

Please ask for:

Vicki Stone

Direct dial:

(023) 9254 5651

E-mail:

vicki.stone@gosport.gov.uk

22 February 2016

S U M M O N S

MEETING: Regulatory Board
DATE: 1 March 2016
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.

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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 are required to disclose, at this point in the meeting or as soon as possible thereafter, any disclosable pecuniary interest or personal interest in any item(s) being considered at this meeting.
3. MINUTES OF THE MEETINGS OF THE REGULATORY BOARD HELD ON 19 JANUARY 2016 AND 29 JANUARY 2016
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, 26th February 2016. 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, 26th February 2016).
6. REPORTS OF THE BOROUGH SOLICITOR AND DEPUTY CHIEF EXECUTIVE
*Schedule of planning applications with recommendations.
(grey sheets 1-31/1 pages)*
7. ANY OTHER ITEMS
Which the Chairman determines should be considered, by reason of special circumstances, as a matter of urgency.

PART II
Contact Officer:
Debbie Gore
Ext: 5455

**A MEETING OF THE REGULATORY BOARD
WAS HELD ON 19 JANUARY 2016 AT 6PM**

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

It was reported that in accordance with Standing Order 2.3.6, Councillors Burgess and Hook had been nominated to replace Councillors Bateman and Jessop for this meeting.

76. APOLOGIES

Apologies for inability to attend the meeting were received by Councillors Bateman and Jessop.

77. DECLARATIONS OF INTEREST

- Councillor Dickson declared a personal interest in respect of item 1 of the grey pages of the report of the Borough Solicitor and Deputy Chief Executive.
- Councillors Hook and Mrs Hook declared a disclosable pecuniary interest in respect of item 7 of the grey pages of the report of the Borough Solicitor and Deputy Chief Executive.

78. MINUTES

RESOLVED: That the Minutes of the Regulatory Board meeting held on 8 December 2015, be approved and signed by the Chairman as a true and correct record.

79. DEPUTATIONS

Deputations had been received on the following items:

- Item 1 of the grey pages – 15/00309/FULL – 5 Rosemary Walk
- Item 2 of the grey pages – 15/00620/FULL – Block NM7 Royal Clarence Yard
- Item 4 of the grey pages - 15/00432/FULL – 154 Fareham Road, Gosport
- Item 6 of the grey pages – 15/00589/FULL – 36 Lester Road, Gosport
- Item 7 of the grey pages – 15/00355/FULL – Bagot House, Melrose Gardens, Gosport

80. PUBLIC QUESTIONS

There were no public questions.

PART II

81. REPORTS OF THE BOROUGH SOLICITOR AND DEPUTY CHIEF EXECUTIVE

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

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

**82. 15/00309/FULL – ERECTION OF PART SINGLE, PART TWO STOREY
REAR EXTENSION (as amended by plans received on 28.08.15)
5 Rosemary Walk, Lee-on-the-Solent**

Councillor Dickson declared a personal interest in respect of this meeting; he left the meeting room and took no part in the discussion or the voting thereon.

Consideration was given to the report of the Borough Solicitor and Deputy Chief Executive requesting that consideration be given to planning application 15/00309/FULL.

Mrs Hewitt was invited to address the Board.

Members of the Regulatory Board had undertaken a site visit at 2:30 today at the application site which included viewing the application site from No. 4 Smeeton Close.

Mrs Hewitt thanked Members for the opportunity to represent residents who would be affected by the proposed planning application. She advised that she lived at no. 4 Smeeton Road which directly backed onto no. 5 Rosemary Walk.

Mrs Hewitt advised the Board that she felt the nature of the development; a two storey building would be out of character in the area. She further advised Members that the proposed separation distance of 17.8 metres between her property and the proposed development did not comply with the Councils Design Supplementary Planning Document, whereby the guidance advised that a minimum separation distance between properties should be 21 metres. She further advised that if this application was approved, it would set an undesirable precedent in the area.

In conclusion, Mrs Hewitt asked Members to consider the implications the excessive size of the proposed development would have on surrounding properties, including the restriction of light to her property and the impact of the loss of privacy she would experience by being overlooked in her back garden.

The Applicant Mr Uma was invited to address the Board but declined.

A Member raised concerns with the loss of light and overshadowing to no. 3 and no. 7 Rosemary Walk and queried whether the 17 metre separation distance proposed between the development and no. 4 Smeeton Road was acceptable.

The Planning Officer advised Members that when the assessment of the application was carried out it had been considered that the impact to neighbouring properties in terms of loss of light would be limited due to the reduced depth of the first floor extension and its northern orientation.

The Planning Officer further advised that each application was considered on its own merits and that it had been considered that the proposed development would not have a harmful impact on the occupiers of 3 and 7 Rosemary Walk and no. 4 Smeeton Road.

Following discussions, Members felt that the development would have an unacceptable, overbearing impact on the occupiers of the adjacent properties and would result in harmful overlooking of and loss of privacy to the occupiers of number 4 Smeeton Road and harmful overshadowing and loss of light to and outlook from numbers 3 and 7 Rosemary Walk

It was proposed and seconded that by reason of the proposals size, design and inadequate separation distance to the neighbouring properties, that the planning application be refused. A vote was taken on this proposal and subsequently agreed.

RESOLVED: That planning application 15/00309/FULL, be refused for the following reason:

The proposed extension, by reason of its size, design and inadequate separation distance to the neighbouring properties, would have an unacceptable, overbearing impact on the occupiers of the adjacent properties and would result in harmful overlooking of and loss of privacy to the occupiers of number 4 Smeeton Road and harmful overshadowing and loss of light to and outlook from numbers 3 and 7 Rosemary Walk, contrary to Policy LP10 of the Gosport Borough Local Plan 2011-2029 and the Gosport Borough Council Design Guidance SPD 2014.

**83. 15/00620/FULL – ERECTION OF BUILDING (NM7) COMPRISING 55 NO. FLATS WITH ASSOCIATED ACCESS AND CAR PARKING (CONSERVATION AREA) (as amplified by information received 15.12.15 and amended by information received 18.12.15)
Block NM7 Royal Clarence Marina Weevil Lane, Gosport**

Consideration was given to the report of the Borough Solicitor and Deputy Chief Executive requesting that consideration be given to planning application 15/00620/FULL.

Mr West was invited to address the Board.

Members were advised that since the publication of the report one further letter of objection had been received which raised concerns that there was insufficient capacity within the sewerage system and any costs of upgrading it should not fall to existing residents. The Planning Officer advised that the matter of capacity was already addressed in the Officer report and a condition was proposed to secure appropriate details whilst the future management and maintenance of the sewerage system was a civil matter between landowners and, in this instance, Southern Water.

Mr West advised the Board that he was a resident at Royal Clarence Yard and felt that the application failed to address the issues with the under provision of parking at the North end of the Royal Clarence Yard site further advising that the application failed to meet the parking standards set out in the Local development plan: Supplementary Parking Design.

Mr West advised Members that he felt that if the applicant was to consider providing underground parking then this would have addressed the issues at the North end of the site.

Mr West raised concerns with the transport assessment document the applicants had provided which he felt erroneously referred to a regular bus service along Mumby Road. He advised Members that there was no regular bus services and stated that the distance from the centre of the NM7 plot which was the proposed entrance, to the nearest public transport was a 15 minute walk to an Eclipse bus stop and an 18 minute walk to the Gosport Ferry.

In conclusion Mr West felt that the developer should not be permitted to reduce the parking provision for the NM7 block below the standards set out in the Parking Supplementary Planning Document.

The agent, Olivia Forsyth was invited to address the Board.

Mrs Forsyth advised the Board that the new building would be reduced in height to a maximum of 4 storeys to respond more positively to the historic context of Royal Clarence Marina. Mrs Forsyth further advised the Board that 43 unallocated parking would be provided via the permit system within North Meadow car park with visitor parking available on Cooperage Green.

Following discussions, Members sought clarification with regards to how many parking spaces were available to residents on the site and whether the overall parking position of the site as a whole met the required parking standards. The Planning Officer confirmed that parking spaces proposed to be provided were in accordance with the approved 2015 Car Park Management Plan. Therefore, whilst the proposal was 3 parking spaces short of the standard advocated by the Parking Supplementary Planning Document significant weight must be given to the fall back position.

Following discussions, it was proposed and seconded that this application be deferred so that

additional information regarding vehicular parking could be provided. A vote was taken on this proposal and subsequently agreed.

RESOLVED: That planning application 15/00620/FULL, be deferred.

**84. 15/00183/FULL – ERECTION OF 13 NO. DWELLINGS WITH ASSOCIATED ACCESS, CAR PARKING AND WORKS TO BOUNDARY WALLS AND WALLS WITHIN THE BOUNDARY (CONSERVATION AREA) (as amended by additional information received 15.06.15, 17.08.15 and 10.12.15)
ROYAL CLARENCE YARD G1-G3 Block Weevil Lane Gosport**

Members were advised that Environmental Health Officers had now confirmed that with regard to land contamination, the application site had been the subject of remediation works and a verification report had been agreed resulting in no requirement for any further investigation or mitigation. Therefore, the recommendation remained for approval but proposed conditions 16, 17 and 18 were no longer required and would be deleted as condition 19 (which deals with the discovery of any unexpected contamination) would be sufficient.

It was proposed and seconded that this application be deferred so that additional information regarding vehicular parking could be provided. A vote was taken on this proposal and subsequently agreed.

RESOLVED: That planning application 15/00183/FULL, be deferred.

**85. 15/00432/FULL – ERECTION OF A DRIVE-THROUGH RESTAURANT (CLASS A3/A5) WITH EXTERNAL SEATING AREA, TOGETHER WITH ASSOCIATED ACCESS AND CAR PARKING
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 15/00432/FULL.

Members were advised of an amendment to condition 2 (plans) as follows: 9811 02 Rev C (not REV B) to correct the scale shown.

Members were advised of an update to condition 9 to state:

- The development, hereby permitted, shall not be brought in to first use until the equipment set out in the submitted technical note on noise (6323/pja dated 16 September 2015), **the Trion T4002 unit in single pass form as** specified in the submitted Trion Air Purification System document (as received 26 August 2015) and equipment specified in the UV-C and UV-O Odour Control Technology document (as received 26 August 2015) have been installed and are operational. The equipment shall be retained and operated in accordance with the submitted information unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To protect the amenities of surrounding properties, and to comply with Policies LP10, and LP46 of the Gosport Borough Local Plan, 2011-2029.

