

Please ask for:

Vicki Stone

Direct dial:

(023) 9254 5651

E-mail:

vicki.stone@gosport.gov.uk

21 February 2017

S U M M O N S

MEETING: Regulatory Board
DATE: 1 March 2017
TIME: 6.00 pm
PLACE: Council Chamber, Town Hall, Gosport
Democratic Services contact: Vicki Stone

MICHAEL LAWThER
BOROUGH SOLICITOR

MEMBERS OF THE BOARD

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

Councillor Jessop (Chairman)
Councillor Allen (Vice Chairman)

Councillor Mrs Batty	Councillor Farr
Councillor Beavis	Councillor Foster-Reed
Councillor Bergin	Councillor Hicks
Councillor Carter	Councillor Raffaelli
Councillor Ms Diffey	Councillor Ronayne
Councillor Earle	Councillor Wright

INFORMATION FOR MEMBERS OF THE PUBLIC

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

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

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

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

IMPORTANT NOTICE:

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

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

Regulatory Board
1 March 2017

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 MEETING OF THE REGULATORY BOARD HELD ON 18 JANUARY 2017
4. DEPUTATIONS – STANDING ORDER 3.4
(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 Monday 27th February 2017. The total time for deputations in favour and against a proposal shall not exceed 10 minutes).
5. PUBLIC QUESTIONS – STANDING ORDER 3.5
(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 Monday 27th February 2017).
6. REPORT OF THE HEAD OF PLANNING SERVICES
*Schedule of planning applications with recommendations.
(grey sheets pages 1-53/1)*
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 18 JANUARY 2017 AT 6PM**

The Mayor (Councillor Mrs Hook)(ex-officio); Councillor Hook (ex-officio), Councillors Allen (P), Mrs Batty (P), Beavis (P), Bergin, Carter (P), Ms Diffey (P), Earle (P), Farr (P), Foster-Reed (P), Hicks (P), Hook (P), Jessop (P), Raffaelli (P), Ronayne (P), Wright (P)

78. APOLOGIES

An apology was received from Councillor Bergin.

79. DECLARATIONS OF INTEREST

- In respect of item 5 of the grey pages of the report of the Head of Planning Services, Councillor Wright declared an interest.
- In respect of item 3 of the grey pages of the report of the Head of Planning Services, Councillor Allen stated that he was the Ward councillor but that he did not consider this to affect his judgement in determining the application.

80. MINUTES

RESOLVED: That the Minutes of the Regulatory Board meeting held on 7 December 2016 be approved and signed by the Chairman as a true and correct record.

81. DEPUTATIONS

Deputations had been received on the following items:

- Item 1 of the grey pages 16/00146/FULL– 19 Amersham Close, Gosport
- Item 2 of the grey pages 16/00396/FULL – 8-17 High Street, Gosport
- Item 3 of the grey pages 16/00481/FULL – Cordite Building, No 2 Britannia Way
- Item 4 of the grey pages 16/00322/FULL – The Middlecroft, Gosport
- Item 5 of the grey pages 16/00497/FULL – 20 Springcroft, Gosport

82. PUBLIC QUESTION

There were no public questions

PART II

83. REPORTS OF THE HEAD OF PLANNING SERVICES

The Head of Planning Services 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:

84. 16/00146/FULL – CHANGE OF USE OF LAND INTO RESIDENTIAL CURTILAGE, THE RETENTION OF EXTENDED DRIVEWAY, 1.8 METRE HIGH FENCE AND OUTBUILDING, AND THE ERECTION OF AN ADDITIONAL 1.8 METRE HIGH FENCE
19 Amersham Close, Gosport, Hampshire PO12 2RU

Consideration was given to the report of the Head of Planning Services requesting that consideration be given to planning application 16/00146/FULL.

Mrs Smith was invited to address the Board.

It was advised by the Deputy Head of Planning Services that a map detailing the current situation on the site and the proposals had been circulated on the table to Members.

Mrs Smith circulated a series of photographs to Members. Mrs Smith advised the Board that she was speaking on behalf of a considerable number of residents of Amersham Close and the surrounding area who were objecting to the planning application for the following reasons:

Amersham Close was part of a 1960's housing development which was built as an open plan estate, consisting of a combination of well-spaced out houses and open green spaces which gave the estate its distinctive character and was why it was such a popular place to live.

The original fence to the northern and western aspects of the applicant's property was erected several years ago. However, the applicants had now purchased a large area of green space adjacent to their property, bordering up to the pathway on Gomer Lane. Last year they extended their original fencing to incorporate some of the newly acquired land into their property. Unfortunately, the way in which this had been done has had a hugely negative impact on the properties at number 4 and 6 Amersham Close. Instead of continuing the new fencing westwards in line with the original fencing, the new piece of fencing protrudes for over 2 metres northwards as shown in Photograph A before continuing westwards adjacent to the footpath. This footpath being the access footpath to numbers 4 and 6 Amersham Close.

The area around the pathway, because of the protruding fence, had now been greatly narrowed, making the area there feel very much more closed in. Mrs Smith referred Members to Photograph B and advised that it also meant that the new section of fence was much closer to the frontages of numbers 4 and 6 Amersham Close than the original fence, which had greatly compromised the much more open vistas which these properties previously enjoyed as shown in Photograph C.

Mrs Smith advised the Board that another cause for concern was that the applicant had started to build a storage shed the back of which had been incorporated into the fence extension erected last year. She further advised that this part of the fencing was even higher than the rest measuring in excess of 2 metres high (detailed in photograph A). Mrs Smith stated that this was a very unattractive outlook for residents of numbers 4 and 6 Amersham Close and that the extended fencing had resulted in an unacceptable loss of outlook for the occupiers of numbers 4 and 6 Amersham Close whose primary sitting areas looked out over this fence.

