includes this application site.

The area surrounding the application site is characterised by a mix of residential and commercial development. To the east are the existing 148 married quarters properties retained by the MOD as service accommodation. These houses are accessed along Chark Lane from Broom Way to the east and are detached, red brick properties in a cul-de-sac arrangement. There is an area of open space together with play area towards the centre of the development. The residential properties to the south of the application site in Manor Way are more eclectic in layout and appearance. No. 47 Milvil Road to the south west side of the application site is Locally Listed. Each of the properties in Manor Way, Milvil Road, and those immediately surrounding, is individual in appearance and a mix of trees, shrubs and plants have established on the existing highway verge north of Manor Way beyond which is an existing 2m high, mesh wire fence along the boundary of the application site. An existing footpath runs south of the south east boundary of the application site between Manor Way along the boundary of no. 56 Manor Way and behind the properties in Eastcliff Close to emerge on Broom Way opposite Court Barn Lane. Beyond Manor Way to the south are Milvil Road, Norwich Place and Eastcliff Close whereby, similar to Manor Way, the properties are each of unique design.

The Daedalus airfield and its associated buildings are located to the north and west of the application site. The land immediately north of the application site is of the same character to the application site comprising a mix of grassland and the remnants of partially demolished buildings. Beyond this a 2.5m high mesh fence borders the access road which runs along the south side of the airfield within Daedalus.

This application proposes the erection of 101 residential units comprising 12 no. one bedroom, 33 no. two bedroom, 28 no. three bedroom and 28 no. four bedroom dwellings made up of a mix of flats, terraces, semi-detached and detached properties. The two storey properties would be of mixed designs under hipped and gabled roofs. 40 of the units are to be provided as affordable housing and are to be pepper-potted across the site. Overall 15% of the houses are to be built to Lifetime Homes standards. Mixed types and levels of hardstanding are shown across the development to differentiate between public and private areas and to show junctions on the highway where vehicular and pedestrian access is shared. Vehicular access would be provided to the north east corner of the application site from Bayntun Drive with an additional possible access point shown into the Daedalus site along Implacable Road to the west which would be available for linking the proposed development to the wider Daedalus site.

This access would, however, be closed until the eastern part of the main Daedalus site is developed. Two additional cycle and pedestrian access points would be provided to the southern side of the site. The first would be from Manor Way to the south east corner of the site where an area of existing adopted highway passes across the south side of numbers 28 and 30 Redmill Drive and abuts the application site boundary and the second would be from Manor Way to the south, close to where Milvil Lane abuts Manor Way from the south. The plans show a cycle route passing from Broom Way to the east, across the site and then south along Milvil Lane to link the two areas of Lee-on-the-Solent.

The removal of six individual trees within TPO G127 is proposed. A knee rail is proposed to separate an ecology corridor in the southern part of the site from the area of informal open space north of this. Within the open space, the provision of children's play equipment is also proposed.

The application is accompanied by a Design and Access Statement, an Affordable Housing Statement, an Arboricultural Impact Assessment and Method Statement, an Ecological Assessment, a Flood Risk Assessment, a Ground Investigation, a Landscape Specification, a Noise Impact Assessment, a Site Waste Management Plan, a Statement of Community Involvement, a Transport Assessment, a Tree Report, a Safety Audit and an Economic Benefits Assessment.

Amended plans have been submitted to address land ownership issues, access to the site and details of cycle parking provision.

Relevant Planning History

Relating to the application site:

01/00655/OUT (K15857) - Outline Application - Erection of 300 units to provide officers and other ranks married quarters: Phase 1 to comprise 148 units and phase 2 to comprise 152 units - permitted - 26.10.04

04/00770/DETS - Details pursuant to K15657 - erection of 148 no. officers and other ranks married quarters (Phase 1) - permitted 04.02.05

10/00019/EXT - Renewal of planning permission to extend the time limit for implementation of Phase 2 - Outline application - Erection of 300 units to provide officers and other ranks married quarters: Phase 1 to comprise 148 units and phase 2 to comprise 152 units - refused 21.02.11 for the following reasons:-

1.) Lack of information to demonstrate the need for married quarters and prematurity of development of the site which could compromise employment generation.

- 2.) Inadequate provision of transport infrastructure, services and facilities.
- 3.) Inadequate provision of educational facilities.
- 4.) Inadequate provision of affordable housing.
- 5.) Inadequate provision of outdoor playing space.

Relating to land west of the application site:

11/00282/OUT - EIA - Outline application with all matters reserved except for access - employment-led mixed use scheme including up to 69,992 sqm of commercial floor space in new buildings and re-use of existing buildings (use classes B1, B2 and B8); up to 1,075 sqm of retail (use classes A1, A2, A3 and/or A4); up to 200 residential units (use class C3); up to 32 units of care accommodation (use class C2); up to 1,839 sqm of community uses (use class D1); up to 8,320 sqm of hotel use (use class C1); up to 2,321 sqm of leisure (use class D2); new and upgraded vehicular and pedestrian access arrangements; hard standing and car parking; open space provision; landscaping; and associated works. (works affecting listed buildings/conservation area (in part)) - resolution to grant planning permission subject to conditions and the completion of the Section 106 agreement March 2012

Relevant Policies

National Planning Policy Framework (NPPF), March 2012

Daedalus: Supplementary Planning Document (September 2011)

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/DP4

Mixed-use Developments

R/T2

New Development

R/T3

Internal Layout of Sites

R/T4

Off-site Transport Infrastructure

R/T9

Cycleways and Footpaths

R/T10

Traffic Management

R/T11

Access and Parking

R/H3

Major Housing Proposals as Part of a Mixed Use Development

R/H4

Housing Densities

R/H5

Affordable Housing

R/BH5

The Local List

R/BH8

Archaeology and Ancient Monuments

R/OS8

Recreational Space for New Residential Developments

R/OS11

Protection of Areas of National Nature Conservation Importance

R/OS13

Protection of Habitats Supporting Protected Species
R/ENV4
Treatment of Foul Sewage and Disposal of Surface Water
R/ENV5
Contaminated Land
R/ENV10
Noise Pollution
R/ENV11
Minimising Light Pollution

Consultations

Southern Water

No objection. The developer must seek formal approval from Southern Water for the diversion of any existing sewers. No development or new tree planting should take place 3m either side of the centreline of public sewers, no new soakaways should be located within 5m of a public sewer and all existing infrastructure must be protected during construction works. At present there is inadequate capacity in the local network to provide foul sewage disposal to serve the development. developer will need to seek formal approval from Southern Water to provide additional or improve existing sewers. An informative should be added to any planning permission granted to notify the applicant of this. Southern Water can provide surface water disposal to serve the development. An informative should be added to any planning permission granted to notify the applicant of this. The application refers to the use of SUDS. A condition requiring the details to be approved is recommended.

Economic Prosperity

No objection. The applicant has agreed to enter into a Section 106 agreement to secure an Employment and Skills Plan.

HCC Landscape, Planning & Heritage

No objection. There are no known archaeological finds within the development site, however, it does have archaeological potential. Nearby historic excavations in the early 20th century Cherque quarry, to the east of the application site, identified a late prehistoric occupation of the site. Recent investigations of the airfield have revealed finds consistent with Iron Age occupation. To the south there have been finds of prehistoric artefacts. Nevertheless, there is no reason to believe that archaeology would present an overriding concern. Conditions relating to the provision of written schemes of investigation, mitigation and recording are recommended.

Natural England

The erection of 101 residential units is likely

	to increase the level of recreational disturbance along the coast, the impact of which will need to be satisfactorily mitigated.
Environment Agency (Hants & IOW)	No objection.
Wildlife Trust (Hants & IOW)	No response.
HCC Ecology	<p>No objection. The application is accompanied by an 'Ecological Assessment' which provides a sound assessment of the application site's current ecological value. The report confirms that the site is of overall low ecological value. The vegetation on the site comprises grassland which is species poor and formed on previously developed land. There are some areas of structured woody vegetation in the south of the site and scattered trees and shrubs elsewhere.</p> <p>There are a small number of slow worms on the site and bats use the site for foraging. There is also a badger sett close to the southern site boundary and the dense and the woody vegetation is likely to support a range of common nesting bird species. It is possible that barn owls may forage within the site but there is no evidence of roosting or nesting.</p> <p>A series of mitigation, compensation and enhancement measures are proposed which are considered reasonable. These measures should be secured by condition.</p> <p>The development will result in an increase in residential dwellings within relatively close proximity to the Solent and Southampton Water SPA and Ramsar site and the Portsmouth Harbour SPA and Ramsar site. This is likely to result in a harmful impact on these sites as a result of additional recreational disturbance. Mitigation to address this impact should be provided.</p>
HCC Education Office	No contribution towards education is required.
Royal Society For The Protection Of Birds	Concur with Natural England's comments regarding the impact on the nearby SPA/Ramsar sites. Pleasing to see the existing trees and hedgerows to be retained. The provision of nesting boxes on the proposed properties and within existing trees is encouraged. A combined landscape and environmental management plan should be required by condition.

Eastern Solent Coastal Partnership	No objection.
County Planning	No objection.
Building Control	No objection. An application for Building Regulation approval is required. Contamination surveys required. Access for fire engines must comply with Building Regulation B5 and access to off site fire hydrants will be assessed. Consideration should be given to refuse collection.
Environmental Health	No objection. The site is potentially contaminated, however, a contamination report has been submitted with the application and conclusions and recommendations contained within it are considered to be acceptable. The recommendations should be secured by condition. Construction works should be carried out between 0800 and 1800 Monday to Friday, 0900 and 1300 on Saturday's and at no time on Sunday's or Bank Holiday's. New lighting should not cause harmful glare or light spill to neighbouring properties.
Housing Strategic	No objection. The provision of much needed affordable housing is welcomed. The mix reflects the identified need and there is sufficient pepper-potting to ensure that the affordable housing is integrated with the new homes contributing to a balanced community.
Streetscene Parks & Horticulture	No objection. The proposed tree removal, replacement planting on the site and protection of retained trees is acceptable. The measures within the arboricultural method statement to remove the existing hard surface to the south side of the site are appropriate to ensure that there will be no harmful impact to the retained trees. The proposals in relation to tree planting appear appropriate with good species choice suitable to street planting which will compensate for the loss of a few trees along the southern boundary. The proposed shrub planting is good and appropriate to the development. The provision of more naturalised bulb planting and late winter flowering shrubs would increase the wildlife friendly aspiration.
Streetscene Waste & Cleansing	No objection. The proposal provides adequate storage for wheeled bins at properties with access to rear gardens for storage. The design statement notes that the maximum distance refuse vehicle access is

	provided from a property is 40m which is adequate for waste collection services.
Crime Prevention & Design	<p>The proposal will create pedestrian links between Bayntun Drive, Manor Way, Implacable Road and Redmill Drive. The connectivity will change the status of Bayntun Drive from a cul-de-sac. Cul-de-sacs are secure and the proposed, increased connectivity of the site could result in Bayntun Drive becoming a short cut and be more vulnerable to crime. There have been no reports of crime occurring within Bayntun Drive within the last year.</p> <p>The proposal will also create a cul-de-sac within the development by allowing pedestrian access into Redmill Drive. Natural surveillance can decrease the likelihood of crime. The open space to the south side of the development benefits from very little natural surveillance which may mean it is vulnerable to crime and anti-social behaviour.</p> <p>Consideration should be given to increasing the level of natural surveillance of this space and to closing the proposed access from Bayntun Drive with vehicular access being from Implacable Road or Manor Way.</p> <p>Car parking areas should be overlooked so that they are less vulnerable to crime and access to the rear of properties should be secured. Public areas should be well lit.</p>
Hampshire Fire And Rescue Service	No objection. Access to the proposed site should be in accordance with Approved Document B5 of the Building Regulations. As only a single vehicular access is proposed an alternative access for emergency purposes would be preferred but it is not required.
Scottish And Southern Energy	No response.
Local Highway Authority	<p>Transport Assessment</p> <p>The Transport Assessment identifies that the impact of the proposed development and other approved developments on the Gosport Peninsula have been taken into account within the Transport Assessment prepared for the Solent Enterprise Zone and the Outline planning application. The development will generate around 20 arrivals and 45 departures in the morning peak hour and 46 arrivals and 25 departures during the evening peak hour.</p>

The impact of the proposed housing has already been allowed for and included in the Enterprise Zone Transport Assessment which has identified the need to improve access to the Gosport peninsula and highway capacity improvements at the Peel Common roundabout and the Newgate Lane corridor. The Highway Authority is working towards identifying the required improvements along with actively pursuing funding opportunities for their implementation.

The development will generate up to 71 vehicles per hour which will use the Chark Lane/Bayntun Drive access. This will split with 42 vehicles per hour to/from Broom Way north (Peel Common roundabout) and the remainder using Cherque Way and Broom Way south (Lee-on-the-Solent). The proposed new access to Daedalus has been designed to cater for the development's generated traffic and will be accommodated with little impact.

Travel Plan

The application is supported by a draft Framework Travel Plan which will be further developed and monitored to ensure it will assist in improving the levels of sustainable travel to and from the site. Over time, this will reduce the levels of anticipated traffic generation thereby further reducing the development's impact on the adjoining roads. The Travel Plan will be bonded so that, should the development not deliver the Travel Plan, the County Council will be able to use those funds to implement measures that will deliver a shift away from single occupancy car trips.

Internal highway layout

Triple parking should be avoided to reduce the likelihood of vehicle parking on the highway. Car parking arrangements in some areas on the site do meet the guidelines set out in the draft Car Parking SPD. Refuse vehicles can turn within the site. Planting adjacent to parking spaces should not interrupt visibility from the spaces. Where the gradient of paving falls towards the highway, cut-off drains must be installed to prevent water draining onto the highway. Details of levels should be submitted for consideration. The position and arrangement of public and private soakaways must not interrupt the operation of one another. Storm

water drainage pipes must be tested to ensure that they can accommodate additional runoff. Soakaway testing must be carried out at the exact locations of the proposed soakaways to ensure the attenuation to be provided is sufficient.