Ms Catherine Stephens was invited to address the Board. She advised Members that she was speaking on behalf of the Applicants that were a franchise of Burger King.

Ms Stephens advised Members that the original plan for a coffee shop located on the site had received no interest. Burger King had expressed a strong interest in the site and that it was now proposed to build a drive-through restaurant on the land to be operated by Burger King which would ensure that the land was developed and did not lie dormant.

Ms Stephens further advised the Board that this application would provide a mix of job opportunities and create approximately 35 new jobs.

Members were advised by Ms Stephens that Burger King were committed to minimising the impact of its operations on the local environment and given the central location of the unit it was felt that there would not be any adverse impact on parking, traffic or residential amenities.

Following a question from a Member, Ms Stephens confirmed that Burger King Restaurants had mechanical ventilation systems that were designed and installed to be as environmentally friendly as possible to reduce noise and odour.

A Member asked for clarification on how Burger King would manage litter on the site and it was confirmed by Ms Stephens that Burger King encouraged the control and management of waste, recycling and litter at all their sites and that they would be willing to engage with local residents to overcome any problems. It was further advised that there would be litter patrols at the restaurant where nominated staff members would undertake regular litter patrols outside of the building, and the vicinity of the site.

A Member expressed concern with the lack of signage on site in particular Barwell Lane signage not being visible from the carpark. The Planning Officer advised that this would be investigated.

Following discussions, it was proposed and seconded that either a Section 106 Agreement or a planning condition be imposed to control the management of litter from the site. A vote was taken and subsequently agreed.

RESOLVED: That planning application 15/00432/FULL, be approved subject to a Section 106 agreement or condition to secure the provision of litter bins and litter picking within the site and along Fareham Road in accordance with a scheme to be submitted to and approved by the Local Planning Authority and subject to the conditions of the report of the Borough Solicitor and Deputy Chief Executive with Condition 9 amended as follows :-

- The development, hereby permitted, shall not be brought in to first use until the equipment set out in the submitted technical note on noise (6323/pja dated 16 September 2015), **the Trion T4002 unit in single pass form as** specified in the submitted Trion Air Purification System document (as received 26 August 2015) and equipment specified in the UV-C and UV-O Odour Control Technology document (as received 26 August 2015) have been installed and are operational. The equipment shall be retained and operated in accordance with the submitted information unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To protect the amenities of surrounding properties, and to comply with Policies LP10, and LP46 of the Gosport Borough Local Plan, 2011-2029.

86. 15/00230/FULL – ERECTION OF BUILDING TO PROVIDE 4 NO. TWO BEDROOM FLATS, 1 NO. MAISONETTE AND 1 NO. ONE BEDROOM FLAT WITH ASSOCIATED PARKING BUN AND CYCLE STORAGE AND LANDSCAPING (as amended by plans received 05.11.15) 111 ELSON 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 15/00230/FULL

Members were advised that there were no updates.

Members welcomed the development but expressed concerns with a neighbouring site which remained in disrepair.

RESOLVED: That planning application 15/00230/FULL, be approved subject to a Section 106 agreement relating to the payment of a commuted sum towards infrastructure, services and facilities to secure transport and green infrastructure improvements; the payment of a commuted sum towards measures to mitigate the impact of increased recreational activity on Special

Protection Areas and subject to the conditions of the report of the Borough Solicitor and Deputy Chief Executive.

**87. 15/00589/FULL – DEMOLITION OF EXISTING DETACHED GARAGE AND ERECTION OF DETACHED OUTBUILDING (as amplified by plan received 30.11.2015)
36 LESTER 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 15/00589/FULL.

Members were advised that there were no updates.

The Applicant Mr Barker was invited to address the Board. He advised Members that the purpose of this application was to accommodate his large family as they had limited space and storage to cover their needs.

Mr Barker advised Members that when making the application he had tried to be mindful of nearby neighbours and car parking issues. He also advised the Board that he did not wish for the proposed works to have any overbearing impact on neighbours however, he could not afford to move so felt the next best thing was to expand the property for his family.

RESOLVED: That planning application 15/00589/FULL be refused for the following reasons(s):-

1. The proposed outbuilding, by reason of its excessive height and scale, would have a harmful impact upon the character and appearance and the overall visual amenity of the area. As such, the proposal is contrary to Policy LP10 of the Gosport Borough Local Plan and the Design Guidance: Supplementary Planning Document.
2. The proposed outbuilding, by reason of its excessive height and scale, would have an overbearing impact on the occupiers of nos. 34 and 38 Lester Road contrary to Policy LP10 of the Gosport Borough Local Plan and the Design Guidance: Supplementary Planning Document.

**88. 15/00355/FULL – ERECTION OF PART TWO STOREY AND PART SINGLE STOREY DETACHED BUILDING TO PROVIDE 10. NO. ONE BEDROOM FLATS INCLUDING A COMMUNAL LOUNGE, WASTE STORAGE AND PARKING FOLLOWING DEMOLITION OF EXISTING BUILDING (CLASS C2) (as amended by email and plans received on 11.12.15)
BAGOT HOUSE MELROSE GARDENS GOSPORT**

Councillors Hook and Mrs Hook declared a disclosable pecuniary interest in respect of this item; they left the meeting room and took no part in the discussion or the voting thereon.

Councillor Carter chaired the meeting for this item.

Consideration was given to the report of the Borough Solicitor and the Deputy Chief Executive requesting that consideration be given to planning application 15/00355/FULL.

Members were advised that since the publication of the agenda, one further letter of representation had been received.

The Planning Officer advised that the letter highlighted issues of drainage and possible damage to adjacent property had been amplified in addition to those already noted and addressed in the report. The existing recommendation included a proposed condition requiring details of both the foul and the surface water drainage arrangements for the site and that possible damage to adjoining property was not a material planning consideration. No amendment to the recommendation was therefore proposed.

The Chairman invited Mr Penfold to address the Board. He was not present at the meeting.

The Applicant Mrs Anne Taylor and Agent Mr Bloomfield were invited to address the Board.

Mrs Taylor advised Members that she was the Chief Executive of the Thorngate Trust and was proud that the Thorngate Trust had remained true in providing comfort and security to those in need and were committed to developing the highest standards of housing and professional care.

Mrs Taylor further advised that the majority of residents were over 78 years old with mobility problems, this new scheme would alleviate storage issues as mobility scooters could be stored by resident's front doors.

Mr Bloomfield advised that following pre-application consultations the initial 13 units had been reduced to 10 flats.

Mr Bloomfield advised Members that the design process had focused on type and size layout principles. The proposed single storey building would not overlook neighbours due to the 6ft fence screening.

In conclusion, Mr Bloomfield advised that this application site was highly sustainable providing exceptional care facilities to the community.

RESOLVED: That planning application 15/00355/FULL, be approved subject to the conditions of the report of the Borough Solicitor and Deputy Chief Executive.

**89. 15/00466/GR3 – REGULATION 3 – INSTALLATION OF NEW CAR PARK, ALTERATIONS TO EXISTING CAR PARK AND ACCESS, INSTALLATION OF PATHS AND CYCLEWAY WITH ASSOCIATED BARRIERS, LANDSCAPING AND DRAINAGE (as amplified by e-mail dated 17.11.15 and amended by plan received 04.01.16)
ALVER VALLEY COUNTRY PARK CAR PARK GRANGE ROAD GOSPORT**

Councillors Hook and Mrs Hook returned to the room and Councillor Mrs Hook chaired the meeting.

Consideration was given to the report of the Borough Solicitor and the Deputy Chief Executive requesting that consideration be given to planning application 15/00466/GR3.

Members welcomed the application and felt that this would complement the western site additions that were planned.

RESOLVED: That planning application 15/00466/GR3, be approved subject to the conditions of the report of the Borough Solicitor and Deputy Chief Executive.

90. ANY OTHER BUSINESS

Members were advised that the Planning Inspectorate had dismissed the appeal at the Former Cordite Magazine, Britannia Way (15/00165/FULL). The Inspector gave significant weight to the comments of the Local Plan Inspector relating to the open space and nature designations of the site within the recently adopted Local Plan and dealt with the principle of the development in addition to commenting on the proposed mitigation measures.

The meeting concluded at 19:36

CHAIRMAN

**AN EXTRAORDINARY MEETING OF THE REGULATORY BOARD
WAS HELD ON 29 JANUARY 2016 AT 5PM**

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

91. APOLOGIES

An apology for inability to attend the meeting was received by Councillor Bateman.

92. DECLARATIONS OF INTEREST

There were none.

93. DEPUTATIONS

Deputations had been received on the following items:

- Item 6 of the agenda – 15/00620/FULL – Block NM7 Royal Clarence Yard

94. PUBLIC QUESTIONS

There were no public questions.

PART II

**95. 15/00183/FULL – ERECTION OF 13 NO. DWELLINGS WITH ASSOCIATED ACCESS, CAR PARKING AND WORKS TO BOUNDARY WALLS AND WALLS WITHIN THE BOUNDARY (CONSERVATION AREA) (as amended by additional information received 15.06.15, 17.08.15 and 10.12.15)
ROYAL CLARENCE YARD G1-G3 Block Weevil Lane Gosport**

Members were advised that the purpose of this report was to consider whether to grant permission for planning application 15/00183/FULL.

RESOLVED: That planning permission be granted subject to the planning conditions set out within Appendix A of the report of the Deputy Chief Executive and Borough Solicitor.

**96. 15/00620/FULL – ERECTION OF BUILDING (NM7) COMPRISING 55 NO. FLATS WITH ASSOCIATED ACCESS AND CAR PARKING (CONSERVATION AREA) (as amplified by information received 15.12.15 and amended by information received 18.12.15)
Block NM7 Royal Clarence Marina Weevil Lane, Gosport**

Members were advised that the purpose of this report was to consider whether to grant permission for planning application 15/00620/FULL.

Mrs Ewing was invited to address the Board.

Members were advised that three further letters of objections had been received; one of which was further to a letter already received. Therefore, in total, there were 14 letters of objection.

