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13 July 2015

S U M M O N S

MEETING: Regulatory Board
DATE: 21 July 2015
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 Farr) (ex-officio)
Chairman of the Policy and Organisation Board (Councillor Hook) (ex-officio)

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

Councillor Allen	Councillor Hicks
Councillor Bateman	Councillor Hazel
Councillor Carter	Councillor Langdon
Councillor Dickson	Councillor Mrs Wright
Councillor Ms Diffey	Councillor Wright

INFORMATION FOR MEMBERS OF THE PUBLIC

(To be read by the Chairman if members of the public are present)

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

Please note that mobile phones should be switched off or on silent for the duration of the meeting.

This meeting may be filmed or otherwise recorded. By attending this meeting, you are consenting to any broadcast of your image and being recorded.

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).

AGENDA

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 pecuniary interest in any item(s) being considered at this meeting.

3. MINUTES OF THE MEETINGS OF THE REGULATORY BOARD HELD ON 21ST MAY AND 2ND JUNE 2015

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, 17th July 2015. The total time for deputations in favour and against a proposal shall not exceed 10 minutes).

5. PUBLIC QUESTIONS – STANDING ORDER 3.6
(NOTE: The Board is required to allow a total of 15 minutes for questions from Members of the public on matters within the terms of reference of the Board provided that notice of such Question(s) shall have been submitted to the Borough Solicitor by 12 noon on Friday, 17th July 2015).

6. REPORTS OF THE BOROUGH SOLICITOR AND DEPUTY CHIEF EXECUTIVE
*Schedule of planning applications with recommendations.
(grey sheets – pages 1-55)*

PART II
Contact Officer:
Debbie Gore
Ext: 5455

7. ANY OTHER ITEMS
Which the Chairman determines should be considered, by reason of special circumstances, as a matter of urgency.

**A MEETING OF THE REGULATORY BOARD
WAS HELD ON 21 MAY 2015**

The Mayor (Councillor Farr) (ex-officio) (P), Chairman of the Policy and Organisation Board (Councillor Hook) (ex-officio) (P), Councillors Allen (P), Bateman (P), Carter (P), Dickson, Ms Diffey (P), Hazel (P), Hicks (P), Mrs Hook (P), Jessop (P), Langdon (P), Wright (P), Mrs Wright (P)

1. APOLOGIES

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

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. DEPUTATIONS

There were no deputations.

4. PUBLIC QUESTIONS

There were no public questions.

5. ELECTION OF CHAIRMAN

RESOLVED: That Councillor Mrs Hook be appointed as Chairman of the Regulatory Board for the Municipal Year 2015-2016.

6. ELECTION OF VICE-CHAIRMAN

RESOLVED: That Councillor Jessop be appointed as Vice-Chairman of the Regulatory Board for the Municipal Year 2015-2016.

The meeting concluded at 5.25pm

CHAIRMAN

**A MEETING OF THE REGULATORY BOARD
WAS HELD ON 2 JUNE 2015 AT 6PM**

The Mayor (Councillor Farr) (ex-officio); Councillor Hook (P), Councillors Allen, Bateman (P), Carter (P), Dickson (P), Ms Diffey (P), Hicks (P), Hazel, Mrs Hook (P), Jessop (P), Langdon (P), Mrs Wright (P) and Wright (P)

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

7. APOLOGIES

Apologies for inability to attend the meeting were submitted on behalf of the Mayor and Councillor Allen.

8. DECLARATIONS OF INTEREST

There were none.

9. MINUTES

RESOLVED: That the Minutes of the Regulatory Board meeting held on 7 April 2015, be approved and signed by the Chairman as a true and correct record.

10. DEPUTATIONS

A deputation had been received on the following item:

- Item 1 of the grey pages- 15/00081/FULL – 66 The Avenue, Gosport

11. PUBLIC QUESTIONS

No public questions had been received.

PART II

12. REPORT OF THE BOROUGH SOLICITOR & DEPUTY CHIEF EXECUTIVE

The Borough Solicitor & Deputy Chief Executive submitted a report on applications received for planning consent setting out the recommendation.

RESOLVED: That a decision be taken on each application for planning consent as detailed below:

**13. 15/00081/FULL – ERECTION OF TWO STOREY FRONT AND REAR EXTENSIONS AND SINGLE STOREY FRONT AND REAR EXTENSIONS
66 THE AVENUE, GOSPORT**

Consideration was given to the report of the Borough Solicitor and the Deputy Chief Executive requesting that consideration be given to planning application 15/00081/FULL.

Mr & Mrs Wood were invited to address the Board.

Members were advised that there were no updates.

Mrs Wood advised the Board that she lived at the neighbouring property 64 The Avenue. She

advised Members that in principle she did not have any objections to the proposal but raised concerns in respect of the design of the building which she felt would result in a significant loss of light and privacy to her property.

Mrs Wood advised that contrary to the Officers report, she felt that the proposed rear two storey extension would not fill in an existing recessed area on the rear elevation and that the forward extensions proposed would not be in line with the building line along The Avenue.

Mrs Wood advised Members that she felt the application would dramatically change the existing property causing a significant impact to neighbouring properties. In conclusion, Mrs Wood asked Members to consider a site visit to the property.

A Member sought clarification in respect of the scale and mass of the proposal in relation to the building line. The Planning Officer advised that the proposed extensions were to an existing dwelling that would continue to respect the wider alignment of properties along The Avenue.

It was further advised by the Planning Officer that other properties in The Avenue had forward extensions, or garages, and that the proposal would not have an unacceptable impact on the surrounding area. It was also clarified that there was existing screening between the neighbouring properties.

Members were advised that Mr Ayles, in the absence of his client, would be making a deputation.

Mr Ayles was invited to address the Board whereby he read a statement on behalf of his clients.

He advised Members that his clients had lived in the property since 1964 and that the proposed application would provide the space required for a growing family.

Mr Ayles advised Members that the proposals had been designed in accordance with the required Local Planning Policies.

Mr Ayles advised that his clients felt that the scale, height and mass of both the front and rear extensions were proportionate to the existing dwelling and those within the surrounding area and felt that the proposal would not have any detrimental impact on neighbouring properties.

The Board were advised by Mr Ayles that there were distinctly two elements to the proposals, the front extension and the rear. He advised that his clients felt that the proposed works to the rear of the property were modest and largely single storey apart from an area of two storey infill to the south west corner.

Mr Ayles advised that the proposed works at the northern end of the front elevation of the property projected 0.75 metres forward and 0.9 metres to the side with lowered eaves to the north elevation. He further advised that the existing garage projected 4.2 metres forward of number 64.

In conclusion, Mr Ayles advised the Board that the proposed first floor extension would have no impact upon the amenity of number 64 in terms of outlook, light reduction or overlooking as there were no windows proposed.

RESOLVED: That planning application 15/00081/FULL – 66 The Avenue, Gosport, be approved subject to the conditions of the report of the Borough Solicitor and Deputy Chief Executive.

**14. 15/00124/FULL – ERECTION OF BUILDERS MERCHANTS (SUI GENERIS) WITH ASSOCIATED EXTERNAL STORAGE, ACCESS, CAR PARKING AND LANDSCAPING
UNIT A 154 FAREHAM ROAD, GOSPORT**

Consideration was given to the report of the Borough Solicitor and the Deputy Chief Executive requesting that consideration be given to planning application 15/00124/FULL.

Members were advised that there were no updates.

Following a Member's question in respect to the implementation of a barrier to prevent vehicular access, the Planning Officer advised that the proposed barrier would ensure that the overall vehicle movements through the exit to the A32 would not increase.

A Member raised concerns with the heavy traffic flow currently experienced along Fareham Road and sought clarification in relation to the Section 106 Agreement relating to a strip of land adjacent to the A32 being available for permanent transfer to Hampshire County Council to facilitate the widening of the A32 for being available for the next 10 years. The Planning Officer advised Members that 10 years was a reasonable timeframe to secure the land and was proportionate to what was required to make the proposal acceptable.

In respect to a Member's question regarding the impact of flood lighting, the Planning Officer confirmed that a construction management plan would be required.

A Member sought clarification in relation to securing a Travel Plan and it was advised by the Planning Officer that it was considered that a Travel Plan was not required in this instance due to the modest number of employees and traffic management measures proposed.

RESOLVED: That planning application 15/00124/FULL – Unit A 154 Fareham Road, Gosport be approved subject to a Section 106 agreement for the next ten years to make, upon request, a strip of land adjacent to the A32 (as shown on approved plan no. 10130 PL001) available for permanent transfer to Hampshire County Council (as the Highways Authority) to facilitate the widening of the A32 and subject to the conditions of the report of the Borough Solicitor and Deputy Chief Executive.

15. 15/00110/FULL – ERECTION OF SINGLE STOREY STORAGE BUILDING/EXTENSION (as amplified by plan received 13.05.15) HUHTAMAKI (UK) LTD, GRANGE ROAD, GOSPORT

Consideration was given to the report of the Borough Solicitor and the Deputy Chief Executive requesting that consideration be given to planning application 15/00110/FULL.

Members were advised that there were no updates.

RESOLVED: That planning application 15/00110/FULL-Huhtamaki(UK) Ltd be approved subject to the conditions of the report of the Borough Solicitor and Deputy Chief Executive.

16. ANY OTHER BUSINESS

There was no other business

The meeting concluded at 6.27PM

CHAIRMAN

GOSPORT BOROUGH COUNCIL – REGULATORY BOARD

21st July 2015

ITEMS WITH RECOMMENDATIONS

1. Copies of drawings and accompanying planning applications referred to in this schedule will be made available for inspection by Members from 5.00 pm immediately prior to the meeting. Unless otherwise advised, these plans will be displayed in the room in which the Regulatory Board is to be held.
2. The number of objections and representations indicated in the schedule are correct at the time the recommendations were formulated. Should any representations be made after this date, these will be notified to the Regulatory Board during the officer presentation.
3. Copies of all representations received from the public will be made available for inspection by Members in the same way as drawings will be made available, referred to in Note 1 above.
4. An index of planning applications within this schedule can be found overleaf, together with a summary of each recommendation.

INDEX				
<u>Item</u>	<u>Page No</u>	<u>Appl. No.</u>	<u>Address</u>	<u>Recommendation</u>
01.	3-8	15/00154/FULL	Royal Clarence Yard Weevil Lane Gosport Hampshire	Grant Permission subject to Conditions / s106
02.	9-21	15/00165/FULL	Former Cordite Magazine Britannia Way Gosport	Refuse
03.	23-32	15/00247/FULL	Daedalus Park Lee On The Solent Hampshire PO13 9FU	Grant Permission subject to Conditions / s106
04.	33-52	14/00495/FULL	Shell Filling Rooms Priddy's Hard Gosport Hants	Grant Permission subject to Conditions
05.	53-55	14/00496/LBA	Shell Filling Rooms Priddy's Hard Gosport Hampshire	Grant Listed Building Consent subject to Conditions

ITEM NUMBER: 01.

APPLICATION NUMBER: 15/00154/FULL

APPLICANT: Mrs Olivia Forsyth Berkeley Homes (Southern) Limited

DATE REGISTERED: 09.04.2015

CAR PARKING STRATEGY (AMENDMENT TO CAR PARKING STRATEGY APPROVED 29.02.08) (CONSERVATION AREA) (as amended by additional information received 15.06.15)

Royal Clarence Yard Weevil Lane Gosport Hampshire

The Site and the proposal

1. The application site is located adjacent to Weevil Lane and comprises the existing parking areas at Royal Clarence Yard (RCY). The site is located within the RCY Conservation Area and within proximity to a number of Grade II listed buildings. The site was comprehensively developed after planning permission was granted both in 2001 and through an appeal in 2005.
2. Accordingly, a Car Parking Management Plan (CPMP) was approved when permission (05/00217/FULL) was granted in 2005, on appeal, for the majority of the recent development at RCY. However, condition 12 of that permission also required the CPMP to be updated, as appropriate, with each subsequent phase of development. The CPMP was therefore updated in 2007 (through condition 14 of 07/00378/FULL) when further permission was granted for development. Whilst it has never been fully implemented, and interim arrangements have been put in place, this is the current approved CPMP. However, the applicants consider that the CPMP is now outdated and have accordingly submitted this planning application to establish a new CPMP for the site. If approved this would become the CPMP for the site.
3. The proposed CPMP includes a number of amendments to the previous CPMP including;
 - The provision of a further 95 car parking spaces to provide a total of 695 parking spaces (of which 32 are disabled and 13 motorcycle);
 - Opening the Flagstaff Green Ceremonial Gate to vehicular traffic;
 - Introducing bollards between Flagstaff House and Block C1/C2;
 - Revision of the allocation of parking for residents, visitors and commercial occupiers;
 - Revising signage identifying where residents and visitors can park including information about parking restrictions.
4. The 695 spaces are divided into five zones (as shown on the submitted plans) which each zone being allocated to particular users as follows which reflects both parking permit allocations and unallocated spaces:
 - Zone one (total 37 spaces) - Granary and Bakery (allocated and unallocated), Galleon Place (allocated), Ledwell Court (allocated) and vacant commercial uses (allocated);
 - Zone two (total 211 spaces) - Galleon Place (unallocated), Ledwell Court (unallocated), consented but unbuilt NM7 (allocated and unallocated) and occupied and unoccupied commercial uses (allocated and unallocated);
 - Zone three (total 143 spaces) - Flagstaff House (unallocated), Brewhouse/Block D3 (unallocated), Flagstaff Green (unallocated), The Chandlers (unallocated), The Malthouse (unallocated), The Salthouse (unallocated), Salters Mews (unallocated) and unoccupied commercial uses (unallocated);
 - Zone four (total 10 spaces) - Wyatt Court (unallocated); and
 - Zone five (total 294 spaces) - Cooperage/Block D2 (unallocated), Castle Marinas (unallocated), other occupied commercial (allocated) and vacant commercial uses (unallocated).
5. Provision is also made within zone 1, 3 and 5 for a number of spaces for overflow parking from each respective zone as the allocations in zones 2 and 4, exceed their respective capacities.

6. Motor cycle users would be able to park in any unallocated parking space with a total of 29 spaces in addition to two parking areas, in zones one and two, adjacent to the central bin and bike store.
7. Parking for disabled persons is proposed in all zones with 32 parking spaces in total divided into 2 in zone one, 11 in zone two, 7 in zone three, 2 in zone four and 10 in zone five.
8. Visitor parking would be available in zones two and five with the capacity generated from the predicted overprovision of 294 spaces (when consideration is given to the peak usage surveys)
9. The application is supported by parking data from 22 days throughout the calendar year, a heritage assessment, surface and foul water strategy, contamination assessment and biodiversity checklist.

Relevant Planning History

99/00465/OUT - Mixed use development of residential, offices/workshops (b1), retail (a1,a2), public houses, cafes and restaurants (a3), cinema, hotel, leisure/community uses, marina, open space, and related infrastructure - permitted 30.11.01

05/00217/FULL - Mixed use development comprising 394 residential units, 516 square metres of offices / workshops (class b1), 931 square metres of retail and restaurants / public houses / cafes (classes a1, a2, a3, a4 and a5), 682 square metres of cinema (class d2), millennium promenade and related infrastructure (including access, car parking, landscaping, open space and flood defences) - refused but allowed on appeal 02.02.06

07/00378/FULL - Erection of 140 dwellings with associated parking, refuse and cycle storage and estate office (partial amendment to k16713/1) - permitted 09.02.08

Relevant Policies

National Planning Policy Framework (NPPF), March 2012

The adopted development plan is the Gosport Borough Local Plan Review, 2006. The emerging Gosport Borough Local Plan, 2011 – 2029 has been the subject of two public consultations and is currently being examined in Public. It is due for adoption in summer 2015. The policies within this document therefore also need to be given weight in decision making, where appropriate.

Gosport Borough Local Plan Review, 2006:

- R/DP1
- General Standards of Development within the Urban Area
- R/T2
- New Development
- R/T3
- Internal Layout of Sites
- R/BH1
- Development in Conservation Areas
- R/BH3
- Development Affecting Listed Buildings
- R/BH5
- The Local List

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

- LP1
- Sustainable Development
- LP10
- Design
- LP11

Designated Heritage Assets including Listed Buildings, Scheduled Ancient Monuments and Registered Historic Parks & Gardens
LP12
Designated Heritage Assets: Conservation Areas
LP13
Locally Important Heritage Assets
LP21
Improving Transport Infrastructure
LP22
Accessibility to New Development
LP23
Layout of Sites and Parking

Supplementary Planning Documents:

Gosport Borough Council Parking: Supplementary Planning Document February 2014

Consultations

The Gosport Society	No objection.
Local Highway Authority	There will be no impact upon the public highway.
Crime Prevention & Design	No response received.
Historic England	No comment.
Environmental Health	No response received.
Streetscene Waste & Cleansing	No comment.

Response to Public Advertisement

3 letters of support

Issues raised:-

- parking plan will provide a final solution
- opening the Ceremonial Gates at Flagstaff Green will attract commercial ventures to the site

18 letters of objection

Issues raised:-

- there should be no further development until additional parking is provided
- motorcycle parking is located where it will disturb residents
- there should be two-way vehicular access between Salt Meat Lane and the Ceremonial Gates at Flagstaff Green
- the Ceremonial Gates at Flagstaff Green should be open and available to all residents
- the Ceremonial Gates should not be opened and damage will occur, there will be increased maintenance costs for residents and site security will be compromised
- the proposal should include additional lighting
- the need for improved navigational signage
- the proposal should include traffic calming measures;
- lack of pedestrian walking areas in Cooperage Green
- there is an inadequate number of parking spaces proposed
- the proposal does not support the original plan for Royal Clarence Yard
- danger to those entering and exiting Flagstaff House and reduction of the ability to drop off passengers at Flagstaff House
- no disabled parking in Flagstaff Green
- inadequate cycle storage and the proposal should promote sustainable modes of transport
- inaccuracies within, and inappropriate methodology used for, the car parking surveys

- car parking surveys fail to take into account the future demand for the site including increased footfall from the currently vacant commercial units
- there are no near bus stops so peak occupancy will be higher than 71%
- no provision for electric car charging
- motorcycle parking should be free

Principal Issues

1. It is appropriate that the application seeks a pragmatic solution to the Car Park Management Plan (CPMP) at Royal Clarence Yard (RCY) that will meet the reasonable needs of the residents without compromising the functional ability of the commercial units to succeed. It is, however, not reasonable to expect new standards (such as the Gosport Parking SPD 2014) to be retrospectively applied within a historic environment that is physically constrained by built form. Furthermore, it is not reasonable to expect this application to solve all access, transport, security, traffic calming and navigational issues many of which (such as the fee payable for residents parking) are private matters between the residents and Berkeley Homes (or their management company) regarding how the site is operated.