In conclusion, Mrs Smith advised the Board that if permission were to be granted in response to this application to extend the fencing even further, then a large section of open green space on Gomer Lane would totally disappear. Mrs Smith said that this green space was one of several on Gomer Lane and it played a key role in establishing the distinctive character of the estate, as previously mentioned. Mrs Smith stated that were it to be totally fenced in then it would result in significant harm to the character of the area by not respecting the distinctive nature of the environment. Mrs Smith further advised that it would also result in completely closing in the occupiers of number 6 Amersham Close as well as having a detrimental effect on the occupier at number 29 Gomer Lane, who currently had an open aspect to the north of her property. This would be totally obscured if the fencing were extended as far as the pathway on Gomer Lane.

Mr McCallan was invited to address the Board and circulated a letter from Kingswell Berney Solicitors that detailed a covenant that was in place for the use of the purchased land.

Mr McCallan advised the Board that he believed the public amenity aspect would not be significantly harmed or compromised as a consequence of the development proposed in their application.

Mr McCallan advised the Board that the footpath usage was not busy or bustling and referred Members to the picture that he had taken which showed no narrowing effect or encroachment of the footpath since the erection of his fence. Mr McCallan also stated that he believed the proposal was not contrary to LP10 or LP23 of the Local Plan.

Mr McCallan added that when he first bought the piece of land the boundary of the footpath was overgrown with brambles and had not been maintained. He further advised that, instead of a 1.8m fence around the site which he agreed could upset the outlook to number 6 Amersham Close, he would look at planting shrubs so the aspect from number 6 Amersham Close was not spoiled.

In conclusion, Mr McCallan advised the Board that number 27 Gomer Land had purchased a similar parcel of land adjacent to the piece that he had brought with no problems and therefore respectfully asked Members to vote in favour of the application.

Following discussions it was felt by Members that Bilton Homes had sold the parcel of land as the site could not be developed. Members further felt that the open aspect and green space of the Gomer estate should be retained and that the proposals would have a detrimental overbearing impact on the surrounding area.

RESOLVED: That planning application 16/00146/FULL be refused for the following reasons:-

1. The proposed development, by reason of the height, extent and alignment of the existing and proposed fencing and existing outbuilding would represent an unduly prominent and incongruous feature that is not reflective of the established pattern of development in the area and would be harmful to the character and visual appearance of the area contrary to Policy LP10 of the Gosport Borough Local Plan, 2011-2029 and the Gosport Borough Council Design Guidance: Supplementary Planning Document.
2. The existing and proposed fencing and existing outbuilding, by reason of their height and proximity to the edge of the public footpath to the north, would create an enclosed environment reducing intervisibility along the whole length of that footpath which would be harmful to the safe movement of pedestrians. The proposal is therefore, contrary to Policy LP23 and Policy LP10 of the Gosport Borough Local Plan, 2011-2029.

**85. 16/00396/FULL – ERECTION OF ADDITIONAL STOREY, EXTERNAL ALTERATIONS AND CHANGE OF USE OF EXISTING BUILDING TO PROVIDE A 54 BEDROOM HOTEL (CLASS C1), WITH ASSOCIATED PARKING, STORAGE AND SERVICING (CONSERVATION AREA) (amended description and plans received 14.11.2016, 12.12.16, 13.12.16 and 20.12.2016)
8-17 High Street, Gosport, Hampshire, PO12 1BX**

Consideration was given to the report of the Head of Planning Services requesting that consideration be given to planning application 16/00396/FULL.

Mr Lawson was invited to address the Board.

Members were advised that there were no updates.

Mr Lawson thanked Officers and Members for the opportunity to speak on behalf of his clients. He advised that the applicants had worked closely with the planning department and that the main objections raised had centred on car parking and concerns over noise disturbance.

Mr Lawson advised the Board that the noise generated by a hotel would not be greater than that produced by the existing usage of the building.

Mr Lawson advised the Board that the hotel would be in a highly accessible location, close to public transport links and situated approximately 500m from Gosport Bus Station and the Gosport/Portsmouth ferry, which provided access to Portsmouth Harbour Train Station.

Mr Lawson also advised that Walpole Park public car park was close to the site and any usage by guests of the hotel would predominantly be overnight when the car park would be less in demand by existing users.

Mr Lawson further advised the Board that the appearance of the building would be significantly improved and would appear new when complete.

Mr Lawson advised the Board that the new hotel in Gosport town centre would act as a springboard for investment and regeneration in the area with guests generating expenditure by using the surrounding commercial businesses and restaurants.

Mr Lawson further advised Members that the hotel would create a total of 20 full time equivalent jobs which would be filled by NEETs (people who are not currently in employment, education or training) and therefore contribute to the local economy.

Following discussions a Member raised concerns with regards to homeless people potentially being placed in the hotel and it being used as temporary accommodation. The Head of Planning advised that this was not a planning consideration and clarified that no condition could be attached to control the booking arrangements of the hotel rooms. It was noted that any temporary accommodation arrangements would likely need to be via agreement between the hotel and the Council's Housing section.

Following a question from a Member regarding a restaurant on site Mr Lawson advised that the hotel was not designed to compete with local amenities and that guests would be encouraged to use the surrounding facilities and take meals to their rooms. However Mr Lawson confirmed that a small break-out room would be provided where guests could go and sit and eat food provided by the hotel but pre-prepared off-site.