The majority of the issues raised were already covered in the Officer report however, additional issues raised were:

- The fallback position for development on the site was not strong as it was not viable and the applicant would not build it, secondly it was approved a long time ago and thirdly there had been changes in policy since the approval. Therefore, less weight should be given to it.
- There was a lack of visitor parking in North Meadow and this would impact upon the success of commercial units.

The Planning Officer advised that the fallback position for development on the site was a 78 unit building with the same number of parking spaces as now proposed for a 55 unit building. The building had permission and could be built without the need for further permission. This represented a strong fallback position that significant weight should be given to.

Notwithstanding the fallback position the recently adopted Gosport Borough Local Plan 2011-2029 allocated Royal Clarence Yard for an additional 105 units so the principle of further residential development on the site was established.

Members were advised that the application did not change the allocation of space for visitor parking across the wider site approved in the Car Park Management Plan by the September 2015 Regulatory Board.

Mrs Ewing advised the Board that she ran the Pump House in Royal Clarence Yard and also owned a property in Regents Place, Weevil Lane. She advised Members that she had serious concerns with the application being placed before an extraordinary meeting of the Regulatory Board, and felt that this was an important decision for Gosport's economy.

Mrs Ewing advised Members that she felt the application should be refused in order to provide adequate infrastructure to allow Royal Clarence Yard to thrive and provide jobs and economic opportunities for the town. She also advised that Royal Clarence Yard should be a jewel in Gosport's crown; instead she felt, it risked being devoid of the amenities promised in the original application of which the developer had yet to provide.

Mrs Ewing advised that allowing a reduced number of flats to be built would still see a detrimental impact on visitor parking which, she felt was crucial to any business moving in to Royal Clarence Yard. She further advised that Royal Clarence Yard was a thriving community of local, independent businesses which made it all the more obvious that the waterfront units were empty and that she had lost count of the number of times visitors to the café, Gosport residents and visitors who arrived by boat in the marina say that it was a shame that there was nothing there.

Mrs Ewing advised that the Gosport Design Supplementary Planning Document (SPD) stated that the minimum distance between facing windows should be 21 metres. The submitted plans allowed for a minimum distance of 19 metres across Weevil Lane to Ledwell Court which was 2 metres less than the guidelines and just 15.5 metres across the internal courtyard subsequently resulting in almost 5 metres less than the guidelines.

In conclusion Mrs Ewing urged the Board to consider looking at the development as a whole and not allow the application to go ahead which would cut off the opportunity for any future commercial development and jobs for the people of Gosport.

Following a question from a Member, the Planning Officer clarified that the proposal provided the same number of parking spaces on the site but for 23 less units (from 78 to 55) than the extant permission which maintained the spaces approved in the 2015 Car Park Management Plan.

The Planning Officer also confirmed that the distances proposed between the buildings were similar to that previously approved.

Following discussions Members recognised that if refused, Berkley Homes would still be able to build the approved 78 units under the permission.

RESOLVED: That planning permission be granted subject to the planning conditions set out within Appendix A of the report of the Deputy Chief Executive and Borough Solicitor.

97. ANY OTHER BUSINESS

There was no other business.

The meeting concluded at 17:36

CHAIRMAN

GOSPORT BOROUGH COUNCIL – REGULATORY BOARD

1st March 2016

ITEMS WITH RECOMMENDATIONS

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

<u>Item</u>	<u>Page</u> <u>No</u>	<u>Appl. No.</u>	INDEX	
			<u>Address</u>	<u>Recommendation</u>
01.	3- 11/1	16/00001/FULL	Daedalus Park - Site B (South) Lee On The Solent PO13 9FU	Grant Permission subject to Conditions
02.	13- 21/1	16/00002/FULL	Daedalus Park - Site B (North) Lee On The Solent PO13 9FU	Grant Permission subject to Conditions
03.	23- 28/1	15/00125/FULL	Delden Fort Road Gosport Hampshire PO12 2DT	Grant Permission subject to Conditions
04.	29- 31/1	15/00352/FULL	33 Monckton Road Gosport Hampshire PO12 2BG	Grant Permission subject to Conditions

ITEM NUMBER: 01.
APPLICATION NUMBER: 16/00001/FULL
APPLICANT: Mr Kevin Jones Tidebank UK Limited
DATE REGISTERED: 06.01.2016

ERECTION OF BUILDING (USE CLASS B1/B2/B8) WITH ASSOCIATED CAR PARKING
(as amplified by information received 10.02.16)
Daedalus Park - Site B (South) Lee On The Solent PO13 9FU

The Site and the proposal

1. The application site is a flat parcel of land located within the former HMS Daedalus site in Lee on Solent. All the previous buildings and structures on the site have been demolished and the site is vacant.
2. The site is located within the area designated as the Solent Enterprise Zone and a regeneration area designated by Policy LP5 of the Gosport Borough Local Plan 2011-2029. The spine road across the Daedalus site, permitted in February 2015 (15/00009/FULL), is currently under construction whilst outline permission exists for the wider development of the Daedalus site (11/00282/OUT).
3. To the north of the site is a vacant parcel of land where a concurrent application is currently being considered for the erection of 3,268 sqm of B1 (business), B2 (general industrial) and B8 (storage and distribution) development with the existing access road (where the proposed spine road is to be located) beyond. To the west of the application site is Overlord Hanger, to the south is vacant land where previous buildings have been demolished, and to the east is currently vacant land where permission has been given for 8,947sqm of two-storey B1, B2 and B8 development. Residential development is located adjoining the south-east corner of the site on the recently completed Barrett's Seacreast Gardens site. The Daedalus Conservation Area, designated in 1999 recognising it's clearly defined and architecturally similar groups of buildings associated with the sites military history, is approximately 90m to the south whilst the Grade II listed Daedalus Dining Rooms and Cook House, which plays an important role in forming the setting of the square to its south, is approximately 70m to the south of the application site.
4. The proposal is for the erection of 2,751 sqm of floorspace to be used within the B1, B2 or B8 use classes. The floorspace is formed in one building, which is 'L' shaped, that could be divided into three buildings. The building would be 74.5m long, 45m deep at its deepest (22m elsewhere) and 9.2m high (8m to eaves). It would be predominately finished in profiled cladding of a Grey colour. The southern elevation of the building would be a non-reflective material.
5. The application site includes 68 vehicular parking spaces although 19 of these would be associated with the consented development to the east (15/00547/FULL) with 49 for the proposed building. 10 cycle spaces are proposed. Access to the site would be directly from the Daedalus spine road and would be shared with the consented development to the east (15/00547/FULL).
6. The site is proposed to be bounded in 2.4m high Weldmesh perimeter fencing whilst the surfacing will be a combination of concrete, block paving and gravel. No soft landscaping is proposed.
7. The application plans are accompanied by a noise assessment, flood risk assessment, heritage statement, renewable energy statement, transport statement, contaminated land investigation, construction management plan and ecological appraisal.

Relevant Planning History

16/00002/FULL - Erection of 3 no. two-storey buildings (use class B1/B2/B8 use) with associated car parking - pending consideration

15/00547/VOC - Variation of conditions 2 and 11 of planning permission 15/00247/FULL to amend approved site layout and soft landscaping scheme - permitted 29.01.16

15/00247/FULL - Erection of 7 no. two-storey buildings (B1/B2/B8 use) with associated car parking and landscaping - permitted 21.10.15

15/00009/FULL - Construction of section of east-west road to include pedestrian and cycle pathways - permitted 26.02.15

11/00282/OUT - Outline application with all matters reserved except for access - employment-led mixed use scheme including up to 69,992 sqm of commercial floor space in new buildings and re-use of existing buildings (use classes B1, B2 and B8); up to 1,075 sqm of retail (use classes A1, A2, A3 and/or A4); up to 200 residential units (use class C3); up to 32 units of care accommodation (use class C2); up to 1,839 sqm of community uses (use class D1); up to 8,320 sqm of hotel use (use class C1); up to 2,321 sqm of leisure (use class D2); new and upgraded vehicular and pedestrian access arrangements; hard standing and car parking; open space provision; landscaping; and associated works - permitted 28.01.16

05/00642/FULL - Extension of temporary consent (k.15520/2) from July 2007 to December 2010 - use of land and existing buildings for open storage and industrial use (class B1/B2 and B8) - permitted 15.12.05

02/00651/FULL - Renewal of temporary consent - use of land and existing buildings for open storage and industrial uses (class B1/B2 and B8) - permitted 14.03.02

Relevant Policies

National Planning Policy Framework (NPPF), March 2012

Gosport Borough Local Plan, 2011 – 2029:

- 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 Parking: Supplementary Planning Document: February 2014

Gosport Borough Council Policy Guidance Note: Securing Employment and Training

Measures through planning obligations April 2012

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

Consultations

BAA Safeguarding	No response received.
Civil Aviation Authority	No response received.
Environment Agency (Hants & IOW)	No objection.
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.
HCC Ecology	No objection subject to securing appropriate ecological enhancements.
Fareham LPA	No objection.
Local Highway Authority	No objection.
Streetscene Waste & Cleansing	No objection.
Environmental Health	No objection subject to conditions regarding contaminated land.
Economic Prosperity	Support the proposal as an employment generating use.
HCC Local Lead Flood Authority	Request further information regarding surface water storage and connection to the public sewer.
Hampshire Fire And Rescue Service	No objection.

Response to Public Advertisement

1 letter of representation.