2. Therefore, the main issue for consideration is not determining the correct number of car parking spaces to be provided at the site (which was determined in the 2005 appeal) but rather how the car parking spaces currently present at the site are managed. In undertaking an assessment of the proposal, consideration should be given to highway safety, whether as many spaces as can be reasonably expected are provided, the appropriate allocation of the spaces (and accompanying signage) and the impact upon the setting of the listed buildings present and RCY Conservation Area.

3. The capacity of the site will, however, increase through this proposal to 695 vehicular spaces with the additional spaces being secured where extant consent exists for the construction of 16 dwellings in the area known as NM4/5. A Section 106 agreement is proposed to ensure that NM4/5 will not be constructed and the resultant space will be utilised as parking provision.

4. The use of the Ceremonial Gates at Flagstaff Green to provide vehicular access will improve permeability whilst the relocation of bollards to between Flagstaff House and Block C1/C2 will ensure both that commercial vehicles can access Brewhouse Square to service commercial units whilst also preventing access through the Ceremonial Gates becoming a shortcut to parking in zones two and three (when the preferable route, with regard to highway and pedestrian safety, is along Weevil Lane). Furthermore, Cooperage Green will remain as a shared space (without specific pedestrian routes) which is considered acceptable. Therefore, the proposed layout, circulation within the site and access to the site is considered acceptable and is an appropriate balance between enabling access for residents close to their homes, commercial users (including visitors and the servicing of commercial units) to access the commercial units and a respect for the historic environment.

5. It is considered that the parking survey undertaken was done so to an acceptable standard (with an appropriate methodology) to provide a reasonable baseline upon which to make an assessment of the demand for parking. The proposed parking capacity of the site is 695 spaces and the highest total of vehicles recorded on a weekend was 344 on Sunday 23 August 2014 and the highest on a weekday was 270 on Thursday 12 December 2014. Taking the highest total this would leave an overprovision of 351 spaces.

6. In total, residents will be entitled, under the CPMP, to 398 parking permits and commercial users to 228 permits; a total of 626 which includes the proposed permit allocations to the NM7 area not yet built and vacant commercial premises. If all permitted vehicles parked at the same time this would still leave a surplus of 69 spaces for visitors. However, the CPMP calculates (taking into account survey data) a likely worst-case scenario of only 71% of those entitled to park being on site at the same time. This would equate to 444 spaces being occupied which would leave 251 spaces additional for visitors (or capacity should any of the currently vacant commercial uses generate higher vehicular trip rates than expected). The CPMP proposes that this spare capacity be made

available to residents and commercial uses to supplement their basic entitlement under the CPMP. Residents will be able to purchase up to two additional permits per annum and commercial occupiers can apply for additional permits from the managing agent who will annually review the allocation of all additional permits with regard to capacity and demand.

7. The limited number and location of the proposed motor cycle spaces is considered acceptable as residents/visitors/commercial users could also park a motorcycle within a regular vehicular parking space. Furthermore, an appropriate balance has been struck between motorcyclists arriving near their destination but not harming the amenity of the occupiers of the nearby residents. However, to ensure that the dedicated motor cycle spaces are most usable a condition is recommended to secure measures to safeguard the security of motorcycles parked there.

8. The approach taken to identify zones for parking is considered coherent, ensures that residents and users of the commercial facilities can park within reasonable proximity of their destination and will facilitate an understanding of the practical implementation and enforcement of the CPMP.

9. The spaces provided fall below the minimum dimensions advocated by the Gosport Parking SPD 2014. However, as the parking spaces are of a usable size (in accordance with older guidance) and given the historical and physical constraints present on the site and the intention of the CPMP to deliver a balanced solution, it is not considered that this would result in any unacceptable harm in this instance.

10. There is already provision for the parking of bicycles on the site which is controlled by previous consents. This will not be affected by the proposal and this is considered acceptable.

11. The proposal is not considered to result in any danger to highway safety. Whilst it will continue to allow vehicles to pass in front of Flagstaff House (and the ability to drop off-pick up residents will still be possible) any impact will be mitigated by the reduced speed of vehicles approaching the turn whilst there is not considered an unreasonable risk of collision at the Ceremonial Gates at Flagstaff Green.

12. The proposal includes a rationalisation of the existing signage on the site to provide clear navigational signage that identifies where each parking zone is, who can use it and how visitors can park. This is considered acceptable. It is recognised that it would be appropriate to contain a composite navigational signage board at the key entrances to the site and the applicants have committed to pursuing such a strategy. It is appropriate that this signage is provided to make this application acceptable so a planning condition is recommended to secure such a commitment.

13. The proposal seeks to use existing lighting columns, where possible, to site signage and this is considered acceptable. The proposal does not include additional lighting and this is considered acceptable given the balance that must be struck between navigation and respecting the setting of the listed buildings present and RCY Conservation Area. Furthermore, no provision for electric charging points is proposed and this is considered acceptable given the heritage constraints of the site (with regard to the works required to introduce charging points).

14. It is considered that, subject to a condition to control the materials and colour, the proposed introduction of bollards, signage and lines denoting car parking spaces would have an acceptable impact upon the setting of the listed buildings present and RCY Conservation Area. Furthermore, the use of the Ceremonial Gates at Flagstaff Green to provide vehicular access is considered acceptable with regard to the impact upon both the physical condition and character of the gates. Therefore, the proposal is considered in accordance with Saved Policies R/BH1 and R/BH5 of the Gosport Borough Local Plan Review 2006 and Policies LP11 and LP12 of the emerging Gosport Borough Local Plan 2011-2029 (Publication Version July 2014).

RECOMMENDATION: Grant Permission

Subject to Section 106 agreement relating to

1. No construction on the area known as NM4/5 (including the 16 dwellings permitted under 05/00217/FULL on 02.02.06).

Subject to the following condition(s):-

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

Car Park Management Plan - Revised June 2015

C690-SLPHA-01

C690-SLP-01

C690/PPL-01

C690/APA-1

C690/PZ-1

Reason - To ensure that the development is completed satisfactorily in all respects and to comply with Saved Policy R/DP1 of the Gosport Borough Local Plan Review 2006, Policy LP1 of the emerging Gosport Borough Local Plan 2011-2029 (Publication Version 2014) and the NPPF.

3. No development shall commence until details (including materials, means of fixing and the timetable for their implementation) of bollards, signage and lines denoting car parking spaces have been submitted to, and approved, in writing, by the Local Planning Authority. The bollards, signage and lines denoting car parking spaces shall be carried out in accordance with the approved details.

Reason - To safeguard the setting of the Royal Clarence Yard Conservation Area and in accordance Saved Policies R/BH1 and R/BH5 of the Gosport Borough Local Plan Review 2006 and Policies LP11 and LP12 of the emerging Gosport Borough Local Plan 2011-2029 (Publication Version July 2014).

4. No development shall commence until details (including content, materials, means of fixing and the timetable for their implementation) of navigational signage boards to be located at the north-west entrance to zone five and eastern entrance to zone two have been submitted to, and approved, in writing, by the Local Planning Authority. The navigational signage boards shall be carried out in accordance with the approved details.

Reason - To ensure that appropriate navigational signage is provided in accordance with Saved Policy R/T3 of the Gosport Borough Local Plan Review 2006, Policy LP23 of the emerging Gosport Borough Local Plan 2011-2029 (Publication Version 2014) and the NPPF.

5. No development shall commence until details (including materials, means of fixing and the timetable for their implementation) of security measures for the parking of motorcycles have been submitted to, and approved, in writing, by the Local Planning Authority. The security measures shall be carried out in accordance with the approved details.

Reason - To ensure that motorcycle parking is provided in a method that will avoid motorcycles being parking where they may harm the setting of the Royal Clarence Yard Conservation Area and grade II listed buildings in accordance with Saved Policies R/BH3 and R/T3 of the Gosport Borough Local Plan Review 2006, Policies LP11 LP23 of the emerging Gosport Borough Local Plan 2011-2029 (Publication Version 2014) and the NPPF.

ITEM NUMBER: 02.
APPLICATION NUMBER: 15/00165/FULL
APPLICANT: Mr Alan Dawes
DATE REGISTERED: 01.06.2015

CHANGE OF USE OF FORMER CORDITE MAGAZINE TO 1 NO. THREE BEDROOM DWELLING, ALTERATION TO EXISTING AND INSERTION OF NEW WINDOWS WITH ASSOCIATED HARD LANDSCAPING, ACCESS, AND INTEGRAL CAR AND CYCLE PARKING (AMENDMENT TO APPLICATION 14/00320/FULL) (as amended by plans received 15.06.15 and amended and amplified by additional information received on 02.06.15 and 06.07.15)

Former Cordite Magazine Britannia Way Gosport

The Site and the proposal

1. The site is located on the southwest side of Britannia Way. The site originally formed part of the Priddy's Hard Ordnance Depot. Following the closure of Priddy's Hard the Ministry of Defence applied for Outline Planning Permission for up to 700 houses under planning reference K14026. In approving that application The Secretary of State for Defence and Gosport Borough Council entered into an Agreement under Section 299A of the Town and Country Planning Act 1990 securing a 'Management Plan Relating to Environmental Protection', providing mitigation to the housing development approved and setting out matters to be included within the management plan. A Nature Conservation Management Plan was approved by the Borough Council in July 1999 and the residential scheme was then developed around this acknowledged area of nature conservation importance. Details of the fencing surrounding the nature conservation area were approved under application reference K15490. The site forms part of a wider area originally identified within the Gosport Borough Local Plan Review 2006 as the 'Priddy's Hard Nature Conservation site' and subsequently designated as a Site of Importance for Nature Conservation (SINC), for its nature conservation importance, reflected within the Gosport Borough Local Plan 2011-2029 (Publication Version). It is also designated as existing open space, within the Gosport Borough Local Plan 2011-2029 (Publication Version). There is an existing Tree Preservation Order (G130) covering some of the trees within the application site. On the site is an existing single storey building formerly used as a munitions store constructed from brick, with a low pitched roof. The building is rectangular in shape and in excess of 25m long, 18.5m wide and 5m high. It has five windows on its east and west (side) elevations with two pairs of doors on the south (rear) elevation, with windows situated directly above. The north (front) elevation has two pairs of doors with four high level windows spaced across the elevation. The fenestration on each elevation is generally symmetrical. Within the building are two existing cranes which run the length of the building. Surrounding the building is a levelled area, in a generally circular shape. Other than the area within the embankments, pathways and part of an historic road, which form a level access to the building, the remainder of the application site within the fenced SINC, mainly consists of woodland and dense scrub. Beyond the SINC to the north but included within the application site, is a small parking area, accessed from Britannia Way, which also serves as a pedestrian cycleway leading to the open space to the east of the SINC, with vehicular access to the open space restricted by an existing 5 bar gate.

2. The area surrounding the application site consists of existing embankments, woodland, ponds/moats, a further magazine and the remaining habitat making up the SINC, all of which is surrounded by a 2m high fence. There are two embankments surrounding the application site, with that to the east, west and south forming a horseshoe, with an opening to the north, beyond which is a further embankment. The other magazine within the site, which falls outside of this application site but also within this fenced off SINC, was also included within the management plan required under the Section 299A Agreement to provide protection for the badger sett located within that area. Further provisions within the agreement related to other areas outside of this enclosed land. The remaining boundaries of the SINC are bordered by Britannia Way and residential properties.

3. Planning permission was sought under application 14/00320/FULL for alterations to the former store to create a dwelling. When Officers advised that the likely recommendation was to be refusal the applicant decided to appeal for non-determination of the application within the target 8 weeks rather than wait for a formal determination by the Council and appeal at that stage if the Members agreed with the recommendation. The application was considered by the Regulatory Board on 2 December 2014 to establish what the decision would have been had the Council determined the application. The Regulatory Board considered that the application would have been refused for the following reasons:

- The proposed residential development would result in an incompatible use, within this designated Site of Nature Conservation Importance (SINC), and would not provide any benefits to outweigh the need to protect the nature conservation value of the site, contrary to the National Planning Policy Framework, notably paragraphs 77, 109 and 118, the aims and measures within the existing Section 299A Agreement and Policies R/OS12 and R/OS13 of the Gosport Borough Local Plan Review and Policies LP43 and LP44 of the Gosport Borough Local Plan 2011-2029.

- Insufficient information has been submitted to fully assess the impacts of the proposals on the wildlife interests of the site, including those protected species, and the proposals, therefore, fail to demonstrate that the proposals would not result in harm to protected species living on, or utilising the site, contrary to the National Planning Policy Framework, notably paragraphs 77, 109 and 118, the aims and measures within existing Section 299A Agreement and Policy R/OS13 of the Gosport Borough Local Plan Review and Policy LP44 of the Gosport Borough Local Plan 2011-2029.

- The proposed residential development does not relate to the provision of recreation and/or community facilities and, as such, would result in an incompatible and unacceptable use within the Existing Open Space, contrary to the National Planning Policy Framework, notably paragraphs 74, 76 and 77 and Policy LP35 of the Gosport Borough Local Plan 2011-2029.

- The proposed alterations would, by reason of their unsympathetic appearance, be an inappropriate form of development which would have a detrimental impact on the appearance of the existing building, a non-designated heritage asset, contrary to the National Planning Policy Framework, notably paragraph 64, Policy R/DP1 of the Gosport Borough Local Plan Review and Policies LP10 and LP13 of the Gosport Borough Local Plan 2011-2029.

- Adequate provision has not been made for outdoor playing space, nor the payment of a commuted sum in lieu of the provision, contrary to the National Planning Policy Framework, notably paragraphs 58 and 73 and Policy R/OS8 of the Gosport Borough Local Plan Review and Policy LP2 of the Gosport Borough Local Plan 2011-2029.

- Adequate provision has not been made for Transport Infrastructure, Services and Facilities, nor the payment of a commuted sum in lieu of the provision, contrary to the National Planning Policy Framework, notably paragraphs 30 and 58, Policies R/T4 and R/DP3 of the Gosport Borough Local Plan Review and Policies LP2 and LP21 of the Gosport Borough Local Plan 2011-2029.

- Adequate provision has not been made for mitigation against the harmful impacts of recreational disturbance in the Portsmouth Harbour and Solent and Southampton Water SSSI/SPA/Ramsar sites, detrimental to the protected and other species for which these areas are designated and contrary to the National Planning Policy Framework, notably paragraphs 58 and 118 and Policies R/DP3 and R/OS13 of the Gosport Borough Local Plan Review and Policies LP2 and LP42 of the Gosport Borough Local Plan 2011-2029.

4. The application was subsequently dismissed at appeal. The Inspector noted that whilst it was unlikely that rare species of flora would be found in this part of the site, it was not clear whether a survey for flora had been undertaken and this was a significant failing. He also noted the existence of Great Crested Newts (GCN) and that there was evidence of them breeding and this makes the protection of the area's biodiversity and ecology a key priority. He was also concerned that there was little information on the impacts on the badger population, noting there are inactive badger holes on or very close to the site suggesting that it is likely to be used, even if not so used at the

time of the survey, by badgers. There was also little information on the location of reptiles, including common lizards and slow worms and how the proposals would impact on them. He noted that a firmer and more detailed set of mitigation and enhancement measures would be necessary including any permanent fencing separating the residential site from the adjacent habitats in this part of the SINC, and a more fully-detailed mitigation strategy to include the timing and methods for all GCN-related mitigation and enhancement works, including ongoing monitoring and management.

5. In noting that a residential use of this building was not necessarily incompatible with the site's location in the Priddy's Hard SINC including whether it would be likely to harm protected species, the Inspector advised that he could not conclude that this would be the case, from the appellants submitted representations. His view was that the proposed access would needlessly result in the loss of vegetation within the boundary of the SINC and would harm the habitat of the GCNs and indeed the reptiles and badgers, however, he considered by using the existing hard surfaced path/roadway to the adjacent car parking area this issue could be overcome.

6. In considering the impact of the proposal on the existing open space as designated within Policy LP35 of the Gosport Borough Local Plan 2011-2029 (Publication Version), his view was that the site is open apart from the building itself and the proposal would not make it any less open and the building would remain shielded from public view. More importantly, because it forms part of Area 3 of the Priddy's Hard SINC the public are restricted from using it. He could not, therefore, see how the proposal would have any significant impact on the use of the 'open space'.

7. In considering the proposed alterations to the building, the Inspector's view was that they would not respect the original character of the building or its historic use. He indicated that he did not understand why the majority of the full interior height of the building could not be used in a successful residential conversion and that this would obviate the need for the rather insensitive elevational changes to the existing fenestration, which has an attractive if functional, symmetrical appearance, retaining the original interior form of the building and thus reference to its original use.

8. This proposal is for an amended scheme to that previously dismissed, redesigning the building, providing a revised access and including additional supporting information, and revised ecology reports. The main differences between the current proposal and that previously dismissed at appeal are outlined below.

9. This proposal retains the whole building, where previously approximately one third was to be demolished. Internally the proposal would retain the existing cranes overhead and the full height of the building within the majority of it, where mezzanines were previously proposed. It was previously proposed that the south elevation of the property would be largely glazed, however, this proposal retains the original window/door positions, plus a pair of windows between, which would be 1.2m wide by 3.7m high. The north elevation would include a new garage door to replace one of the existing openings, to provide access to an integral garage as previously proposed. The other door opening and four window positions would not be altered, whereas the previous scheme included a new large window above the garage door. The previous proposal included a number of alterations to the fenestration on the east and west elevations, however, the current application proposes to retain the five existing window positions and inset two new windows on each elevation 2.2m wide by 3m high. The proposed plans indicate the insertion of rooflights, 2 banks of solar panels and the provision of a living roof. Areas of decking are proposed on the east, west and south elevations of the building all of which are linked together, in a revised form to that previously proposed. The applicant has also added the provision of a sewage treatment plant situated to the front of the building in this proposal.