Following a question regarding how long the hotel would take to open and the conditions needing to be met before the development commenced, Mr Lawson advised that his client had met with Travel Lodge who intend to implement the scheme and, whilst he could not confirm a specific timescale, the usual timeframe for such a development to be open for business was approximately within a year from the date of permission.

A Member asked for clarification on the number of car parking spaces being provided as this would not meet the requirements of the Council's Parking: Supplementary Planning Document. The Head of Planning Services advised that the car park management plan submitted for the scheme by Travel Lodge had been considered acceptable due to the accessibility of the site location together with the ample parking in Walpole Park public car park and other nearby parking facilities and as formalised provision has been made for turning for larger delivery and service vehicles. Evidence had also been provided by the applicant regarding likely trip generation from the site compared to the current use of the building, and Officers were satisfied that there would be minimal car parking overspill and that local car parking and vehicle turning arrangements were sufficient to accommodate the hotel and the proposal would not prejudice the viability of other commercial premises in the locality.

Following a question from a Member in relation to the consultee response from Southern Water the Head of Planning Services advised that Condition 9 of the Officer's report required a drainage strategy to be submitted before works commenced and further advised that the response from Southern Water was a standard response pending a more detailed assessment of the capacity in the locality and the need of the proposed development.

Following a question from a Member in relation to the compact size of the site and possible nuisance caused by the construction of the hotel beside existing businesses, the Head of Planning Services advised that Condition 16 of the Officer's report required that a construction method statement be submitted detailing the programme of works and the methods for managing the implementation of the development.

RESOLVED: That planning application 16/00396/FULL be approved subject to the conditions of the report of the Head of Planning Services.

**86. 16/00481/FULL – EXTERNAL ALTERATIONS AND ERECTION OF ROOF EXTENSION TO AND CONVERSION OF FORMER CORDITE MAGAZINE (NUMBER TWO) TO DWELLING TOGETHER WITH ASSOCIATED ACCESS ALTERATIONS, LANDSCAPING AND ERECTION OF FENCING (as amended by plans received 15.11.2016)
Cordite Building, No.2 Britannia Way, Gosport, Hampshire, PO12 4GD**

Consideration was given to the report of the Head of Planning Services requesting that consideration be given to planning application 16/00481/FULL.

Dr Hudson was invited to address the Board.

Members were advised that there were no updates.

Dr Hudson thanked Members for the opportunity to speak on behalf of residents.

Dr Hudson advised the Board that the agent could not spell the applicant's name correctly as it was not Daws but Dawes. Dr Hudson stated that if they could not get simple facts like that correct none of the rest of the information provided could be trusted either.

Dr Hudson reminded the Board that the site had previously been subject to a planning application which had been comprehensively and unanimously refused by the Board.

Dr Hudson advised the Board that this new application had exactly the same reasons for rejection with a few additional problems. Dr Hudson advised that it was not his intention to repeat the problems as they had been heard before.

Dr Hudson advised the Board that first and importantly the site did not have planning approval for access to Britannia Way and referred Members to a drawing that he had circulated to Members that detailed an extract of the approved plan when he first bought his house opposite the proposal site. Dr Hudson explained that the drawing was difficult to read but that it clearly showed that there was no approved exit onto what is now Britannia Way.

Dr Hudson advised the Board that a few significant errors had crept into the application and analysis as the whole of the proposed driveway was included within the Site for Interest for Nature Conservation (SINC).

Dr Hudson advised the Board that the area for great crested newts to be lost was not just the 30m² mentioned in the first iteration of the current application but was the whole of the driveway which he had calculated to be in excess of 1500m². Dr Hudson stated that it was either disingenuous or incorrect to suggest that it was limited to 30m² and added that all of this area was a grazing area for great crested newts and badgers and there would be a dramatic impact on them if the application was granted.

Dr Hudson stated that it had been reported that there had been no objection from Natural England, however he felt that their letter had been misinterpreted as they had stated that their standing advice in relation to endangered or protected species should be applied. Dr Hudson added that development affecting both great crested newts and badgers required a licence and that one would not be granted. Dr Hudson felt, therefore, that this was a clear rejection of the application under Natural England policies and guidelines.

Dr Hudson advised the Board that he would not repeat the many reasons for rejection of this application and referred to his previous deputation when he used the acronym BADGER to list the reasons for refusal, Dr Hudson added that this time he would use a more direct acronym, the initials of the applicant Mr DAWES.

Dr Hudson concluded that he and many neighbours implore the Board to consider their decision carefully and not to allow wanton extermination of endangered species.

Mr Weymes was invited to address the Board. He advised Members that when he was first introduced to the site he had carried out an in-depth study and history of the building and the Cordite buildings No1 & No2 Britannia Way and sought expert ecological advice.

Mr Weymes stated that he and his clients recognised that the site was of historic importance and would therefore demand a sensitive design proposal. Mr Weymes added that he felt the internal amenity created in the conversion together with minimum external alterations proposed would have little impact on the established badger set or wildlife within the SINC.

Mr Weymes advised the Board that the proposal had been carefully designed to segregate residential activity from the sensitive badger occupation of the surrounding SINC and that the occupants of the dwelling would effectively act as custodians of the nature area with their presence preventing and discouraging unauthorised public access. He further added that the applicants did not wish to own cats or dogs and that they just wanted to enjoy and observe the nature that the site would provide.

Mr Weymes advised the Board that the main objections to the application focused around the impact on the wildlife in the SINC and reiterated that the applicants had sought expert advice to ensure that there would be minimal such impact. Mr Weymes advised the Board that he felt residents had failed to accept the care and attention that had been given to the applicants' design proposals.