Cycle Provision

The development provides a safe cycling environment which, when combined with the traffic calmed Chark Lane and Bayntun Drive link, will provide a cycle route that has low traffic volumes and speed linking the cycle routes on Broom Way/Manor Way and Cherque Way. In combination, the proposed and existing routes will improve cycling accessibility to local facilities within Lee-on-the-Solent as well as Gosport and Stubbington.

Transport Contribution

In accordance with the County Council's Transport Contribution Policy, a contribution of £406,713 is required for this development. It is understood that the capital receipt from the sale of the application site for development is to be utilised to assist in the County Council's repayment to the Solent LEP of the Growing Places Funding provided for comprehensive highway improvements to the Gosport peninsula. Provided it can be demonstrated that the full value of the Transport Contribution Policy will be used by the land owner to assist in re-paying the loan, the County Council is satisfied the money is being used for highway purposes and, therefore, the Transport Contribution will not be required in this instance. The County Council is working with the land owner to establish the extent to which they will use the capital receipt to assist in repaying the loan. In the event that the County Council does not receive the evidence it requires which demonstrates that this is the case, it will seek to secure the Transport Contribution through a Section 106 agreement.

Conclusion

The development proposal is acceptable in transport and highway terms. It should be noted that the proposal will result in an increase in trips to and from the site which will have some impact on the capacity of the local strategic Newgate Lane/Broom Way corridor. This impact will be taken into account in the highway improvements presently being developed for this corridor

required to cater for the growth agenda proposed for the Gosport peninsula.

A Section 106 agreement is required to secure the following:

- Details of the Full Travel Plan
- Payment of fees in respect of the approval and monitoring of the Full Travel Plan
- Provision of a bond in respect of the measures within the Travel Plan
- The transfer of land for the pedestrian and cycle links from Manor Way and Redmill Drive
- A contribution towards Transport Infrastructure, Services and Facilities

A condition requiring the approval of a Construction Traffic Management Plan is also recommended.

Response to Public Advertisement

14 letters of objection

Issues raised:

- the proposal will not generate employment
- excessive levels of residential development at the cost of employment generating development
- the site should not be developed before existing traffic congestion is addressed
- traffic congestion has been underestimated in the information supporting the planning application
- the existing roads will bear the burden of the proposed development
- lack of car parking and on street car parking
- parking of verges will damage the landscaping
- no car parking for commercial vehicles is shown
- the roads shown are too narrow
- limited access for emergency services
- inappropriately high density can lead to mental illness
- impact on amenities of the existing residential properties
- overlooking and impact on privacy
- the distribution of rented houses will induce right to buy applications which will not help the Council's housing list
- query regarding the description of the proposal
- the development is not sustainable
- Queens Gate should be retained and no access to the site in this location should be provided
- the land should be retained as open space
- the area of open space shown could attract anti-social behaviour
- if the area of open space is ever built upon anti-social behaviour could move to the streets
- the emphasis on wildlife, the retention of the trees and greening of the area is welcomed
- the wildlife corridor along the southern boundary of the application site should be retained and not interrupted by the proposed access from Manor Way
- the knee rail will not satisfactorily separate humans from animals and wildlife placing wildlife in danger
- there is a Badger sett in the ecology corridor which should be appropriately protected
- debris and rubbish should be collected from the wildlife area
- the responsibilities of maintaining the ecology corridor should be clarified
- the long term maintenance of the landscape has financial implications for the Local Authority
- the proposed development will put existing trees at risk from damage and under pressure
- the fence along the south side of the application site should be retained and no public access between the application site and Manor Way should be provided
- the existing green character of Manor Way should be preserved and urban sprawl should be

contained

- the removal of the fence along the southern boundary of the site could increase risk to children and dogs from traffic and have a harmful impact on security and biodiversity
- incorrect reference to an existing footpath from Broom Way to Manor Way and to Redmill Drive
- the opening of the existing footpath would increase the likelihood of anti-social behaviour
- the existing footpath provides satisfactory access to local services
- the existing footpath is too narrow to be shared by pedestrian and cyclists and opening it up to both could lead to conflict between the two
- a fence between the existing footpath to the south east side of the site and no. 56 Manor Way should be retained to prevent cyclists using the footpath and children and dogs from running into the road
- the proposed route between the application site and Manor Way could be used by motorcyclists and vehicles if the bollards are not close enough
- a pedestrian access from the application site to the west end of Manor Way is unnecessary
- the proposed cycleway between Redmill Drive and the application site should not pass over private land
- concern regarding the security of properties in Redmill Drive as a result of the proposed cycleway between Redmill Drive and the application site
- concern regarding potential cycle and pedestrian conflict from cycle access from Redmill Drive
- an additional cycle access is not necessary and will increase noise and activity adjacent to existing residential properties
- the siting of bins to the rear of the properties could be inconvenient for occupiers and refuse collectors
- sewerage systems may not be able to cope with the additional development
- overflow of local sewers is not accounted for within the flood risk assessment
- the proposal contradicts the public meeting held at St Faiths Church
- the offer of a meeting with the applicant at pre-application stage was not upheld
- the number of bedrooms should be counted to provide an accurate representation of the likely number of additional residents
- the application forms are inaccurate regarding references to views of the site from the public domain
- timber should not be used as an external material as it does not weather well

Principal Issues

1. There is no requirement for the applicant to carry out pre-application consultation and the detail and format of any pre-application consultation that was undertaken with the public are not material to the determination of this planning application. The Local Planning Authority is required to determine planning applications as submitted and this application has been advertised for public comment. The proposed development has been accurately described and advertised in accordance with the Council's publicity requirements and a site visit has been carried out to assess the impact of the proposal on the public domain, to ascertain the position of existing footpaths around the site, consider existing views into the site and assess the impact of the proposed development on the neighbouring properties.

2. The main issues for consideration are the principle of the development, provision for affordable housing, employment and skills, the appropriateness of the design and layout, the impact on the setting of the neighbouring Locally Listed building and archaeology, the impact on the neighbouring properties, the quality of the environment for prospective occupiers, highway and pedestrian safety, the impact on protected species, trees, open space, interests of nature conservation and provision for land contamination and foul and surface water drainage.

3. The principle of residential development on this site was accepted in 2004 by the grant of Outline planning permission reference 01/00655/OUT. Subsequently, the Daedalus SPD was adopted in 2011 which anticipated the provision of up to 500 dwellings across the Daedalus site as a whole and identified the land the subject of the current application as being suitable for residential development. This proposal for 101 dwellings accords with the principles of the SPD in this respect. 40% of the dwellings are to be secured as affordable units through a Section 106 agreement and

the pepper-potting ensures that these units will be appropriately mixed with the houses available for open market sale. The proposal will contribute towards meeting the current housing needs within the Borough including providing options for those currently on the Council's housing register. The mix of dwellings proposed in terms of the size of the properties and numbers of bedrooms within each unit accords with the aims and objectives of Policy R/H4 in respect of providing mixed communities. The principle of developing this area of land for residential purposes is established by the SPD and would not prejudice the development of the wider Daedalus site for employment purposes nor prejudice the Enterprise Zone. In accordance with the requirements of Policy R/DP3 of the Gosport Borough Local Plan Review and the supplementary guidance note to this policy, an Employment and Skills Plan (ESP) is to be secured through a Section 106 agreement. The ESP includes objectives to provide employment and skills opportunities associated with the proposed development and the proposal will contribute towards providing employment opportunities and improving skills within the Borough. The proposal, therefore, complies with Policy R/DP1, R/DP3, R/DP4, R/H3, R/H4 and R/H5 of the Gosport Borough Local Plan Review and the Daedalus SPD.

4. The areas of residential development to the south and east of the application site differ in character to one another; the area to the east being more formal in its layout as compared to the area to the south where the historic subdivision of plots is evident. The application site will appear as an extension to the existing married quarters to the east and the proposal is reflective of this in terms of its density, layout and the consistent appearance of the proposed dwellings in the streetscene. The provision of 19 different house types across the site will provide character to the development and the use of sustainable materials, including bricks and tiles, recommended to be secured by condition, will provide interest to the streetscene and ensure that the appearance of the development does not inappropriately decline over time. The removal of permitted development rights for porches on some of the properties is proposed to be secured by condition to allow future proposals for porches to be considered by the submission of a planning application. The retention of the protected trees along the southern boundary, the area of open space towards the centre of the application site, which are to be managed by a management company, and provision of additional trees and shrubs between the proposed dwellings will soften the setting of the development. The retention of the trees along southern boundary will provide physical and visual separation to Manor Way and beyond thereby preserving the setting of the Locally Listed building at 47 Milvil Road. The variety of hard and soft landscaping, including lighting, which is recommended to be secured by condition, will provide visual variety to the streetscenes and public domain and provide a safe environment for residents and visitors to the development. The position of the site within the Borough suggests that the site may be of some archaeological importance. To ensure that any features of archaeological importance are appropriately preserved and recorded, conditions are recommended to require the approval of a written scheme of investigation, mitigation and recording. Subject to the above conditions, the proposal is, therefore, considered to be acceptable in design terms and complies with Policies R/DP1, R/DP4, R/BH5 and R/BH8 of the Gosport Borough Local Plan Review and the Daedalus SPD.

5. Outline planning permission reference 01/00655/OUT anticipated that the application site would be developed to provide residential development and as a result, the relationship of the proposed development to the existing residential properties to the south and east was considered acceptable in principle and in terms of the general increase in activity. Planning permission reference 10/00019/EXT was not refused on the basis of the relationship of the proposed dwellings with the existing dwellings. The setting and context has not significantly altered since that time and, therefore, the principle remains acceptable. The layout of the current proposal must, however, be considered. The rear of the properties along the eastern side of the application site will back onto the rear, west elevations of the existing properties in Redmill Drive. The separation distances will range between 16m and 21m. Where the separation is less than 20m the opposing properties do not directly face one another where there is a stagger in the application site boundary. As a result, there will be no harmful impact on the amenities of the adjoining properties to the east from overlooking or overshadowing and the two storey height of the proposed properties means that there will be no overbearing impact. The existing residential properties to the north side of the application site will, similarly, be separated from the proposed development by between 14m and 24m. Where the separation is 14m the side elevation of the existing property will face the application site resulting in no harmful overlooking or overbearing impact on this property. As a

result of the separation distances, there will be no harmful overshadowing of the existing properties. The first floor windows to the north side of the proposed properties will be 11.5m south of the gardens serving the existing properties and will serve bedrooms and no harmful overlooking will, therefore, result.

6. To the south east corner of the application the side elevation of a proposed two storey dwelling will be 3m to the west of no. 30 Redmill Drive. The proposed dwelling will be offset to the north west of this property and there will only be a bathroom window at first floor level in the side elevation of this property. As a result, no harmful overlooking will result and planning permission would be required for any future windows proposed in this side elevation at first floor level that is not fitted with obscure glazing up to 1.7m above floor level. Taking into account the separation distance, the offset position of the proposed property to the north west of the existing dwelling and the two storey height of proposed property, it is not considered that there will be any harmful impacts on the amenities of the occupiers of the existing residential property. The side elevation of the northernmost property within the application site will be positioned 10m to the south west of no. 44 Bayntun Drive. There will be no windows in the side elevation of the proposed property and the side elevation will be offset from the rear elevation of the existing property. The position of the proposed property will result in some overshadowing of the garden serving this neighbouring property during the latter part of the day, however, taking into consideration the sloping roof over the proposed property and the offset arrangement between the existing and proposed properties, it is not considered that this will have a harmful impact on the amenities of the occupiers of this existing neighbouring property.

7. Each of the proposed properties will have allocated car parking within close proximity, cycle and refuse stores within each curtilage, access to a private garden and access to the proposed informal open space to the south side of the application site. The separation distances and arrangement between the existing and proposed properties will ensure that the proposed properties are not overlooked to the detriment of the amenities of the occupiers and the quality of the environment will not adversely impact on the health or wellbeing of future occupiers. The position of the site within 600m of Lee-on-the-Solent High Street provides prospective occupiers of the properties with access to a range of local facilities and services and results in the sustainable development. Proposals for the future development of the adjoining land to the north and west will be assessed on their own merits taking into consideration the relationship of that land with the residential properties currently proposed, existing development and wider proposals for the Daedalus site. The quality of the environment for prospective occupiers is considered to be acceptable and the proposal complies with Policy R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review and the NPPF.

8. The draft Car Parking SPD requires 231 allocated car parking spaces and 25 visitor spaces. The application proposes the provision of 225 allocated spaces (38 garaged and 187 on hardstanding) together with 21 visitor spaces on the internal roads. However, there are examples where tandem parking is proposed and, as a result, the SPD does not recommend that these spaces are included in the overall provision. This applies to 14 dwellings thereby reducing the overall provision of allocated car parking to 211 spaces. Nevertheless, these 14 spaces will in reality provide private visitor car parking for the properties they serve. In addition, the two Aylsham house types have triple garages at ground floor level and, whilst these particular garages do not meet the size standards set out in the SPD, it is possible to park a car within them thereby contributing an additional 6 spaces towards private parking provision within the site. In total, therefore, 231 car parking spaces are to be provided on site. Lee West has one of the highest car ownership levels in the Borough with, on average, 33% of properties owning two cars or more. The car parking provision proposed which will address the likely demand in the context of car ownership levels. Notwithstanding that not all of the spaces meet the guidelines set out in the SPD, taking into consideration the provision of private visitor parking and availability of on street car parking for cars and commercial vehicles, the proposed provision is considered to be acceptable. Overall, the proposed car parking provision provides a good quality layout with an appropriate level of parking to meet the requirements of the proposed development. The arrangement and distribution of spaces provides flexibility for the occupiers of the site and will contribute towards residential amenity. The visitor spaces on the internal roads have been distributed around the site and the arrangement of car parking, more generally, ensures that the appearance of the development will be high quality and that car parking

does not dominate the appearance of the development. No commercial development is proposed as part of this application and, therefore, no parking for commercial vehicles is required. The position of car parking spaces close to the properties that they will serve ensures that vehicles will be overlooked and will not be unacceptably vulnerable to crime.