10. A revised access to the development is proposed, utilising the existing access from Britannia Way that serves the small parking area and which provides access to the open space and cycle/footpaths. It is proposed to reposition the existing 5 bar gate, approximately 21m to the southeast and closer to the existing open space. Gates would be provided within the existing fence to give access to the building and a new driveway would be laid linking to an existing hard surface

on the site that leads up to the building. Turning areas would be provided to the front of the building which includes the widening of the existing hard surfaces.

11. Amended plans have been received to address issues in respect of land ownership, with a revised red line being submitted. As a result the application was re-registered on 26 June 2015 and re-advertised. The contributors were advised that any previous comments submitted before the application's re-registration would still be taken into account. The revised plans have also deleted a bore hole proposed to provide water to the house. The applicant has also provided further clarification on minor omissions/errors within the application form and on a number of matters raised within the consultations and letters of representation including the materials for the doors, ecological constraints, contamination, waste collection, the SWS sign on site, archaeology and the SINC status.

Relevant Planning History

K14026 - outline - erection of up to 700 residential units - permitted 24.02.98

K15490 - details pursuant To K14026 - construction of cycleways/footpaths, and laying out and landscaping of open space and nature conservation areas - permitted 07.11.01

14/00320/FULL - Change of use of former cordite magazine to 1 no. three bedroom dwelling together with part demolition of existing building, alteration to existing and insertion of new windows with associated hard landscaping, access, car and cycle parking - Appeal dismissed 30.01.15

Relevant Policies

National Planning Policy Framework (NPPF), March 2012

The adopted development plan is the Gosport Borough Local Plan Review, 2006. The emerging Gosport Borough Local Plan, 2011 – 2029 has been the subject of two public consultations and is currently being examined in Public. It is due for adoption in summer 2015. The policies within this document therefore also need to be given weight in decision making, where appropriate.

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/T4

Off-site Transport Infrastructure

R/T11

Access and Parking

R/H4

Housing Densities

R/BH8

Archaeology and Ancient Monuments

R/OS8

Recreational Space for New Residential Developments

R/OS12

Locally Designated Areas of Nature Conservation Importance

R/OS13

Protection of Habitats Supporting Protected Species

R/ENV5

Contaminated Land

R/ENV11

Minimising Light Pollution

R/ENV14

Energy Conservation

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

LP1
 Sustainable Development
 LP2
 Infrastructure
 LP10
 Design
 LP13
 Locally Important Heritage Assets
 LP15
 Safeguarded Areas
 LP23
 Layout of Sites and Parking
 LP24
 Housing
 LP35
 Protection of Existing Open Space
 LP42
 International and Nationally Important Habitats
 LP43
 Locally Designated Nature Conservation Sites
 LP44
 Protecting Species and Other Features of Nature Conservation Importance
 LP47
 Contamination and Unstable Land

Supplementary Planning Documents:

Gosport Borough Council Design Guidance: Supplementary Planning Document: February 2014

Gosport Borough Council Parking: Supplementary Planning Document February 2014

Solent Special Protection Areas Gosport Bird Disturbance Mitigation Protocol 2014

Consultations

Environmental Health	No objection subject to conditions in respect of an intrusive site investigation and an assessment of the risks posed to human health, the building fabric and the wider environment including water resources and any remedial measures.
Local Highway Authority	No objection. The proposal meets Highway Safety Standards.
Environment Agency (Hants & IOW)	No comments.
Defence Infrastructure Organisation	No response received.
Natural England	The site is located within 5.6km of the Portsmouth Harbour SPA/Ramsar. The impact on the SPA/Ramsar and in particular recreational disturbance, therefore, needs to be considered through a Habitats Regulation Assessment (HRA). No objection provided it

is mitigated in line with the SDMP.

Published Standing Advice needs to be used in considering impacts on protected species.

Hampshire & Isle Of Wight Wildlife Trust

Object to the proposal as it is wholly within a SINC. On a point of principle the Trust is opposed to development proposals on sites that have been designated for their nature conservation value. Given the nature of the development, a single 'exclusive' residential dwelling, there would also appear to be no 'overriding public need' for this development.

HCC Landscape, Planning & Heritage

The site is of considerable historical interest and although the building is not designated, it should be viewed within the wider historical context of the Priddy's Hard complex as a whole. A report/assessment should have been submitted with the application, with evidence the design had been informed by the assessment. However, would defer to the Conservation Officer to consider the appropriateness of the design and sufficiency of the submission.

Conditions relating to a Written Scheme of Investigation for both archaeological work and building recording and the preparation of a report following completion of archaeological fieldwork, should be imposed if you are minded to granted permission.

HCC Ecology

The site is within Priddy's Hard Site of Importance for Nature Conservation (SINC) As with the previous application, the fundamental issue is whether development within a SINC is deemed appropriate. It is for the applicant to demonstrate that the features for which the SINC has been designated (namely several notable plant species) will not be impacted by the proposals. It is for GBC to determine whether allowing development within a SINC is an acceptable way forward.

It would be necessary to ensure that any development permitted here is strictly retained and would not result in a gradual 'creep' of developed/managed land into the surrounding SINC.

On the issue of flora, it is my understanding (from discussions with the original HBIC botanist) that none of the notable plant species are likely to occur within the area of proposed works (they are species of open grassland/glades or saltmarsh habitats). The

survey dated 27 May 2105 confirms that those species have not been found and, therefore, the mitigation/enhancement measures are valid.

The moat is being retained and will not be impacted directly by the proposed works. The most likely impact to GCN will be through the disturbance of ground-level vegetation. The need for a European Protected Species Mitigation (EPSM) licence is clear and therefore a suitable mitigation strategy is required in order to avoid/mitigate any impacts to GCN and their habitat. A GCN mitigation strategy has been provided. An EPS licence can only be granted if the development proposal is able to meet three tests which need to be considered by the Local Planning Authority.

It is my opinion that the submitted information detailing the proposed mitigation, compensation and enhancement measures, should ensure that any impacts would not be detrimental to the ongoing favourable conservation status of the species at this site which should be secured via planning condition.

A reptile mitigation strategy is proposed which would entail the use of fencing to allow the removal of animals from the construction zone and into adjacent habitat. The extent of suitable reptile habitat to be impacted is limited and one would not expect a very large number of animals to be displaced. In such scenarios it is reasonable to expect a degree of enhancement to allow for additional carrying capacity and the use of log and rubble piles is sensible. I consider that the submitted reptile mitigation is acceptable.

As previously, I am content to agree that the building is not currently used by bats. I did request detail on impacts to foraging/commuting bats. The trees to be removed are secondary growth and not suitable for the formation of bat roosting habitat, however, their removal will inevitably result in ground disturbance and so impacts on the GCN and would need to be carried out under an EPSM licence.

The ecology report again states that no direct evidence of badger sett presence was recorded within the application site and, in lieu of any firm evidence to the contrary, it would appear that there is no likelihood of

impacts to setts. It would seem clear that there is a high likelihood of badgers being present in the immediate area. Badger mitigation will need to be informed by an updated site visit prior to commencement and, should badger activity have changed and impacts are more likely, the applicant will have to potentially obtain a disturbance licence from Natural England.

In summary, the issue of development within a SINC aside, if you are minded to grant permission, can I suggest that the mitigation, compensation and enhancement measures included within the submitted ecology report and post-development progress/monitoring report are secured by condition.

Hampshire Fire And Rescue Service

Access and facilities for Fire Service Appliances and Firefighters should be in accordance with Approved Document B5 of the current Building Regulations and the Hampshire Act 1983 Sect.12.

Premises occupiers have a duty to prevent and mitigate damage to the water environment from 'fire water run off' and other spillages.

Building Control

Building regulations application will be necessary. The access for a Fire Appliance will need to conform to B5. A fire hydrant needs to be located within 90metres. Access for refuse vehicles needs consideration. Foul drainage and surface water drainage will require careful consideration.

Streetscene Waste & Cleansing

Bin requirements will be 2 x 240 ltr wheeled bins for which there is adequate storage space. The maximum carry distance for waste is exceeded to nearest collection point.

Streetscene Parks & Horticulture

I concur with the findings in the Tree Survey report and tree protection schedule which is in accordance with BS5837. The felling of T70 is an appropriate course of action given the risk of collision due to its position.

Response to Public Advertisement

40 letters of objection (to original plans)

Issues raised:-

- The land should not have been allowed to be sold to a developer
- The site is protected as a 'Site of Importance for Nature Conservation' (SINC) and was designed as a nature reserve following redevelopment of the former MOD land and is fully enclosed to keep people out and to allow the habitat and wildlife to thrive

- proposal is not conducive to the Council's original aim to protect badgers and newts and noted in the original development brief and the management plan indicates that the whole area will be protected from development
- the proposed road goes across existing badger runs and construction work and use of the site will have a significant impact on wildlife, including badgers, foxes, woodpeckers, jays, newts, amphibians, slow worms, bats and squirrels along with trees and existing wildlife, including predation effects and those from the use of pesticides
- the ecology report is flawed
- applicants suggested impacts from various uses of the building is wrong
- no overriding need for a house in this location
- Site is likely to remain contaminated and could have explosives remaining as it was not decontaminated with the remainder of the site and could result in additional pollution from previous use
- if there was a fire the water environment may become polluted with fire water run off
- will set a precedent for more housing on the site
- proposed access would conflict with pedestrians and cyclists
- would a suitable locked gate replace that being lost as the current position is at a pinch point
- the building forms part of a site of historical significance. Although not Listed, the building could be important locally and the development would, therefore, be contrary to Policy LP3 and LP11-13
- English Heritage considered the proposals for eco-homes would be a waste of the unique qualities, with a report from 2011
- the applicant claims to be interested in the conservation of the site but has sought the removal of its SINC status
- the applicant has failed to manage the site which has previously been managed by former owner
- incorrect ownership certificates provided
- missing information within application form
- impact of the borehole would be significant
- proposals are lacking in detail as to how the works will be carried out, including lighting, construction and the provision of plant room etc for solar panels and under floor heating
- loss of tree number 70
- insufficient access for delivery and emergency vehicles
- refuse bins would block access
- the proposed alterations to the building are inappropriate, including the use of aluminium windows that would clash with the existing timber windows and rooflights will weaken the roof which may be made of asbestos
- There is a sign for a Static Water Supply (SWS) on site and any impact on this should not be allowed
- impact from sewage treatment plant
- some clearance works have already commenced

11 letters of objection (to amended plans following re-registration)

Additional issues raised:-

- existing hard surface was not a driveway and may need to be reinforced which will impact on wildlife
- proposal would breach covenants on the site
- further enhancements of the building could be undertaken without the need for planning permission.

Principal Issues

1. General clearance works do not normally require planning permission and any activities undertaken that could harm any protected species, in contravention of any wildlife legislation, would be a matter for investigation by the Police. The current management of the land is a matter for the owner and falls outside the scope of this application. The site was not previously owned by the Council and its sale between individuals and companies falls outside of planning controls. Covenants cannot be considered through the planning process as they are private legal matters. The Local Planning Authority is satisfied that the correct ownership certificates have now been served. Issues relating to access by the Fire Service and the suitability and structural implications

of the alterations to the existing roof would be dealt with under the Building Regulations. Each application is required to be determined on its own merits and any approval given on this land would not necessarily impact on the acceptability of proposals on other sites. Following updates to the National Planning Policy Guidance, contributions toward outdoor playing space facilities within the Borough and transport infrastructure, services and facilities are no longer required for developments of this scale. The main issues for consideration in this case are, therefore, whether the proposals are acceptable in principle, whether it is appropriate within the Site of Importance for Nature Conservation (SINC), or would have an adverse impact on protected species, whether it would have a harmful impact on the amenities of the adjoining or prospective occupiers, have a detrimental impact on highway or pedestrian safety, whether it would result in an unacceptable risk from contamination, have a detrimental impact on historic assets, whether the alterations to the building are of an appropriate design, whether it would have a detrimental impact on the existing trees and whether it would address issues of recreational disturbance.

2. As noted above, the site is designated as a SINC which although not statutorily protected, is an important consideration in the determination of this application. Policy R/OS12 of the Gosport Borough Local Plan Review 2006 confirms that development likely to have an adverse effect on a SINC will not be permitted, unless it can be clearly demonstrated that there are reasons for the proposal which outweigh the need to safeguard the substantive nature conservation value of the site, which in this case relates to both fauna and flora. Policy LP43 of Gosport Borough Local Plan 2011-2029 (Publication Version), confirms that planning permission will not be granted on locally designated sites unless it can be clearly demonstrated that the benefits of the proposal outweigh the need to protect the nature conservation value of the site. The applicant has sought to justify the scheme as having an overriding public interest being an economic driver in the locality and as a long term investment into the management and maintenance and enhancement of the SINC. The Inspector noted within his decision on the previous application that he considered that there is a high nature conservation hurdle to overcome before a residential use can be realistically contemplated on this site. He also indicated that whilst a residential use of this building is not necessarily incompatible with the site's location in the Priddy's Hard SINC, he did not go so far as to say that a residential use was appropriate or that there was an overriding public interest in this instance. The applicant's argument that this would result in an economic driver holds little weight as the introduction of one house within an already developed wider area does not appear to offer much benefit. Similarly, having regard to the size of the application site, being only the northeast part of the larger enclosed SINC, the justification of the benefits to the wider SINC which falls largely outside the scope and control of this application proposal is limited. Whilst any ecological enhancements would be a positive step they are not considered to be sufficient to warrant a new house within this sensitive location. In this case it has not been clearly demonstrated that there is any benefit from this proposal that outweighs the need to protect the value of the site for nature conservation as a whole, nor is there any evidence that this would be the case. The provision of acceptable mitigation and enhancement measures relating to the protected species, to address the previously recommended reason for refusal 2, do not override the principle which requires the overriding need. The proposal has, therefore, failed to overcome the previously recommended reason for refusal 1, contrary to the aims and objectives of the National Planning Policy Framework, notably paragraphs 77, 109 and 118 and Policies R/OS12 of the Gosport Borough Local Plan Review 2006 and LP43 Gosport Borough Local Plan 2011-2029 (Publication Version) and is unacceptable in principle as it also continues to be required as mitigation for the original housing scheme as set out within the Section 299A Agreement.

3. Policy R/OS13 of the of the Gosport Borough Local Plan Review 2006 and Policy LP44 of Gosport Borough Local Plan 2011-2029 (Publication Version) confirm that where there is an adverse impact on a habitat supporting a protected species, development will not be permitted unless it can be clearly demonstrated that there is an overriding need for that development. Great Crested Newts and their breeding and resting places are protected under Regulation 41 of the Conservation of Habitats and Species Regulations 2010 and Section 9 of the Wildlife and Countryside Act 1981. The applicant's Ecology Report by PJC Ecology confirms that the development will involve the removal and clearance of suitable terrestrial Great Crested Newt habitat in the construction of the new driveway and the report also confirms that in view of the likely disturbance a Natural England Licence would be required and that suitable mitigation would be

needed. Whilst the applicant has provided additional surveys, details and clarification regarding the proposals impact and mitigation measures, as noted above there is still no evidence of any overriding need for the development. The applicant seeks to justify the residential use in terms of vested interest and the fact that the level of activity would be low in comparison to other uses, but no planning applications have been submitted for alternative infrequently accessed alternative uses on this site. This proposal differs from the previous application in the retention of the whole building, which is positive for the retention of this undesignated heritage asset, however, is still likely to result in an increased demand on the surrounding areas from occupants of a dwelling, in view of the very limited and usable amenity space for a dwelling of this size, particularly having regard to the imposing and enclosed nature of the building and surrounding embankments. Whilst measures to discourage persons leaving the private driveway onto the surrounding areas are noted, it would be difficult to enforce such constraints on the owners of the dwelling and the application land and the proposal is likely to introduce greater activity than originally intended within this important site. This adds further weight to the concerns over the impact of any residential use on the SINC. The applicant acknowledges within their Design and Access Statement that the wildlife on the site has thrived, with a small degree of human management input and there is no justification as to why this could not continue in the same manner. The site can continue to be managed as a suitable nature conservation habitat, without the redevelopment of the building. The applicant has acknowledged that there would be an impact on the protected species that needs to be mitigated, but have failed to demonstrate that there is an overriding need for the development and the proposals would, therefore, has failed to overcome the previously recommended reason for refusal 1, contrary to the aims and objectives of the National Planning Policy Framework, notably paragraphs 77, 109 and 118 and Policy R/OS13 of the of the Gosport Borough Local Plan Review 2006 and Policy LP44 of Gosport Borough Local Plan 2011-2029 (Publication Version).

4. This site and the wider SINC, along with the land to the east are designated within the Gosport Borough Local Plan 2011-2029 (Publication Version) as existing open space, to which Policy LP35 refers. This Policy states planning permission will not be granted on existing open space, as identified within the Local Plan, except where it is for recreation and/or community facilities, or alternative provision is made available of equivalent or greater community benefit. In dismissing the appeal the Inspector attributed little weight to the Policies within the emerging Local Plan, because the Examination of this new Plan had not yet taken place. An objection was received from the applicant, through Kenzington Ltd in respect of the emerging Local Plan and specifically relating to Policy LP34. The Council put forward a case as to why it was appropriate for the land to be included as open space, including that the Council considers that sites with nature conservation value are in themselves appropriate to be identified as open space. The Examination has now taken place and the Local Plan Inspector has issued his preliminary findings. Those preliminary findings include a number of 'Main Modifications', however, these do not include any amendments to the open space boundary and this, therefore, suggests that this boundary would remain. In considering the impact of the proposal on the existing open space as designated within Policy LP35 of the Gosport Borough Local Plan 2011-2029 (Publication Version) and dismissing the appeal, the Inspector's view was that as the site is open apart from the building itself. His view was that the proposal would not make it any less open and it would remain shielded from public view and could not see how the proposal would have any significant impact on the use of this 'open space' or lead to the loss of open space in the area. Whilst the Inspector's views are noted he did not, however, consider the requirements of Policy LP35. This proposal does not relate to recreation or community facilities, nor does it make alternative provision required by the policy. The proposals would alter the character of the existing open space, with the introduction of a residential use and its associated activities and as such the proposal would result in an incompatible use within the existing open space and has failed to overcome the previously recommended reason for refusal 3, being contrary to the aims and objectives of the National Planning Policy Framework, notably paragraphs 74, 76 and 77 and Policy LP35 of the Gosport Borough Local Plan 2011-2029 (Publication Version).