A Member asked Mr Weymes how having the building occupied would minimise the impact to the wildlife within the SINC, and suggested that occupiers of the building would surely disturb the wildlife by noise and light activity. Mr Weymes advised the Board that currently the site was not being cared for and that animals were visible in the surrounding areas. He further added that he felt the occupation of the building would be more positive than leaving it in its current state of disrepair and that the applicants wanted to observe and enjoy the nature surroundings of the SINC.

Following discussions Members felt that any residential use on the site would have a detrimental effect on the nature aspect of the SINC. It was further felt that any benefit from potential occupants of the building who enjoyed nature could not outweigh the concerns of disruption to the SINC

RESOLVED: That planning application 16/00481/FULL be refused for the following reasons:-

For the following reason(s):-

1. The proposed residential development would result in an incompatible use within this designated Site of Nature Conservation Importance (SINC), where there is no overriding need and where it would not provide any benefits to outweigh the need to protect the nature conservation value of the site, contrary to Policies LP43 and LP44 of the Gosport Borough Local Plan 2011-2029.
2. Insufficient information has been submitted to enable the impacts of the proposals on the wildlife interests of the site to be fully assessed, including those on protected species, and the proposals, therefore, fail to demonstrate that the proposals would not result in harm to protected species living on, or utilising the site, contrary to Policy LP44 of the Gosport Borough Local Plan 2011-2029.
3. The proposed residential development is an incompatible and unacceptable use within the Existing Open Space, contrary to Policy LP35 of the Gosport Borough Local Plan 2011-2029.

4. The proposal would result in an unacceptable increase in vehicular traffic using this sub-standard access either side of a traffic calming pinch-point resulting in undue interference with the safety and convenience of other highway users, contrary to Policy LP23 of the Gosport Borough Local Plan 2011-2029

5. Adequate provision has not been made for mitigation against the harmful impacts of recreational disturbance in the Portsmouth Harbour and Solent and Southampton Water SSSI/SPA/Ramsar sites detrimental to the protected and other species for which these areas are designated and contrary to Policies LP2 and LP42 of the Gosport Borough Local Plan 2011-2029

**87. 16/00322/FULL – CONVERSION OF PUBLIC HOUSE AND OUTBUILDINGS TO FORM 5 NO. TWO BEDROOMED FLATS AND 3 NO. THREE BEDROOMED FLATS WITH ASSOCIATED CAR PARKING AND BIN AND CYCLE STORAGE (as amended by plans received 10.10.16, 13.12.16 and 21.12.16)
The Middlecroft, Middlecroft Lane, Gosport, Hampshire, PO12 3DH**

Consideration was given to the report of the Head of Planning Services requesting that consideration be given to planning application 16/00322/FULL.

Members were advised that in the interests of highway safety and to safeguard the amenity of the occupiers of the neighbouring properties, Officers were recommending that amendments be made to two conditions and that two additional conditions be imposed as follows:

Amended Conditions:

Condition 2 should now read:

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

KAD01 APP G, KAD 01 A PP E and KAD 01 A PP B

Reason – To ensure that the development is completed satisfactorily in all respects and to comply with Policies LP10, LP24 and LP23 of the Gosport Borough Local Plan, 2011-2029.

Condition 9 should now read:

9. Notwithstanding the details shown in the approved plans, the development hereby permitted shall not be occupied until cycle storage facilities have been provided in accordance with a scheme to be submitted to and approved, in writing, by the Local Planning Authority. The approved cycle storage facilities shall thereafter be retained in accordance with the approved details unless otherwise agreed, in writing, by the Local Planning Authority.

Reason – In order to ensure that adequate cycle storage is provided in compliance with Policies LP10 and LP23 of the Gosport Borough Local Plan 2011 – 2029.

Additional Conditions:

12. No landscaping, structures or means of enclosure over 0.6m in height above ground level shall be placed or permitted to remain within the areas hatched green on the approved plan, KAD01 A PP E.

Reason – In the interest of highway safety and to comply with Policy LP23 of the Gosport Borough Local Plan, 2011-2029.

13. The windows in the southern elevation, outlined in red on the approved plan, KAD 01 APP B, shall be non-opening to a height of 1.7m above finished floor level and glazed with obscure glass (minimum of level 3 or equivalent) 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.

Councillor Hylands was invited to address the Board. He thanked Members for the opportunity to speak as the Ward Councillor and advised that he considered the application to be more acceptable following its amendment.

Councillor Hylands advised the Board that the Middlecroft had been part of the history of the Brockhurst Ward for many years and was often referred to as HMS Middlecroft by sailors at HMS Sultan. Built in the 1930's Councillor Hylands advised that the Middlecroft had served the community very well ever since and that he was sad to see the Public House become a casualty of the demise of community pubs around the area.

Councillor Hylands suggested that when naming the building it would be nice if consideration be given to retain 'the Middlecroft' name.

In conclusion, Councillor Hylands asked that consideration be given to the boundary and privacy of number 55 Kingston Road as the amenity space proposed would be closer to the property than the Middlecroft garden was. He further noted that the boundary wall was to be maintained and stated that this created a barrier and would make the life of the next door neighbour easier.

RESOLVED: That planning application 16/00322/FULL be approved subject to the conditions of the report of the Head of Planning Services.

**88. 16/00497/FULL – ERECTION OF TWO STOREY SIDE EXTENSION AND
ERECTION OF PITCHED ROOF OVER EXISTING PORCH (as amplified by
plan received 24.11.2016)
20 Springcroft, Gosport, Hampshire, PO13 0YW**

Consideration was given to the report of Head of Planning Services requesting that consideration be given to planning application 16/00497/FULL.

Mrs Watts was invited to address the Board.

Members were advised that there were no updates.