9. Clear pedestrian routes are to be provided around the site and there will not be any harmful conflict with proposed car parking or cycle routes on the site. Hard landscaping is recommended to be controlled by condition to ensure that the appearance of the development is acceptable, the development is acceptable in respect of highway and pedestrian safety and that the indiscriminate parking of vehicles on landscaped verges is discouraged. Appropriate space for long and short stay cycle parking is shown within the site. Tracking for the movement of refuse vehicles through the site is shown and the proposed roads are wide enough to accommodate these vehicles together with other vehicles using the highway. Acceptable refuse storage for each property is to be provided and is recommended to be secured by condition. Where in-curtilage refuse storage is set away from the highway, refuse collection points are shown at locations that will not harmfully impact on highway and pedestrian safety.

10. Access for fire engines is required under the Building Regulations and is capable of being accommodated within the existing layout. Following the redevelopment of the land to the west within Daedalus a further access point to the site for emergency vehicles could be provided along Implacable Road, notwithstanding that the layout, as proposed is acceptable. Details of an Environmental and Construction Traffic Management Plan are recommended to be secured by condition to ensure that the impact of construction works on the existing highway, surrounding residents and the environment is kept to a minimal. Subject to conditions requiring the provision and retention of the car parking spaces and long stay cycle parking, details of the short stay cycle parking and provision of refuse storage, the proposal is acceptable and complies with Policies R/DP1, R/T2, R/T3 and R/T11 of the Gosport Borough Local Plan Review and the NPPF.

11. There will be some increase in the levels of traffic on the highway network as a result of this proposal, however, in the context of the strategic development of Daedalus and the associated off site highway works, this will not have a harmful impact existing or future congestion or highway and pedestrian safety. Vehicular access to the application site, and the existing married quarters to the east, from Chark Lane was approved when Outline planning permission 01/00655/OUT was granted. The position of the access from Bayntun Drive to the application site was anticipated when planning permission 04/00770/DETS was granted, as is evident from an existing turning head at the terminus of the existing highway. The proposed vehicular access from Bayntun Drive, together with the pedestrian and cycle access points from Redmill Drive and Manor Way will, overall, provide a permeable development, link the proposed development with the existing and ensure high levels of natural surveillance within the existing areas of highway and the proposed development. The existing highway is of a satisfactory standard to accommodate the additional traffic created by the proposed development. In the future, the provision of a vehicular access from the application site to Daedalus to the west, along Implacable Road, would ensure that the proposed development would be appropriately integrated once Daedalus has been further developed. To ensure that the proposal, the subject of the current application, does not harmfully prejudice the future development of the adjoining land within Daedalus to the west, details of how the proposed route is to be constructed are proposed to be secured by condition.

12. Cycle and pedestrian routes are proposed to the south east and south west corners of the site, providing accessibility to the site for all modes of transport. The cycle route passes through the site across the highway which will minimise the likelihood of conflict between cyclists and pedestrians utilising the open space. This will link Manor Way to the south, through the site, to Broom Way (via Redmill Drive and Bayntun Drive) in the east and as a result, will provide natural surveillance of the site and its surroundings, including Manor Way and Redmill Drive, and not have a harmful impact on the likelihood of crime and anti-social behaviour. The proposed cycle and pedestrian access to the south west corner of the site from Manor Way will assist in sustainably integrating the proposed development into Lee-on-the-Solent without having a detrimental impact on the visual or residential amenities of the area. Pedestrian and cycle access to the site from Manor Way will ensure that the development is permeable and will enhance natural surveillance of the existing properties in Manor

Way as a result of pedestrians and cyclists using this route. The land required to facilitate the provision of the cycle route from Redmill Drive to the application site is adopted highway. A condition requiring details of measures to prevent cars and motorcycles entering the site via the cycle and footpaths is proposed. No access to the site through Queens Gate is proposed. The existing footpath along the south east side of the site, along the rear of the properties in Eastcliff Close, is proposed to be retained and no link from the application site to this existing route is proposed. A commuted sum towards the provision of Transport Infrastructure, Services and Facilities is proposed in the event the capital receipt from the sale of the land is not recycled towards the repayment of the Growing Places Fund. Measures to secure the provision of the commuted sum towards Transport Infrastructure, Service and Facilities, together with a Travel Plan, are recommended to be secured by condition. To ensure that the proposed cycle and pedestrian routes are provided to a satisfactory standard, and to ensure the continuity of those routes, the land to provide these facilities is to be transferred to the Local Highway Authority which is proposed to be secured by condition. Subject to conditions relating to the pedestrian and cycle routes through the site and an Environmental and Construction Traffic Management Plan, the proposal, complies with Policies R/T2, R/T3, R/T10 and R/DP3 of the Gosport Borough Local Plan Review and the NPPF.

13. The retention of the trees and landscaping along the southern boundary of the application site will ensure that the proposed development is physically and visually separated from the existing residential properties in Manor Way. The retention of the existing, or provision of replacement fence, along the southern boundary of the application site is recommended to be secured by condition to ensure that the landscaped character and residential amenities of Manor Way and the surrounding roads to the south are retained, that there is no harmful conflict between the informal movement of cyclists, pedestrians and dogs between Manor Way and the application site, and that the existing ecological environment is preserved. The application site is not currently publically accessible open space. The area of open space to be provided on the south side of the site is overlooked from a number of plots in the southern part of the development to provide natural surveillance of this space which will discourage the likelihood of anti-social behaviour. The siting of this space at a central position within the proposed development will also contribute towards discouraging anti-social behaviour. Any future application for the development of the proposed open space would be considered on its own merits taking into account crime prevention requirements. Details of the play equipment to be provided in this space are recommended to be secured by condition.

14. The trees protected by TPO G127, along with the ecology corridor, will be retained to ensure that the well landscaped, visual setting of the site, including the existing green character of Manor Way, is retained. In the context of the 82 trees covered by TPO G127, the removal of 6 trees is considered acceptable. There will be no harmful loss of tree coverage and the works proposed will allow the remaining trees to flourish providing an improved landscape screen in the long term. To ensure the trees are satisfactorily protected and preserved during development, conditions relating to the installation and retention of protective fencing, and a method statement for works undertaken in close proximity to the trees, are recommended. The retention of the trees and landscaping in this area is important for protected and other species using the site for foraging and potentially for nesting and the proposed dwellings will be far enough away from the protected trees so that the trees will not come under any unacceptable future pressure to be felled or at risk from damage. To ensure that the site's ecological potential is appropriately preserved, a condition to secure mitigation, compensation and enhancement measures is proposed. These measures include the provision of a knee rail between the open space and ecology corridor to prevent conflict between human activity (such as litter being dropped) and existing wildlife that would be to the detriment of the wildlife, including Badger's and other protected species. Measures to prevent Badgers being harmed as a result of construction activities are proposed, such as covering over open pipe systems when they are not in use. Measures relating to the long term retention and management of the ecology corridor, by the developer, are set out in the ecology report accompanying the planning application and are proposed to be secured by condition and Section 106 agreement. This will not have financial implications for the Local Authority. The proposal, therefore, complies with Policies R/DP1 and R/OS13 of the Gosport Borough Local Plan Review and the NPPF.

15. In lieu of provision of outdoor playing space on site, the applicant has confirmed a willingness to enter into a Section 106 agreement to make a contribution towards public open space facilities within the Borough. The proposal will introduce 101 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 SPA/Ramsar sites are designated. To address this impact the contribution 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 provision and improvement of outdoor playing space is considered to be appropriate mitigation against harmful impacts on nature conservation interests. Without this obligation, the proposal is unacceptable. The impact of recreational disturbance on the coast will, therefore, be appropriately mitigated and the proposal complies with Policies R/OS8, R/OS13 and R/DP3 of the Gosport Borough Local Plan Review and the National Planning Policy Framework.

16. As a result of the former uses of the site it is likely that the land is contaminated. To address this, conditions are recommended to secure the appropriate mitigation of contamination. Surface water runoff is proposed to be discharged to SUDS within the site and foul water is to be discharged to the existing foul sewer in Bayntun Drive to ensure that runoff is contained within the site and flood risk in the locality is not increased as a result of the proposed development. Measures to ensure surface and foul water drainage are appropriately dealt with are recommended to be secured by condition. The proposal, therefore, complies with Policies R/ENV5 and R/ENV4 of the Gosport Borough Local Plan Review and the NPPF.

RECOMMENDATION: Grant Permission

Subject to Section 106 agreement relating to

1. affordable housing
2. an employment and skills plan
3. open space provision and management and mitigation against recreational disturbance

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:

ST-05-09 L

ST-05-10 F

ST-05-13 J (House/Garage/Details portfolio)

ST-05-14 A

ST-05-16 C

ST-05-17 A

ST-05-18

ST-05-19

BSH 18619 03C

BSH 18619 10D

BSH 18619 11B

BSH 18619 12B

BSH 18619 13B

BSH 18619 14B

BSH 18619 15B

BSH 18619 16B

BSH 18619 17B
BSH 18619 18B
BSH 18619 19B
BSH 18619 20B
BSH 18619 21B
BSH 18619 22B

3785/SPA/201 Rev E

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

3. No development shall be carried out until a detailed Construction Environmental Management Plan (CEMP) for the development 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) routes to the site for construction vehicles;
- (f) the provision for wheel washing facilities;
- (g) 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 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 and the NPPF.

4. No development shall be carried out other than between 0800 and 1800 Monday and Friday, 0900 and 1300 on Saturday's and at no time on Sunday's or Bank Holiday's unless otherwise agreed, in writing, by the Local Planning Authority.

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

5. No development shall be carried out until details of the proposed finished floor levels of the development and proposed site levels shall be submitted to and agreed, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the agreed details unless otherwise agreed, in writing, by the Local Planning Authority.

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

6. No development shall be carried out until a Written Scheme of Archaeological Investigation and Mitigation, including a timetable of works and details of how the Investigation is to be recorded, has been submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with approved Written Scheme of Archaeological Investigation and Mitigation unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To assess the extent, nature and date of any archaeological deposits that might be present, the impact of the development upon these heritage assets, to ensure that heritage assets on the site are satisfactorily preserved and recorded and to comply with Policies R/DP1 and R/BH8 of the Gosport Borough Local Plan Review and the NPPF.

7. No development shall be carried out other than in accordance with the measures contained within the Wilson and Bailey, Assessment and Discussion of the Potential Ground Related Challenges to the Proposed Residential Redevelopment dated April 2013 unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure that risks from land contamination to the future uses of the land, neighbouring land, surface water, groundwater and wider environment are mitigated to ensure that the development can be carried out safely without any unacceptable risks to workers, neighbours and off site receptors and to comply with the NPPF and Policies R/DP1 and R/ENV5 of the Gosport Borough Local Plan Review.

8. No dwelling shall be occupied until a validation report, carried out by an independent, competent person, to confirm that the measures contained within Wilson and Bailey, Assessment and Discussion of the Potential Ground Related Challenges to the Proposed Residential Redevelopment dated April 2013 has been submitted to and approved, in writing, by the Local Planning Authority. The validation report shall include photographic evidence of the remediation measures and as built drawings of the development unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure that risks from land contamination to the future uses of the land, neighbouring land, surface water, groundwater and wider environment are mitigated to ensure that the development can be carried out safely without any unacceptable risks to workers, neighbours and off site receptors and to comply with the NPPF and Policies R/DP1 and R/ENV5 of the Gosport Borough Local Plan Review.

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

Reason - To ensure that risks from land contamination to the future uses of the land, neighbouring land, surface water, groundwater and wider environment are mitigated to ensure that the development can be carried out safely without any unacceptable risks to workers, neighbours and off site receptors and to comply with the NPPF and Policies R/DP1 and R/ENV5 of the Gosport Borough Local Plan Review.

10. No development shall be carried out until tree protection has been provided in accordance with the details shown on plan no. BSH 18619 03C and BS5837:2012 and approved in situ by the Local Planning Authority. The approved tree protection measures shall be retained in the approved condition for the duration of development on site unless otherwise agreed, in writing, by the Local Planning Authority. Any tree protection that becomes unstable during development shall be replaced immediately.

Reason - To ensure the trees are appropriately protected during development and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review and the NPPF.

11. In accordance with the details of the application no works to the trees the subject of this permission shall take place other than:

- felling of trees T13, T17, T28, T29, T30 and T31 of TPO G127

Reason - To maintain, as far as possible, the appearance of the area, and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review.

12. No development shall be carried out other than in accordance with the details relating to tree protection and hard surface removal shown on approved plan no. BSH 18619 03C unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure the trees are appropriately protected during development and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review and the NPPF.

13. No development shall be carried out until details of measures to prevent cars and motorcycles accessing the site through the cycle and pedestrian routes shown on plan no. ST-05-09 L have been submitted to and approved, in writing, by the Local Planning Authority. No development shall be occupied until the approved measures have been carried out in accordance the approved details unless otherwise agreed, in writing, by the Local Planning Authority and the approved measures shall be retained at all times thereafter.

Reason - To ensure the cycle and pedestrian access to the site is safe and to comply with Policies R/T2, R/T3, R/T10 and R/T11 of the Gosport Borough Local Plan Review and the NPPF.