5. The building within the site is not a Listed Building, it is not on the list of locally important buildings, nor is it within a designated Conservation Area, however, it is considered to be an undesignated heritage asset in view of its historic connection within Priddy's Hard. The Inspector acknowledged this and indicated that he was of the view that any conversion of this building should take account of and respect the purpose for which it was originally constructed and he could not

understand why the majority of the full interior height of the building cannot be used in a successful residential conversion. The applicant has undertaken a number of changes to the design of the proposal to address the previous recommended reason for refusal. These include the retention of the whole building, the interior cranes and an indication that the spaces within the building would be largely full height. Whilst the proposal does include the introduction of additional openings and the replacement of one of the doors with a widened garage door, these are in a more balanced and symmetrical manner which reflects the existing fenestration layout. The new openings are of more modern appearance and would use alternative materials to differentiate them from the original. There would be sufficient space within the building to accommodate services for the solar panels and other equipment and it would also be possible to remove 'Permitted Development' rights for alterations and extensions, in the interests of protecting the ecology of the site and appearance of the building. Notwithstanding the concerns over the principle of a dwelling in this location, the proposed design is considered to address the previous concerns and would be a sympathetic conversion of this undesignated heritage asset. Matters including the materials, retention of internal features, open voids, lighting and landscaping could be controlled through the imposition of conditions, if the development was considered acceptable in other respects. The surface and foul drainage would primarily be dealt with by the Building Regulations, however, such works could be conditioned, if the works were acceptable in all other respects, to ensure that these works are appropriate in this sensitive location, whether this is a soakaway and package sewage treatment plant, or connection to the mains as an alternative. The proposals would, therefore, be in accordance to the aims and objectives of the National Planning Policy Framework, notably paragraph 64 and Policy R/DP1 of the Gosport Borough Local Plan Review 2006 and LP10 and LP13 of the Gosport Borough Local Plan 2011-2029 (Publication Version).

6. With regard to the issue of archaeology, it would be appropriate to secure further work, as suggested by the County Archaeologist in the form of a Written Scheme of Investigation for both archaeological work and building recording and the preparation of a report following completion of archaeological fieldwork, which could be secured by planning condition if the development was considered acceptable in other respects. The proposals would, subject to conditions, accord with Policy R/BH8 of the Gosport Borough Local Plan Review and Policy LP13 of the Gosport Borough Local Plan 2011-2029 (Publication Version) in this respect. The issue of the 'SWS' (Static Water Supply) sign on the site is noted, however, having regard to the extent of the proposed external works, there is no evidence that this would be impacted, but if affected it is likely to be addressed through any archaeological assessment.

7. A tree report has been submitted which sets out a number of measures to ensure the protection of the trees on the site during the construction phase and the removal of the trees identified within the report, including T70, is acknowledged by the Council's Arboricultural Officer and in this instance is considered appropriate. The recommended measures could be controlled through the imposition of conditions, if the development was considered acceptable in other respects and as such there would be no detrimental impact on the existing trees to be retained. The proposals would therefore be in accordance with Policy R/DP1 of the Gosport Borough Local Plan Review 2006 and Policy LP10 of the Gosport Borough Local Plan 2011-2029 (Publication Version) in this respect.

8. Notwithstanding the principle objections to the scheme, the provision of the new access road would result in more activity alongside Britannia Way, however, such activities would not result in a harmful impact on the occupiers of adjoining properties in terms of, noise and disturbance in view of the proximity of the existing highway. The proposed house is located behind the existing bunds and is not visible from outside of the site and would not have a detrimental impact on the amenities of the occupiers of adjoining properties in terms of loss of light, privacy, or outlook. Whilst the travel distances from the refuse storage area to collection from Britannia Way are significantly over those recommended, there is no prospect of an alternative if the conversion to a dwelling was considered acceptable in other respects. There is space for the single bin to be positioned on the south side of Britannia Way on collection days, without causing an obstruction to the footpath or access. The proposals would, therefore, be in accordance with Policy R/DP1 of the Gosport Borough Local Plan Review 2006 and Policy LP10 of the Gosport Borough Local Plan 2011-2029 (Publication Version) in this respect.

9. The requirement within the Council's Parking Supplementary Planning Document for a three bedroom house is 2 car parking spaces and 3 cycle spaces. The application proposal makes adequate provision for the required car parking and cycle storage, within the garage and hard surfaced area. The proposed access would follow the line suggested by the Inspector in the appeal decision and would use an existing driveway/parking area which is intended for use by vehicles. Although this driveway area would be extended with the repositioned gate, vehicle speeds would be low and provided the driveway is widened to 3.5m along its length and the height of any vegetation in this location is kept at no more than 0.6m there would be adequate intervisibility between vehicles, pedestrians and cyclists. The provision of these parking facilities, access, turning areas and measures to secure the replacement gate to prevent access into the wider open space and cycle/footpaths and other controls could be secured through the imposition of conditions, if the development was considered acceptable in other respects. Whilst it may be difficult for large vehicles to enter the site, this in itself could be managed during any construction works and by any occupant of the dwelling and is not considered to be sufficient reason to object to the proposal on highway safety grounds. Overall the proposal would not have a detriment impact on pedestrian or highway safety. The proposals would accord with Policy R/T11 of the Gosport Borough Local Plan Review 2006 and Policy LP23 of the Gosport Borough Local Plan 2011-2029 (Publication Version) in this respect.

10. The issue of contamination has not been fully addressed within the application submission and there is potential for contamination to be present on site. In accordance with the comments from the Head of Environmental Health, it would be possible to control measures to assess the possible contamination risks, site investigations and remediation, through the imposition of conditions if the development was considered acceptable in other respects. The proposals would accord with Policy R/ENV5 of the Gosport Borough Local Plan Review 2006 and Policy LP47 of the Gosport Borough Local Plan 2011-2029 (Publication Version) in this respect.

11. The proposal will introduce an additional dwelling which is likely to result in increased recreational activity on the coast and a consequential impact on the protected species for which the Portsmouth Harbour SPA, the Solent and Southampton Water SPA and the Chichester and Langstone Harbours SPA are designated. To address this impact, appropriate mitigation, in accordance with the Gosport Bird Disturbance Mitigation Protocol, is required. The applicant has put in place measures to secure mitigation towards recreational disturbance and the proposal would, therefore, comply with the aims and objectives of the NPPF and Policies R/OS13 and R/OS14 of the Gosport Borough Local Plan Review 2006 and Policies LP34, LP42 and LP44 of the Gosport Borough Local Plan 2011 - 2029 (Publication Version).

RECOMMENDATION: Refuse

For the following reason(s):-

1. The proposed residential development would result in an incompatible use, within this designated Site of Nature Conservation Importance (SINC), where there is no overriding public interest and would not provide any benefits to outweigh the need to protect the nature conservation value of the site, contrary to the National Planning Policy Framework, notably paragraphs 77, 109 and 118, and Policies R/OS12 and R/OS13 of the Gosport Borough Local Plan Review and Policies LP43 and LP44 of the Gosport Borough Local Plan 2011-2029.

2. The proposed residential development does not relate to the provision of recreation and/or community facilities and, as such, would result in an incompatible and unacceptable use within the Existing Open Space, contrary to the National Planning Policy Framework, notably paragraphs 74, 76 and 77 and Policy LP35 of the Gosport Borough Local Plan 2011-2029.

ITEM NUMBER: 03.
APPLICATION NUMBER: 15/00247/FULL
APPLICANT: Mr Kevin Jones Tidebank UK Limited
DATE REGISTERED: 22.05.2015

ERECTION OF 7 NO. TWO-STOREY BUILDINGS (B1/B2/B8 USE) WITH ASSOCIATED CAR PARKING AND LANDSCAPING
Daedalus Park Lee On The Solent Hampshire PO13 9FU

The Site and the proposal

1. The application site is located within an area allocated for mixed use development at Daedalus. The site is towards the eastern end of the allocated area with the married quarters residential development to the east and the, under construction, Barratts development to the south. To the north is the existing access road (which has consent under 15/00009/FULL to be upgraded as part of the east-west spine road) with the airfield beyond. The site has a flat topography and is predominately clear of vegetation and any structures. The site is outside, but abuts the boundary of, the wider Daedalus site that has a resolution to grant permission for a comprehensive mixed use development (11/00282/OUT). The application site is located within the Solent Enterprise Zone.
2. The proposal is for the erection of seven two-storey buildings, totalling 8,947m² for either B1 (business), B2 (general industry) or B8 (storage or distribution) use. The proposal seeks that any of the buildings could be used for any of the proposed uses and could change between the uses at any given time without the need for further planning consent. The seven buildings are indicatively divided into 34 separate units but could, for example, be used as only seven separate units.
3. The buildings are arranged with two sited 3m from the boundary of the respective residential properties to the south and east, two (and the end of another) 2.5m from the boundary to the north and a further three within the centre of the site. The buildings are of a broadly uniform design, all 8m high to ridge with a shallow pitch (7m to eaves except the buildings adjacent to the residential development which will have a 6m eaves height) and vary in length between 30-82m. 210 vehicular parking spaces, including 12 disabled, and 74 cycle spaces are proposed.
4. Landscaping is proposed on the northern boundary facing the airfield and to the south-east corner where there are views into the site from the adjacent residential development. There is existing close-boarded fence to the east, which will remain, whilst close boarded fencing is proposed along the southern boundary and a chain link fence to the west.
5. The application plans are accompanied by a design and access statement, heritage statement, ecological appraisal, contaminated land survey, noise assessment, renewable energy statement, flood risk and drainage assessment and shadowing survey.

Relevant Planning History

11/00282/OUT - 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)) (as amended by revised design and access statement, amended plans, second addendum to environmental statement, appropriate assessment screening report, transport assessment supplementary technical response, delivery and service plan, and framework travel plan - resolution to grant permission subject to conditions and the completion of the related section 106 agreement 29.03.12

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 rank married quarters - Refused 21.02.11

04/00770/DETS - Erection of 148 no. officers and other ranks married quarters (phase 1) - permitted 04.02.05

01/00655/OUT - Erection Of 300 Units to provide Officers and other ranks married quarters - permitted 26.10.04

Relevant Policies

National Planning Policy Framework (NPPF), March 2012

The adopted development plan is the Gosport Borough Local Plan Review, 2006. The emerging Gosport Borough Local Plan, 2011 – 2029 has been the subject of two public consultations and is currently being examined in Public. It is due for adoption in summer 2015. The policies within this document therefore also need to be given weight in decision making, where appropriate.

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/T10

Traffic Management

R/T11

Access and Parking

R/EMP2

Land Allocated for Employment Use as Part of Mixed-Use Development

R/OS11

Protection of Areas of National Nature Conservation Importance

R/OS13

Protection of Habitats Supporting Protected Species

R/ENV5

Contaminated Land

R/ENV10

Noise Pollution

R/ENV11

Minimising Light Pollution

R/ENV14

Energy Conservation

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

LP1

Sustainable Development

LP2

Infrastructure

LP3

Spatial Strategy

LP5
 Daedalus
 LP10
 Design
 LP16
 Employment Land
 LP17
 Skills
 LP22
 Accessibility to New Development
 LP23
 Layout of Sites and Parking
 LP42
 International and Nationally Important Habitats
 LP43
 Locally Designated Nature Conservation Sites
 LP44
 Protecting Species and Other Features of Nature Conservation Importance
 LP45
 Flood Risk and Coastal Erosion
 LP46
 Pollution Control
 LP47
 Contamination and Unstable Land

Supplementary Planning Documents:

Gosport Borough Council Design Guidance: Supplementary Planning Document: February 2014

Gosport Borough Council Parking: Supplementary Planning Document February 2014

Consultations

BAA Safeguarding	No response received.
Civil Aviation Authority	No response received.
Environment Agency (Hants & IOW)	No comment.
Natural England	No objection.
Southern Water	There is currently inadequate capacity in the local drainage network. Request a condition to ensure that the drainage network is improved as part of the proposal.
Scottish And Southern Energy	No response received.
HCC Landscape, Planning & Heritage	No objection subject to condition.
HCC Ecology	No objection subject to condition.
Fareham LPA	No response received.
Local Highway Authority	Object as it has not been demonstrated that the significant vehicle movements that will be generated can be accommodated adequately on the existing highway network.

Streetscene Waste & Cleansing	Commercial waste agreements will need to serve the site.
Environmental Health	No objection subject to conditions regarding contaminated land, restrictions on the hours of operation for B2 and B8 uses and the use of external extraction equipment.
Economic Prosperity	Support the proposal which could generate between 100-300 jobs depending on the end user.
Building Control	No response received.
HCC Local Lead Flood Authority	Request further information regarding surface water storage and connection to the public sewer.

Response to Public Advertisement

1 letter of support.

Issues raised:-

- Mature trees are required behind the 'Centaur' building to protect the amenity of residents on Bayntum Drive

1 letter of objection.

Issues raised:-

- The construction management plan is inadequate due to lack of control over sub-contractors.

Principal Issues

1. The main issues for consideration are the principle of development, the design and appearance of the proposed buildings, accessibility to the site, parking provision and the impact upon the amenity of the occupiers of neighbouring residential properties.

2. The application site is located within the urban area and is allocated for mixed use development by Saved Policy R/DP4 of the Gosport Borough Local Plan Review 2006 and Policy LP5 of the emerging Gosport Borough Local Plan 2011-2029 (Publication Version 2014). Both policies include the provision for employment generating uses to be located on the site with Policy LP5 seeking 75,000m² of Class B1 (business), B2 (general industry) and B8 (storage or distribution) uses on the wider Daedalus site. The application seeks a flexible permission so that any of the buildings could be first utilised for either a Class B1, B2 or B8 use and any subsequent occupier could move between the three use classes without the need for further consent. This is considered acceptable and will allow the proposed buildings to be able to adapt to market trends. Accordingly, the proposal for 8,947m² of Class B1, B2 and B8 floorspace is considered acceptable, in principle, and in accordance with Saved Policy R/DP4 and Policy LP5.

3. The proposed buildings are considered of an appropriate height and scale to respect the setting of the neighbouring residential properties and airfield. The height will ensure that the development does not present itself as unduly high density whilst the simple but functional design will ensure that it is attractive for potential tenants. Planning conditions are proposed to secure appropriate materials, external lighting and a consistent signage strategy in addition to controls restricting the outside storage of materials.

4. The Gosport Design SPD 2014 includes guidance to ensure that adequate separation distances are adhered to to adequately respect privacy, outlook and ensure that sunlight and daylight is not

unduly obstructed. Guidance of separation distances of 12.5m between buildings with windows and adjacent two-storey buildings with blank elevations is considered to provide a reasonable outlook.

5. The proposed buildings will be 12.5m from the rear elevation of the neighbouring residential properties to the east (the married quarters) and 13m from the rear elevation of the neighbouring residential properties to the south (the Barratts estate under construction). The buildings closest to the residential properties have a lower reaves height of 6m whilst no windows are proposed facing the respective residential properties (a planning condition is recommended to remove the permitted development rights to insert any windows facing the residential development in future without express planning permission). Furthermore, a shadowing report has been submitted demonstrating that whilst there will be overshadowing of the neighbouring residential properties to the east this is considered acceptable, with regard to the amount of probable sunlight hours, when considered against the Building Research Establishment (BRE) target criteria.

6. The proposed uses have the potential to impact upon the amenity of the occupiers of neighbouring residential properties with regard to noise. This would be more likely for Class B1(b), B1(c), B2 and B8 uses than B1(a) uses. However, given that the land is allocated for mixed use development it is reasonable to expect that some noise will be generated. Therefore, subject to conditions to control the hours of use of noisy machinery within the proposed Class B1(b), B1(c), B2 and B8 uses, restrictions on the times of deliveries and further details of the boundary treatment for the south-east corner of the site, it is considered that there would not be a harmful impact.

7. To ensure that there is not an unacceptable level of glare reflected from the rear of the southern building upon the occupiers of the residential properties to the south a condition is recommended to ensure that non-reflective materials are used.

8. Therefore, it is considered that the proposal would have an acceptable impact with regard to the impact upon the amenity of the occupiers of neighbouring residential properties in accordance with Saved Policy R/RP1 of the Gosport Borough Local Plan Review 2006 and Policy LP10 of the emerging Gosport Borough Local Plan 2011-2029 (Publication Version 2014).

9. The site will be accessed via the existing private access road (which has consent to be upgraded by the publically accessible east-west spine road under 15/00009/FULL) which, in turn, leads to the junction with Broom Way that has recently benefitted from an upgrade. The upgrade was to support future traffic generation from the Solent Enterprise Zone in which the application site is located (which has a similar site boundary to Policy LP5 of the emerging Gosport Borough Local Plan 2011-2029 (Publication Version 2014) which seeks approximately 75,000m² within the area). Therefore, as the quantum of development either existing or currently consented in the Enterprise Zone is significantly below the level for which the junction was designed, it is considered that there is adequate capacity on the local highway network to accommodate the proposed development. Furthermore, the applicant has agreed to enter into a Section 106 agreement to pay a contribution towards the provision of transport infrastructure to be spent on improving cycle routes in the vicinity to improve connectivity and provide improved options for travel.

10. The quantum of vehicular and cycling parking provision proposed is considered acceptable in accordance with the Gosport Parking SPD 2014 given the likely mix of uses. Whilst this does not cater for a worst-case parking scenario (i.e. all the buildings could be utilised as a B1 use) it is based on a reasonable assumption of the likely mix of uses. Furthermore, the finite capacity for parking on the site can be reasonably expected to suppress any market forces that sought too high an intensity of parking use.

11. Whilst the positioning of the buildings is considered acceptable in principle, with regard to the capacity to provide adequate circulation space for large vehicles, loading and unloading of vehicles and the creation of a safe pedestrian environment, the proposed parking and internal road layout within the site does not take the opportunities available to provide an acceptable layout, appropriate for an application for full planning permission, in this regard. Therefore, to make the development acceptable, a planning condition is proposed to secure an appropriate internal road and parking layout.