Mrs Watts advised that 20 Springcroft was situated immediately adjacent to her rear garden and therefore significantly overlooked her property.

Mrs Watts advised the Board that the proposed pitched roof would block the existing light into her property and further advised that the proposed extension would be in closer proximity to her property and become overbearing. Mrs Watts referred Members to photographs that she had circulated that demonstrated the current overshadowing of her garden.

Mrs Watts advised the Board that the separation distance between her property and number 20 Springcroft did not comply with the Council's Design Guidance as the proposed extension was 9 metres from the back of her French doors to the nearest corner of her garage and therefore did not meet the required 12 metre separation distance.

Mrs Watts advised the Board that she was not against the proposed extension but felt that the light to her property would be significantly compromised. She further suggested that if approval were to be given that perhaps the tree to the right of the property at 20 Springcroft be removed to allow as much light to come through that area and minimise the shadowing of her property and perhaps the roof pitch could be minimised.

In conclusion Mrs Watts welcomed Members to visit the site to determine the close proximity of the properties and the impact that this proposal would have on her property.

Following a question regarding the removal of the tree, the Deputy Head of Planning Services advised that the tree was not subject to a Tree Preservation Order and that the neighbours could make contact with the applicants to see if they were willing to remove it.

A Member advised that he had visited the property and felt that the proposed extension was close to the boundary fence.

It was therefore proposed, seconded and agreed that a site visit be carried out to determine the separation distances of the properties and the overshadowing of Mrs Watts garden.

RESOLVED: That planning application 16/00497/FULL be deferred for a site visit.

**89. 16/00577/FULL – CONSTRUCTION OF VEHICULAR ACCESS TO
CLASSIFIED ROAD (A32)
28 Brockhurst Road, Gosport, Hampshire, PO12 3DE**

Consideration was given to the report of Head of Planning Services requesting that consideration be given to planning application 16/00577/FULL.

Members were advised that there were no updates.

RESOLVED: That planning application 16/00577/FULL be refused for the following reason:

1. The proposal fails to make adequate provision for the parking and manoeuvring of vehicles clear of the highway which would result in vehicles interfering with the free flow of traffic on the adjoining highway to the detriment of highway safety and cause inconvenience to other highway users. The proposal is therefore contrary to Policy LP23 of the Gosport Borough Local Plan 2011-2029 and to the Parking Supplementary Planning Document.

90. ANY OTHER BUSINESS

There was no other business

The meeting concluded at 19:19

CHAIRMAN

GOSPORT BOROUGH COUNCIL – REGULATORY BOARD

1st March 2017

ITEMS WITH RECOMMENDATIONS

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

INDEX				
<u>Item</u>	<u>Page No</u>	<u>Appl. No.</u>	<u>Address</u>	<u>Recommendation</u>
01.	03-06	16/00497/FULL	20 Springcroft Gosport Hampshire PO13 0YW	Grant Permission subject to Conditions
02.	07-14/1	16/00593/FULL	Finsbury Cars Privett Road Gosport Hampshire PO12 2SU	Refuse
03.	15-24	16/00553/FULL	124-128 Brockhurst Road Gosport Hants PO12 3BA	Grant Permission subject to Conditions / s106
04.	25-30	16/00582/OUT	Land Rear Of 363, 365 & 367 Fareham Road Gosport Hampshire PO13 0AD	Refuse
05.	31-34/1	16/00571/FULL	32 Alver Road Gosport Hampshire PO12 1QR	Grant Permission subject to Conditions
06.	35-36/1	16/00549/FULL	31 Monckton Road Gosport Hampshire PO12 2BG	Grant Permission subject to Conditions
07.	37-46	16/00463/FULL	Admiralty Oil Fuel Depot Forton Road Gosport Hampshire PO12 4TH	Grant Permission subject to Conditions / s106
08.	47-48/1	16/00595/FULL	11 Clanwilliam Road Lee- On-The-Solent Hampshire PO13 9HX	Grant Permission subject to Conditions
09.	49-53/1	16/00441/DETS	HMS Daedalus Nottingham Place Lee-On-The-Solent PO13 9YA	Grant Permission subject to Conditions

ITEM NUMBER: 01.
APPLICATION NUMBER: 16/00497/FULL
APPLICANT: Mr Neil Derrick
DATE REGISTERED: 25.10.2016

**ERECTION OF TWO STOREY SIDE EXTENSION AND ERECTION OF PITCHED ROOF
OVER EXISTING PORCH (as amplified by plan received 24.11.2016)
20 Springcroft Gosport Hampshire PO13 0YW**