14. No access to or from Implacable Road shall be provided until details, including materials, levels, type and method of construction, and a timetable for the provision of that access have been submitted to and approved, in writing, by the Local Planning Authority. The access from Implacable Road shall be provided in accordance with the approved details unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure the future development of the adjoining land is not prejudiced, to ensure that safe access to and through the site can be provided and to comply with Policies R/DP4, R/T2, R/T3, R/T10 and R/T11 of the Gosport Borough Local Plan Review and the NPPF.

15. No development shall be carried out other than in accordance with Section 6.0 (Opportunities Ecological Enhancement, Mitigation), Figure 6 and Technical Appendices 9 and 10 of the Aluco Ecology, Ecological Assessment dated September 2013 and the ACD Landscape Management and Maintenance Plan dated August 2013 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 and R/OS13 of the Gosport Borough Local Plan Review and the NPPF.

16. No development shall be occupied until the knee rail has been provided in accordance with approved plan ref ST-05-09 L unless otherwise agreed, in writing, by the Local Planning Authority. The knee rail shall be retained in the approved position at all times 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 and R/OS13 of the Gosport Borough Local Plan Review and the NPPF.

17. No development shall be carried out until details of foul water drainage to serve the development, including a timetable for the carrying out of the works, 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 and timetable unless otherwise agreed, in writing, by the Local Planning Authority.

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

18. No development shall be occupied until the hard landscaping has been provided in accordance with the details shown on plan nos. BSH 18619 17B, BSH 18619 18B, BSH 18619 19B, BSH 18619 20B, BSH 18619 21B and BSH 18619 22B unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure the appearance of the development is satisfactory, to ensure highway and pedestrian safety, to ensure satisfactory surface water drainage and to comply with Policies R/DP1, R/T3, R/T10, R/T11 and R/ENV4 of the Gosport Borough Local Plan Review and the NPPF.

19. No development shall be carried out until a surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include details of the following:

(i) Information about the design of storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters.

(ii) A timetable for the implementation of the scheme.

(iii) A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable urban drainage scheme throughout its lifetime.

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

Reason - To prevent the increased risk of flooding, to protect water quality, habitat and residential amenity, and ensure future maintenance of the surface water drainage system, and to comply with Policies R/DP1, R/ENV4 and R/ENV5 of the Gosport Borough Local Plan Review and the NPPF.

20. No development above slab level shall be carried out until details, including a timetable for provision, of street lighting and lighting of shared parking areas have been submitted to and approved, in writing, by the Local Planning Authority. The lighting shall be carried out in accordance with the approved details and timetable unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To provide a good quality environment for prospective occupiers of the site, to ensure highway and pedestrian safety, to preserve biodiversity on the site and to comply with Policies R/DP1, R/ENV11, R/T3, R/T11 and R/OS13 of the Gosport Borough Local Plan Review and the NPPF.

21. The soft landscaping shall be completed within the next planting season following the first occupation of the first residential property in accordance with plan nos. BSH 18619 11B, BSH 18619 12B, BSH 18619 13B, BSH 18619 14B, BSH 18619 15B and BSH 18619 16B and the Landscape specification dated August 2013. 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, to preserve the ecological environment on the site, to ensure highway and pedestrian safety, to ensure satisfactory surface water drainage and to comply with Policies R/DP1, R/OS13, R/T3, R/T10, R/T11 and R/ENV4 of the Gosport Borough Local Plan Review and the NPPF.

22. The soft landscaping approved under condition 21 shall be retained and maintained in accordance with the ACD Landscape Management and Maintenance Plan dated August 2013 and Section 6.2.18 of the Aluco Ecology Ecological Assessment dated September 2013 unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure the appearance of the development is satisfactory, to preserve the ecological environment on the site, to ensure highway and pedestrian safety, to ensure satisfactory surface water drainage and to comply with Policies R/DP1, R/OS13, R/T3, R/T10, R/T11 and R/ENV4 of the Gosport Borough Local Plan Review and the NPPF.

23. No development shall be carried out other than in accordance with the details of materials shown on plans ST-05-16 C unless otherwise agreed, in writing, by the Local Planning Authority.

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

24. No development above slab level shall be carried out until the short stay cycle parking has been provided in accordance with a scheme to be submitted to and approved, in writing, by the Local Planning Authority. The short stay cycle parking shall be retained for the parking of cycles at all times thereafter unless otherwise agreed, in writing, by the Local Planning Authority.

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

25. No development shall be occupied until the long stay cycle parking, refuse stores and refuse collection points have been provided in accordance with the details shown on approved plans ST-05-09 L and ST-05-19 unless otherwise agreed, in writing, by the Local Planning Authority. The long stay cycle parking, refuse stores and refuse collection points shall be retained for the parking of cycles and storage and collection of refuse at all times thereafter unless otherwise agreed, in writing, by the Local Planning Authority.

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

26. The development shall not be occupied until boundary treatments have been provided in accordance with the details shown on plans ST-05-09 L and samples of the materials have been submitted to and approved, in writing, by the Local Planning Authority.

Reason - To ensure the appearance of the development is satisfactory, to preserve the amenities of the occupiers of the neighbouring properties and prospective occupiers and to comply with Policy R/DP1 of the Gosport Borough Local Plan Review and the NPPF.

27. No development above slab level shall be carried out until details of the boundary treatment to be provided between points A - A - A - A - A - A - A on plan ST-05-09 L have been submitted to and approved, in writing, by the Local Planning Authority. The approved boundary treatment shall be provided prior to occupation of any residential unit and shall be retained at all times unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure the appearance of the development is satisfactory, to preserve the amenities of the occupiers of the neighbouring properties, to preserve ecology on the site and to comply with Policies R/DP1 and R/OS13 of the Gosport Borough Local Plan Review and the NPPF.

28. No dwelling shall be occupied until the car parking areas for that dwelling have been laid out and provided in accordance with the details shown on plans ST-05-17A, Single Garage, Double Garage and Triple Garage unless otherwise agreed, in writing, by the Local Planning Authority. The car parking area shall be retained for that purpose at all times thereafter unless otherwise agreed, in writing, by the Local Planning Authority.

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

29. No development shall be occupied until the areas, shown hatched on plan ST-05-09 L, for access and the parking and turning of vehicles shall have been made available, surfaced, and marked out, and these areas shall be retained for those purposes at all times.

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

30. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no porches shall be erected outside any external door on plots 6, 7, 8, 9, 10, 11, 12, 13, 36, 37, 38, 39, 40, 62, 63, 64, 65, 75, 76, 77, 78 and 79 as shown on plan ST-05-09 L.

Reason - In order to preserve the appearance of the development, to ensure pedestrian access across the site is retained, to ensure vehicle parking is retained and to comply with Policies R/DP1 and R/T11 of the Gosport Borough Local Plan Review and the NPPF.

31. No play equipment shall be installed in the area hatched green on approved plan ST-05-09 L other than in accordance with details to be submitted to and approved, in writing, by the Local Planning Authority.

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

32. No development above slab level shall be carried out until arrangements submitted to and approved, in writing, by the Local Planning Authority have been put in place to secure:

- a contribution towards Transport Infrastructure, Services and Facilities;
 - a Travel Plan;
 - Travel Plan fees;
 - a Travel Plan bond; and
 - details of the transfer of land for the pedestrian and cycle links from Manor Way and Redmill Drive.
- Reason - To ensure a contribution is made towards Transport Infrastructure, Services and Facilities, that a Travel Plan is appropriately secured, to ensure that the cycle and pedestrian links to the site are acceptable and to comply with Policies R/T2, R/T3, R/T4, R/T10, R/T11 and R/DP3 of the Gosport Borough Local Plan Review and the NPPF.

ITEM NUMBER: 02.
APPLICATION NUMBER: 13/00274/FULL
APPLICANT: Mr Alex Thomson
DATE REGISTERED: 25.06.2013

DEMOLITION OF EXISTING GARAGE AND BOUNDARY WALL AND ERECTION OF 1NO. THREE BEDROOM DWELLING WITH ASSOCIATED PARKING AND AMENITY SPACE (CONSERVATION AREA) (as amended by plans received 03.07.13, 17.10.13 and 14.11.13 and letter received 14.11.13)
Land To Rear 40 Bury Road Gosport Hants

The Site and the proposal

The application site is a triangular shaped plot located within an established residential area and the Urban Area Boundary, as defined on the Proposals Map of the Gosport Borough Local Plan Review. The site is located approximately 400 metres from the Bury Cross Neighbourhood Shopping Centre and approximately 800 metres from the Stoke Road District Shopping Centre. The site forms part of the curtilage of number 40 Bury Road, a two storey, six bedroom, Grade II Listed Building. The southern half of the site is located within the Bury Road Conservation Area. The Conservation Area boundary aligns with the rear boundaries of the properties fronting onto Walton Road. The area was originally known as Bury, a hamlet which is first mentioned in a charter granted for the Parish of Alverstoke in 1282. Historically, the settlement was divided by the major route from Alverstoke to Fareham Road, via The Avenue and Ann's Hill Road and the relatively minor access to Gosport Town via Bury Road. This pattern has been retained and the area's main roads follow this historic layout. During the early nineteenth century, Robert Cruickshank, the local entrepreneur responsible from the 'Angleseyville' scheme, began a ribbon development of Georgian villas at the eastern end of the Conservation Area. Number 40 Bury Road comprises one such dwelling. It is a circa 1840 stucco villa in Italianate style. It has a rear garden approximately 30 metres long, which has an open, landscaped character. Literature on the internet suggests that 40 Bury Road is available for holiday rental and that the property is capable of sleeping up to 18no. people.

The application site comprises a parcel of land where a service road divides to provide access to the rear gardens of the properties fronting Bury Road, Walton Road and Gordon Road. The service road is 3.2 metres wide, increasing to over 9 metres where it abuts the rear boundaries of numbers 42 and 44 Bury Road. The service road encloses the application site on its western, eastern and northern sides. The southern side of the site abuts a Grade II Listed wall, which separates the application site from the private, rear garden of number 40 Bury Road. The original wall is constructed from red brick and is approximately 2 metres high. More recent additions to the wall have raised the overall height to approximately 2.3 metres. As the wall forms the rear boundary, its immediate setting relates to the rear garden of this property, rather than the rear service area to the north of the site. The rear elevation of number 40 Bury Road is located approximately 25 metres from the southern boundary of the application site.

The application site is currently occupied by a single, brick built, garage with a corrugated, fibre cement and plastic, mono-pitched roof, with a maximum height of approximately 3 metres. The garage, which is located at the northern end of site, outside of the Bury Road Conservation Area, is showing signs of disrepair. The remainder of the application site (ie, on the southern side of the garage) is used as an informal car parking area for number 40 Bury Road. It provides parking for up to 6 no. cars. The car parking area is enclosed by red brick and block-work walls. The eastern boundary comprises a 1.5 metre high wall of breezeblock construction with a gap in the centre, providing vehicular access into the informal car parking area. There is a raised, planted bed, adjacent to the wall which contains a telegraph pole and the stump of a Beech tree which was felled under tree notification reference K17796.

To the west of the site, and beyond the western section of service road, are the rear gardens of numbers 20-26 (evens) Gordon Road. These dwellings are two storey, semi-detached properties with single storey, rear additions. The properties, which each have 2no. first floor windows in the

rear elevation have rear gardens approximately 15-17 metres long. The rear boundaries of the gardens comprise a variety of wooden fencing and brick walls ranging from 1.6 - 1.8 metres in height. Numbers 20 and 22 have garages at the eastern end of their rear gardens, accessed from the service road. The garages have a domestic scale and range from between 2-3 metres in height. Number 26, which occupies a corner plot, at the junction between Gordon Road and Walton Road, has a pitched roof garage in the rear garden. The garage is constructed from corrugated iron and is set back approximately 5 metres from the back edge of the highway. Access to the garage is from Walton Road, via a dropped kerb. The side boundary of number 26, fronting onto Walton Road, comprises a low wall, approximately 1 metre high, together with dense hedging, approximately 2.5 metres in height.

To the north-east of the site, and on the opposite side of the service road, is the side elevation of number 2 Walton Road, the western half of a pair of two storey, semi-detached properties. The property, which has been finished in pebble dash render, has a kitchen window and 2no. smaller ground floor windows in the western elevation, facing onto the service road and towards the application site. The rear elevation contains a first floor bedroom window and a lean-to extension. The property has a rear garden approximately 10 metres long which is bordered by a low fence with trellising. There is a garage, with a mono-pitched roof, sited approximately half way down the garden. The garage is accessed via the service road, where it passes along the property boundary. This part of the service road then turns eastwards and provides rear access to numbers 4 - 26 Walton Road and 24 - 28 Bury Road. Walton Road is characterised by two storey semi-detached properties with the ridge tiles running from west-east. The vast majority of the properties have two storey bay windows and are finished in a pebble dash render.

The properties to the south and south-east, are the two storey detached and semi-detached dwellings that front Bury Road, many of which are Grade II Listed Buildings, located within the Bury Road Conservation Area. The properties have rear gardens in the region of 25 metres long. Some of the properties have garages and outbuildings at the northern ends of their gardens, accessed via the service road. The outbuildings vary in size, design and materials. Number 38 Bury Road has a double garage at the northern end of the rear garden, sited adjacent to the service road.

In 2008, the application site was the subject of planning application reference K10024/5, which was for the demolition of the existing garage and the eastern and western boundary walls and the erection of a two storey, four bedroom dwelling. The application was accompanied by Conservation Area application reference K10024/4, which sought consent for the demolition of the existing garage and boundary walls, to facilitate the erection of the dwelling proposed under planning application reference K10024/5.