12. Conditions are recommended to be imposed to ensure that the recommendations of the ecological survey are implemented, that further invasive contamination land surveys are undertaken (and the subsequent mitigation measures implemented) and a written programme of archaeological investigation and recording secured.

13. There is currently insufficient capacity within the local drainage network for foul sewerage and surface water run off run-off. Therefore, a condition is proposed to ensure that there is capacity for the development to be adequately served prior to the commencement of development.

14. The proposal will have a temporary impact upon the amenity of occupiers of the neighbouring residential development during construction works. Therefore, conditions are recommended to secure a construction management plan and restrict the hours of construction activity.

RECOMMENDATION: Grant Permission

Subject to Section 106 agreement relating to

1. The payment of a commuted sum towards the provision of transport infrastructure to be spent on improving cycle routes in the vicinity to improve connectivity and provide improved options for travel.

Subject to the following condition(s):-

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

15002 01 A Site location plan
15002 02 A Block plan
15002 10 B Existing site plan
15002 11 B Proposed site plan
15002 12 B Boundary treatment drawing
15002 13 B Access road materials
15002 20 A Albion floorplans
15002 21 A Bulwark and Centaur floorplans
15002 22 A Diligence and Eagle floorplans
15002 23 A Fearless and Glorious floorplans
15002 25 A Albion roof plan
15002 26 A Bulwark and Centaur roof plans
15002 27 A Diligence and Eagle roofplans
15002 28 A Fearless and Glorious roofplans
15002 30 A Albion sections and elevations
15002 31 A Bulwark sections and elevations
15002 32 B Centaur sections and elevations
15002 33 A Diligence sections and elevations
15002 34 A Eagle sections and elevations
15002 35 A Fearless sections and elevations
15002 36 B Glorious sections and elevations
15002 37 C Site elevations and section
ID615.01B Soft landscaping

Reason - To ensure that the development is completed satisfactorily in all respects and to comply with Saved Policy R/DP1 of the Gosport Borough Local Plan Review 2006, Policy LP1 of the emerging Gosport Borough Local Plan 2011-2029 (Publication Version 2014) and the NPPF.

3. The development, hereby permitted, must not be used for any use except those within Classes B1, B2 and B8 of the Town and Country Planning (Use Classes)(Amendment)(England) Order 2015.

Reason - To ensure that the development, hereby permitted, is only used for appropriate uses in accordance with Saved Policy R/DP4 of the Gosport Borough Local Plan Review 2006 and Policy LP5 of the emerging Gosport Borough Local Plan 2011-2029 (Publication Version 2014).

4. No noise produced by machinery located within the development, hereby permitted, shall exceed 5dB Leq90 above the ambient noise level (when measured at boundary of the site) except for between the hours of 08:00 and 18:00 Monday to Friday and 09:00 to 13:00 Saturdays.

Reason - To protect the amenity of neighbouring residential properties in accordance with Saved Policy R/DP1 of the Gosport Borough Local Plan Review 2006, Policy LP10 of the emerging Gosport Borough Local Plan 2011-2029 (Publication version July 2014) and the NPPF.

5. No development shall commence above slab level until details (including hours of operation and noise emission levels) of all external plant equipment (including ventilation and extraction equipment) has been submitted to and approved, in writing, by the Local Planning Authority. External plant equipment must be installed and maintained in accordance with the approved details.

Reason - To protect the amenity of neighbouring residential properties in accordance with Saved Policy R/DP1 of the Gosport Borough Local Plan Review 2006, Policy LP10 of the emerging Gosport Borough Local Plan 2011-2029 (Publication version July 2014) and the NPPF.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no additional windows, doors or openings, other than those hereby permitted, shall be inserted into the east elevation of the building known as Centaur, east elevation of the building known as Fearless or south elevation of the building known as Glorious (as shown on approved plan no. 15002 11 B).

Reason - To protect the amenity of neighbouring residential properties in accordance with Saved Policy R/DP1 of the Gosport Borough Local Plan Review 2006, Policy LP10 of the emerging Gosport Borough Local Plan 2011-2029 (Publication version July 2014) and the NPPF.

7. No development shall commence until a parking and access strategy has been submitted to and approved, in writing, by the Local Planning Authority. The parking and access strategy shall include details of the following:

- How provision is made for 16m long vehicles to access the site without compromising highway or pedestrian safety or the usability of the units (to be shown on a plan);
- Access provisions for the purpose of loading and unloading at each respective building;
- Parking provision for each respective building and whether the spaces will be allocated or unallocated (to be shown on a plan);
- Details of noise attenuation measures for the parking areas adjacent to residential properties;
- Details of pedestrian footways (to be shown on a plan); and
- Details of how bin and cycle storage will be accommodated (to be shown on a plan).

The development shall be begun and maintained in accordance with the approved parking and access strategy.

Reason - To ensure provision is made for all appropriate vehicles to park, manoeuvre, load and unload in a safe and convenient manner, to ensure there are safe and convenient pedestrian routes

and to ensure adequate vehicular and cycle parking is provided in accordance with Saved Policies R/T3 and R/T11 of the Gosport Borough Local Plan Review 2006, Policy LP23 of the emerging Gosport Borough Local Plan 2011-2029 (Publication version July 2014), the Gosport Borough Parking SPD 2014 and the NPPF.

8. No development above slab level shall commence until details of external signage (to include its positioning and a design code for signage across the site) has been submitted to and approved, in writing, by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details.

Reason - To safeguard the character of the area in accordance with Saved Policy R/DP1 of the Gosport Borough Local Plan Review 2006, Policy LP10 of the emerging Gosport Borough Local Plan 2011-2029 (Publication version July 2014) and the NPPF.

9. No development above slab level shall commence until details of external materials (to include the buildings and bin and cycle storage structures) have been submitted to and approved, in writing, by the Local Planning Authority. The external material used for the south elevation of the building known as Glorious must be non-reflective. The development shall thereafter be undertaken in accordance with the approved details.

Reason - To safeguard the character of the area and protect the amenity of neighbouring residential properties in accordance with Saved Policy R/DP1 of the Gosport Borough Local Plan Review 2006, Policy LP10 of the emerging Gosport Borough Local Plan 2011-2029 (Publication version July 2014) and the NPPF.

10. No development shall commence until details of the external boundary treatments to the site (including material, height, noise attenuation and provision for maintenance) and a timetable for their construction have been submitted to and approved, in writing, by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details.

Reason - To safeguard the character of the area and protect the amenity of neighbouring residential properties in accordance with Saved Policy R/DP1 of the Gosport Borough Local Plan Review 2006, Policy LP10 of the emerging Gosport Borough Local Plan 2011-2029 (Publication version July 2014) and the NPPF.

11. The soft landscaping scheme, hereby approved as shown on plan no. ID615.01B, shall be completed within the next planting season following first occupation of the development and any trees or plants which die, are removed or become seriously damaged or diseased during the first five years shall be replaced with others of identical species (or as may otherwise be agreed, in writing, by the Local Planning Authority) during the next planting season.

Reason - To safeguard the character of the area in accordance with Saved Policy R/DP1 of the Gosport Borough Local Plan Review 2006, Policy LP10 of the emerging Gosport Borough Local Plan 2011-2029 (Publication version July 2014) and the NPPF.

12. No permanent external lighting shall be erected until details have been submitted to and approved, in writing, by the Local Planning Authority. The lighting shall be carried out as approved and retained as such.

Reason - To safeguard the character of the area and protect the amenity of neighbouring residential properties in accordance with Saved Policy R/DP1 of the Gosport Borough Local Plan Review 2006, Policy LP44 of the emerging Gosport Borough Local Plan 2011-2029 (Publication version July 2014) and the NPPF.

13. No development shall commence until a scheme to demonstrate an acceptable mechanism for the disposal of foul and surface water has been submitted to and approved, in writing, by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason - To ensure that the development, hereby permitted, has adequate foul and surface water infrastructure in accordance with Saved Policy R/DP3 of the Gosport Borough Local Plan Review 2006, Policy LP2 of the emerging Gosport Borough Local Plan 2011-2029 (Publication version July 2014) and the NPPF.

14. The development, hereby permitted, must be undertaken in accordance with the recommendations of the submitted ecological appraisal (Lindsay Carrington Ecological Services dated May 2015).

Reason - To safeguard protected and other species of recognised ecological value in accordance with Saved Policy R/OS13 of the Gosport Borough Local Plan Review 2006, Policy LP44 of the emerging Gosport Borough Local Plan 2011-2029 (Publication version July 2014) and the NPPF.

15. No development shall commence until a report on an intrusive site investigation and assessment of the risks posed to human health (including mitigation measures if appropriate) has been submitted to and approved, in writing, by the Local Planning Authority. Any mitigation measures will be undertaken as approved.

Reason - To ensure that risks from land contamination, ground gases and contaminated groundwater to the future uses of the land, neighbouring land, surface water, groundwater and wider environment are mitigated so that the development can be carried out safely without any unacceptable risks to workers, neighbours or off site receptors in accordance with Saved Policy R/ENV5 of the Gosport Borough Local Plan Review 2006, Policy LP47 of the emerging Gosport Borough Local Plan 2011-2029 (Publication version July 2014) and the NPPF.

16. 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 the unexpected 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, ground gases and contaminated groundwater to the future uses of the land, neighbouring land, surface water, groundwater and wider environment are mitigated so that the development can be carried out safely without any unacceptable risks to workers, neighbours or off site receptors in accordance with Saved Policy R/ENV5 of the Gosport Borough Local Plan Review 2006, Policy LP47 of the emerging Gosport Borough Local Plan 2011-2029 (Publication version July 2014) and the NPPF.

17. No development shall commence until a written programme of archaeological investigation and recording has been submitted to and approved, in writing, by the Local Planning Authority. The development shall be undertaken in accordance with the approved details and the findings of the archaeological investigation/recording submitted to the Local Planning Authority within 6 months of the completion of the development.

Reason - To ensure that any archaeological evidence is investigated and recorded in accordance with Saved Policy R/BH8 of the Gosport Borough Local Plan Review 2006, Policy LP11 of the emerging Gosport Borough Local Plan 2011-2029 (Publication version July 2014) and the NPPF.

18. No development shall commence until a Construction Management Plan has been submitted to and approved, in writing, by the Local Planning Authority. The Construction Management Plan must include:

- The location of the site construction compound (identified on a plan);
- The provisions made for the parking of contractors, site operatives and visitors (identified on a plan);
- Provision for access to the site for construction vehicles;
- The provision for wheel washing facilities (identified on a plan);
- Measures to control the emission of dust, dirt and smoke for the site during construction;

- Details of temporary external lighting.

The development shall be carried out in accordance with the agreed Construction Management Plan.

Reason - In the interests of the amenities of occupiers of the neighbouring residential properties in accordance with Saved Policies R/DP1, R/ENV10 and R/T2 of the Gosport Borough Local Plan Review 2006, Policy LP46 of the emerging Gosport Borough Local Plan 2011-2029 (Publication version July 2014) and the NPPF.

19. No materials (including pallets) shall be stored outside.

Reason - To safeguard the character of the surrounding area in accordance with Saved Policy R/DP1 of the Gosport Borough Local Plan Review 2006 and Policy LP10 of the emerging Gosport Borough Local Plan 2011-2029 (Publication Version July 2014).

20. There shall be no deliveries to the development, hereby permitted, except for between the hours of 08:00 and 18:00 Monday to Friday, 09:00 and 13:00 Saturdays and at any time on Sundays, Bank Holidays or Public Holidays unless otherwise approved, in writing, by the Local Planning Authority.

Reason - To safeguard the amenities of occupiers of the neighbouring residential properties in accordance with Saved Policies R/DP1, R/ENV10 and R/T2 of the Gosport Borough Local Plan Review 2006, Policy LP46 of the emerging Gosport Borough Local Plan 2011-2029 (Publication version July 2014) and the NPPF.

21. The construction of the development, hereby approved, shall not be undertaken except for between the hours of 08:00 and 18:00 Monday to Friday, 09:00 and 13:00 on Saturday's and at no time on Sundays, Bank Holidays or Public Holidays unless otherwise approved, in writing, by the Local Planning Authority.

Reason - In the interests of the amenities of occupiers of the neighbouring residential properties in accordance with Saved Policies R/DP1, R/ENV10 and R/T2 of the Gosport Borough Local Plan Review 2006, Policy LP46 of the emerging Gosport Borough Local Plan 2011-2029 (Publication version July 2014) and the NPPF.

ITEM NUMBER: 04.

APPLICATION NUMBER: 14/00495/FULL

APPLICANT: Mr Carlo Navato Haxted Estates Ltd. and Lighthouse Land and Developments Ltd

DATE REGISTERED: 14.10.2014

REMOVAL OF EXISTING CONCRETE SLABS, REPAIR WORKS TO EXISTING TRAVERSE WALLS, ALTERATIONS TO SEA WALL AND ERECTION OF 2 NO. TWO BEDROOM DWELLINGS AND 7 NO. THREE BEDROOM DWELLINGS WITH ASSOCIATED LANDSCAPING AND CAR PARKING (as amended by plans received 24.11.14 and 25.11.14 and ecological surveys received 20.03.15, 25.03.15 and 10.06.15) (CONSERVATION AREA)

Shell Filling Rooms Priddy's Hard Gosport Hants

The Site and the proposal

1. The application site is located in the south west corner of the Priddy's Hard which is allocated for Mixed Use development by the Gosport Borough Local Plan Review 2006. The southern half of the site is located within the Urban Area Boundary, as defined by the existing and emerging Local Plans whilst the northern section of the site is located outside. The site is located within the Coastal Zone Policy Area and, due to former uses, is identified as being potentially contaminated. The northern and southern parts of the site are located within Flood Zone 3. The site is located within the Priddy's Hard Conservation Area.
2. Immediately to the south of the site is Forton Lake, a Special Protection Area (SPA)/Ramsar site and Site of Special Scientific Interest (SSSI). The northern section of the application site, which includes a moat associated with the adjacent ramparts, is designated as a Site of Importance for Nature Conservation (SINC).
3. Originally, Priddy's Hard comprised a vast area of farmland. The character of the area was altered, however, following the construction of the Ramparts, around 1760. The Ramparts are now designated as a Scheduled Ancient Monument (SAM). They are, principally, located to the east and north-east of the application site. The Ramparts, by the nature of their function, require a clear 'field of fire' (Cordon Sanitaire), thereby retaining an area of open land on their outer face. This area of land is located to the north of the application site. Priddy's Hard was subsequently developed as an Ordnance Depot to resolve the dangers associated with storing gunpowder in the centre of Portsmouth. Located at the northern end of the Gosport Lines, the first phase of development was completed by 1777 and included a tidal basin/camber, a powder magazine, a cooperage for the repair of powder barrels and a shifting room, for the examination of powder, all housed within a walled enclosure. Heavy demands for filled shells during the period between 1878-1882 lead to the construction of three Shell Filling Rooms, with a further three no. Filling Rooms constructed in 1898. A number of associated structures, including a Shell Emptying Room, two Trotyl Melting Rooms and Unheading Shed were constructed within and adjacent to the application site.
4. The Shell Filling Rooms were constructed from brick with slate roofs and traversed, bund walls on all sides. A blast wall was also erected at the front of the buildings. The Shell Filling Rooms were orientated in a parallel line, fronting on to Forton Creek, set behind the blast wall. The Shell Filling Rooms and associated traverse walls are Grade II Listed.
5. In 2007, planning permission (K15249/9) was granted for the demolition of the six Shelling Filling Rooms and associated structures and the erection of nine dwellings with associated landscaping, parking and ancillary structures.
6. The permission allowed the erection of nine dwellings of which six were approved in the location of the former six Shell Filling Rooms, between the Listed traverse and blast walls. Two further dwellings were approved towards the southern end of the site, positioned either side of the western and easternmost Listed traverse wall so as to be sited in the location of the former Trotyl Melting

Rooms. A ninth dwelling was approved in a central position, at the southern end of the site, close to the adjacent foreshore.

7. Alterations to the height of the blast wall at the front of the former Shell Filling Rooms, including a reduction in its overall height to two metres, to improve views across the adjacent Forton Lake were also approved. The plans show that four sets of steps were to 'cut through' the wall in order to provide access in to a newly created communal garden at the front of the site. Three trees were approved to be felled, including two Oaks. Parking was approved on the eastern side of the site, comprising 13 no. spaces, including one disabled bay. Cycle storage was also shown on the eastern side of the site. A new vehicular access was approved from the south eastern corner, connecting the application site to Searle Drive to the east.

8. The permission has been part implemented. For example, all the former buildings at the site have been demolished and concrete foundations have been laid in anticipation of the subsequent construction and the approved access, connecting the site to Searle Drive, has also been provided.

9. Like the previous consent, this proposal is for the erection of nine dwellings. The dwellings would comprise two two-bedroom dwellings and seven three-bedroom dwellings. It is again proposed to erect six dwellings in the locations of the former Shell Filling Rooms, positioned between the Listed traverse walls, which are to be repaired and retained. The dwellings would be constructed on to supporting, exposed steel, columns so as to ensure that all habitable living space would be set above predicted flood levels. The space beneath the buildings would be used for car parking (for two cars each) and cycle parking, with glazed entrance lobbies positioned towards the rear of the building. The lobbies would provide a storage area and access to the stairwell serving the living accommodation above.

10. The first floors would include living/dining areas, kitchens and a study, with a timber terrace on the front elevation, accessed via a set of glazed, sliding doors. The second floor accommodation would project over the terrace, so as to create a partially enclosed space. The second floors would include three bedrooms (one of which would be en-suite) and a bathroom. There would be windows on the northern (rear) and eastern (side) elevations.

11. The external elevations would be finished in a dark grey, profiled, metal cladding with large areas of glazing to the front elevations, combined with timber louvres and boarding. The six dwellings would be 8.4 metres high, extending 2.8 metres above the top of the adjacent Listed traverse walls. The side elevations of the proposed dwellings would be sited no closer than 1.5 metres from the base of the adjacent traverse, with no part of the building being attached to these Listed structures. The rear elevations of the proposed dwellings would be sited over one metre from the traverse wall at the rear of each respective unit. The front elevations would be set back so as not to extend beyond the forward most part of the traverses.