The Site and the proposal

1. This application was considered by the Regulatory Board on 18th January 2017 when Members resolved to defer it for a site visit to take place prior to the next meeting of the Board.
2. The application property is a semi-detached two storey residential dwelling with a single storey, flat roofed element wrapping around the north-east corner of the property which comprises a single garage to the east and porch to the north. It has also been extended to the rear by a single storey extension with a mono pitch roof. The application site is the last property at the eastern end of the cul-de-sac on its southern side. The site narrows in width from approximately 13.5m along the northern boundary to approximately 8m along the southern boundary and is approximately 22m deep. The application property is situated approximately 5m back from the road and this area is currently used as a front garden. The rear garden is 9m long and the property, at its closest point, is approximately 1.5m away from the eastern site boundary at single storey level. The rear garden is enclosed by solid panel fencing approximately 1.8m in height along all the boundaries.
3. Springcroft is lined with similarly designed and styled properties along either side within similarly sized plots to the application property. The surrounding roads are also residential with the majority of properties comparable in proportions and dimensions, although designs vary from road to road. There are numerous examples of rear extensions and minor alterations to the front elevations but due to the compact nature of the residential area there are few examples of two storey, side extensions.
4. The proposal is to create additional accommodation and a fourth bedroom by extending the garage to the east and south, and creating a first floor above this. The garage would be extended by 0.6m to the east. To the south it would be extended out to the rear elevation of the application property, a length of 2.45m and 2m wide. The first floor eaves of the proposed extension would match the application property at 5.1m and the roof would be dual pitched and have a stepped profile. The first 2.1m of the proposed roof closest to the application property would match the existing roof ridge height of 7.9m; and the eastern 1.3m of the proposed roof ridge would be at the lower height of 6.8m thus creating a stepped gable along the eastern elevation. The proposal is also to replace the existing flat roof over the front door and garage door with a mono-pitched roof which would have a maximum height of 3.6m. There would be a new first floor window in the front elevation and in the rear elevation a new ground floor window and an obscure glazed first floor window. The rear external door into the garage would be moved slightly to the east and an additional door in the east elevation would be introduced. There would be no windows in the eastern elevation. The plans submitted on the 24.11.16 show the position of an additional parking space in an attempt to comply with the standards set out in the Gosport Borough Parking Supplementary Planning Document.
5. After discussion the applicant has confirmed that they would be continuing with the scheme in its current form and that the tree to the north-east of the existing garage would likely be removed to facilitate construction.

Relevant Planning History

Nil

Relevant Policies

Gosport Borough Local Plan, 2011 – 2029:

LP10

Design

LP23

Layout of Sites and Parking

Supplementary Planning Documents:

Gosport Borough Council Parking: Supplementary Planning Document: February 2014

National Planning Policy Framework (NPPF), March 2012

Consultations

Nil

Response to Public Advertisement

2 letters of objection

Issues raised:-

- increase in overlooking of 35 and 37 Woodside
- reduction of access to sunlight for the rear garden and ground floor lounge of 35 Woodside for significant part of the afternoon / early evening
- loss of daylight to 37 Woodside
- impact on view from the rear of 35 Woodside
- effect on property value of 37 Woodside

Principal Issues

1. The impact on property value is not a material planning consideration and there is no legal or planning legislation which recognises a right to a view. Therefore the main issues are the appropriateness of the proposal and its impact on the appearance of the locality; the amenities of the occupiers of adjacent properties; and the potential impact of pressure for on-road parking within Springcroft.

2. The proposal would use matching materials to the application property and the proposed windows would replicate the proportions and spacing of the existing front and rear windows. It would be in keeping with the application property as a whole with only the proposed mono-pitch roof to the front protruding beyond the front elevation. This proposed mono-pitch roof replacement of the existing flat roof would replicate other such changes along Springcroft and would not materially alter the impact of the property on its surroundings. The two storey element would be situated to the eastern side of the application property which is largely screened by surrounding residential properties so would not be overly visible to users of Springcroft unless directly in front of the application property. As the application property is situated at the very end of Springcroft the proposed first floor extension over the garage would not impact on the regular spacing between each of the semi-detached pairs along the road; therefore it is not considered that the proposal would affect the built character of Springcroft. The proposal would extend the overall width of the semi-detached pair but due to its relatively screened location this is not considered to impact on the overall appearance of the locality. Therefore the proposal would comply with this aspect of the Policy LP10 of the Gosport Borough Local Plan 2011-2029.

3. Due to the location, distances and orientation of the proposal from the dwellings to the north, south and west of the application property, the proposal would not adversely impact on the amenity of their occupants. However the proposal would extend the two storey side elevation of the application property closer to the shared boundary with the properties to the east, specifically 35 and 37 Woodside. The proposal would remove all first floor windows from the existing east elevation of the application property; the proposed new first floor window within the rear elevation

would be obscure glazed; and the proposed new first floor window would be angled away from the properties to the east. Therefore it is considered that the proposal would not increase the overlooking of 35 and 37 Woodside. The immediate area of the application property has an established, built-up residential character with an outlook that reflects this. Currently from the rear of 35 and 37 Woodside the rearward outlook is visually enclosed by the side elevations of a number of residential properties and the screening landscaping at the eastern end of Springcroft. Whilst the proposal would bring the side elevation of the application property closer to the shared boundary with 35 and 37 by 1.2m and increase it to two storey; it is not considered that it would have an overbearing impact on the properties. Whilst it is recognised that the proposal would marginally increase the amount of shadow created by the application property it would only impact on the most western edge of the garden of no. 35 and the south-western corner of no. 37's garden towards the late afternoon. The proportion of additional shadow is not considered significant in relation to the shadow already cast by the existing mass of the application property and other surrounding properties; and it would not impact on the rear elevations of either property. Therefore it is not considered that the proposal would reduce the levels of access to daylight and sunlight for the occupants of no. 35 and 37 to unacceptable levels. As such the proposal is considered not to harm the amenity of the occupiers of the neighbouring properties and so comply with this aspect of the Policy LP10 of the Gosport Borough Local Plan 2011-2029.

4. The proposal would increase the application property from a three to four bedroom dwelling and so there would be a requirement for an additional off road parking space to supplement the existing parking provision of the garage and space to the front to comply with local policy. This has been achieved by the replacement of the front garden with an area of hard standing which would allow a parking space to be created in accordance with the recommended dimensions as set out in the Gosport Borough Parking Supplementary Planning Document; and the width of the existing garage has been increased to improve its usability for parking. Its implementation and retention can be secured by condition and so the proposal would comply with Policy 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:

08/16(01); 08/16(02); and 08/16(3)

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 first floor window in the south elevation of the extension hereby approved shall be installed with obscure glass and shall be retained as such.