This planning application comprised a two storey, flat roof building, of varying heights, with a modern appearance, built onto the application boundaries. The footprint of the building incorporated almost one hundred percent of the site. The drawings showed that the western elevation of the building would have been curved to create a semi-circular shaped, external court yard, for use by prospective occupiers. The plans showed that the building would have had an overall length of over 24 metres and that it would have been constructed in facing brickwork with red, cedar cladding and white, painted render. The building was shown to have grey, aluminium, powder-coated, double glazed, windows. The plans showed the provision of an integral garage in the northern elevation for vehicular parking (including designated refuse and bicycle storage facilities) with an outward opening door of vertical, timber panels. An additional parking space was shown in front of the proposed garage, on the northern side of the building.

The applications were considered at the Regulatory Board on 9 December 2008. Members refused to grant planning permission for the new dwelling on the grounds that the proposed development, by reason of its location, density and design, would result in an undesirable form of backland development that would be out of keeping with the character of the area, creating an incongruous feature in the streetscene. It was further considered that the proposed development would adversely affect the living conditions of the occupiers of number 2 Walton Road. The proposed access and parking arrangements were considered inadequate and the service road was considered to have insufficient width to maintain safe and convenient passage for all vehicles, to the

detriment of highway safety and the free flow of traffic. It was also considered that inadequate facilities were provided for short stay bicycle parking. In the absence of a satisfactory redevelopment scheme, it was also considered that the proposal to demolish the garage and boundary walls was unacceptable and Conservation Area application reference K10024/4 was, therefore, also refused.

Both applications were dismissed by the Planning Inspector, on appeal, in November 2009. The Planning Inspector recognised the benefits of re-developing underused land within the Urban Area, but noted that the proposed development, by reason of its flat roofs and siting, right onto the application boundaries, would create a monolithic structure, of too great a mass, dominating its surroundings, to the detriment of the character and appearance of the area. He, therefore, considered the development to be contrary to Policy R/DP1 of the Gosport Borough Local Plan Review.

The Inspector noted that the development would bear little resemblance to surrounding properties, however, accepted that there is no requirement for new development to duplicate the existing. The Inspector noted that the proposed development would be visible from the rear windows and rear garden of number 2 Walton Road, but did not consider that it would appear overbearing, or have an unduly harmful impact on the living conditions of its residents, or any other neighbouring occupiers. The Inspector considered that 2no. car parking spaces was an acceptable provision and did not consider that the creation of a parking space on the northern side of the building, would harm the ability of vehicles to manoeuvre into and out of the service road. The Inspector also considered that there would be no significant implications for road safety if the development resulted in additional parking in the adjoining road network. He noted that the site was already occupied by a garage and considered that the development would not adversely affect the continued safe use of the service road by other neighbouring occupiers. Although the Inspector recognised that the proposed development may generate deliveries to the site, he noted that the proposed dwelling would be within reasonable carry distance of Walton Road and that it would not, therefore, be essential for delivery vehicles to block the service area in order to facilitate deliveries to the development site. The Inspector also considered that in the absence of a satisfactory redevelopment scheme for the site, the demolition of the existing garage and boundary walls would fail to preserve the character and appearance of the Conservation Area at the southern end of the site.

A subsequent planning application was considered by the Local Planning Authority under reference K10024/9. This application was for the demolition of the existing garage and the eastern and western boundary walls that currently enclose the informal car parking area and the erection of a two storey, three bedroom dwelling. The submitted plans showed that the dwelling would have a pitched roof with the ridge orientated north-south. The plans showed the dwelling would be 8.9 metres deep, 6.2 metres wide, 5 metres high to the eaves, rising to 7 metres with the slope of the roof.

The northern elevation, facing towards Walton Road, was shown to contain 2no. ground floor, kitchen windows, a door and 2no. first floor bedroom windows. A brick soldier course was shown to extend around the building between the ground and first floors. Due to the triangular shape of the plot, which narrows at its northern end, the western side of the proposed dwelling, was shown to be set back approximately 3.5 metres from the principal, front elevation. The submitted plans showed that there would be a flat roof refuse store attached to the front elevation of the building. The refuse store was shown to extend 1.6 metres beyond the principal, front elevation.

The eastern elevation, facing towards number 2 Walton Road, was shown to contain 1no. high level, ground floor, kitchen window and 1no. first floor window, which would have served a stairwell. Both of the windows were shown to be obscure glazed. This elevation was also shown to contain 1no. ground floor and 1no. first floor, recessed, false window. The western elevation, facing onto the rear gardens of the properties fronting Gordon Road, was shown to contain a small, ground floor bathroom window. The southern elevation, facing towards number 40 Bury Road, was shown to contain 2no. ground floor lounge windows, and a set of double doors. The first floor was shown with 2no. bedroom windows.

The plans showed that the proposed dwelling would be sited towards the northern end of the plot, with the front elevation set back approximately 10 metres from Walton Road. The eastern elevation was shown as being sited approximately 5.5 metres from the opposing side elevation of number 2 Walton Road with a separation distance of approximately 20 metres between the western elevation of the proposed dwelling and the opposing rear elevations of the properties fronting Gordon Road. The plans showed that there would be a separation distance of approximately 40 metres between the rear elevation of the proposed dwelling and the opposing rear elevation of number 40 Bury Road.

The plans showed that the proposed dwelling would be constructed from facing brick with brick and plain tile creasing/corbel details, brick arches and brick cills. The roof was shown to have a slate finish. Amenity space at the site was shown to comprise a private garden positioned at the rear of the dwelling, measuring approximately 8 x 9 metres. The garden would have been enclosed by a new, 1.8 metre high brick wall. The existing service road would pass the rear garden on its eastern and western sides.

Parking for the proposed dwelling was shown to comprise 2no. car parking spaces. 1no. of the spaces would be positioned on the northern side of the dwelling, adjacent to the front elevation. The second space would be positioned towards the southern end of the plot, accessed via the section of service road that runs along the eastern boundary of the site. 3no. spaces were shown as being provided for use by number 40 Bury Road. The spaces were shown at the southern end of the site, where they were shown to be accessed via the section of service road that extends along the western boundary of the application site.

Application reference K10024/9 was considered at the Regulatory Board on 18 June 2012, at which time, Members refused to grant planning permission on the grounds that the proposed dwelling, by reason of its inappropriate design, siting, layout, elevational detailing and constrained location would result in an inappropriately contrived development that would be out of keeping with the established pattern of development in the area. It was considered that the resultant built form would appear incongruous when viewed from the rear service road and Walton Road and that the development would be harmful to the character and appearance of the locality. It was further considered that the proposed development would not preserve the character or appearance of the Bury Road Conservation Area.

Members also considered that the use of the new rear garden would be undesirable for prospective occupiers, due to a combination of its limited size and the fact it would be bordered on three sides by service roads or areas for the parking of vehicles. The application was also refused on the grounds that the development made inadequate provision for on-site car parking for number 40 Bury Road, which, it was considered, would likely result in overspill car parking in the surrounding road network, to the detriment of highway and pedestrian safety.

This application is for the demolition of the existing garage and the erection of a detached, three bedroom property. In order to facilitate the development, the existing boundary walls on the eastern and western sides of the plot would be demolished.

Under the original plans submitted for this current planning application, it was proposed to erect a two storey, three bedroom property. The ridge tile was shown to be set to a height of 8.3 metres with a two storey bay window on the northern elevation fronting Walton Road. The property was shown to be finished in a pebble dash render with UPVC windows and doors. The proposed amenity space was shown to have an irregular shape, positioned at the rear of the dwelling. A total of 5 no. car parking spaces were proposed. The proposed dwelling would have been served by 2 no. spaces, while number 40 Bury Road, would have been provided with 3 no. spaces.

Amended plans were submitted, however, after the Local Planning Authority raised concerns over the overall height and design of the proposed dwelling and its likely harmful impact on the character and visual amenity of the locality.

The first set of amended drawings submitted for consideration revised the design of the proposed dwelling and reduced the overall height by 3.2 metres. The dwelling was shown to have a long, rectangular footprint with an undercroft parking area positioned at the southern end of the building. The undercroft area was shown to be for use by number 40 Bury Road (2 no. spaces), with a further 3 no. spaces shown on the northern side of the dwelling (2 no. for the proposed dwelling and a further space for use by number 40). The plans were amended, however, after concern was raised that the proposed undercroft did not provide sufficient width to allow drivers/passengers to access their vehicles safely and conveniently. Concern was also raised that the undercroft element of the dwelling would have been sited immediately adjacent to the Listed Boundary wall at the rear of number 40. Visibility upon exiting the undercroft was also considered to be limited, to the detriment of highway and pedestrian safety. The Local Planning Authority also considered that it was unlikely that there was sufficient space available on the northern side of the dwelling to accommodate 3no. cars in a safe and convenient manner.

The application was, therefore, subsequently further amended, to remove the undercroft element of the building in an attempt to provide a more convenient car parking arrangement on the southern side of the building. The amendment also reduced the overall length of the building by 2 metres and the number of car parking spaces proposed on the northern side of the building was reduced from 3 no. to 2 no.

After further consideration of the proposed car parking arrangement, and at the request of the Local Highway Authority, further amended plans were submitted for consideration, which increased the width of the proposed car parking spaces on the northern side of the dwelling. The plans were also amended in order to show the swept paths of a vehicle exiting the easternmost of the proposed parking bays on the southern side of the dwelling.

The revised submission, to be considered in the determination of this planning application, show that the proposed dwelling would be positioned towards the southern end of the plot and would be sited approximately 3.3 metres from the Listed wall in the rear of garden of number 40 Bury Road. The northern elevation of the dwelling would be sited approximately 20 metres from the back edge of Walton Road.

The dwelling would be 11.8 metres long and 5.2 metres wide, at its widest point. It would be 3.25 metres high to the eaves, rising to 5.1 metres with the slope of the pitched roof, 1.9 metres lower than the ridge of the dwelling refused under planning permission K10024/9. The ridge would be orientated north - south. The eastern and western roofslopes would each contain 2no. dormer projections, serving bedrooms, a bathroom and a study. The dormers would be 1.2 metres high, 1.3 metres wide and 1.2 metres deep and would be finished in lead. The eastern roofslope would also contain 2 no. rooflights (serving a bedroom and a stairwell), while the western roofslope would contain 3 no. rooflights (serving a bedroom and a study).

The eastern elevation of the proposed dwelling would contain 3 no. ground floor windows, serving the lounge and kitchen and the principal entrance door. The western elevation would contain 2 no. small windows, serving a utility room and WC, and 2 no. sets of patio doors, with full length windows either side. The northern elevation would contain a set of decorative timber doors, set under a brick arch, with a blank, recessed window at first floor level. The southern elevation, facing towards number 40 Bury Road, would contain no windows or doors. The applicant has confirmed that all the windows and doors would be constructed from timber and that the windows would be set back a minimum of 80mm from the face of the brickwork. The windows and doors would be set under decorative brick arches. Timber boarding would be incorporated below the windows. The property would be built from a red brick and constructed using a Flemish bond. The roof would have a slate finish. There would be a chimney positioned approximately half way along the western roofslope.

Amenity space would be sited on the western side of the dwelling and would measure approximately 5 metres x 14 metres. The amenity space would be enclosed by a 1.8 metre high brick wall.

The proposed dwelling would be served by 1 no. car parking space, positioned on the northern side of the building, adjacent to the new 1.8 metre high boundary wall. The existing property, number 40 Bury Road, would be served by 3 no. car parking spaces. 1 no. of the spaces would be positioned on the northern side of the proposed dwelling, (adjacent to the space proposed for new dwelling), with 2 no. further spaces, sited in a tandem arrangement, on the southern side of the building, adjacent to the Listed wall. Secure bicycle parking and refuse storage facilities would be provided within the proposed garden. A single, visitor bicycle hoop, would be provided on the northern side of the proposed dwelling.

The application has been supported by a survey which analyses the use of the existing car parking area over a fifteen day period from 6 December 2012 to 20 December 2012. The information shows that on eleven of the surveys days no cars parked in the car parking area to the south of the garage. On the remaining four days, the maximum number of cars using the parking area was recorded as 3 no. in any 1 no. twenty-four hour period.

The applicant has indicated that opportunities will be sought to minimise and manage rainwater run-off by optimising permeable surfaces and that facilities for harvesting grey-water and rainwater will be incorporated into the design.

Relevant Planning History

K10024/1 - change of use and conversion of existing dwelling (Class C3) to bed and breakfast accommodation (Class C1) (6 letting rooms) including erection of two storey rear extension, conservatory, replacement front boundary wall and car parking (Listed Building in Conservation Area) - withdrawn 24.03.05

K10024/2 - Listed Building Application - erection of two storey rear extension, conservatory and replacement front boundary wall and internal alterations to facilitate use of premises as bed and breakfast accommodation (Class C1) (Conservation Area) - withdrawn 24.03.12

K10024/3 - cutting down of 8no. trees and pruning 3no.trees (Conservation Area) - 14.12.07

K10024/4 - Conservation Area Application - demolition of double garage and boundary walls (Listed Building) - refused 12.12.08 - Appeal dismissed 09.11.09

K10024/5 - demolition of existing garage, outbuildings and boundary walls and erection of a 2 storey dwelling (Conservation Area) - refused 14.04.09 - Appeal dismissed 09.11.09

K10024/6 - erection of detached double garage in rear garden (Listed Building in Conservation Area) - refused 12.12.08

K10024/7 - Listed Building Application - demolition of part of boundary wall, garden shed and erection of detached double garage (Conservation Area) - refused 15.12.08

K10024/8 - Listed Building Application - formation of new opening in boundary wall with installation of set of gates to provide new vehicular access and parking area and repair and reinstatement to northern boundary wall and demolition of shed (Conservation Area) - refused 07.04.09 - Appeal dismissed 09.11.09

K17796 - application at the rear of 40 Bury Road for the felling of 1no. Beech tree (Conservation Area) - no objection raised 17.06.11

K10024/9 - demolition of existing garage and part demolition of boundary wall and erection of 1no. three bedroom dwelling with associated parking and amenity space (Conservation Area) - refused 27.06.12

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/DP3

Provision of Infrastructure, Services and Facilities

R/BH1

Development in Conservation Areas

R/BH3
Development Affecting Listed Buildings
R/H4
Housing Densities
R/T4
Off-site Transport Infrastructure
R/T11
Access and Parking
R/OS8
Recreational Space for New Residential Developments
R/OS13
Protection of Habitats Supporting Protected Species
R/ENV14
Energy Conservation

Consultations

The Gosport Society	No objection.
Building Control	No objection. The proposal will require consent under the Building Regulations. All bedrooms windows must provide a means of escape.
Streetscene Parks & Horticulture	No objection. There are no trees on the site that would be affected by the development.
Local Highway Authority	If vehicles obstruct the service road, the matter should be referred to the local police. The proposed car parking provision should be considered in the context of the draft Car Parking Supplementary Planning Document. A Transport Contribution will be required to take account of the additional multi modal trips generated by the proposed development.