Issues raised:-

- Is there adequate vehicular and cycle parking provision
- How will Heavy Goods Vehicles (HGV's) park and turn within the site
- Will pedestrian access be available into the south from the site

Principal Issues

1. The key issues to consider are the principle of development, the design and layout, the impact upon the nearby Daedalus Conservation Area and Grade II listed Daedalus Dining Rooms and Cook House, access and parking provision, impact upon the amenity of neighbouring occupiers, land contamination, archaeology and ecology.
2. The application site is located within an area designated as an Enterprise Zone and also a Regeneration Area by Policy LP5 of the Gosport Borough Local Plan 2011-2029, which allocates 75,000sqm of B1, B2 and B8 floorspace to the wider Daedalus area. Extant permission also exists, under 11/00282/OUT, for up to 69,992sqm of B1, B2 and B8 floorspace which indicated that this part of the wider Daedalus site would principally be most appropriate for B2 and B8 development. Therefore, it is considered that the proposal is acceptable in principle in accordance with Policy LP5 of the Gosport Borough Local Plan 2011-2029 and the intentions of the approved outline permission (11/00282/OUT).
3. The proposed building is considered of an appropriate design, scale and layout to respect the setting of adjacent developments (both existing and consented) whilst the simple but functional design will ensure that it is attractive for potential tenants. Planning conditions are proposed to secure the use of appropriate materials, external lighting and boundary treatments in addition to securing the potential for a future pedestrian and cycle access to the south of the site (should future development take place) and restricting the outside storage of materials. To ensure that there is not an unacceptable level of glare reflected from the rear of the southern elevation of the building a condition is recommended to ensure that non-reflective materials are used. On this basis the proposal is considered in accordance with Policy LP10 of the Gosport Borough Local Plan 2011-2029.
4. As the proposal is for 'hanger' sized structures adjacent to existing historic hangers (Dunning and Overlord) it is considered that the proposal would preserve the character and appearance of the nearby Daedalus Conservation Area. As the proposal is to the north of the Grade II listed Daedalus Dining Rooms and Cook House, which is listed due to its setting with the square to its south, it is considered that there would be an acceptable impact upon the setting of the Grade II listed building. Therefore, the proposal is in accordance with Policies LP11 and LP12 of the Gosport Borough Local Plan 2011-2029.
5. The application site, whilst currently accessible via a private road, will in future be accessed via the (currently under construction) Daedalus spine road permitted under 15/00009/FULL. As the quantum of development proposed, and the infrastructure to support it, is being delivered by the wider Enterprise Zone it is considered that the proposed access to the site is acceptable subject to a planning condition to require the access from the spine road to the proposed unit to be provided prior to first occupation. Adequate space for the manoeuvring of HGV's and other vehicles within the site is proposed. On this basis the proposal is considered in accordance with Policy LP23 of the Gosport Borough Local Plan 2011-2029.
6. The proposal provided 68 parking spaces in total, of which 49 would be for this proposal, whilst for the uses proposed the Gosport Borough Parking SPD 2014 would advocate the provision of between 30 (if based on a B8 use), 61 (if based on a B2 use) and 92 (if based on a B1 use) parking spaces. The applicants recognise the unacceptable shortfall for a B1 use and have indicated agreement to a planning condition that restricts the use of the application site to B2 and B8 uses only and removes permitted development rights for any change to B1. This is duly recommended. Whilst there is adequate parking for a B8 use the proposal is 12 short of the quantum recommended for a B2 use by the Gosport Parking SPD 2014. However, given that the site is located within a wider development of industrial development and that any user of the buildings will be aware of the available parking provision the proposal is considered acceptable subject to a condition is to ensure that the building is not subdivided into more than three proposed units as a higher quantum of smaller units could increase the demand for parking. The proposal includes 10 cycle spaces, which is considered acceptable given that the Gosport Borough Parking SPD

recommends that the development has between 5 (based on a B8 use) and 8 (based on a B2 use) spaces. On this basis it is considered that the proposal would provide sufficient car and cycle parking and would be in accordance with Policy LP23 of the Gosport Borough Local Plan 2011-2029 and the Gosport Borough Parking SPD 2014.

7. The proposed uses have the potential to impact upon the amenity of the occupiers of neighbouring residential properties with regard to noise. 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 units it is considered that there would not be a harmful impact. There are no windows overlooking the adjacent residential development. On this basis it is considered that the proposal would be in accordance with Policy LP46 of the Gosport Borough Local Plan 2011-2029.

8. The application site is an area of known likely contamination and, notwithstanding the information that has been provided, Environmental Health advise that this requires further investigation and possible remediation. A planning condition is therefore recommended. On this basis it is considered that the proposal would be in accordance with Policy LP46 of the Gosport Borough Local Plan 2011-2029.

9. The Hampshire County Council Archaeologist has confirmed that as investigations on the adjacent site did not uncover any archaeological potential there is no requirement for further investigation on this site. On this basis it is considered that the proposal would be in accordance with Policy LP11 of the Gosport Borough Local Plan 2011-2029.

10. The Hampshire County Council Ecologist has confirmed that the site is of negligible ecological value. However, to ensure that appropriate enhancements are secured a condition is proposed to secure the inclusion of bat and bird boxes and protection for any nesting birds on the site in accordance with Policy LP44 of the Gosport Borough Local Plan 2011-2029.

11. 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.

12. The proposal will have a temporary impact upon the amenity of occupiers of the neighbouring residential development and other users of the wider Daedalus site during construction works. Therefore, a condition is recommended to secure the submitted construction management plan and restrict the hours of construction activity.

RECOMMENDATION: Grant Permission

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:

15011 01 B Location plan
15011 03 A Boundary treatment and drainage plan
15011 04 A Site access road / pedestrian footpath materials
15011 11 B Site plan
15011 23 A Illustrious ground floor plan
15011 28 A Illustrious roof plan
15011 33 B Illustrious section and elevations
SK-10-02 Parking Spaces

Ecological appraisal (Lindsay Carrington ecological services) May 2015
Mildren construction management plan as received 8 February 2016

Reason - To ensure that the development is completed satisfactorily in all respects and to comply with Policy LP1 of the Gosport Borough Local Plan 2011-2029.

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

Reason - To ensure adequate vehicular parking is provided for the approved use in accordance with Policy LP23 of the Gosport Borough Local Plan 2011-2029 and the Gosport Borough Parking SPD 2014.

4. Notwithstanding Classes I and P of the Town and Country Planning (General Permitted Development) Order 2015 the development, hereby permitted, shall not be used for any use other than those within Use Classes B2 and B8 as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason - To ensure adequate vehicular parking is provided for the approved use in accordance with Policy LP23 of the Gosport Borough Local Plan 2011-2029 and the Gosport Borough Parking SPD 2014.

5. The building, hereby permitted, shall not be subdivided into more than three units unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure adequate vehicular parking is provided for the approved use in accordance with Policy LP23 of the Gosport Borough Local Plan 2011-2029 and the Gosport Borough Parking SPD 2014.

6. No noise produced by machinery located within the development, hereby permitted, shall exceed 5dB Leq90 above the ambient noise level (when measured at the boundary of the nearest residential property) 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 Policy LP10 of the Gosport Borough Local Plan 2011-2029.

7. No external plant equipment (including ventilation and extraction equipment) shall be installed until details (including hours of operation and noise emission levels) have been submitted to and approved, in writing, by the Local Planning Authority. External plant equipment must be installed and retained in accordance with the approved details.

Reason - To protect the amenity of neighbouring residential properties in accordance with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

8. The development shall be undertaken in accordance with the schedule of external materials and surface materials as set out on approved plans 15011 03 A Boundary treatment and drainage plan, 15011 04 A Site access road / pedestrian footpath materials and 15011 33 B Illustrious section and elevations. The material used for the south elevation of the building must be non-reflective.

Reason - To preserve the character and appearance of the Daedalus Conservation Area, the setting of the Grade II listed Daedalus Dining Rooms and Cook House and the wider character and appearance of the area in accordance with Policies LP10, LP11 and LP12 of the Gosport Borough Local Plan 2011-2029.

9. No permanent external lighting shall be erected until details (including the location and hours of operation of lighting) have been submitted to and approved, in writing, by the Local Planning Authority. The lighting shall be carried out as approved.

Reason - To preserve the character and appearance of the Daedalus Conservation Area, the setting of the Grade II listed Daedalus Dining Rooms and Cook House and the wider character and appearance of the area in accordance with Policies LP10, LP11 and LP12 of the Gosport Borough Local Plan 2011-2029 and to protect the amenity of neighbouring residential properties in accordance with Policy LP46 of the Gosport Borough Local Plan.

10. 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 Policy LP44 of the Gosport Borough Local Plan 2011-2029.

11. The development shall be carried out in accordance with the approved Construction Management Plan (as received 8 February 2016).

Reason - In the interests of the amenities of occupiers of the neighbouring residential properties in accordance with Policy LP46 of the Gosport Borough Local Plan 2011-2029.

12. 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 Policy LP46 of the emerging Gosport Borough Local Plan 2011-2029.

13. No materials (including pallets) shall be stored outside unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To preserve the character and appearance of the Daedalus Conservation Area, the setting of the Grade II listed Daedalus Dining Rooms and Cook House and the wider character and appearance of the area in accordance with Policies LP10, LP11 and LP12 of the Gosport Borough Local Plan 2011-2029.

14. 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 scheme.

Reason - To ensure that the development, hereby permitted, has adequate foul and surface water infrastructure in accordance with Policy LP2 of the Gosport Borough Local Plan 2011-2029.

15. The development, hereby permitted, shall not be occupied until provision has been made on site for the parking of vehicles and cycles in accordance with approved plan SK-10-02 Parking Spaces unless otherwise approved, in writing, by the Local Planning Authority. The vehicular and cycle parking shall be retained as approved.

Reason - To ensure that adequate provision for the parking of vehicles and cycles is provided in accordance with Policy LP23 of the Gosport Borough Local Plan 2011-2029 and the Gosport Borough Parking SPD 2014.

16. The development, hereby permitted, shall not be occupied until provision has been made for vehicular access to the unit in accordance with approved plan 15011 04 A unless otherwise approved, in writing, by the Local Planning Authority. The vehicular access shall be retained as approved.

Reason - To ensure that adequate access for vehicles is provided in accordance with Policy LP23 of the Gosport Borough Local Plan 2011-2029 and the Gosport Borough Parking SPD 2014.

17. Prior to the first occupation of the development, hereby permitted, details of a pedestrian and cycle access on the southern boundary (including a timetable/trigger for its implementation) shall be submitted to and approved, in writing, by the Local Planning Authority. The pedestrian and cycle access shall be carried out as approved.

Reason - To ensure that the site is permeable should future development take place to the south of the application site in accordance with Policy LP23 of the Gosport Borough Local Plan 2011-2029.

18. Development, including site clearance, shall not commence until a site investigation report has been submitted to and approved, in writing, by the Local Planning Authority. The site investigation report shall include a desk top study of the former uses of the site and their potential for contamination together with the findings of a site walkover and preliminary risk assessment.

Reason - To ensure that risks from land contamination, ground gases and contaminated groundwater to the future uses of the land, neighbouring land, surface water, groundwater and wider environment are mitigated to ensure that the development can be carried out safely without any unacceptable risks to workers, neighbours and off site receptors and to comply with Policy LP47 of the Gosport Borough Local Plan 2011-2029.