12. A seventh dwelling would be sited approximately 13 metres from the side elevation of the easternmost of these dwellings and over 9 metres from the associated traverse wall. The proposed dwelling would have a square footprint, with a flat roof, set to a height of 8.3 metres. The property would be constructed, for the most part, from red brick, with large areas of full height glazing, as well as glazing of different shapes and sizes in all elevations. The front elevation would include a recessed, first floor terrace to take advantage of views across the adjacent Forton Lake. The proposed dwelling would be constructed on to supporting brick columns, with all living accommodation provided on the first and second floors. The ground floor would provide covered parking for two cars, together with a part glazed, part brick, entrance lobby. The lobby would provide access to the proposed living accommodation above, together with a refuse store and WC. The first floor would provide a kitchen/dining area, living area and a study. There would be three bedrooms on the second floor (one en-suite) and a bathroom. The property would have its own private garden, sited at the rear of the dwelling, measuring approximately 14 x 9 metres. Historic maps reveal that there had previously been a building in this location.

13. As with the previous consent, two dwellings are proposed towards the southern end of the site, in the former location of the two Trotyl Melting Rooms. The dwellings would be built on to

supporting, concrete columns, with shallow, mono-pitched roofs, set to a maximum height of 5.5 metres. The space beneath the dwelling would be made available for the parking of 2 no. vehicles, and would include part glazed, part acrylic-rendered entrance lobbies. All the living accommodation would be sited on the first floor and would comprise a living room/kitchen/dining area, 2 no. bedrooms (including a dressing room) and a bathroom. The dwellings would be constructed from light grey, profiled, steel cladding, with dark grey, powder coated windows, complemented by small areas of timber boarding. The majority of the front elevations would be glazed, including recessed terraces on the eastern sides. The rear elevations would include high level windows, as well as a full height window serving a bedroom. The side elevations would include narrow, horizontal windows, serving the stairwell and kitchen areas.

14. Vehicular and pedestrian access to the site would be provided via the existing road from the south eastern corner of the site. In addition to the two car parking spaces for each of the proposed dwellings, six visitor spaces would be provided on the eastern side of the site, together with a refuse store, which would be used to store bins awaiting collection. The visitor car parking spaces would be arranged in a linear arrangement. All parking spaces across the site would measure 2.5 x 5 metres. The hard surfacing for the car parking and internal accesses would comprise a resin bonded gravel.

15. The Heritage Statement indicates that the traverse and blast walls are suffering from progressive decay and that some of the brick facing has begun to break-off. It is, therefore, proposed to undertake works to the walls in order to preserve their long term preservation. Listed building consent is also sought for these works in the concurrently submitted listed building consent application.

16. The application is supported by a Tree Survey, Arboricultural Implication Assessment and Method Statement and a Tree Protection Plan. It is proposed to remove a total of 21 trees from the site (all classed as having moderate or low quality), including Oaks, Apple, Hawthorn, Alder and Cherry. Many of the trees have also been classified as being self-set. A number of Buddlea would also be removed. The Arboricultural Statement indicates that it is necessary to remove a number of the trees as they are causing irreparable damage to the Listed traverse walls. However, three groups of trees (comprising Oaks and Hawthorns), and three larger Oaks to the north of the proposed dwellings would be retained and protected during construction works. The crowns of these groups of trees would be thinned by 10%. It is also proposed to coppice a Willow tree.

17. The application is also supported by a Flood Risk Assessment (FRA), which includes a surface water drainage strategy. The FRA outlines proposals to enhance the existing flood defences. The FRA indicates that it is proposed to erect new sections of sea wall (where they are currently missing) in the south eastern and south western corners of the site. The new sections of wall would be constructed with a minimum crest level of 4.76 metres AOD.

18. An Ecological Survey and Assessment and an Ecological Survey and Impact Assessment Update have been submitted, which assess the likely impact of the proposed development on nature conservation interests of the adjacent Forton Lake SPA/Ramsar, SINC as well as potential impacts of protected species and their habitat. The Assessment outlines mitigation proposals designed to off-set any identified impact.

Relevant Planning History

K15249/3 - conversion of existing buildings to form 5 no. dwellings and erection of 4 no. new dwellings with associated parking and cycle/refuse storage (Conservation Area) - withdrawn 10.05.05

K15249/4 - Conservation Area Application - demolition of Trotyl Melting Room, Store Room 255 and single storey extensions to Shell Filling Rooms 1 and 2, partial demolition of southern blast walls and Building 241 and removal of existing concrete and steel posts (Conservation Area) - refused 12.05.05

K15249/5 - conversion of existing buildings to form 5 no. dwellings and erection of 4 no. new dwellings with associated landscaping, parking, flood defences and access road (Conservation Area) - permitted 22.08.05

K15249/6 - Conservation Area Application - demolition of Trotyl Melting Room, Store Room 255 and single storey extensions to Shell Filling Rooms 1 and 2, partial demolition of southern blast walls and Building 241, removal of existing concrete and steel posts, existing concrete post and chain link fencing and demolition of existing suspended concrete access road (Conservation Area) - permitted 01.11.05

K15249/7 - demolition of 6 no. existing Shell Filling and Emptying Rooms with associated structures and construction of 9 no. new dwellings with associated landscaping, parking, ancillary buildings, flood defences and new access road and repositioning of existing fence and works to sea defences (Conservation Area) - withdrawn 27.06.06

K15249/8 - Conservation Area Consent - demolition of 6 no. existing Shell Filling and Emptying Rooms, Store Room 255 and associated structures; partial demolition of existing concrete and steel posts, existing concrete post and chainlink fencing; and demolition of existing suspended concrete access road (Conservation Area) - withdrawn 10.07.06

K15249/9 - demolition of 6 no. shell filling rooms and associated structures and construction of 9 no. dwellings with associated access, landscaping, parking and ancillary structures (Conservation Area) - permitted 24.04.07

K15249/10 - Conservation Area Consent - demolition of 6 no. existing Shell Filling and Emptying Rooms, Store Room 255 and associated structures; partial demolition of existing concrete and steel posts, existing concrete post and chainlink fencing and demolition of existing suspended concrete access road (Conservation Area) - permitted 24.04.07

14/00496/LBA - Listed Building Application - Repairs to traverse walls (Conservation Area) - currently under consideration

Relevant Policies

National Planning Policy Framework (NPPF), March 2012

The adopted development plan is the Gosport Borough Local Plan Review, 2006. The emerging Gosport Borough Local Plan, 2011 – 2029 has been the subject of two public consultations and is currently being examined in Public. It is due for adoption in summer 2015. The policies within this document therefore also need to be given weight in decision making, where appropriate.

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/T11

Access and Parking

R/H4

Housing Densities

R/BH1

Development in Conservation Areas

R/BH3

Development Affecting Listed Buildings

R/BH8

Archaeology and Ancient Monuments

R/OS1

Development Outside of the Urban Area

R/OS8

Recreational Space for New Residential Developments

R/OS11

Protection of Areas of National Nature Conservation Importance

R/OS12
Locally Designated Areas of Nature Conservation Importance
R/OS13
Protection of Habitats Supporting Protected Species
R/CH1
Development within the Coastal Zone
R/CH2
Pedestrian Access Along the Coast
R/ENV2
River and Groundwater Protection
R/ENV4
Treatment of Foul Sewage and Disposal of Surface Water
R/ENV5
Contaminated Land
R/ENV10
Noise Pollution
R/ENV11
Minimising Light Pollution
R/ENV14
Energy Conservation

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

LP1
Sustainable Development
LP2
Infrastructure
LP10
Design
LP11
Designated Heritage Assets including Listed Buildings, Scheduled Ancient Monuments and Registered Historic Parks & Gardens
LP12
Designated Heritage Assets: Conservation Areas
LP22
Accessibility to New Development
LP23
Layout of Sites and Parking
LP24
Housing
LP34
Provision of New Open Space and Improvement to Existing Open Space
LP37
Access to the Coast and Countryside
LP38
Energy Resources
LP42
International and Nationally Important Habitats
LP43
Locally Designated Nature Conservation Sites
LP44
Protecting Species and Other Features of Nature Conservation Importance
LP45
Flood Risk and Coastal Erosion
LP46
Pollution Control
LP47
Contamination and Unstable Land

Supplementary Planning Documents:

Gosport Borough Council Design Guidance: Supplementary Planning Document: February 2014

Gosport Borough Council Parking: Supplementary Planning Document February 2014

Solent Special Protection Areas Gosport Bird Disturbance Mitigation Protocol 2014

Consultations

DEFRA (MMA)	No objection. A license may be required under the Marine and Coastal Access Act (2009).
Environment Agency (Hants & IOW)	No objection. A condition should be attached requiring the proposed development to be carried out in accordance with the approved Flood Risk Assessment, including the proposed mitigation measures. The living accommodation should be set above the ordnance datum levels outlined within the Flood Risk Assessment and this should be controlled by condition. Whilst it would appear that safe access can be achieved to higher ground, consideration could be given to securing the implementation of a flood evacuation plan, to be implemented in the event of a flood. The exact details of the flood gate and flood defence works should also be controlled by condition. Whilst the principles outlined in the proposed surface water drainage scheme are acceptable, it will be necessary to agree the exact details by condition.
Historic England	No objection.
Natural England	No objection.
Royal Society For The Protection Of Birds	No response received.
Southern Water	The applicant will be required to make a formal application for a connection to the public foul sewer. An informative should, therefore, be included on any planning permission.
The Gosport Society	No objection.
Hampshire & Isle Of Wight Wildlife Trust	As the site is located within 5.6km of the coast, consideration must be given to the consequential impact on the protected species for which the Portsmouth Harbour SPA, the Solent and Southampton Water SPA and the Chichester and Langstone Harbours SPA are designated. The proposed development, in combination with the existing residential development at

	<p>Priddy's Hard, will increase the pressure on the Site of Importance for Nature Conservation and it is important, therefore, that effective mitigation measures are put in place. This will be particularly important with regard to the potential presence of Great Crested Newts, which could be evident in the moat.</p>
HCC Ecology	<p>No objection subject to a condition to require compliance with the submitted Great Crested Newt and biodiversity survey report.</p>
HCC Landscape, Planning & Heritage	<p>The site of the Shell Filling Rooms and attendant separating blast walls, moat and embankment, are an important archaeological monument. They are part of the evolving story of the Priddy's Hard ordnance depot which is a Scheduled Ancient Monument. Although the proposed development is located outside of the Scheduled area, it is important to consider the impact of the scheme within this context. The positive future management of the blast walls is endorsed.</p>
Eastern Solent Coastal Partnership	<p>No objection. The Flood Risk Assessment (FRA) proposes a package of measures to manage flood risk to an acceptable level.</p>
Crime Prevention & Design	<p>Consideration should be given to moving the front doors further forward, so that they are more visible and, therefore, less susceptible to instances of crime.</p>
Hampshire Fire And Rescue Service	<p>The applicant must have due regard to Approved Document B5 of the Building Regulations. Consideration should be given to the use of Automatic Water Suppression Systems (ie, sprinklers) as a part of a comprehensive fire prevention package.</p>
Building Control	<p>An application under the Building Regulations will be required. A sprinkler system should be considered for the proposed dwellings.</p>
Environmental Health	<p>No objection.</p>
Streetscene Waste & Cleansing	<p>Access to the site for refuse vehicles is acceptable, so long as the existing road has been built to construction standard. It is important to consider the carry distances for residents of the properties on the western side of the site.</p>

Local Highway Authority	No objection. The applicant must consider the requirement for access and facilities for fire and rescue vehicles.
Streetscene Parks & Horticulture	No objection. The trees have been categorised appropriately. The position of a number of the trees will have a harmful impact on the adjacent walls and a number of the trees are self-set. An Arboricultural Method Statement should be secured by condition.

Response to Public Advertisement

3 no. letters of objection

Issues raised:-

- impacts on wildlife (including the impact of light spillage on wildlife)
- access to areas retained for conservation is limited
- valuable grassland and saltmarsh habitat across Priddy's Hard are deteriorating
- the application site could be returned to a semi-natural, to the benefit of local wildlife
- the application site should permit public access
- the new development should provide a direct link to the existing foot/cycleway network
- questions what provision will be made for cycle parking
- a multi-user trail, with historical interpretation, should be provided around Forton Creek and should be linked to other historic sites
- any new development should contribute towards improvements to community facilities
- the full impact of the development on wildlife has not been considered
- the design of the dwellings is inappropriate
- there is no need for additional dwellings
- questions whether the sufficient site notices were displayed
- the land immediately to the north of the application site includes a number of protected species, which could be affected by the development
- the proposed dwellings would be affected by the smoke associated with the bonfires lit by the Priddy's Hard Ramparts Heritage Area volunteers
- concerned about existing accesses being blocked
- the buildings (and the cars parked underneath) will obscure views of the Listed traverse Walls
- concerned about children climbing on the traverse walls or accessing the moat
- questions what external lighting is proposed to make sure the site is safe at night
- questions whether there is adequate turning space, particularly for emergency service and delivery vehicles
- the dwellings will not have gardens

Principal Issues

1. The principle of residential development for up to nine dwellings at the entire site has been established by planning permission reference K15249/9. Furthermore, whilst the rear of the site is outside of the Urban Area Boundary, as defined by the existing and emerging Local Plans, the proposed dwellings are located within the Urban Area boundary where the presumption is in favour of development. In addition, it is important that a sustainable and viable use for the site is brought forward to protect the future condition of the Grade II listed structures. Therefore, the principle of developing the site, as opposed to returning it to its natural habitat, is considered acceptable.

2. Accordingly, other main issues for consideration are the acceptability of development in land use terms; the acceptability of the design and layout; whether the proposal will preserve or enhance the character and appearance of the Priddy's Hard Conservation Area and the coast; the impact on the historic and architectural character and integrity of the adjacent Listed walls and Scheduled Ancient

Monument, and their setting; the impact on the amenity and access of adjacent occupiers; whether appropriate provision can be made for access, car and cycle parking, refuse storage/collection and servicing and; the impact upon archaeology, nature conservation, flooding and land contamination.

3. Policy LP24 of the Gosport Borough Local Plan 2011-2029 (Publication Version July 2014) advises that there is currently an imbalance in the provision of dwelling types across the Borough, with an identified need for additional three bedroom units. The provision of 7 three bedroom dwellings will, therefore, help to address this shortfall. At less than 15 dwellings per hectare (dph), the proposed residential density would be below the guideline density range of 30-50 dph, as set out in Policy R/H4 of the Gosport Borough Local Plan Review 2006. However, given the historic character and associated constraints of this particular site a lower density is considered appropriate. Although only one of the proposed dwellings would have a private garden, this arrangement is considered acceptable given the constraints of the site, where significant areas of formal, soft landscaped gardens would be inappropriate to its historic character and setting. Whilst the prospective occupiers of the remaining eight dwellings would not have access to a private garden, they would have access to private, first floor terraces.

4. Six of the proposed dwellings, sited in the positions of the former Shell Filling Rooms, would respect the original, historic layout of this part of the site. The proposed dwellings will have a modern appearance, avoiding an inappropriate, pastiche replication of the original development at the site. Nevertheless, the simplicity of the form and the regularity of the layout provides an appropriate reference to the original built form on this part of the site. The height of the buildings has, in part, been determined by the necessity to overcome potential flooding issues, but this has not been at the expense of good design and the development achieves an appropriate scale, relative to the adjacent Listed traverse and blast walls. The use of dark grey, profiled cladding, together with large areas of glazing in the front elevations, will help to create the appearance of a 'light-weight' structure, reducing the perceived mass of the buildings so as to ensure that they do not compete with, or overpower, the adjacent, Listed traverse or blast walls. The dark tone of the cladding (the exact colour and profile of which will be controlled by condition) will provide a reference to the site's naval heritage whilst, at the same time, providing a sufficient contrast with the adjacent Listed traverses to ensure that these important historic features remain legible (including when viewed from a distance).

5. The six dwellings have been deliberately set back from the front edge of the Listed traverse walls so as to ensure that the form and shape of these structures can continue to be appreciated. The front elevations of the dwellings have also been angled so as to further accentuate the prominence of the southern sections of these Listed structures. By constructing the buildings on to slender, supporting columns, views of the rear sections of the traverse walls will be maintained, further revealing the site's heritage assets. The side elevations will be set at least 1.5 metres from the base of the traverses and this will ensure that the proposed dwellings are not overbearing, relative to the scale of the Listed walls. The dwellings will not be attached to the traverse walls, thereby helping to better preserve the fabric of these Listed structures. This aspect of the development is, therefore, acceptable. It will preserve the character and appearance of the Conservation Area and will not harm the historic and architectural character or setting of the adjacent Listed walls, in accordance with the NPPF, Policies R/DP1, R/BH1, R/BH1 and R/BH3 of the Gosport Borough Local Plan Review and Policies LP10, LP11 and LP12 of the Gosport Borough Local Plan 2011-2029 (Publication Version).

6. The two two-bedroom dwellings will be sited in the location of the former Trytol Melting Rooms, reflecting the historic form of development. The proposed dwellings will have a low roof profile and this, coupled with the use of light grey cladding and large areas of glazing, will help to soften their appearance, so as to ensure they do not dominate the front of the site. The dwellings, due to their siting at the ends of the eastern and westernmost traverse walls, will successfully flank the six proposed dwellings immediately to the north, effectively 'bookending' this part of the development. Whilst the two bedroom dwellings will also have a deliberately modern appearance, the carefully considered choice of external appearance, shallow, mono-pitched roofs, and low profiles, will ensure that the buildings retain a suitably subtle appearance so as not to draw attention away from the Listed traverse walls or compete with the adjacent, innovatively designed buildings proposed to

the north. The side and rear elevations will include interestingly positioned/proportioned windows and this will enliven the appearance of the buildings, enhancing their overall design. This aspect of the development is, therefore, acceptable. It will preserve the character and appearance of the Conservation Area and will not harm the historic and architectural character of the adjacent Listed walls, or their setting, in accordance with the NPPF, Policies R/DP1, R/BH1, R/BH1 and R/BH3 of the Gosport Borough Local Plan Review and Policies LP10, LP11 and LP12 of the Gosport Borough Local Plan 2011-2029 (Publication Version July 2014).