Response to Public Advertisement

8 no. letters of objection received to original submission
Issues raised:-

- the erection of scaffolding will restrict access along the service road
- disruption, noise and inconvenience during construction
- building works will disturb local pets and wildlife
- concerned about access for emergency services vehicles during the construction period
- the relocation of the telegraph pole will disrupt phone lines
- questions where construction vehicles will park during the build-out period
- the Regulatory Board has already refused an application at this site
- the development does not overcome the previous concerns/reasons for refusal
- number 40 Bury Road is advertised and let for "hen" and "stag" parties
- the land, the subject of the application, is relied upon for car parking
- if approved, the development would set a precedent for the construction of other properties in similar locations
- the submitted drawings show no measurements
- the demolition of the walls is contrary to the principles of conservation and is tantamount to vandalism
- the dwelling is out of keeping with the surrounding area

- the proposal represents an undesirable form of backland development
- the proposal represents an overdevelopment
- the proposal is contrary to Policy R/DP1
- the dwelling is sited too close to the Listed wall
- occupiers of the proposed dwelling would step out onto the service road
- the proposed materials are not reflective of the existing dwellings in locality
- the proposed dwelling does not follow the existing 'building line' of the properties in Gordon Road or Walton Road
- the dwelling will be surrounded by service roads
- the development will harm residential amenity with regard to loss of privacy, noise disturbance and light pollution
- parking problems
- the cars/accesses of neighbouring occupiers should not be obstructed
- the increased use of the service road will be a danger to playing children
- the development will result in congestion on Walton Road and Gordon Road, which is a busy bus route
- the proposed car parking arrangement is impractical
- the proposed parking arrangement would not allow vehicle doors to be opened
- the proposed development would prevent access to the rear of number 40 Bury Road
- the parking survey submitted in support of the application is not a true reflection of the use of the service road

6 no. letters of objection received to amended plans

No additional/new issues raised

Principal Issues

1. All planning applications must be considered on their individual merits and in light of the relevant national and local planning policies. The submitted plans are accurate and have been drawn to a recognised, metric scale. They are, therefore, adequate for the consideration of this planning application. A certain level of disruption, noise and inconvenience may occur during the construction period. If the noise associated with development is excessive, however, it can be dealt with through the Environmental Health legislation. There is no evidence of any protected species being present at the site and whilst the construction process may, regrettably, disturb pets, this is not a material consideration in the determination of this planning application. The implementation of the proposed development would require the relocation of an existing telegraph pole. Details of the measures to secure the re-provision of the telegraph pole, together with a timeframe for the re-provision will be controlled by condition, so as to minimise disruption and maintain a service for affected residents. The possibility of construction vehicles blocking the highway, is a matter that should be referred to the local police. Similarly, if, at any future dates, vehicles park and obstruct the service road. If it became necessary to erect scaffolding onto the public highway as part of the construction process, the applicant would be required to obtain a license from Hampshire County Council and this could be used to control/manage access to adjacent properties. The main issues in this case, therefore, are the acceptability of the proposal in land use terms, the acceptability of the design and layout of the development, the impact of the historic and architectural character of the Listed wall and Listed Building (40 Bury Road), and their setting and whether the proposal preserves or enhances the character and appearance of the Bury Road Conservation Area and the impact on the wider visual amenity of the locality, the amenity of adjacent and prospective occupiers, the adequacy of access, parking and servicing arrangements, protected species and whether appropriate provision has been made for bicycle parking, refuse storage and collection, open space and highway infrastructure improvements.

2. Notwithstanding the concerns regarding design, when considering the appeal of refused planning application reference K10024/5, the Planning Inspector considered the principle of residential redevelopment at the application site to be acceptable. Since this decision was made, the Government has published the National Planning Policy Framework (NPPF). The NPPF states that decision takers may continue to give full weight to relevant policies adopted since 2004. The

Gosport Borough Local Plan Review was adopted in 2006 and together with the NPPF, its Policies are, therefore, a material consideration in the determination of this planning application.

3. In accordance with the National Planning Policy Framework (NPPF), the key objective is that Local Planning Authorities make effective use of land by re-using that which has previously been developed (PDL). The overall aim of the Local Plan Policies is to prevent harmful development in inappropriate locations, having regard to the merits of each individual case. The application site represents previously developed land (PDL). It is also located within the Urban Area Boundary, where, in accordance with Policy R/DP1 of the Gosport Borough Local Plan Review, the principle of residential development is considered acceptable, provided the development complies with all other relevant Local Plan Policies.

4. The proposed dwelling has been designed with a very low ridge relative to the adjacent dwellings, 1.9 metres lower than the height of the building refused under planning application reference K10024/9. The subservient nature of the dwelling, together with the carefully considered choice of external materials and fenestration detailing (including the size and positioning of the windows, the use of a Flemish bond, setting of the windows and doors back within their reveals and the use of slate roof tiles) serves to create a development that has the character and appearance of a traditional coach-house style outbuilding historically associated with the larger, Listed Buildings, fronting Bury Road. The proposed dwelling will be significantly lower than the existing dwellings in the locality and will not appear discordant or overbearing relative to the scale of the adjacent built form. Whilst, unlike the other properties in the locality, the proposed dwelling would not have a traditional frontage with a road, due to its modest scale, and when considered in the above described context, the proposed dwelling will not result in an incongruous feature within the rear service road. Unlike planning application references K10024/5 and K10024/9, which were refused, the dwelling will have a largely rectangular footprint, which is reflective of the established pattern of development in the locality and which demonstrates that the proposal has been successfully modelled to avoid the appearance of an awkward, contrived, or uncharacteristic development. The dwelling will be set back in excess of 15 metres from Walton Road, with limited views of the building available from this public highway. The provision of small, dormer projections will add a sufficient level of visual interest to the roof form while the provision of a single, blank, recessed window in the northern elevation, will provide an appropriate level of detail to the northern elevation, fronting Walton Road. The development will be enclosed by walls on 3 no. sides and this will further reduce the perceived mass of building when viewed from Walton Road and from within the service road itself. A condition will be used to remove the permitted development rights relating to extensions and alterations to the roof of the building, to ensure the Local Planning Authority has a suitable level of control over any future alterations to the roof, which could harm the overall form, scale and appearance of the building.

5. The existing garage and boundary walls which are to be demolished are of no historic importance and do not make a positive contribution to the character and appearance of the area. Their removal is, therefore, acceptable. The proposed dwelling will be sited more than 3 metres from the Listed wall at the rear of number 40 Bury Road, and due to its well-considered design, low ridge height and reduced scale, it will not harm the historic and architectural character of this structure, or its setting. Likewise, in light of the above, and due to its siting, away from number 40 Bury Road, the development will not harm the historic or architectural character of this Grade II Listed Building, or its setting. The windows and doors will be constructed from timber, which is appropriate given that part of the site is located within the Bury Road Conservation Area and the use of a traditional Flemish bond and appropriate external materials will enhance the overall appearance of the development. The precise detailing and colour finish of the windows, doors, rooflights and dormer projections will be controlled by condition. The submission and approval of all external facing and roofing materials will also be controlled by condition. The proposed replacement walls will be 1.8 metres high which are similar to the height of existing boundary treatments in the locality. They will not, therefore, create incongruous or inappropriate features within the service road, or detract from the character or appearance of the locality. The use of a Flemish, garden wall bond, will help to reinforce the traditional appearance of the development and, in turn, will further serve to create the appearance of an outbuilding related to the Listed Building to the south. The site is already used for the parking of vehicles and the continued use of the northern and southern ends

of the site for car parking will not, therefore, harm the character of the area, even when allowing for the fact it will be used by 2 no. dwellinghouses. Unlike planning application reference K10024/9, which was refused, the proposed refuse storage facilities will be appropriately located within the proposed rear garden, where they will not be visible from public view and will not, therefore, detract from the visual amenity of the locality.

6. Prospective occupiers would have access to a functional and useable area of outside amenity space, positioned on the western side of the building, where it would receive afternoon sunshine. At approximately 5 metres x 14 metres, the proposed garden area is larger than the garden proposed under planning application references K10024/5 and K10024/9 and would be far more functional in its layout. Unlike planning application reference K10024/9, the proposed garden would only be bordered on 1 no. side by a service road, an arrangement similar to that which is evident at number 2 Walton Road and many other corner plots in the locality. In light of this, it is, therefore, considered that the proposed outdoor amenity space would provide a pleasant environment for prospective occupiers. The proposed 1.8 metre high wall would provide users of this space with an appropriate level of privacy, preserving their residential amenity. A condition, removing the permitted development rights relation to the erection of extensions, will ensure that a suitably sized garden is retained.

7. Taking the above matters into account, the proposed development is considered acceptable in terms of its design and layout. The proposed building will not create an incongruous or overbearing feature in the service road and will not harm the wider visual amenity of the locality. Subject to the conditions outlined above, due to the carefully considered design and subservient nature of the building relative to the dwellings fronting Bury Road, the proposal will preserve the character and appearance of the Bury Road Conservation Area and will not harm the historic or architectural character of the Listed Wall, or building, or their setting. The proposal will provide pleasant living environment for prospective occupiers and the development, therefore, complies with the National Planning Policy Framework and Policies R/DP1, R/BH1 and R/BH3 of the Gosport Borough Local Plan Review.

8. In considering the previous appeal at the application site, the Planning Inspector concluded that the provision of a larger dwelling on the land, the subject of this application, need not harm the amenity of neighbouring occupiers. In this respect, it is noted that there will be a separation distance over 20 metres between the original rear elevations of the properties in Gordon Road and Bury Road and the opposing elevations of the proposed dwelling. In light of this, and the orientation of the dwellings, the limited ridge height of the proposed building and the siting of the existing outbuildings and garages relative to the application site, it is not considered that the proposed development will result in an unacceptable loss of light to, or outlook from, the habitable windows or the rear gardens of the properties in Gordon Road or Bury Road. Likewise, due to the separation distances involved and the position of the proposed and existing windows and outbuildings, the proposed development will not harm the amenities of the occupiers of the properties in Gordon Road or Bury road, in terms of loss of privacy.

9. The first floor windows in the eastern elevation of the dwelling are sited towards the southern end of the building, away from the rear elevation of the closest property, number 2 Walton Road. In light of this, the acute angle between the side elevation of the proposed dwelling and the rear elevation of number 2, and the siting of the garage within the rear garden of number 2, the proposed development will not result in an unacceptable loss of privacy to the occupiers of this dwelling or to prospective occupiers of the proposed dwelling. Whilst the outlook from the windows in the rear elevation of number 2 Walton Road will be altered, due to the limited ridge height of the proposed dwelling, the fact the roof slopes away from number 2, the position of the garage in the rear garden of this property and the orientation of the dwellings, it is not considered that the development will harm the amenities of the occupiers of this dwelling in terms of loss of light or outlook. Likewise, it is not considered that the development will create an overbearing feature when viewed from the rear garden of number 2. The above mentioned condition relating to the removal of permitted development rights relating to roof alterations and additions will preserve the future amenity of existing and prospective occupiers, with regard to privacy, and the development,

therefore, complies with the National Planning Policy Framework and Policy R/DP1 of the Gosport Borough Local Plan Review.

10. The site is already used for the parking of up to 6 no. cars and the garage and space in front of the garage can also be used to park vehicles. The continued use of parts of the site for the parking of up to 4 no. cars and by 2 no. separate planning units, is unlikely, therefore, to result in harmful levels of disturbance to adjacent occupiers when compared to the existing arrangements, taking into account the activities associated with 40 Bury Road. Similarly, as the site is located in an established residential area, the use of the proposed rear garden, refuse store and bicycle parking facilities, is unlikely to harm the amenities of existing occupiers through noise disturbance, over and above what might be reasonably expected within a residential area. The proposed dwelling will be located in an established residential area. It is not, therefore, considered that any additional light associated with the development will harm the living environment of adjacent residents, when compared to the existing arrangements. The development, therefore, complies with the National Planning Policy Framework and Policy R/DP1 of the Gosport Borough Local Plan Review.

11. In considering the previous Appeal at this site, the Planning Inspector was of the opinion that the local road network has adequate capacity to accommodate additional on-street car parking. He also considered that the provision of car parking at the northern end of the site need not restrict access into and out of the service road or harm highway and pedestrian safety. Notwithstanding this, in the interest of local amenity and to ensure the continued safe operation of the public highway, it is important that the proposed development provides an adequate level of on-site parking, for both the proposed and existing dwelling, without compromising the access or parking arrangements of existing, adjacent occupiers.