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

4. Before the room marked as bedroom 4 on plan 08/16(02) is brought into use the car parking space as shown on plan 08/16(03) shall be completed and made available. This car parking space shall then be retained for the parking of one vehicle at all times.

Reason - To ensure adequate car parking is provided and retained, and to comply with Policy LP23 of the Gosport Borough Local Plan 2011-2029.

ITEM NUMBER: 02.
APPLICATION NUMBER: 16/00593/FULL
APPLICANT: Mr Hugo Adkins
DATE REGISTERED: 22.12.2016

CHANGE OF USE FROM CAR SALES TO COMMERCIAL CAR WASHING
Finsbury Cars Privett Road Gosport Hampshire PO12 2SU

The Site and the proposal

1. The site is located within the Urban Area as defined by the Gosport Borough Local Plan 2011-2029 on an unallocated site which has been in employment use for many years, originally as a petrol filling station and more recently as a garage, MOT service centre and car sales.
2. The site is located on the southern side of the Cocked Hat Pub roundabout with vehicular access 12m to the west of the roundabout and a separate vehicular exit 35m further along Privett Road to the west of the roundabout. A shared cycle/footpath runs along the site frontage across which vehicles entering and exiting the site have to manoeuvre. It is currently operated as an MOT service centre and car sales with ancillary office with a range of smaller buildings and structures in the south east corner used for storage of parts.
3. North of the site, on the opposite side of Privett Road, are playing fields which are protected open space (Policy LP35 and LP41), form the very south eastern corner of the part of the Settlement Gap (Policy LP3) and are designated as part of the Alver Valley Site of Importance for Nature Conservation.
4. Immediately south of the site, at a level approximately 0.6m lower than the application site are residential gardens of houses 6 Gomer Lane and 7 Naismith Close respectively.
5. The proposed car wash and valet would be operated from the triangular shaped western part of the site. Capacity for up to 7 vehicles at a time to be serviced by the wash and valeting facilities is shown on the submitted plans. It is proposed to operate the car wash 7 days a week between the hours of 9am and 6pm Monday to Saturday and 10am to 4pm on Sundays. A 3m high acoustic barrier would be located close to the southern boundary but set off by 1m to provide some landscaping/tree planting in between. The existing access and egress arrangements are not proposed to be altered as part of the proposal. The existing MOT servicing centre would continue to operate from the site, but the car sales element of the business would be reduced and operate from the eastern part of the site only.
6. The site is 100% hardstanding with a retained surface water drainage system including attenuation tanks with filtration systems to accommodate water from the site and ensure the removal of pollutants before it being passed back into the piped drainage network at a regulated rate.
7. It is confirmed that the former underground petrol storage tanks were fully decommissioned in accordance with the requirements of Environmental and Health and Safety regulations at the time the petrol station ceased activity.
8. The application is accompanied by a noise report which has assessed the existing background noise levels and indicated the noise levels likely to be generated as a result of the car wash being operational. The 'noise map' which forms part of the noise report includes anticipated noise levels at the facades of adjoining residential properties and the rear garden areas.

Relevant Planning History

94/00375/FULL - alterations to existing sales building to include new shopfront and internal provision of Jetwash Facility (as amplified by letters dated 18.08.94 and 09.09.94) - permitted 28.09.1994

98/00356/FULL - use Of Part Of Forecourt For Car Display And Sales And Erection Of 1.2 Metre High Boundary Fencing (as Amended By Plans Received 16.06.99) - permitted 15.07.1999

00/00387/FULL - use of Part of Forecourt for Car Display and Sales and Erection of 1.2 Metre High Boundary Fencing (amended Scheme) - refused 22.06.2000

01/00432/FULL - change of Use from Petrol Filling Station, Workshop & Car Sales To Car Sales, Mot Station & Associated Repairs (as Amended By Letter Dated 19.11.01 & Plans Received 20.12.01) - permitted 16.01.2002

07/00077/OUT - Outline - erection of a convenience store (Class A1) with 5no. flats above, alterations to access to Classified Road (b.3333) and associated parking (as amplified by letter dated 23.02.07 and email dated 9.3.07)- refused 28.03.2007

16/00312/FULL - Change of use from car sales to car wash and valeting and erection of new 2.4m high acoustic fence/spray screen adjacent to southern boundary (as amended by plans and additional information received 09.09.16 and 18.11.2016) - withdrawn 07.12.2016.

Relevant Policies

Gosport Borough Local Plan, 2011 – 2029:

- LP46
Pollution Control
- LP47
Contamination and Unstable Land
- LP1
Sustainable Development
- LP10
Design
- LP23
Layout of Sites and Parking

National Planning Policy Framework (NPPF), March 2012

Consultations

Environmental Health	The noise report appears to be the same as previously submitted but with the inclusion of a new diagram of the acoustic screen increased to 3m in height and with an angled top. The indication of the noise map in the report is that the impact of the proposed development (with mitigation measures in place) on the nearest residential properties is only slightly above background for both the facades and the garden areas (48 decibels compared to 47 decibels).
Local Highway Authority	The site has been subject to earlier applications for the change of use from car sales to car washing, with the latest application being withdrawn by the applicant

before determination was reached.

If permitted, the proposed car wash is likely to result in an increase of vehicular trips to and from the site than the existing car sales, thereby intensifying use of the access/egress which are proposed to be retained as existing. This will result in a likely increase in the risk of rear end shunts for drivers attempting to turn into the site from Privett Road (from the east) given the restricted carriageway width here, and conflicts between vehicles exiting the Privett Road/Military Road/Gomer Lane roundabout heading west and vehicles looking to turn into the site from the east.