7. The detached dwelling proposed on the eastern side of the former Shell Filling Rooms will utilise a different palette of materials, comprising predominately brick elevations, punctuated by a number of elongated windows. This will help to successfully break-up the overall massing of the side and rear elevations. The front elevation will include a recessed terrace and larger areas of glazing and this will help to add a suitable level of articulation to the principal façade. The resultant design avoids the creation of an overtly utilitarian structure, whilst at the same time, respecting the simplistic, functional design of the buildings that would have historically occupied the site. The proposed dwelling will be set approximately six metres to the north of the adjacent traverse walls and over nine metres to the east of these structures and this part of the development will not harm the historic or architectural character, integrity, or setting of these Listed structures. This aspect of the development is, therefore, acceptable. It will preserve the character and appearance of the Conservation Area and will not harm the historic and architectural character of the adjacent Listed walls, or their setting, in accordance with the NPPF, Policies R/DP1, R/BH1, R/BH1 and R/BH3 of the Gosport Borough Local Plan Review and Policies LP10, LP11 and LP12 of the emerging Gosport Borough Local Plan 2011-2029 (Publication Version July 2014).

8. The proposed dwellings will be sited approximately 25 metres from the adjacent Scheduled Ancient Monument. Given this separation distance, and the well-considered designs, the proposed development will be successfully integrated in to the historic landscape and will not harm the setting or features of the adjacent Scheduled Ancient Monument, in accordance with the NPPF, Policy R/BH8 of the Gosport Borough Local Plan Review 2006 and Policy LP11 of the emerging Gosport Borough Local Plan 2011-2029 (Publication Version July 2014).

9. To ensure that the unique and well-considered design of each dwelling is not compromised by later additions and/or alterations, it is proposed to remove all permitted development rights relating to extensions and alterations to the dwellings. A condition will also be used to prevent the erection of any gates, walls, fences or any other means of enclosure and to prevent the erection of buildings/structures within the rear garden of the proposed three bedroom property on the eastern side of the site. Proposals to erect/attach any fixtures, fittings or other paraphernalia to the Listed, traverse and blast walls would require Listed Building Consent and this will ensure that the architectural and historic character of these structures is preserved.

10. The car parking areas and internal vehicular access will occupy a relatively small area of the site, thereby ensuring that the development is not dominated by areas of hard surfacing. Details of the hard surfacing materials will be controlled by condition. The majority of the proposed car parking will be incorporated beneath the dwellings themselves and this will help to ensure that the development is not dominated by the appearance of parked vehicles, which would be inappropriate in this historic environment. The visitor parking for the development has been sited away from the Listed traverse walls and will occupy a small proportion of the site relative to its overall area. The vehicular movements associated with the proposal would be of an acceptably intensity to preserve the character of the Conservation Area. The proposed refuse store is of very limited scale and will not detract from the appearance of the development, preserving the character and appearance of the Conservation Area and the setting of the Listed Buildings and Scheduled Ancient Monuments. The proposed flood defence walls and flood gate will form an integral part of the flood defences for the site. Details of the walls, together with the materials to be used in its construction, will be controlled by condition and this will ensure a suitably high quality finish. Subject to this condition, the works to the sea wall will not harm the appearance of the development, will preserve the character and appearance of the Conservation Area and will preserve landward and seaward views. The provision of lighting within the undercroft parking areas, as well as across the remainder of the

site (to achieve a pleasant and safe environment), will also be controlled by condition to safeguard the character of the area.

11. The repairs to the existing Listed traverse and blast walls will help to secure their long term preservation and will help to address their current deterioration. A condition will be used to secure the timings of the works and the exact details of the proposed method(s) of repair, so as to ensure appropriate techniques and materials, in the interest of preserving the historic and architectural character of these Listed structures.

12. As the application site is located within an area of archaeological potential, a condition is recommended to secure the submission, approval and implementation of an appropriate Written Scheme of Investigation relating to any archaeology found to be present at the site. This will ensure that any finds are appropriately preserved and recorded. Subject to the above condition, it is considered that the development will have an acceptable impact on built heritage or archaeology, in accordance with the NPPF, Policy R/BH8 of the Gosport Borough Local Plan Review and LP11 of the emerging Gosport Borough Local Plan 2011-2029 (Publication Version July 2014).

13. The trees to be felled do not make a positive contribution to the character and appearance of the Conservation Area. Whilst some more mature trees will be felled at the rear of the site, these specimens are causing damage to the adjacent, Listed traverse walls and, if left in situ, will cause irreparable damage. Therefore, their removal is acceptable. A condition will be used to ensure that all the trees to be retained are suitably protected during the construction works.

14. Pedestrian and bicycle access to and through the site (for example to appreciate the heritage assets) will be maintained from the existing access road and the entrance to the site will not be gated. A flood gate is shown on the western side of the site, but this is necessary to make the site safe from flooding and it would not be shut except for in the event of a flood event. As such, pedestrian access along this section of the coast will not be compromised, in accordance with Policy R/CH2 of the Gosport Borough Local Plan Review 2006.

15. As the proposed dwellings will be sited over 100 metres from the nearest existing residential development, the proposals will not harm the amenity of any neighbouring occupiers in terms of loss of light, outlook or privacy. The additional traffic movements associated with the provision of nine dwellings will not exceed the number of movements associated with the previous consent and will not result in harmful levels of disturbance to neighbouring occupiers, including those on Searle Drive. The proposal, therefore, complies with Policies R/DP1 and R/ENV10 of the Gosport Borough Local Plan Review and Policy LP46 of the emerging Gosport Borough Local Plan (Publication Version) 2011-2029.

16. The vehicular access to the site remains acceptable and its use will not harm the interests of highway or pedestrian safety. The access has been designed/built to an adoptable standard and is, therefore, suitable for use by refuse collection vehicles. The provision of 24 no. car parking spaces complies with the requirements of the Parking SPD 2014. It is not, therefore, considered that the development will result in harmful overspill parking in the adjoining road network, to the detriment of highway or pedestrian safety. Adequate space will also be available for the storage of cycles, the exact details of which will be controlled by condition. Subject to this condition, and a condition requiring the parking areas to be provided before occupation of each dwelling and retained for that purpose thereafter, the proposed parking and cycle provision is considered acceptable in accordance with Saved Policies R/DP1 and R/T11 of the Gosport Borough Local Plan Review and Policy LP23 of the emerging Gosport Borough Local Plan 2011-2029 (Publication Version July 2014).

17. Adequate space is shown for the storage of refuse bins and a designated collection area will be provided so as to facilitate safe and convenient collection. Whilst it is noted that the dwellings on the western side of the site will need to move their bins approximately 100 metres in order to use the refuse collection area, this is considered acceptable given the heritage constraints. Subject to a condition, therefore, requiring the areas for storage/collection of refuse storage to be provided before occupation, and retained thereafter, the development complies with the NPPF and Policy

R/DP1 of the Gosport Borough Local Plan Review 2006 and Policy LP10 of the emerging Local Plan 2011-2029 (Publication Version July 2014).

18. The site is located in close proximity to the Portsmouth Harbour Special Protection Area (SPA), Ramsar site and Site of Special Scientific Interest (SSSI). The proposal will introduce nine additional dwellings which is likely to result in increased recreational activity on the coast and a consequential impact on the protected species for which the Portsmouth Harbour SPA, the Solent and Southampton Water SPA and the Chichester and Langstone Harbours SPA are designated. A contribution towards appropriate mitigation, in accordance with the Gosport Bird Disturbance Mitigation Protocol, has been received. Accordingly, the proposal complies with the NPPF and Policies R/OS13 and R/OS14 of the Gosport Borough Local Plan Review and Policies LP34, LP42 and LP44 of the Gosport Borough Local Plan 2011 - 2029 (Publication Version July 2014).

19. In the interests of preserving the environment of over-wintering birds, a number of conditions are recommended to be imposed regarding limitations on when within the calendar year piling can take place, the submission of a construction management plan, details of site hoarding and the use of non-reflective glazing on the southern elevation. Subject to these conditions it is considered that the proposed development will preserve the environment for the over-wintering bird population. The Hampshire CC Ecologist has confirmed that, subject to conditions regarding compliance with the proposed mitigation measures, there will be an acceptable ecological impact upon protected species (including Great Crested Newts) present, and in proximity to, the site. The proposal is therefore in accordance with the NPPF and Policies R/DP1, R/OS11, R/OS12 and R/OS13 of the Gosport Borough Local Plan Review 2006 and Policies LP42, LP43 and LP44 of the emerging Gosport Borough Local Plan 2011-2029 (Publication Version July 2014).

20. The Environment Agency has confirmed that, by setting all proposed living accommodation on the first floor, the proposed residential units should remain free of flooding for the lifetime of the development. The walls enclosing the ground floor lobbies will need to be built with enhanced flood protection walls, the details of which will be controlled by condition. The Environment Agency has also confirmed that the proposal to improve the existing flood defences at the site will protect the development over its lifetime. Subject to a condition to control the submission of details of how the flood defence wall will be delivered, managed, maintained and operated over the lifetime of the development and details of the proposed flood gate on the western side of the site, the proposal complies with the NPPF in respect of flooding. This condition will also ensure that the flood defence measures can be delivered without having a harmful impact on the character or appearance of the Conservation, or the setting of the adjacent Listed traverse and blast walls and Scheduled Ancient Monument. In the interests of public safety, a condition will be used to secure details of a flood evacuation plan, to be put in place in the event of a flood.

21. The development will provide a new surface water drainage system, the principle of which has been agreed by the Environment Agency. Notwithstanding this, and following consultation with the Environment Agency, a condition will be used that will require the submission of details of a scheme, based on sustainable drainage principles, and an assessment of the hydrological and hydrogeological context of the development. The scheme will include information about the design relating to 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, together with a timetable for the implementation of the surface water drainage scheme and a management plan for the lifetime of the development (including any arrangements for adoption by any public body or statutory undertaker). Subject to the submission and approval of the aforementioned measures, the proposed development will not increase the risk of flooding to people or property, or pollute controlled waters. The development, therefore, complies with the National Planning Policy Framework and Policies R/DP1, R/ENV2 and R/ENV4 of the Gosport Borough Local Plan Review 2006 and Policy LP45 of the emerging Gosport Borough Local Plan (Publication Version July 2014).

22. The proposal demonstrates that measures can, in principle, be put in place to protect human health and controlled waters both during the construction phase and upon occupation. Subject to a condition to control such measures the proposal is considered to comply with Saved Policies

R/DP1, R/ENV2 and R/ENV5 of the Gosport Borough Local Plan Review and Policy LP47 of the Gosport Borough Local Plan 2011-2029 (Publication Version July 2014).

23. Representations received raised a number of further issues. The provision of a multi-purpose trail around the perimeter of Forton Creek does not form part of this application and, in accordance with the Local Plan Policies, there is no requirement to provide these facilities as part of this application. Likewise, there is no Policy requirement to provide improved community facilities as part of this planning application. The security of the site, with regard to people lighting bonfires or children climbing walls, will be a civil matter between the owners of the site and anyone undertaking such activities. All planning applications must be considered on their individual merits and in light of the relevant national and local planning policies. The application has been advertised in accordance with the statutory requirements and the Council's usual publicity procedures. The provision of boundary treatments across the site, including to control access to the moat, will be controlled by condition.

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:

1410-PP-100 Site plans as existing
 1410-PP-101 Rev A Proposed site plan (ground floor level)
 1410-PP-102 Rev A Proposed site plan/block plan
 1410-PP-102 Rev A Proposed elevations/section
 1410-PP-104 Rev B House type 1 plan / section as proposed
 1410-PP-105 House type 2 plan / section as proposed
 1410-PP-106 Rev A House type 3 plan / section as proposed
 1410-PP-107 Proposed sea wall railing plan
 1410/8200 P Typical walls details plan
 1410/8201 P Typical building section
 FAE-F1201.00 300 Rev P2 Drainage
 TPP-01 Tree Protection Plan
 Design and Access Statement Rev A

Reason - To ensure that the development is completed satisfactorily in all respects and to comply with the NPPF, Gosport Borough Local Plan Review 2006 and the emerging Gosport Borough Local Plan (Publication Version July 2014).

3. No development shall commence until details of the flood defence walls and any additional fencing (including sections and elevation plans and details of how the flood defences will be delivered, managed, maintained and operated over the lifetime of the development) have been submitted to and approved, in writing, by the Local Planning Authority. The flood defence walls shall be provided, in accordance with the approved details before the development, hereby approved, is first occupied and shall be managed, maintained and operated thereafter in accordance with the approved management details.

Reason - In the interests of reducing the risk of flooding to people and property and future users, as well as protecting the adjacent Portsmouth Harbour Special Protection Area from recreational disturbance on the foreshore, in compliance with Policy LP45 of the emerging Gosport Borough

Local Plan (Publication Version July 2014), The Conservation of Habitats and Species Regulations 2010 (as amended) and the NPPF.

4. The development hereby approved shall not be occupied until a Flood Management Plan, including an Emergency Flood Evacuation Plan, to be implemented in the event of a flood, has been submitted to and approved, in writing, by the Local Planning Authority. The Flood Management Plan shall be implemented in accordance with the approved details in the event of a flood.

Reason - In the interests of safety to comply with the NPPF, Saved Policies R/DP1, RBH1, R/BH3 and R/BH8 of the Gosport Borough Local Plan Review 2006 and Policy LP45 of the emerging Gosport Borough Local Plan (Publication Version July 2014).

5. No development shall commence until a 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 location of any moveable structures, plant, or machinery required temporarily in connection with the development
- (c) the means of enclosure of the site compound;
- (d) the provisions to be made for the parking of contractors, site operatives, employees and visitors vehicles;
- (e) the provision for wheel washing facilities;
- (f) a scheme for recycling/disposing of waste and spoil resulting from construction works;
- (g) the method and timing of any piling required;
- (h) measures to control the emission of dust and dirt from the site during construction;
- (i) measures to prevent adverse impacts to surface water and ground water
- j) measures, such as screening and hoarding, to prevent visual disturbance to the qualifying features of Portsmouth Harbour SPA
- k) lighting strategy
- l) defined working area

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 harm the interests of nature conservation and to comply with the National Planning Policy Framework and Policies R/DP1, R/ENV2, R/ENV4, R/ENV10, R/ENV12, R/OS11 of the Gosport Borough Local Plan Review, The Conservation of Habitats and Species Regulations 2010 (as amended).

6. No development above slab level shall commence until details of the flood proofing measures to the ground floor lobbies within the undercroft parking areas have been submitted to and approved, in writing, by the Local Planning Authority. The flood proofing measures shall be provided in accordance with the approved details before occupation of each residential unit and shall be retained thereafter.

Reason - In the interests of reducing the risk of flooding to people and property and future users to comply with the NPPF, Saved Policies R/DP1, RBH1, R/BH3 and R/BH8 of the Gosport Borough Local Plan Review 2006 and Policy LP45 of the emerging Gosport Borough Local Plan (Publication Version July 2014).

7. No development shall commence until details of the measures to deal with the risks associated with land contamination have been submitted to and approved, in writing, by the Local Planning Authority. The submitted details shall include:

- (a) a desk top study of the former uses of the site and adjacent land and their potential for contamination, together with a report of the findings of a site walkover and a preliminary risk assessment;
- (b) should the details submitted pursuant to (a) above reveal a potential for contamination, an intrusive site investigation and assessment of the risks posed to human health, the fabric of buildings and receptors in the wider environment, including water resources, shall be carried out and the results of the studies submitted and approved, in writing, by the Local Planning Authority.
- (c) where the details submitted pursuant to (b) above reveal the presence of contamination, a detailed scheme for remedial works to mitigate the contamination, eliminate risks to receptors and ensure the site is suitable for the proposed development and a timetable for the remediation works, shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include details of how the completion of the remedial works will be validated by a competent person and, where appropriate, maintained and monitored. The development shall be carried out in accordance with the approved details.

Reason - To ensure that risks from land contamination, ground gases and contaminated groundwater to the future uses of the land, neighbouring land, surface water, groundwater and the wider environment are mitigated and to ensure that the development can be carried out safely without any unacceptable risks to workers, neighbouring or prospective occupiers and off site receptors and to comply with the NPPF, Saved Policy R/ENV5 of the Gosport Borough Local Plan Review 2006 and Policies LP46 and LP47 of Policy LP45 of the emerging Gosport Borough Local Plan (Publication Version July 2014).

8. Notwithstanding the requirements of condition 7, if, during development, contamination not previously identified is found to be present at the site, then no further works 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. The remediation shall be carried out in accordance with the approved details before any further works are carried out.

Reason - To ensure that risks from land contamination, ground gases and contaminated groundwater to the future uses of the land, neighbouring land, surface water, groundwater and the wider environment are mitigated and to ensure that the development can be carried out safely without any unacceptable risks to workers, neighbouring or prospective occupiers and off site receptors and to comply with the NPPF, Saved Policy R/ENV5 of the Gosport Borough Local Plan Review 2006 and Policies LP46 and LP47 of Policy LP45 of the emerging Gosport Borough Local Plan (Publication Version July 2014).

9. No development shall commence until a written programme of archaeological investigation and recording has been submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved details and the findings of the archaeological investigation/recording shall be submitted to the Local Planning Authority within 6 months of the completion of the development.

Reason - To ensure that any archaeological evidence is investigated and recorded and to comply with the NPPF, Saved Policy R/BH8 of the Gosport Borough Local Plan Review 2006 and Policy LP11 of the emerging Gosport Borough Local Plan (Publication Version July 2014).

10. No development shall commence until details of a surface water drainage scheme, 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:

- (a) information about the design relating to 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;
- (b) a timetable for the implementation of the surface water drainage scheme;

(c) a management 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 surface water drainage scheme shall be carried out, managed and retained in accordance with the approved details.

Reason - To prevent the increased risk of flooding, to protect water quality, habitat and amenity, and ensure future maintenance of the surface water drainage system, and to comply with the NPPF, Saved Policies R/DP1, R/ENV2, R/ENV4 and R/ENV5 of the Gosport Borough Local Plan Review 2006 and Policy LP10 of the emerging Gosport Borough Local Plan (Publication Version July 2014).