19. Development, including site clearance, shall not begin until a remediation scheme (addressing the findings of the site investigation report approved under condition 18) to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved, in writing, by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures.

Reason - To ensure that risks from land contamination, ground gases and contaminated groundwater to the future uses of the land, neighbouring land, surface water, groundwater and wider environment are mitigated to ensure that the development can be carried out safely without any unacceptable risks to workers, neighbours and off site receptors and to comply with Policy LP47 of the Gosport Borough Local Plan 2011-2029.

20. The remediation scheme approved under condition 19 must be carried out as approved prior to the commencement of development (except where development is required to carry out remediation), unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Within two months (or a timescale otherwise agreed, in writing, by the Local Planning Authority) of the completion of the remediation scheme approved under condition 19, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved, in writing, by the Local Planning Authority.

Reason - To ensure that risks from land contamination, ground gases and contaminated groundwater to the future uses of the land, neighbouring land, surface water, groundwater and wider environment are mitigated to ensure that the development can be carried out safely without any unacceptable risks to workers, neighbours and off site receptors and to comply with Policy LP47 of the Gosport Borough Local Plan 2011-2029.

21. 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 Policy LP47 of the Gosport Borough Local Plan 2011-2029.

ITEM NUMBER: 02.
APPLICATION NUMBER: 16/00002/FULL
APPLICANT: Mr Kevin Jones Tidebank UK Limited
DATE REGISTERED: 06.01.2016

ERECTION OF 3 NO. TWO-STOREY BUILDINGS (USE CLASS B1/B2/B8) WITH ASSOCIATED CAR PARKING (as amended by information received 12.02.16)
Daedalus Park - Site B (North) Lee On The Solent PO13 9FU

The Site and the proposal

1. The application site is a flat parcel of land located within the former HMS Daedalus site in Lee on Solent. All the previous buildings and structures on the site have been demolished and the site is vacant.
2. The site is located within the area designated as the Solent Enterprise Zone and a regeneration area designated by Policy LP5 of the Gosport Borough Local Plan 2011-2029. The spine road across the Daedalus site, permitted in February 2015 (15/00009/FULL), is currently under construction whilst outline permission exists for the wider development of the Daedalus site (11/00282/OUT).
3. To the south of the site is a vacant parcel of land where a concurrent application is currently being considered for the erection of 2,751 sqm of B1 (business), B2 (general industrial) and B8 (storage and distribution) development. To the north is the existing access road (where the proposed spine road is to be located). To the west of the application site is Overlord Hanger and to the east is currently vacant land where permission has been given for 8,947sqm of two-storey B1, B2 and B8 development. Residential development is located approximately 50m to the south-east of the site on the recently completed Barrett's Seacreast Gardens site. The Daedalus Conservation Area, designated in 1999 recognising its clearly defined and architecturally similar groups of buildings associated with the sites military history, is approximately 140m to the south whilst the Grade II listed Daedalus Dining Rooms and Cook House, which plays an important role in forming the setting of the square to its south, is approximately 120m to the south of the application site.
4. The proposal is for the erection of 3,268 sqm of floorspace to be used within the B1, B2 or B8 use classes. The floorspace is formed in three separate buildings known as Hermes (748sqm, Theseus (835sqm) and Pegasus (1685sqm). The two smaller buildings, Hermes (30m wide, 20m deep, 10m high) and Theseus (35m wide, 20m deep, 10m high), are positioned on the northern part of the site with the largest building, Pegasus (70m wide, 25m deep, 18m high), parallel to the southern boundary. All the buildings would be predominately finished in profiled cladding of a Grey colour.
5. The application site would include 52 vehicular parking spaces and 12 cycle spaces. Access to the site would be directly from the Daedalus spine road and would be accessed via recessed gates with four of the vehicular parking spaces located outside the gates to allow visitors to park away from the highway when they initially arrive.
6. The site is proposed to be bounded in 2.4m high Weldmesh perimeter fencing whilst the surfacing will be a combination of concrete, block paving and gravel. No soft landscaping is proposed.
7. The application plans are accompanied by a noise assessment, flood risk assessment, renewable energy statement, heritage statement, transport statement, contaminated land investigation, construction management plan and ecological appraisal.

Relevant Planning History

16/00001/FULL - Erection of building (use class B1/B2/B8 use) with associated car parking - pending consideration

15/00547/VOC - Variation of conditions 2 and 11 of planning permission 15/00247/FULL to amend approved site layout and soft landscaping scheme - permitted 29.01.16

15/00247/FULL - Erection of 7 no. two-storey buildings (B1/B2/B8 use) with associated car parking and landscaping - permitted 21.10.15

15/00009/FULL - Construction of section of east-west road to include pedestrian and cycle pathways - permitted 26.02.15

11/00282/OUT - Outline application with all matters reserved except for access - employment-led mixed use scheme including up to 69,992 sqm of commercial floor space in new buildings and re-use of existing buildings (use classes B1, B2 and B8); up to 1,075 sqm of retail (use classes A1, A2, A3 and/or A4); up to 200 residential units (use class C3); up to 32 units of care accommodation (use class C2); up to 1,839 sqm of community uses (use class D1); up to 8,320 sqm of hotel use (use class C1); up to 2,321 sqm of leisure (use class D2); new and upgraded vehicular and pedestrian access arrangements; hard standing and car parking; open space provision; landscaping; and associated works - permitted 28.01.16

05/00642/FULL - Extension of temporary consent (k.15520/2) from July 2007 to December 2010 - use of land and existing buildings for open storage and industrial use (class B1/B2 and B8) - permitted 15.12.05

02/00651/FULL - Renewal of temporary consent - use of land and existing buildings for open storage and industrial uses (class B1/B2 and B8) - permitted 14.03.02

Relevant Policies

National Planning Policy Framework (NPPF), March 2012

Gosport Borough Local Plan, 2011 – 2029:

- LP1
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Protecting Species and Other Features of Nature Conservation Importance
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 Flood Risk and Coastal Erosion
 LP46
 Pollution Control
 LP47
 Contamination and Unstable Land

Supplementary Planning Documents:

Gosport Borough Council Parking: Supplementary Planning Document: February 2014
 Gosport Borough Council Design Guidance: Supplementary Planning Document: February 2014
 Gosport Borough Council Policy Guidance Note: Securing Employment and Training Measures through planning obligations April 2012

Consultations

BAA Safeguarding	No response received.
Civil Aviation Authority	No response received.
Environment Agency (Hants & IOW)	No objection.
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.
HCC Ecology	No objection subject to securing appropriate ecological enhancements.
Fareham LPA	No objection.
Local Highway Authority	No objection.
Streetscene Waste & Cleansing	No objection.
Environmental Health	No objection subject to conditions regarding contaminated land.
Economic Prosperity	Support the proposal as an employment generating use.
HCC Local Lead Flood Authority	Request further information regarding surface water storage and connection to the public sewer.
Hampshire Fire And Rescue Service	No objection.

Response to Public Advertisement

1 letter of objection.

Issues raised:-

- Concern regarding the height of the building known as Pegasus
- Potential environmental health and noise issues
- Is there adequate vehicular and cycle parking provision
- How will Heavy Goods Vehicles (HGV's) access, park and turn within the site and load/unload without projecting onto the highway

Principal Issues

1. The key issues to consider are the principle of development, the design and layout, the impact upon the nearby Daedalus Conservation Area and Grade II listed Daedalus Dining Rooms and Cook House, access and parking provision, impact upon the amenity of neighbouring occupiers, land contamination, archaeology and ecology.

2. The application site is located within an area designated as an Enterprise Zone and also a Regeneration Area by Policy LP5 of the Gosport Borough Local Plan 2011-2029, which allocates 75,000sqm of B1, B2 and B8 floorspace to the wider Daedalus area. Extant permission also exists, under 11/00282/OUT, for up to 69,992sqm of B1, B2 and B8 floorspace which indicated that this part of the wider Daedalus site would principally be most appropriate for B2 and B8 development. Therefore, it is considered that the proposal is acceptable in principle in accordance with Policy LP5 of the Gosport Borough Local Plan 2011-2029 and the intentions of the approved outline permission (11/00282/OUT).

3. All three buildings would be of a similar design and finish that would complement the adjacent consented development (15/00547/FULL). The designs are simple but functional and will ensure that they are attractive for future tenants. The two northern buildings (known as Hermes and Theseus) would be of a broadly comparable size to the consented development to the east (15/00547/FULL) whilst the 18m high building proposed, known as Pegasus, would stand alone as a higher structure, albeit only 2m higher than Dunning Hanger to the west. This is broadly consistent with the outline planning permission (11/00282/OUT) which indicated that this part of the wider Daedalus site could accommodate buildings up to 15m high. Planning conditions are proposed to secure the use of appropriate materials, external lighting and boundary treatments (including the proposed access gate) in addition to restricting the outside storage of materials. On this basis the proposal is considered in accordance with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

4. As the proposal is for 'hanger' sized structures adjacent to existing historic hangers (Dunning and Overlord) it is considered that the proposal would preserve the character and appearance of the nearby Daedalus Conservation Area. As the proposal is to the north of the Grade II listed Daedalus Dining Rooms and Cook House, which is listed due to its setting with the square to its south, it is considered that there would be an acceptable impact upon the setting of the Grade II listed building. Therefore, the proposal is in accordance with Policies LP11 and LP12 of the Gosport Borough Local Plan 2011-2029.

5. The application site, whilst currently accessible via a private road, will in future be accessed via the (currently under construction) Daedalus spine road permitted under 15/00009/FULL. As the quantum of development proposed, and the infrastructure to support it, is being delivered by the wider Enterprise Zone it is considered that the proposed access to the site is acceptable. Adequate space for HGV's and other vehicles to wait outside the proposed gates without obstructing the highway and also for manoeuvring within the site is proposed. On this basis the proposal is considered in accordance with Policy LP23 of the Gosport Borough Local Plan 2011-2029.