12. In accordance with the draft Parking Supplementary Planning Document, the proposed development should aim to achieve 2 no. car parking spaces for the proposed three bedroom dwelling. Paragraph 39 of the National Planning Policy Framework states that, when considering the car parking requirements of a development, Local Planning Authorities should take into account the accessibility of the development; the type, mix and use of the development; the availability of and opportunities for public transport; local car ownership levels; and an overall need to reduce the use of high emission vehicles. Paragraph 2.9 of the emerging Parking Supplementary Planning Document advises that areas with good access to local services and transport will be attractive to people without cars and, therefore, the need for car parking in such areas may be less. The application site is located within walking distance of the Bury Cross Neighbourhood Shopping Centre and the Stoke Road District Centre, where there a variety of local services and facilities, as well as good links to public transport and higher order services, thereby reducing the reliance on the private motor vehicle. Occupiers of the proposed dwelling would have access to both secure and short stay bicycle parking, promoting sustainable alternatives to the private motor vehicle in line with the sustainability objectives outlined in the National Planning Policy Framework. The 2011 and census information indicates that the average car ownership within the Leesland ward is 0.93 cars per household, the second lowest in the Borough. Under the circumstances, and taking all of the above considerations into account, the provision of a single space to serve the proposed three bedroom dwelling is considered acceptable in this particular location. Number 40 Bury Road operates under Use Class C3. In accordance with the draft Parking Supplementary Planning Document, the development should, therefore, aim to provide 3 no. car parking spaces to serve the retained dwelling. The proposal complies with this requirement and is, therefore, acceptable in this respect. It is considered unlikely, therefore, that the development will result in harmful overspill parking in the local road network, to the detriment of highway safety or local amenity. Space is shown for the storage of refuse bins. The bins can be wheeled onto Walton Road on collection day, an arrangement that is evident throughout the locality. Whilst it is recognised that the proposed dwelling may generate deliveries, the site is within reasonable carry distance of Walton Road and it would not be essential, therefore, for a delivery vehicle to enter the service road, as recognised by the Planning Inspector when considering the appeal of refused planning application reference K10024/5.

13. The plans show that the proposed front door will be set back from the back edge of the service road by approximately 1.2 metres and this will ensure that prospective occupiers will not step-out

directly onto the highway, thereby avoiding a potential conflict between vehicles and pedestrians. In considering the previous appeal at this site, the Planning Inspector considered that the use of the service road, to access a new dwelling, would not compromise highway or pedestrian safety, particularly as the land, the subject of this application already accommodates a garage and is already used for car parking. The continued use of the service road, to serve the proposed car parking spaces, continues, therefore, to be considered acceptable. The service road has adequate width to allow safe and convenient passage of vehicles and there will be adequate visibility available to preserve the safety of all users of the highway, particularly as vehicle speeds in this section of the highway are reduced. The plans show that vehicles will be able to park at the front of the site without overhanging the adjacent public highway. The siting of the spaces is such that, when in use, other vehicles will continue to be able to pass safely and conveniently on both the eastern and western sides of the spaces. Vehicles using the spaces will be able to reverse the short length of service road, back out onto the highway, without compromising highway or pedestrian safety, which is the current arrangement for vehicles using the existing garage at the site. The previous Inspector considered the provision of car parking spaces at the northern end of the site acceptable. The proposed car parking layout at the northern end of the site is, therefore, considered acceptable. Although the 2 no. spaces proposed at the southern end of the site would be provided in a tandem arrangement, vehicles would be able to enter and/or exit from both the western and eastern sides. The proposed layout does not, therefore, prevent both spaces being used independently. The spaces have been increased in size so as to ensure safe access and to ensure that there is adequate space to move around the vehicle, for cleaning, to open doors, and to load/unload the vehicle. The siting of all of the proposed spaces is such that their use will not compromise the continued safe or convenient use of existing vehicle or pedestrian accesses, or access into existing garages. In light of the above, the proposed development is considered acceptable in terms of its access, car parking and bicycle parking arrangements. Appropriate provision has also been made for the storage and collection of refuse. The development, therefore, complies with the National Planning Policy Framework and Policies R/DP1 and R/T11 of the Gosport Borough Local Plan Review.

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

15. In lieu of provision of outdoor playing space on site, the applicant has confirmed a willingness to enter into a Section 106 agreement to make a contribution towards public open space facilities within the Borough. The proposal will introduce an additional dwelling 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 SPA/Ramsar sites are designated. To address this impact the contribution 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 provision and improvement of outdoor playing space is considered to be appropriate mitigation against harmful impacts on nature conservation interests. Without this obligation, the proposal is unacceptable. The impact of recreational disturbance on the coast will, therefore, be appropriately mitigated and the proposal complies with Policies R/OS8, R/OS13 and R/DP3 of the Gosport Borough Local Plan Review and the National Planning Policy Framework.

RECOMMENDATION: Grant Permission

Subject to Section 106 agreement relating to

1. The payment of a commuted sum towards transport infrastructure, services and facilities.
2. The payment of a commuted sum towards open space provision and management and mitigation against recreational disturbance.

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:

1076/03 B

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

3. No development shall take place until details, including samples, of all external facing materials, including the brick bond and mortar and the roofing 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 wall and to comply with the National Planning Policy Framework and Policies R/DP1, R/BH1 and R/BH3 of the Gosport Borough Local Plan Review.

4. No development 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 National Planning Policy Framework 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 shall take place until details of the proposed windows, doors, rooflights and dormer windows, including horizontal and vertical sections at a scale of 1:10 and colour finishes, 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 - 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 wall and to comply with the National Planning Policy Framework and Policies R/DP1, R/BH1 and R/BH3 of the Gosport Borough Local Plan Review.

7. The windows, doors and rooflights hereby approved shall be constructed in timber.

Reason - 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 wall and to comply with the National Planning Policy Framework and Policies R/DP1, R/BH1 and R/BH3 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 National Planning Policy Framework 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 National Planning Policy Framework and Policy R/DP1 of the Gosport Borough Local Plan Review.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of the dwellinghouse, shall be permitted.

Reason - In the interests of design and in order to protect the amenity of neighbouring occupiers and to ensure a suitably sized garden is retained and to accord with the National Planning Policy Framework and Policy R/DP1 of the Gosport Borough Local Plan Review.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no enlargement of the dwellinghouse consisting of an addition or alteration to its roof shall be permitted.

Reason - In the interests of design and in order to protect the amenity of neighbouring occupiers and to accord with the National Planning Policy Framework and Policy R/DP1 of the Gosport Borough Local Plan Review.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no building or enclosure, swimming or other pool required for the purpose incidental to the enjoyment of the dwellinghouse shall be permitted.

Reason - In the interests of design and in order to protect the amenity of neighbouring occupiers and to ensure a suitably sized garden is retained and to accord with the National Planning Policy Framework and Policy R/DP1 of the Gosport Borough Local Plan Review.

13. No development shall take place until details of the measures to secure the re-provision and relocation of the telegraph pole, including a timeframe for this work, have been submitted to and approved, in writing, by the Local Planning Authority.

Reason - In the interests of the amenity of neighbouring occupiers and to control the continuity of telecommunication services and to accord with the National Planning Policy Framework and Policy R/DP1 of the Gosport Borough Local Plan Review.

ITEM NUMBER: 03.
APPLICATION NUMBER: 13/00417/FULL
APPLICANT: London and City Estates Ltd.
DATE REGISTERED: 21.10.2013

**CHANGE OF USE FROM SHOP (CLASS A1) TO RESTAURANT AND CAFE (CLASS A3),
INSTALLATION OF NEW SHOPFRONT, INFILL OF DOORWAY IN REAR (WEST)
ELEVATION, PROVISION OF 2 NO. CONDENSER UNITS ON REAR (WEST) ELEVATION
AND PROVISION OF PEDESTRIAN ACCESS RAMP TO FRONT (EAST) ELEVATION
(CONSERVATION AREA) (as amended by plan received 25.11.13, as amplified by noise
impact assessment received 28.11.13 and email received 17.12.13)
74 High Street Gosport Hampshire PO12 1DR**

The Site and the proposal

The application site is a ground floor unit which is part of a building known as 74 High Street, a three storey property occupying a prominent location at the eastern end of the High Street, opposite the bus station and ferry pontoon and within the High Street Conservation Area and the Gosport Town Centre Principal Shopping Centre, as set out on the Proposals Map of the Gosport Borough Local Plan Review. The application site also includes part of the public highway at the front of the building and a small court yard to the rear. The site is also located within Flood Zone 2. To the east of the site is Portsmouth Harbour, a Special Protection Area (SPA), Ramsar Site and Site of Special Scientific Interest (SSSI).

The building is of brick construction with large windows in the principal elevation. The first and second floor flats of the building are accessed by an internal staircase from the rear of the building. A metal, external staircase provides further access to the first and second floors. The property is serviced from a loading/unloading area at the rear of the site, which also serves the commercial properties numbers 63-73 High Street. This area is accessed from Mumby Road which is the subject of parking restrictions in the form of single and double yellow lines. There are four long and short stay public car parks within 250 metres of the application site (Mumby Road Bus Station Car Park, South Street Car Park, Coates Road Car Park and Minnitt Road North Car Park). Walpole Park Long Stay Public Car Park is located less than 500 metres from the application site. The public open spaces of Falklands Gardens, Gosport Boating Lake and Walpole Park are all within walking distance of the application site. Approximately 50m to the east of the site is an area of public cycle storage.

To the north of the site, numbers 1-7 Mumby Road, are three storey properties. Further to the north-west is Warrior Court, a modern four storey building with commercial units at ground floor level and residential accommodation above. The south western (rear) elevation of the property contains windows on the first, second and third floors. To the west of the application site are the rear elevations of number 63-73 High Street. These are two storey properties with shops at ground floor and associated storage/office space above.

Until recently, the application unit operated as a shop (Use Class A1), and did so for a period of approximately 6 months, and this is the current lawful use of the ground floor unit. Prior to this, the unit formed a public house and shop, with a nightclub and function rooms on the first floor of the application building and 3 no. two bedroom bedsits on the second floor.

The first and second floors of the building were converted to provide 6 no. two bedroom flats under planning application 12/00340/FULL in 2012. One of the flats is accessed via a double door in the principal (east) elevation of the building and the remaining flats are accessed via the existing internal and external staircases and loading area at the rear of the building. A fire escape for the ground floor flat is also provided at the rear leading to the communal court which is also used for the storage of refuse bins. Windows serving these flats are in both the front and rear elevations.

In 2010, planning permission was granted under reference 10/00047/FULL to use the ground floor of the premises as a bar/restaurant, the first floor as a restaurant and function room and the second floor as a hotel, comprising 9no. en-suite bedrooms. This consent was, however, never implemented. Planning permission reference 10/00047/FULL approved new windows in the front elevation, together with the reinstatement of first and second floor windows in the rear elevation.

This application proposes the change of use of the ground floor unit from a shop (Use Class A1) to a restaurant and café (Use Class A3). Alterations to the shopfront forming the front, east elevations will consist of enlarging the existing window openings to enable the installation of larger windows with the doors also being replaced. An access ramp will be provided at the front of the site measuring 4.7m long, 1.7m wide with a maximum height of 0.3m above ground level. A doorway in the rear, west elevation will be in-filled with materials similar to the main building. The application does seek the provision of two condenser units in order to provide heating/cooling for the floor area of the unit only. The condensers will be located on the rear, west elevation of the unit, a maximum of 4.5m above ground level and would each be 0.9m wide, 0.9m high, extending 0.4m beyond the rear elevation. The proposed opening times of the unit are 0800 to 1800 Monday to Saturday and 1000 to 1730 on Sunday and six full time and four part time members of staff would be employed. The alterations to the signage shown on the plans do not form part of this application and will be considered under a separate application for advertisement consent.

As the site is located within a designated Flood Zone, the application has been supported by a Flood Risk Assessment.

Relevant Planning History

12/00340/FULL - internal and external alterations to provide 6 no. two bedroom first and second floor flats(Conservation Area) - permitted 16.11.12

10/00047/FULL - change of use from mixed use comprising bar, nightclub, and residential accommodation to a mixed use comprising a ground floor bar/restaurant, first floor restaurant and function room and 9 no. bedroom hotel (as amended by plan received 17.03.10 and amplified by e-mails received 29.03.10 and 31.03.10) - permitted 23.04.10

Relevant Policies

National Planning Policy Framework (NPPF), March 2012

Gosport Borough Local Plan Review, 2006:

R/DP1

General Standards of Development within the Urban Area

R/BH1

Development in Conservation Areas

R/S3

Principal & District Shopping Centres

R/ENV10

Noise Pollution

R/T11

Access and Parking

R/OS11

Protection of Areas of National Nature Conservation Importance

R/OS12

Locally Designated Areas of Nature Conservation Importance

R/OS13

Protection of Habitats Supporting Protected Species

Consultations

Environmental Health

No objection. The times the condenser units

are in use should be restricted to two hours either side of opening and closing.

The Gosport Society

No objection.

Building Control

No objection. Requires Building Regulation approval.