11. No development shall commence until a scheme to dispose of foul water has been submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include details of the following:

- (a) a timetable for the implementation of the foul water disposal scheme;
- (b) a management plan for the lifetime of the development.

The scheme shall be carried out, managed and retained in accordance with the approved details.

Reason - To ensure that there is adequate provision for foul drainage from the site and to comply with the NPPF, Saved Policies R/DP1, R/ENV2, R/ENV4 and R/ENV5 of the Gosport Borough Local Plan Review 2006 and Policy LP10 of the emerging Gosport Borough Local Plan (Publication Version July 2014).

12. No development above slab level shall commence until details, including samples, of all external facing materials for House Types 1 and 3, as shown on approved plans 1410-PP-104 Rev B and 1410-PP-106 Rev A, including the profiled cladding, timber boarding and acrylic render, concrete columns and details of the glazing for the windows, ground floor lobbies and terrace balustrades, including handrails, have been submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved details unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure 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 walls and Scheduled Ancient Monuments and to comply with the NPPF, The Conservation of Habitats and Species Regulations 2010 (as amended), Saved Policies R/DP1, R/BH1, R/BH3 and R/BH8 of the Gosport Borough Local Plan Review 2006 and Policies LP10 and LP11 of the emerging Gosport Borough Local Plan (Publication Version July 2014).

13. No development above slab level shall commence until details, including samples, of all external facing materials for House Type 2, as shown on approved plan 1410-PP-105 Rev A, including the brick bond and mortar, details of the glazing to be used for the windows, ground floor lobby and terrace balustrades, including handrails, have been submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved details unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure 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 walls and Scheduled Ancient Monuments and to comply with the NPPF, Saved Policies R/DP1, R/BH1, R/BH3 and R/BH8 of the Gosport Borough Local Plan Review 2006 and Policies LP10 and LP11 of the emerging Gosport Borough Local Plan (Publication Version July 2014).

14. No development above slab level shall commence until details of the proposed windows, fascias and doors, including horizontal and vertical sections at a scale of 1:10 and materials, have

been submitted to and approved, in writing, by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

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 NPPF, Saved Policies R/DP1, R/BH1, R/BH3 and R/BH8 of the Gosport Borough Local Plan Review 2006 and Policies LP10 and LP11 of the emerging Gosport Borough Local Plan (Publication Version July 2014).

15. No development above slab level shall commence until full details of the hard landscaping works have been submitted to and approved, in writing, by the Local Planning Authority. These details shall include samples of all hard surfacing materials, including to the proposed undercroft parking areas. The approved hard surfacing shall be provided before the development hereby approved is first occupied and thereafter retained.

Reason - In the interests of amenity and the appearance of the locality to Comply with the NPPF, Saved Policies R/DP1, R/BH1, R/BH3 and R/BH8 of the Gosport Borough Local Plan Review 2006 and Policies LP10 and LP11 of the emerging Gosport Borough Local Plan (Publication Version July 2014).

16. No development above slab level shall commence until full details of a soft landscaping scheme including the size/densities of tree/shrubs, the phasing of timing of planting, and provision for its maintenance during the first five years from the date of planting, shall be submitted to and approved, in writing by the Local Planning Authority.

Reason - In the interest of amenity and the appearance of the locality, and to comply with the NPPF, Saved Policies R/DP1, R/BH1, R/BH3 and R/BH8 of the Gosport Borough Local Plan Review 2006 and Policies LP10 and LP11 of the emerging Gosport Borough Local Plan (Publication Version July 2014).

17. The landscaping scheme approved in accordance with Condition 16 shall be completed within six months from the completion of the last building shell, or within the next available planting season, and any trees or plants which die are removed or become seriously damaged or diseased during the first five years, shall be replaced with others of identical species (or as may otherwise be agreed, in writing, with the Local Planning Authority) during the next planting season.

Reason - In the interest of amenity and the appearance of the locality, and to comply with the NPPF, Saved Policies R/DP1, R/BH1, R/BH3 and R/BH8 of the Gosport Borough Local Plan Review 2006 and Policies LP10 and LP11 of the emerging Gosport Borough Local Plan (Publication Version July 2014).

18. No development above slab level shall commence until details of all external lighting for the site, including within undercroft car parking areas, have been submitted to and approved, in writing, by the Local Planning Authority. These details shall include:

- (a) the design of all lighting, including luminaire type, mounting height, aiming angles and luminaire profiles;
- (b) a light scatter diagram with relevant contours;
- (c) the hours the lighting will be operated.

The approved lighting shall be provided before the development hereby approved is first occupied and shall be retained thereafter as approved.

Reason - In the interests of amenity, to prevent light pollution and to comply with the NPPF, Saved Policies R/DP1 of the Gosport Borough Local Plan Review 2006 and Policy LP10 of the emerging Gosport Borough Local Plan (Publication Version July 2014).

19. No development above slab level shall commence until full details of the boundary treatments to be provided at the site, including to control access to the moat and the flood gate, as referenced on approved plans 1410-PP-101 Rev A and 1410-PP-102 Rev A, have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include:

- (a) elevation drawings showing the height and design of the boundary treatment and gate
- (b) sample materials and/or manufacturer specifications of the materials to be used in the construction of the boundary treatment and flood gate

The boundary treatments and flood gate shall be provided in accordance with the approved details before the development is first brought into use and retained thereafter.

Reason - In the interests of reducing the risk of flooding to people and property and future users and the visual amenity of the locality and to comply with the NPPF, Saved Policies R/DP1, RBH1, R/BH3 and R/BH8 of the Gosport Borough Local Plan Review 2006 and Policy LP45 of the emerging Gosport Borough Local Plan (Publication Version July 2014).

20. The internal floor levels for the residential dwellings shall not be less than;

- (a) 5.925 metres above ordnance datum (AOD) for House Type 1, as shown on approved plan 1410-PP-104 Rev B
- (b) 6 metres above ordnance datum (AOD) for House Type 2, as shown on approved plan 1410-PP-105 Rev A
- (c) 6.040 metres above ordnance datum (AOD) for House Type 3, as shown on approved plan 1410-PP-106 Rev A

Reason - In the interests of reducing the risk of flooding to people and property and future users to comply with the NPPF, Saved Policies R/DP1, RBH1, R/BH3 and R/BH8 of the Gosport Borough Local Plan Review 2006 and Policy LP45 of the emerging Gosport Borough Local Plan (Publication Version July 2014).

21. The residential development, hereby approved, shall not be occupied until the access, parking and turning areas have been provided in accordance with approved plan 1410-PP-101 Rev A. The access, parking and turning areas shall be retained in accordance with the approved details thereafter.

Reason - In the interests of highway and pedestrian safety and the visual amenity of the locality and to comply with the NPPF, Saved Policies R/DP1, R/T3 and R/T11 of the Gosport Borough Local Plan Review 2006 and Policies LP22 and LP23 of the emerging Gosport Borough Local Plan (Publication Version July 2014).

22. No development shall commence until details of the cycle storage facilities (including design and external materials) have been submitted to and approved, in writing, by the Local Planning Authority. The cycle storage facilities shall be constructed, as approved, prior to the first occupation of the dwellings, hereby approved.

Reason - In order to ensure that adequate cycle storage is provided in compliance with the NPPF, Saved Policy R/T11 of the Gosport Borough Local Plan Review 2006 and Policy LP22 of the emerging Gosport Borough Local Plan (Publication Version July 2014).

23. No development shall commence until details of the storage of refuse facilities (including design and external materials) have been submitted to and approved, in writing, by the Local Planning Authority. The storage of refuse facilities shall be constructed, as approved, prior to the first occupation of the dwellings, hereby approved.

Reason - In order to ensure that adequate refuse storage facilities are available in compliance with the NPPF, Saved Policy R/DP1 of the Gosport Borough Local Plan Review 2006 and Policy LP10 of the emerging Gosport Borough Local Plan (Publication Version July 2014).

24. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration to any of the dwellinghouses hereby approved, including enclosing the undercroft parking areas, shall be permitted.

Reason - In the interests of design and to preserve the character and appearance of the Conservation Area and the setting of the adjacent Listed wall and to comply with the NPPF, Saved Policies R/DP1, R/BH1, R/BH3 and R/BH8 of the Gosport Borough Local Plan Review 2006 and Policies LP10 and LP11 of the emerging Gosport Borough Local Plan (Publication Version July 2014).

25. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (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 within the rear garden of House Type 2, as shown on approved plan 1410-PP-102-Rev A.

Reason - In the interests of design and to preserve the character and appearance of the Conservation Area and the setting of the adjacent Listed wall and to comply with the NPPF, Saved Policies R/DP1, R/BH1, R/BH3 and R/BH8 of the Gosport Borough Local Plan Review 2006 and Policies LP10 and LP11 of the emerging Gosport Borough Local Plan (Publication Version July 2014).

26. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no gate, fence, wall or means of enclosure, shall be permitted.

Reason - In the interests of design and to preserve the character and appearance of the Conservation Area and the setting of the adjacent Listed wall and to comply with the NPPF, Saved Policies R/DP1, R/BH1, R/BH3 and R/BH8 of the Gosport Borough Local Plan Review 2006 and Policies LP10 and LP11 of the emerging Gosport Borough Local Plan (Publication Version July 2014).

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

Reason - To preserve the environment for the over-wintering bird population and to comply with the NPPF, Saved Policies R/DP1, R/OS11, R/OS12 and R/OS13 of the Gosport Borough Local Plan Review 2006 and Policies LP42, LP43 and LP44 of the emerging Gosport Borough Local Plan (Publication Version July 2014).

28. No works to the trees identified to be retained within the Tree Survey, Arboricultural Implication Assessment and Method Statement and Tree Protection Plan shall take place until a Tree Method Statement outlining how this work is to be undertaken has been submitted to and agreed, in writing, by the Local Planning Authority. The works to the trees shall be carried out in accordance with the approved Tree Method Statement.

Reason - To ensure the enhancement of the development by the retention of natural features, and to comply with the NPPF and Policy R/DP1 of the Gosport Borough Local Plan Review 2006.

29. The trees which are shown to be retained within the Tree Survey, Arboricultural Implication Assessment and Method Statement and Tree Protection Plan shall be protected during building operations by compliance with BS5837:2012 - Trees in Relation to Construction.

Reason - To ensure the enhancement of the development by the retention of natural features, and to comply with the NPPF and Policy R/DP1 of the Gosport Borough Local Plan Review 2006

30. The development, hereby permitted shall be undertaken in accordance with the ecological mitigation, compensation and enhancement measures detailed within the Ecological Survey & Impact Assessment Update, including Habitats Regulation Assessment (4 Woods Ecology, July 2015). All mitigation measures shall be permanently retained and maintained on site.

Reason - to conserve and enhance biodiversity in accordance with the Wildlife & Countryside Act 1981, the NERC Act 2006, The Conservation of Habitats and Species Regulations 2010 (as amended), NPPF and Saved Policies OS11, OS12 and OS13 of the Gosport Borough Local Plan Review 2006 and Policies LP42, LP43 and LP44 of the emerging Gosport Borough Local Plan 2011-2029 (Publication Version July 2014).

31. No development shall commence until details of glazing on the southern elevation of the dwellings, hereby permitted, has been submitted to and approved, in writing, by the Local Planning Authority. The glazing shall be non-reflective and shall be installed and maintained as agreed.

Reason - To safeguard against bird collision in accordance with Saved Policies OS11, OS12 and OS13 of the Gosport Borough Local Plan Review 2006 and Policies LP42, LP43 and LP44 of the emerging Gosport Borough Local Plan 2011-2029 (Publication Version July 2014); The Conservation of Habitats and Species Regulations 2010 (as amended).

32. No development shall commence until a timetable for the repairs to the grade II listed traverse and blast walls has been submitted to and approved, in writing, by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved timetable.

Reason - To ensure that the proposal has an acceptable impact upon the grade II listed traverse and blast walls in accordance with Saved Policy R/BH3 of the Gosport Borough Local Plan Review 2006 and Policy LP11 of the emerging Gosport Borough Local Plan 2011-2029 (Publication Version July 2014).

33. The dwellings, hereby permitted, shall not be first occupied until repairs to the grade II listed traverse and blast walls have been undertaken in accordance with Listed Building Consent 14/00496/LBA.

Reason - To ensure that the proposal has an acceptable impact upon the grade II listed traverse and blast walls in accordance with Saved Policy R/BH3 of the Gosport Borough Local Plan Review 2006 and Policy LP11 of the emerging Gosport Borough Local Plan 2011-2029 (Publication Version July 2014).

ITEM NUMBER: 05.

APPLICATION NUMBER: 14/00496/LBA

APPLICANT: Mr Carlo Navato Haxted Estates Ltd. and Lighthouse Land and Developments Ltd

DATE REGISTERED: 14.10.2014

**LISTED BUILDING APPLICATION - REPAIRS TO TRAVERSE AND BLAST WALLS
(CONSERVATION AREA)**

Shell Filling Rooms Priddy's Hard Gosport Hampshire

The Site and the proposal

1. The application site is located in the south west corner of Priddy's Hard which originally comprised a vast area of farmland. The area was subsequently developed as an Ordnance Depot to resolve the dangers associated with storing gunpowder in the centre of Portsmouth. Located at the northern end of the Gosport Lines the first phase of development was completed by 1777 and included a tidal basin/camber, a powder magazine, a cooperage for the repair of powder barrels and a shifting room for the examination of powder all housed within a walled enclosure. Heavy demands for filled shells during the period between 1878-1882 lead to the construction of 3 no. Shell Filling Rooms, with a further 3 no. Filling Rooms constructed in 1898. A number of associated structures, including a Shell Emptying Room, 2 no. Trotyl Melting Rooms and Unheading Shed were constructed within and adjacent to the application site. The Shell Filling Rooms were constructed from brick with slate roofs and traversed, bund walls on all sides. The traverse walls are constructed from brick and are approximately 4.8 metres high. A blast wall was also erected at the front of the buildings. The Shell Filling Rooms and associated traverse and blast walls are Grade II Listed.

2. In April 2007 planning permission was granted for the demolition of the 6 no. Shelling Filling Rooms and associated structures and the erection of 9 no. dwellings, with associated landscaping, parking and ancillary structures. The demolition of the Listed Buildings was permitted after surveys revealed that the contamination evident within the buildings could not be safely mitigated, preventing subsequent conversion.

3. The planning permission has been part implemented. All the former buildings at the site have been demolished and concrete foundations have been laid in anticipation of the subsequent construction. The traverse walls and blast walls remain in situ. The Heritage Statement indicates that they are suffering from progressive decay and that some of the brick facing has begun to break-off. They are also being damaged by the roots of a number of trees immediately to the north.

4. The proposal is for Listed Building Consent to undertake repair/maintenance works to the Listed walls in order to secure their long term preservation. The works would involve repointing and the provision of replacement bricks, where appropriate.

Relevant Planning History

K15249/8 - Conservation Area Consent - demolition of 6 no. existing Shell Filling and Emptying Rooms, Store Room 255 and associated structures; partial demolition of existing concrete and steel posts, existing concrete post and chainlink fencing; and demolition of existing suspended concrete access road (Conservation Area) - withdrawn 10.07.06

K15249/9 - demolition of 6 no. shell filling rooms and associated structures and construction of 9 no. dwellings with associated access, landscaping, parking and ancillary structures (Conservation Area) - permitted 24.04.07

14/00495/FULL - removal of existing concrete slabs, repair works to existing traverse walls, alterations to sea wall and erection of 2 no. two bedroom dwellings and 7 no. three bedroom dwellings with associated landscaping and car parking (Conservation Area) - pending consideration

Relevant Policies

National Planning Policy Framework (NPPF), March 2012

The adopted development plan is the Gosport Borough Local Plan Review, 2006. The emerging Gosport Borough Local Plan, 2011 – 2029 has been the subject of two public consultations and is currently being examined in Public. It is due for adoption in summer 2015. The policies within this document therefore also need to be given weight in decision making, where appropriate.

Gosport Borough Local Plan Review, 2006:

R/BH3

Development Affecting Listed Buildings

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

LP11

Designated Heritage Assets including Listed Buildings, Scheduled Ancient Monuments and Registered Historic Parks & Gardens

Consultations

Historic England	No comment.
Society Protection Ancient Buildings	No response received.
Georgian Group	No response received.
The Gosport Society	No objection.
HCC Landscape, Planning & Heritage	No objection.

Response to Public Advertisement

Nil

Principal Issues

1. This application is for works which require Listed Building Consent. The main issues in this case are the desirability of preserving the listed structures, its setting or any features of special architectural or historic interest which it possesses.

2. The restoration and repair of the walls will facilitate the long term preservation of the structures whilst the repointing works will help to strengthen the walls and prevent further deterioration. A condition is recommended to require the submission of a detailed Method Statement which outlines the methods by which the Grade II Listed traverse and blast walls will be repaired and restored. Subject to this condition it is considered that the proposed development will enhance the architectural or historic integrity, character or appearance of the Grade II Listed walls, or their setting, in accordance with the NPPF, Saved Policy R/BH3 of the Gosport Borough Local Plan Review 2006 and Policy LP11 of the emerging Gosport Borough Local Plan 2011-2029 (Publication Version July 2014).

RECOMMENDATION: Grant Listed Building Consent**Subject to the following condition(s):-**

1. The works 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 18 of the Planning (Listed Buildings and Conservation Area) Act, 1990 (as amended).

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

1410-PP-100

Reason - To ensure that the development is completed satisfactorily in all respects and to comply with Policy R/BH3 of the Gosport Borough Local Plan Review 2006 and LP11 of the Gosport Borough Local Plan 2011-2029 (Publication Version).

3. No development shall commence until details of the extent and method by which the Grade II Listed traverse and blast walls will be repaired, including details of any replacement bricks and mortar and the method of re-facing existing damaged bricks, have been submitted to and approved, in writing, by the Local Planning Authority. The repair works shall be carried out in accordance with the approved details.

Reason - To ensure the special architectural character of the Grade II Listed wall is preserved in accordance with the NPPF, Saved Policy R/BH3 of the Gosport Borough Local Plan Review 2006 and Policy LP11 of the emerging Gosport Borough Local Plan 2011-2029 (Publication Version July 2014)