6. The proposal provides 52 parking spaces whilst for the uses proposed the Gosport Borough Parking SPD 2014 would advocate the provision of between 36 (if based on a B8 use), 73 (if based on a B2 use) and 109 (if based on a B1 use) parking spaces. The applicants recognise the

unacceptable shortfall for a B1 use and have indicated agreement to a planning condition that restricts the use of the application site to B2 and B8 uses only and removes permitted development rights for any change to B1. This is duly recommended. Whilst there is adequate parking for a B8 use the proposal is 21 short of the quantum recommended for a B2 use by the Gosport Parking SPD 2014. However, given that the site is located within a wider development of industrial development and that any user of the buildings will be aware of the available parking provision the proposal is considered acceptable subject to a condition is to ensure that the each respective building is not subdivided into more than one unit as a higher quantum of smaller units could increase the demand for parking. The proposal includes 12 cycle spaces, which is considered acceptable given that the Gosport Borough Parking SPD recommends that the development has between 7 (based on a B8 use) and 9 (based on a B2 use) spaces. On this basis it is considered that the proposal would provide sufficient car and cycle parking and would be in accordance with Policy LP23 of the Gosport Borough Local Plan 2011-2029 and the Gosport Borough Parking SPD 2014.

7. The proposed uses have the potential to impact upon the amenity of the occupiers of residential properties to the south-east with regard to noise. 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 units it is considered that there would not be a harmful impact. On this basis it is considered that the proposal would be in accordance with Policy LP46 of the Gosport Borough Local Plan 2011-2029.

8. The application site is an area of known likely contamination and, notwithstanding the information that has been provided, Environmental Health advise that this requires further investigation and possible remediation. A planning condition is therefore recommended. On this basis it is considered that the proposal would be in accordance with Policy LP46 of the Gosport Borough Local Plan 2011-2029.

9. The Hampshire County Council Archaeologist has confirmed that as investigations on the adjacent site did not uncover any archaeological potential there is no requirement for further investigation on this site. On this basis it is considered that the proposal would be in accordance with Policy LP11 of the Gosport Borough Local Plan 2011-2029.

10. The Hampshire County Council Ecologist has confirmed that the site is of negligible ecological value. However, to ensure that appropriate enhancements are secured a condition is proposed to secure the inclusion of bat and bird boxes and protection for any nesting birds on the site in accordance with Policy LP44 of the Gosport Borough Local Plan 2011-2029.

11. 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.

12. The proposal will have a temporary impact upon the amenity of occupiers of the nearby residential development and other users of the wider Daedalus site during construction works. Therefore, a condition is recommended to secure the submitted construction management plan and restrict the hours of construction activity.

RECOMMENDATION: Grant Permission

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:

15017 01 C Location plan
15017 03 C Boundary treatment and drainage plan
15017 04 B Site access road and hard landscaping materials
15017 11 B Site Plan
15017 20 A Hermes ground and first floor plan
15017 21 A Theseus ground and first floor plan
15017 22 A Pegasus Ground floor plan
15017 25 A Hermes roof plan
15017 26 A Theseus roof plan
15017 27 A Pegasus roof plan
15017 30 A Hermes Section and elevations
15017 31 Theseus Section and elevations
15017 32 B Pegasus Section and elevations
Ecological appraisal (Lindsay Carrington ecological services) May 2015
Mildren construction management plan as received 8 February 2016

Reason - To ensure that the development is completed satisfactorily in all respects and to comply with Policy LP1 of the Gosport Borough Local Plan 2011-2029.

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

Reason - To ensure adequate vehicular parking is provided for the approved use in accordance with Policy LP23 of the Gosport Borough Local Plan 2011-2029 and the Gosport Borough Parking SPD 2014.

4. Notwithstanding Classes I and P of the Town and Country Planning (General Permitted Development) Order 2015 the development, hereby permitted, shall not be used for any use other than those within Use Classes B2 and B8 as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason - To ensure adequate vehicular parking is provided for the approved use in accordance with Policy LP23 of the Gosport Borough Local Plan 2011-2029 and the Gosport Borough Parking SPD 2014.

5. The buildings, hereby permitted, shall not respectively be subdivided into more than one unit unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure adequate vehicular parking is provided for the approved use in accordance with Policy LP23 of the Gosport Borough Local Plan 2011-2029 and the Gosport Borough Parking SPD 2014.

6. No noise produced by machinery located within the development, hereby permitted, shall exceed 5dB Leq90 above the ambient noise level (when measured at the boundary of the nearest residential property) 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 Policy LP10 of the Gosport Borough Local Plan 2011-2029.

7. No external plant equipment (including ventilation and extraction equipment) shall be installed until details (including hours of operation and noise emission levels) have been submitted to and approved, in writing, by the Local Planning Authority. External plant equipment must be installed and retained in accordance with the approved details.

Reason - To protect the amenity of neighbouring residential properties in accordance with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

8. The development shall be undertaken in accordance with the schedule of external materials and surface materials as set out on approved plans 15017 03 C Boundary treatment and drainage plan 15017 04 B Site access road and hard landscaping materials, 15017 30 A Hermes Section and elevations, 15017 31 Theseus Section and elevations, 15017 32 A Pegasus Section and elevations unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To preserve the character and appearance of the Daedalus Conservation Area, the setting of the Grade II listed Daedalus Dining Rooms and Cook House and the wider character and appearance of the area in accordance with Policies LP10, LP11 and LP12 of the Gosport Borough Local Plan 2011-2029.

9. No permanent external lighting shall be erected until details (including the location and hours of operation of lighting) have been submitted to and approved, in writing, by the Local Planning Authority. The lighting shall be carried out as approved.

Reason - To preserve the character and appearance of the Daedalus Conservation Area, the setting of the Grade II listed Daedalus Dining Rooms and Cook House and the wider character and appearance of the area in accordance with Policies LP10, LP11 and LP12 of the Gosport Borough Local Plan 2011-2029 and to protect the amenity of neighbouring residential properties in accordance with Policy LP46 of the Gosport Borough Local Plan.

10. 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 Policy LP44 of the Gosport Borough Local Plan 2011-2029.

11. The development shall be carried out in accordance with the approved Construction Management Plan (as received 8 February 2016).

Reason - In the interests of the amenities of occupiers of the neighbouring residential properties in accordance with Policy LP46 of the Gosport Borough Local Plan 2011-2029.

12. 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 Policy LP46 of the emerging Gosport Borough Local Plan 2011-2029.

13. No materials (including pallets) shall be stored outside unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To preserve the character and appearance of the Daedalus Conservation Area, the setting of the Grade II listed Daedalus Dining Rooms and Cook House and the wider character and appearance of the area in accordance with Policies LP10, LP11 and LP12 of the Gosport Borough Local Plan 2011-2029.

14. 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 scheme.

Reason - To ensure that the development, hereby permitted, has adequate foul and surface water infrastructure in accordance with Policy LP2 of the Gosport Borough Local Plan 2011-2029.

15. The development, hereby permitted, shall not be occupied until provision has been made on site for the parking of vehicles and cycles in accordance with approved plan 15017 11 B Site plan unless otherwise approved, in writing, by the Local Planning Authority. The vehicular and cycle parking shall be retained as approved.

Reason - To ensure that adequate provision for the parking of vehicles and cycles is provided in accordance with Policy LP23 of the Gosport Borough Local Plan 2011-2029 and the Gosport Borough Parking SPD 2014.

16. Development, including site clearance, shall not commence until a site investigation report has been submitted to and approved, in writing, by the Local Planning Authority. The site investigation report shall include a desk top study of the former uses of the site and their potential for contamination together with the findings of a site walkover and preliminary risk assessment.

Reason - To ensure that risks from land contamination, ground gases and contaminated groundwater to the future uses of the land, neighbouring land, surface water, groundwater and wider environment are mitigated to ensure that the development can be carried out safely without any unacceptable risks to workers, neighbours and off site receptors and to comply with Policy LP47 of the Gosport Borough Local Plan 2011-2029.

17. Development, including site clearance, shall not begin until a remediation scheme (addressing the findings of the site investigation report approved under condition 16) to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved, in writing, by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures.

Reason - To ensure that risks from land contamination, ground gases and contaminated groundwater to the future uses of the land, neighbouring land, surface water, groundwater and wider environment are mitigated to ensure that the development can be carried out safely without any unacceptable risks to workers, neighbours and off site receptors and to comply with Policy LP47 of the Gosport Borough Local Plan 2011-2029.

18. The remediation scheme approved under condition 17 must be carried out as approved prior to the commencement of development (except where development is required to carry out remediation), unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Within two months (or a timescale otherwise agreed, in writing, by the Local Planning Authority) of the completion of the remediation scheme approved under condition 17, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved, in writing, by the Local Planning Authority.

Reason - To ensure that risks from land contamination, ground gases and contaminated groundwater to the future uses of the land, neighbouring land, surface water, groundwater and wider environment are mitigated to ensure that the development can be carried out safely without any unacceptable risks to workers, neighbours and off site receptors and to comply with Policy LP47 of the Gosport Borough Local Plan 2011-2029.

19. 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 Policy LP47 of the Gosport Borough Local Plan 2011-2029.