Response to Public Advertisement

6 letters of representation

Issues raised:-

- the change of use of the unit to a cafe would cause problems for the other 8 food outlets
- there are enough cafes in the vicinity
- congestion at the rear of the unit during construction and occupation as this area is small and serves as an entrance to the above flats
- the residential accommodation above has changed the character and use of the building and the application does not take this into account
- additional traffic as a result of the proposal need to be managed
- there is inadequate room for the bins and will be inappropriately located
- the bins will cause issues of smell and attract pests
- a fire in the bins would cut off an escape route
- the bins will block fire escapes
- the condensers would cause noise and vibration nuisance
- the condensers would be inappropriately sited near to windows of habitable rooms
- noise nuisance resulting from the use of the unit to the first floor flats
- the address of the unit is incorrect
- the previous use of the unit was as a shop
- no indication of cycle storage
- no certainty of where a skip is to be sited during the construction period
- loss of privacy from staff taking breaks in the rear service area
- potential for the refurbishment to not to be comprehensive

Principal Issues

1. The competition created as a result of the amount of a type of business in an area is not a planning issue. From the address of the unit stated on the application form and by the submitted location plan the location of the proposal can be accurately determined. The standard of workmanship, the provision of a skip and its siting during the construction period cannot be taken in to account when determining this application. Notwithstanding this, a planning condition will require the external alterations to be constructed in accordance with the approved plans. Issues regarding the storage of bins under a secondary fire escape in relation to the safe operation of the escape route are matters which will be dealt with by the Fire Department. Notwithstanding this, the metal staircase at the rear of the unit is a secondary fire escape with each flat having a separate, internal, primary escape route which should be used in the first instance should there be a need to evacuate the building. Should the primary, internal, escape route be blocked it is unlikely that the secondary escape route would be blocked at the same time as a result of the bins below or a fire in the bins. Matters concerning statutory nuisance as a result of pest control and smell from the bins would be dealt with under Environmental Health legislation.

2. Under legislation that came into force on the 30 May 2013 it is now possible to change the use of a property from Class A1 to Class A3 for a period of up to two years without the requirement to apply for planning permission. In this instance, the applicant has chosen to submit a full planning application in order to make the proposed change of use permanent as well as propose external changes, therefore, all normal planning considerations apply. The main issues in this case, therefore, are the acceptability of the design of the proposal, whether it preserves or enhances the character and appearance of the High Street Conservation Area, the impact of the development on

the retail function of the Principal Shopping Centre, the servicing and access arrangements of the existing commercial and residential units, the impacts on protected species, the amenities of the occupiers of the surrounding properties, flood risk, whether there will be any impacts as a result of altered pedestrian movements and car parking.

3. The building dates from the 1950's/60's and occupies a prominent location at the east end of High Street and the existing frontage contributes little to the character of the area. The east end of High Street is characterised by modern buildings (particularly the north side), generally two and three stories in height with modern shopfronts and signage which facilitate a range of uses including shops, restaurants and cafes and hot food takeaways. The proposed alterations to the shopfront consist of the enlargement of the existing window openings from 1.5m high to 2.3m high, keeping the position of the windows and installing new timber window frames. These alterations will improve the visual appearance of the building as they will enhance the verticality of the building and provide interest to the prominent frontage of the building. The proposed openings also relate well to the height of the windows at first floor level. The windows and doors would be of timber construction, finished with a painted finish of suitable colour. The entrance doors will also be replaced with new doors of timber and glazed construction. The entrance ramp has a simple design with a maximum height of 0.3m above ground level of brick construction to match the main property. The gradient of the proposed ramp is such that it does not require the provision of railings and given the dimensions of the ramp, will not be harmful to users of highway. In view of the location of the door in the rear (west) elevation to be in filled, visible only from the rear service road this alteration would not be harmful to the character and appearance of either the building or the Conservation Area.

4. The proposed use of this site will be less intensive than a previous long term use of the unit as part of a premises which formed a pub with a nightclub and function rooms at first floor level. The proposed use will be appropriate in this location when taking into account the new residential units above at first and second floor level, especially given the proposed limited opening times which will be controlled by condition. The proposed pattern and times of use would, therefore, remain similar to that expected of the current shop (Use Class A1) use and as such, the comings and goings of customers is unlikely to either individually, or cumulatively with the other uses in the area, result in harmful disturbance to any of the occupiers of neighbouring properties or harm the character of the High Street Conservation Area. Overall, the proposed use and external alterations will enhance the building and the character and appearance of the High Street Conservation Area, in compliance with Policies R/BH1 and R/DP1 of the Gosport Borough Local Plan Review.

5. Policy R/S3 specifies that not more than 33% of the commercial units shall comprise uses other than Class A1 and A2 uses in the District Shopping Centre. The current percentage of the proportion of the frontage which is not in in A1 or A2 use is 33.1%. The proposed change of use from A1 to A3 within the District Shopping Centre would result in a further minor increase of 1.6% of the overall proportion of frontage that would be in non A1/A2 uses from 33.1% to 34.7%. Given the prime location of this unit within the District Shopping Centre, readily visible by users of the bus and ferry terminals, this proposal will make a significant contribution to the vitality of the District Shopping Centre. The proposal would bring a currently vacant unit into use, operating 7 days a week during the day, would generate employment opportunities for residents of the Borough, and as discussed above, the external changes would enhance the appearance of the locality. Furthermore, as stated above, recent changes in planning legislation now permit the change of use of a building from a shop (Use Class A1) to a restaurant and cafe (Use Class A3) for a temporary period of two years, without the benefit of a planning application. On balance, and in the light of the above, notwithstanding the small increase non A1/A2 frontage, the proposed change of use is considered acceptable and complies with Policy R/DP1 and the underlying aims and objectives of Policy R/S3 of the Gosport Borough Local Plan Review.

6. There would be no requirement for a large scale commercial extraction system at this time and that the types of food proposed to be provided on the premises is of a type that would only require the use of domestic appliances to prepare and cook. A condition is proposed to control the type of cooking equipment to be used on the premises to ensure that the proposal would not have a harmful impact in terms of noise and odours. Any future need for an external extraction system at the unit would require an application for planning permission. The Council's Environmental Health

Department have advised that, based on the submitted Noise Impact Assessment, the noise levels created by the condenser units would not be significantly more than background noise levels during the day. During the late evening and night, however, background noise is generally lower than in the day and as such, the noise of the condenser units during these times could be harmful. In order to mitigate the possible impact of the condenser units on the surrounding residential units during the late evening and a planning condition is proposed to limit the hours of operation of the condenser units from 0600 to 2000 Monday to Saturday and 0830 to 1930 on Sunday which is two hours either side of the opening times as referred to in paragraph 4 of this report. The proposed pattern and times of use by staff, customers and associated movements such as deliveries would remain similar to that expected of the current shop (Use Class A1) use. Subject to the condition restricting the hours of operation of both the unit and the two condenser units, it is considered that the noise generated from the proposal would not be harmful to the occupiers of the surrounding properties. Adequate bin storage for the unit will be provided and can be accommodated in the space shown on the submitted plans without hindrance to the rear exit door. The collection of commercial waste is not provided by the Local Authority and the applicant will need to make suitable arrangements for the collection of waste. The proposal is, therefore, acceptable in accordance with Policies R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review.

7. The application is supported by a Flood Risk Assessment which concludes that the development would be safe and that there are existing measures (some of which form part of the fabric of the building) in place to ensure that the Flood Risk is effectively managed in accordance with the National Planning Policy Framework and Policy R/DP1 of the Gosport Borough Local Plan Review.

8. The boundaries of the Portsmouth Harbour SPA/Ramsar Site and SSSI are not contiguous with the application site and the proposed change of use will not harm the interests of nature conservation. The site does not provide habitat for protected species, including Early Meadow Grass, Knotted Hedge Parsley and Nit-grass, and the proposal, therefore, complies with the National Planning Policy Framework and Policies R/OS11, R/OS12 and R/OS13 of the Gosport Borough Local Plan Review.

9. Given the dimensions and siting of the access ramp at the front of the building and the size of the pedestrian walkway, the ramp would provide safe access to the unit and it is not considered that the altered pedestrian movements would be harmful. The proposal, therefore, accords with Policy R/DP1 of the Gosport Borough Local Plan Review.

10. The area is well served with public car parks to provide for both staff and customer car parking requirements. On the east side of Mumby Road, approximately 30m away are a number of cycle hoops which can also be used by both staff and customers. There are parking restrictions on the service road at the rear of the site in the form of double yellow lines and the loading and unloading of vehicles is permitted on double yellow lines, ensuring that this area is always available for the servicing of the proposed restaurant/café. Given the current town centre uses which are served by the service road, the noise and disturbance resulting from the servicing of the proposal would not be harmful. The parking and servicing arrangements are, therefore, adequate and the development is in compliance with Policies R/DP1 and R/T11 of the Gosport Borough Council 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 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:

Drwg P-4 Rev. C, Drwg P-6, Drwg P-7 and Drwg P-8.

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 preparation or cooking of hot food shall take place on the premises until details of the cooking equipment have been submitted to and approved, in writing, by the Local Planning Authority. All cooking on the premises shall be carried out in accordance with the approved details unless otherwise agreed, in writing, by the Local Planning Authority.

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

4. The condenser units hereby approved at the site shall not be operational other than between 0600 and 2000 Monday to Saturday and 0800 to 1930 on Sunday.

Reason - To secure the reduction in the level of noise emanating from the building and to protect the amenities of the occupiers of nearby premises, and to comply with Policies R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review.

5. The development hereby permitted shall not be open for use outside the following hours unless otherwise agreed, in writing, by the Local Planning Authority:

0800 - 1800 Monday to Saturday

1000 - 1730 Sunday and Bank Holiday

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

ITEM NUMBER: 04.
APPLICATION NUMBER: 13/00445/FULL
APPLICANT: Miss C Mullen
DATE REGISTERED: 31.10.2013

ERECTION OF TWO STOREY SIDE AND FIRST FLOOR REAR EXTENSION
3 Chark Cottages Shoot Lane Lee-On-The-Solent Hampshire PO13 9PA

The Site and the proposal

This application has been referred to the Regulatory Board as it relates to a site outside of the Urban Area Boundary and is therefore a Departure from the Gosport Borough Local Plan (Review).

The application property is the western half of a pair of semi-detached dwellings located on the southern side of Shoot Lane, to the east of Cherque Way. The site is located outside the Urban Area and within the Strategic Gap as defined by the Gosport Borough Local Plan Review Proposal Map. The application site is generally rectangular in shape and is approximately 35m deep and approximately 18.5m wide. It is bounded by an approximate 3m high box hedge to the north and west and the eastern and southern boundaries are formed of a 1.8m high fence. The application property is finished in render and has a pitched, tiled roof with a centrally placed, north facing half gable. There are two first floor windows in the side elevation of the application property and a single ground floor window. There is an existing 1.35m deep single storey rear extension across both properties with a lean to roof. The adjoining property to the east, number 4 Chark Cottages, has a single storey flat roofed rear extension that projects a further 2.5m and a single first floor window in the rear elevation. The two properties on the site take a shared vehicular access from Shoot Lane. Other than the adjoining dwelling to the east, the nearest dwelling is located approximately 75m to the west, within the Cherque Farm Estate. The application property is visible from Cherque Way to the south west, which is 35m away.

It is proposed to erect a two storey side and part first floor rear extension. The side extension would project 3.5m beyond the western elevation and would be 6.5m deep. It would be set back from the front elevation of the existing dwelling by 0.7m and would have a matching eaves height at the front. The pitched roof would be 0.3m lower than the height of the existing roof. The extension would be 6.1m wide at the rear, wrapping around the south western corner of the existing property at first floor level. The eaves would be 1.8m lower than the eaves at the rear of the existing property. There would be a roof light and dormer window with a shallow mono-pitched roof in the rear roof slope with a Juliette balcony. There would be a single first floor window in the western side elevation and windows at ground and first floor level in the northern, front elevation. The extension would be constructed using matching materials.

Relevant Planning History

Nil

Relevant Policies

National Planning Policy Framework (NPPF), March 2012

Gosport Borough Local Plan Review, 2006:

- R/OS1
- Development Outside of the Urban Area
- R/DP1
- General Standards of Development within the Urban Area
- R/OS2
- Strategic Gaps

Consultations

Response to Public Advertisement

Nil

Principal Issues

1. The main issues in this case are whether the proposal is appropriate outside of the Urban Area and within the Strategic Gap, the acceptability of the design of the extension and the impact on the visual amenities of the locality, with particular reference to the Strategic Gap, and the impact on the amenities of the occupiers of the neighbouring properties.

2. The application site is located outside the Urban Area boundary and within a Strategic Gap where new development is considered to be inappropriate, with the exception of appropriate recreational uses or for the operational requirements of the MOD, public or other essential services. However, in this case the site already accommodates a pair of dwellings and this householder development proposes no extension to the existing residential curtilage. The proposed extension has a simple and compatible design and would appear subservient to the existing property. The overall roof form of the extension and the materials would match those of the original dwelling. The property is set back approximately 9.5m from Shoot Lane to the north and some 35m away from Cherque Way to the south west and, as such, the proposal will not be overly prominent in the streetscene and would not have a harmful impact on the visual amenity of the area. Given the above, the proposed extension is acceptable in design terms and complies with Policy R/DP1 of the Gosport Borough Local Plan Review and the proposal would not physically and/or visually diminish the Strategic Gap in compliance with Policies R/OS1 and R/OS2 of the Gosport Borough Local Plan Review.

3. The two storey extension would be on the western side of the dwelling and the rearward projecting section, which follows the existing roof line, would only extend 2.5m toward number 4 to the east and would be 4.25m away from the common boundary. There would be no east facing windows in the proposed extension and, therefore, there would be no harmful impact upon the amenities of the occupiers of the adjoining dwelling in terms of loss of light, outlook or privacy. Given the distance to the dwellings to the west there would be no impact on the occupiers of those properties. The development is, therefore, acceptable in compliance with Policy R/DP1 of the Gosport Borough Local Plan Review.

RECOMMENDATION: Grant Permission

Subject to the following condition(s):-

1. The development hereby permitted must be begun within 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:

A1A and A1B

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

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

Reason - To ensure satisfactory visual relationship of the new development to the existing, and to comply with Policy R/DP1, R/OS1 and R/OS2 of the Gosport Borough Local Plan Review.