ITEM NUMBER: 03.
APPLICATION NUMBER: 15/00125/FULL
APPLICANT: Mr Terry Kellett
DATE REGISTERED: 17.03.2015

ERECTION OF FIRST FLOOR FRONT EXTENSION, PART SINGLE STOREY AND PART TWO STOREY REAR EXTENSION, ALTERATIONS AND EXTENSION TO ROOF TO FORM ADDITIONAL LIVING ACCOMMODATION AND PROVISION OF TERRACE AND DETACHED DOUBLE GARAGE (CONSERVATION AREA) (as amended by plans received 22.12.15)
Delden Fort Road Gosport Hampshire PO12 2DT

The Site and the proposal

1. The application property is a detached two storey, dwelling positioned on the northern side of Fort Road, within the Anglesey Conservation Area. This part of the Conservation Area is characterised by Edwardian development to the south east of the application site and more modern housing to the north west. The buildings to the south east vary between two storeys and three storeys in height. The individual designs of these buildings reflect the architectural conventions of their time, with examples of ornate, two storey bay windows and forward projecting gables present. The special architectural and historic interest of a number of the properties (Kinfauns, Singleton, Lisnamandra, Lyndhurst, Solent House, Cramsholme, Fleetlands House and Morfa & Morfa 2) is protected via Article 4 (2) Directions which requires alterations to the exterior of the buildings that would ordinarily be 'permitted development' need planning permission.
2. The buildings to the north west of the application site consist of a variety of post war suburban development and have a mixture of hipped and pitched roofs, including one, 67 Crescent Road, that has flat roofed sections. There are examples of properties with south facing balconies/roof terraces to the north west, notably at Fort Cottage, however, there is no overriding character in this section of Fort Road.
3. The application site is approximately 64m deep and varies in width between approximately 15m wide at the front and approximately 30m wide at the rear. The existing dwelling is set back from Fort Road by approximately 10m and is set off the north western boundary with Fort Cottage by approximately 1.6m and Seaforth to the south east by approximately 3m. Delden appeared after 1931 and before 1952, based on map evidence, and sits within a standardised form of suburban housing that began in that era and reflects much of what is familiar in post war design. It is 'L' shaped and has a plain form. It is finished in white painted render under a hipped, tiled roof and has a porch adjacent to the forward projecting section. There is a large chimney on the north western side of the dwelling and a 4m deep conservatory on the western side of the rear elevation. There are no upper floor windows in the side elevations.
4. Fort Cottage, to the north west, is positioned approximately 3m further back and at an angle to the application dwelling. It has a flat roofed, single storey front extension and has first floor bedrooms windows in the front elevation and a set of doors in the front elevation of the extension. There are no openings in the side elevation. This property has a balcony/roof terrace on its north western side elevation and a lawned front garden. To the north west, at the rear of Fort Cottage and fronting Crescent Road is the newly constructed property, 62 Crescent Road. This property is located in excess of 25m away from the application site. To the south east of the application site is Seaforth which is a two storey dwelling with front and rear dormer windows. It is set forward of the application dwelling by approximately 1m and has a first floor bedroom window in the opposing side elevation. There is an existing access from Fort Road and a private road at the rear which serves the application site and also provides an access 62 Crescent Road together with Seaforth and Kinfauns that front Fort Road. Beyond the private road is Crescent Gardens. On the opposite side of Crescent Road beyond their boundary walls and mature hedging, are pairs of three storey semi-detached Regency villas with painted stucco elevations. These Grade II Listed Buildings date from

the 1830's as does the adjoining grand curved terrace of Grade II* Listed Buildings known as The Crescent.

5. The proposal is for the erection of first floor front, part single storey and part two storey rear extensions, alterations and extension to the roof to form additional living accommodation and the provision of a roof terrace. The application also proposes the erection of a detached double garage.

6. The rear extension would be 3.8m deep at ground floor level and 1.8m deep at first floor level. The ground floor section would cover the full width of the dwelling and the upper floor section would be on the eastern side and would be 8.4m wide. There would also be a further 2.4m deep glass canopy at the rear. The extension to the front would consist of a curved section that would infill the area of the existing porch that is adjacent to the forward projecting section. There would be three first floor windows in the front elevation and three in the rear, as is existing. The central first floor window in the front elevation would be curved to match the profile of the dwelling. There would also be a new first floor bathroom window inserted into the south eastern elevation. The roof would be removed and a roof terrace would be formed that would be 0.3m higher than the existing eaves level. Over this terrace, on the south eastern side of the dwelling would be the upper floor section that would comprise a 2.7m high, 8.1m wide and 7.7m deep section that would have doors and windows in the south western and north western elevations that open onto the terrace and three windows in the norther eastern, rear elevation. The top of the upper floor section would be 0.2m higher than the ridge of the existing, hipped roof. Overall, the extended dwelling would have a contemporary, modern, design with flat roof and roof terrace. It would be finished in white render, highlighting the art-deco influences of the design with the upper floor section being finished in grey zinc. The dwelling would have dark grey wood/aluminium composite windows and steel rainwater goods.

7. Originally it was proposed to have cladding at ground floor level and no cornice detail on the front elevation and the roof terrace was shown to extend up to the north western edge of the building. The original plans showed the terrace being surrounded by a 1.1m high glazed screen at the front and a 1.7m high glazed screen at the rear of the existing chimney. Amended plans, however, were received which showed the creation of a horizontal, cornice detail at the former eaves level of the building and amendments to the roof overhang of the upper floor section. The amended plans also showed the balcony being set 1.2m from the north western edge of the building. The glazed screen at the rear of the chimney, however, was reduced in height from 1.7m high to 1.1m. The changes were made in an attempt to overcome privacy and design concerns raised during the public consultation period.

8. A further additional plan has now been received that shows the provision of a 1.7m high glazed screen on the north western side and to the area at the rear of the chimney to address privacy concerns that remained despite the initial alterations to the plans.

9. The garage would be set off the north western boundary by 1.8m and approximately 50m from the rear elevation of the extended dwelling. It would be 6.2m wide and deep. Originally the plans showed the garage having a pitched roof with gables facing the side (east and west) and an eaves height of 2.5m and an overall height of 4.7m. Amended plans, however, have now been received that show the orientation of the roof being rotated by 90 degrees. It would be finished in timber cladding and with plain clay tiled roof. The plans show the provision of a vehicular access from the private road at the rear of the site and the creation of a parking area. The creation of the access and the provision of a parking area within the curtilage of the dwelling do not require planning permission.

Relevant Planning History

Nil

Relevant Policies

National Planning Policy Framework (NPPF), March 2012

Gosport Borough Local Plan, 2011 – 2029:

LP23

Layout of Sites and Parking

LP10

Design

LP11

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

LP12

Designated Heritage Assets: Conservation Areas

Supplementary Planning Documents:

Gosport Borough Council Parking: Supplementary Planning Document: February 2014

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

Consultations

The Gosport Society	No objection.
Environmental Health	No objection.
Local Highway Authority	No objection. There is an established access from this site to the front of the property and the proposal seeks to retain that access whilst changing the form of boundary to provide a new wall. In the interests of ensuring adequate visibility to the right on exit, the Highway Authority would advise that this new wall should be no more than a maximum height of 1m. Additionally the applicants seek to create a further access to the rear of the property to serve a further double garage and parking/turning area which will join the existing private lane. There is limited visibility to the right on exit but on the basis that this is a very low speed and lightly trafficked and that the access could be created at any time without planning permission, this is accepted. The junction of the private Lane with Crescent Road (Public Highway) has adequate visibility.

Response to Public Advertisement

3 letters of objection (to original plans)

Issues raised:-

- use of access will result in additional wear and tear on private access road
- no need for new vehicular access from the rear as existing access and parking area from Fort Road is adequate
- parking area at rear is a gross over-provision
- location of garage will harm boundary hedge
- garage will interrupt views of Conservation Area
- garage and parking will introduce a built form, traffic movement and disturbance into important open area of Conservation Area
- loss of privacy to bedrooms, lounge and front garden of Fort Cottage

- use of access and garage will result in harmful noise and disturbance
- noise and disturbance from use of terrace
- garage will result in loss of outlook to 62 Crescent Road
- use of rear access will be harmful in highway safety terms

1 letter of support (to original plans)

Issues raised:-

- exciting modern design that will take advantage of views
- style will fit well into area

4 letters of objection (to amended plans)

New issues raised:-

- plans are deceptive and are not a correct representation of property locations or access road
- Delden does not have deeded access on to private access road
- use of access at rear is not feasible, particularly for heavy machinery
- queries whether it is intended to open a guesthouse
- garage would serve as a precedent for future residential development in rear garden
- roof terrace is unprecedented in Alverstoke and Fort Road
- modern design and addition of second storey is not in keeping with Conservation Area
- modern house will harm views of the Crescent from the south
- low screens to terrace will result in loss of privacy
- additional window in side will further harm privacy
- amended screen is of insufficient height to prevent overlooking of Fort Cottage
- noise and disturbance to users of Crescent Gardens

Principal Issues

1. The site is located within the Urban Area Boundary where the principle of development is acceptable provided that the details of the application accord with the relevant policies of the Gosport Borough Local Plan, 2011-2029. The Local Planning Authority is required to determine the application on the basis of the submitted plans and its individual merits. The information accompanying the application has been submitted with the intention of supporting the application, nevertheless, the application forms and plans are of adequate detail and the plans show the relationships between the properties, and, in conjunction with the Officers site visit, are sufficient to enable this application to be determined. Private rights of access and the future maintenance of the rear access is a private matter between the interested parties. The creation and use of the rear access does not require planning permission. The Site Plan also indicatively shows the position of an amended front boundary wall. No details of a wall, however, have been provided and this is not under consideration as part of this application. Any new wall proposed on the front that exceeds 1m in height would need planning permission. An additional dwelling in the rear garden or the use of the property as a guesthouse would require planning permission. Whilst the proposal will require some level of vegetation clearance on the site, no trees worthy of retention or protection would be lost. The main issues in this case, therefore, are the acceptability of the proposed development in terms of its design and the impact on the character and visual amenity of the locality, whether the proposal preserves or enhances the character and appearance of the Anglesey Conservation Area, whether the development would harm the significance of the nearby Listed Buildings, the impact on the amenities of nearby residents and the adequacy of access and parking arrangements.

2. At present, the application site is located in an area in the streetscene between the smaller scale, modern two storey dwellings to the north and west and the older, larger scale dwellings to the south east. The application dwelling is located on a curve and given the staggered origination of the properties, is highly visible when travelling east along Fort Road and is currently in poor condition. Whilst there are no examples of flat roofed, modern buildings of this design in the locality, given its position within the context of the properties on the northern side of Fort Road, it is considered that this is a location where it could be appropriate for a contemporary, dwelling of the overall scale proposed. There are examples of balconies/roof terraces in the immediate vicinity of the application site. The extended dwelling would remain set back by an appropriate distance from Fort Road and the existing front access to the site would be retained. In terms of its rhythm within the streetscene,

the dwelling would not be extended to the sides and the horizontal detail ensures that a consistent eaves level, when viewed from the south, particularly from Lifeboat Lane and Stokes Bay, is retained. The visible mass of the building below the existing eaves level is largely unchanged. The overall height of the building would only increase by 0.2m and given the separation distances between and overall heights of the neighbouring properties, the scale and position of the upper floor section, together with the muted materials in contrast to the rendered finish of the main dwelling, it is considered that this upper floor section would not visually dominate the building or harm the character and visual amenity of the locality. The application proposes high quality materials and the rendered finish is reflective of the existing dwelling and the modern design proposed. The roof is appropriate for a dwelling of this contemporary design and the external materials, windows and rainwater goods compliment the design of the dwelling and are appropriate to this context. For the above reasons it is therefore considered that the proposal would not harmfully impact the character and visual amenity of the locality, would not harm the significance of the nearby Listed Buildings and would preserve the character and appearance of the Anglesey Conservation Area. As such, the development complies with Policies LP10, LP11 and LP12 of the Gosport Borough Local Plan, 2011-2029.

3. Whilst the development proposes a two storey rear extension and an upper storey section, due to the orientation of and separation distances between the properties, the alterations to the dwelling would not have a harmful impact on the amenities of the occupants of Seaforth to the south east or Fort Cottage and 62 Crescent Road to the north west in terms of loss of light or outlook. In terms of privacy, the application now proposes to provide 1.7m high glazed screens to the rear and side of the roof terrace. The windows in the front elevation of Fort Cottage are at an oblique angle to the roof terrace and the plans also show the roof terrace being set back from the north western edge, all of which, in combination, would serve to prevent any harmful views back into the rooms or down into the most private areas of the front garden of Fort Cottage. The provision of the glazed screens will be controlled by condition. Whilst some views of the front garden would be afforded from the windows in the front elevation and from the central area of the roof terrace, this is a common arrangement in urban areas and would not be harmful in this instance. The window in the south eastern side elevation would serve a bathroom and the type of glazing and opening will similarly be controlled by condition. The impact of the rear facing windows in the upper floor section is also a common arrangement in urban areas and these would not result in harmful loss of privacy over and above the existing arrangement. Given the relationships between the properties it is unlikely that the use of the terrace would result in harmful levels of noise or disturbance. The alterations to the dwelling, therefore, would not have a harmful impact on the amenities of the occupiers of the neighbouring properties, in compliance with Policy LP10 of the Gosport Borough Local Plan, 2011-2029.

4. The proposed garage would be lower in overall height in than the newly constructed property to the north-west, 62 Crescent Road and would be constructed of appropriate materials, which will be controlled by condition. Whilst a substantial structure, given the location and scale of the neighbouring properties together with the position of the trees located alongside Crescent Road and within Crescent Gardens, the garage would not have a significant impact on the streetscene and would not harm the setting of the Conservation Area or the Listed Buildings on the opposite side of Crescent Road. The amended roof design results in the roof sloping away from the side boundaries and, given the separation distance between the garage and the neighbouring properties, it would not have a harmful impact upon the amenities of the occupiers of the neighbouring dwellings. The creation of an access from Crescent Road that would utilise the private access road does not need planning permission and the use of the access for by a single dwelling is unlikely to result in unacceptable additional noise and disturbance or be harmful in terms of highway safety. There are no maximum parking standards within the Gosport Borough Parking SPD, 2014. The existing access and frontage parking would not be affected and there is sufficient space on the site to meet the three parking spaces required for a dwelling of this size. The development is unlikely, therefore, to result in overspill parking in the local road network and vehicular movements associated with a three bedroom dwelling are unlikely to have a harmful impact on the traffic characteristics of the locality, to the detriment of pedestrian or highway safety. Given the above, the proposal is in compliance with Policies LP10, LP11, LP12 and LP23 of the Gosport Borough Local Plan, 2011-2029.

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:

3389/S01, 3389/06F and 3389/07B

Reason - To ensure that the development is completed satisfactorily in all respects and to comply with Policy LP10 and LP12 of the Gosport Borough Local Plan 2011-2029.

3. No development above slab level shall take place until details, including samples, of all external facing materials for the dwelling and garage, including details of the roofing and fascia materials, 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 - In the interests of amenity and to ensure that the appearance of the development is acceptable and would enhance the character and appearance of the Conservation Area and to comply with the NPPF and Policies LP10 and LP12 of the Gosport Borough Local Plan, 2011-2029.

4. No development above slab level shall take place until details of the proposed windows and doors, including horizontal and vertical sections at a scale of 1:10, colour finishes and reveals, have been submitted to and approved, in writing, by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason - In the interests of amenity and to ensure that the appearance of the development is acceptable and would enhance the character and appearance of the Conservation Area and to comply with the NPPF and Policies LP10 and LP12 of the Gosport Borough Local Plan, 2011-2029.

5. The roof terrace shall not be first used until the glazed screens shown on the approved plan, 3389/06F, have been constructed and obscure glazed to a minimum of Pilkington Level 4 (or equivalent). The glazed screens shall thereafter be retained in that condition.

Reason - In order to protect the amenity of the occupiers of the adjacent properties and to comply with Policies LP10 of the Gosport Borough Local Plan, 2011 - 2029.

6. The window in the south eastern elevation, outlined in red on the approved plan, 3389/06F, shall be non-opening to a height of 1.7m above finished floor level and glazed with obscure glass (minimum of level 3) and shall be retained in that condition thereafter.

Reason - To preserve the amenity of the neighbouring property, and to comply with Policy LP10 of the Gosport Borough Local Plan, 2011 - 2029.

ITEM NUMBER: 04.
APPLICATION NUMBER: 15/00352/FULL
APPLICANT: Mr & Mrs A Wilson
DATE REGISTERED: 07.07.2015

ERECTION OF TWO STOREY REAR EXTENSION (as amplified by ecology report received 07.01.16)
33 Monckton Road Gosport Hampshire PO12 2BG

The Site and the proposal

1. The application site is located on the eastern side of Monckton Road. The area is characterised by relatively large detached dwellings of differing ages and designs located in large plots. The application property is detached and was constructed at the turn of the 20th century and has a smooth white rendered finish under a slate roof. There is a lean to conservatory located in the south east, rear corner of the property and windows in the side and rear elevations at ground and first floor level. A detached garage/outbuilding is located towards the southern boundary of the site to the side of the property and there is a swimming pool in the back garden. The boundary treatment between the rear gardens is comprised of 2 - 2.3m high fencing.

2. To the east is an area of open space owned by the Ministry of Defence and to the north and south of the application site there are two storey detached dwellings. The dwelling to the south, number 33a, is set off the southern elevation of the application property by approximately 7m. There are two obscure glazed bathroom windows in the opposing elevation of this property, one at ground floor and one at first floor level.

3. The proposal is for the erection of a two storey rear extension following the demolition of the existing conservatory. The extension would occupy the same footprint as the existing conservatory being 4m deep and 3.3m wide and would not extend beyond the existing rear or side elevations. It would have a matching eaves height and a pitched roof with an overall height 0.6m below the main ridge of the application property. There would be a clear glazed ground floor window in the side elevation and an obscure glazed window at first floor level facing number 33a. The rear elevation would contain a set of patio doors at ground level and an obscure glazed bathroom window to the first floor. The extension would be constructed in matching materials.

4. The application is supported by a Phase 1 Ecological Assessment.

Relevant Planning History

K16591/1 - erection of two storey rear extension, room in roof, front boundary wall and gates - permitted 01.09.04

Relevant Policies

National Planning Policy Framework (NPPF), March 2012

Gosport Borough Local Plan, 2011 – 2029:

LP10

Design

LP44

Protecting Species and Other Features of Nature Conservation Importance

Supplementary Planning Documents:

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

Consultations

HCC Ecology

No objection. An informative should be added to any planning permission reminding the applicant of the correct course of action should any unforeseen issues arise in respect to bats.

Response to Public Advertisement

1 letter of objection

Issues raised:-

- the extension must be completed within a reasonable time
- development must be monitored throughout construction and must comply with plans
- bats have been seen within the site

Principal Issues

1. There is no mechanism within planning legislation to control the time taken to complete a development once commenced. The requirement to adhere to the approved plans would be controlled by condition. The main issues in this case, therefore, are the acceptability of the design of the extension, the impact on the visual amenity of the locality and the impact on the amenities of the occupiers of the neighbouring dwellings and protected species.

2. The proposed extension has a simple design, is subservient in overall scale and is acceptable in design terms. The development would not be readily visible from public vantage points and would be constructed in matching materials which will be controlled by condition. The proposal is compatible with the overall design of the property and will not, therefore, have a detrimental impact on the appearance of the dwelling or the visual amenity of the locality, in accordance with Policy LP10 of the Gosport Borough Local Plan, 2011 - 2029.

3. Given the orientation of and separation distances between the properties, there would not be a harmful impact on the amenities of the occupiers of any of the neighbouring properties in terms of loss of light or outlook. The windows in the opposing elevation of number 33a Monckton Road are obscure glazed and the upper floor windows in the extension would serve a bathroom and the plans show them to be obscure glazed. In the interests of residential amenity and to prevent harmful overlooking of the rear garden of Number 33a, it is proposed to attach a condition requiring the first floor window in the side (southern) elevation of the extension to be obscure glazed and fixed shut to 1.7m above finished floor level. Given the existing openings in the dwelling, it is not considered necessary to require the rear facing window in the extension to be similarly controlled as there would not be any harmful loss of privacy over and above that which currently exists. The ground floor windows in the extension would face onto the rear garden of the application property and the boundary fence with number 33a. Subject to the above condition, therefore, the proposal will not allow an unacceptable level of mutual overlooking between neighbouring occupiers and the development complies with Policy LP10 of the Gosport Borough Local Plan, 2011 - 2029.

4. Although bats have been seen in the locality, the Ecological Assessment submitted in support of the application concludes that there is no evidence that the site supports notable or endangered species and none are at threat as a result of the development. It is proposed to attach an informative, however, to ensure that the applicants are aware of their obligations in the event that bats are found during works. The proposal, therefore, is in compliance with Policy LP44 of the Gosport Borough Local Plan 2011 - 2029.

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:

Plan A, Plan B, Drawing No. 300615pl1, Drawing No. 300615pl2 and Drawing No. 300615pl3

Reason - To ensure that the development is completed satisfactorily in all respects and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

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

Reason - To ensure satisfactory visual relationship of the new development to the existing, and to comply with Policy LP10 of the Gosport Borough Local Plan, 2011-2029.

4. The first floor window in the southern elevation of the extension hereby permitted, outlined in red on the approved plan, 300615pl1, shall be non-opening to a height of 1.7m above finished floor level and glazed with obscure glass (minimum of level 3) and shall be retained in that condition thereafter.

Reason - To preserve the amenity of the neighbouring property to the south, and to comply with Policy LP10 of the Gosport Borough Local Plan, 2011 - 2029.