Having regard to the above, the Highway Authority is concerned over the intensified use of the access/egress point which would be reasonably expected from the change of use. The applicant has not provided information to demonstrate that this access/egress would operate in a satisfactory manner without compromising highway safety/capacity and therefore the application cannot be supported by the Highway Authority at this time.

Transport & Traffic

Concerns raised relating to road safety on the intensification of the use of the eastern access given the close proximity of the access to the exit from the Cocked Hat roundabout. It may not be immediately evident to following vehicles that a car is turning into the site when exiting the roundabout. It will not be expected that a vehicle would be immediately slowing down to turn, and more likely that a vehicle would be accelerating away from the roundabout, particularly given that the speed limit increases for 30mph to 40mph shortly after the roundabout. This is likely to increase the likelihood of tail-end shunts.

Privett Road is the main highway link between Gosport and Lee-on-the-Solent and is also a key route for vehicles heading to the A32 and Grange Road/Rower and road safety must not be compromised.

I note that the Management Plan, dated September 2016 has detail relating to the site access, and seeks to prevent vehicles travelling east turning right into the site. The document states that customers will be asked to turn left into the site from Privett

Road (having such information provided on business cards) - however this information would not be available to new/ad hoc customers, and would not be able to be effectively enforced.

It is difficult to predict the likely demand for the proposed facility, however there is a risk that queuing may tail back onto Privett Road, in both directions, which would be detrimental to road safety.

No car parking is identified for the remaining car sales site, and the interaction between the two uses is unclear and needs to be clarified in order to fully understand the function/operation of the whole site. I note that there are four cars indicated within the blue outlined land. These vehicles are parked so close together that getting into them would be extremely difficult - is this to indicate vehicles awaiting repair?

The views of Hampshire County Council as Highway Authority on this proposed development will be very important, particularly in relation to road safety.

Southern Water

No objection but highlight that it is for the applicant to make suitable provision for the disposal of surface water and there would be a need for the applicant to apply for a connection to the foul sewerage system.

Environment Agency (Hants & IOW)

No response.

Response to Public Advertisement

10 letters of objection received.

Issues raised:-

- the new fencing will be overbearing by reason of height and proximity to the boundary;
- jet washers and vacuum cleaners will cause noise, pollution and dust;
- additional traffic will cause more congestion and be a danger to highway safety because of the position of the access;
- increase risk of accidents on the roundabout due to traffic turning into the site or backing up waiting to turn;
- the access crosses a designated cycle route and is too close to the roundabout;
- build-up of dirt and debris from the washing of cars may block the drains;
- the current use is Sui Generis and there is no permitted change to the proposed use;
- the title deeds for the site contain a clause preventing uses which may cause disturbance to nearby occupiers;
- the rationale for refusing the mixed use scheme in 2007 still remains valid;
- the proposals are contrary to the Local Plan;
- the site is visually prominent and should be subject of a development brief;
- application has ignored the drainage requirements of the site given the waste water will be industrial waste and requires a licence from the Environment Agency to discharge into the foul sewer;

- the proposals will result in significant environmental impacts which have not been considered;
- there is insufficient capacity in the sewerage system to handle the volume of water associated with such a use;
- no consideration has been given to what may be present on the site as a legacy of previous uses;
- the noise reports includes a number of inconsistencies, errors, omissions and inaccuracies which give no confidence in its findings;
- there are already other similar facilities nearby and there is no need for another one;
- these sites are usually visually poor and untidy and detract from the character of an area;
- the activity associated with these uses are not suitable in such close proximity to residential properties;
- acoustic barriers are ineffective for this type of scheme due the scientific fact that sound waves are diffracted (bend round an obstacle) rather than being deflected or contained;
- proposed operating times (7 days a week) are unneighbourly;
- the proposals will be detrimental to local residents' quality of life;
- the vehicle crossover/access requires vehicles to cross over a pedestrian route used by large numbers of school children;
- potential impact on wildlife given proximity to the S.I.N.C;
- the flurry of support letters come from people who are not immediate neighbours, many live some distance away including outside the Borough.
- Many of the comments are factually incorrect. For example several people state that distances of several miles would need to be travelled to find an alternative car wash. The facts are, there are 3 existing car wash facilities, all less than 1.5 miles away from Privett Roundabout. The closest is a newly opened facility at Tesco Supermarket on Grange Road (less than 0.75 mile North), a 2nd at the Shell Petrol Station, Privett Rd (1 mile East) & a 3rd on Dock Road (1.5 Miles East).
- The comments give little attention to the increased risks associated with heavier traffic activity and backup queues at Privett Roundabout. Nor do they consider the additional hazards this will present to the large numbers of Bay House students crossing at the roundabout more than three times every working day (morning, afternoon & several times during the day to gain access to the playing fields at Military Rd). The risk that this development could precipitate an accident black-spot is shared by HCC Highways & the GBC Senior Transport Manager.

15 letters of support received

Issues raised:-

- benefit to locals who do not have time to drive miles to the nearest alternative;
- ideal location as you do not have to get stuck in traffic jams on the A32 to get to it;
- supports a local business;
- ideal location for a car wash;
- ample space for cars to enter and leave the site;
- there has been a garage with car wash facility on this site for decades;
- the business is highly thought of locally, is well run and keeps the site/cars clean and tidy;
- the council should be supporting local businesses not preventing them from providing needed services.
- HCC Highways and Ecology raised no objection to the previous car wash application.
- the noise report states there will be no adverse impact on neighbours.
- other car washes in the area operate safely and have not caused traffic problems; there is no reason why this one would be different.
- there would be no increase in the likelihood of accidents at the roundabout;
- the road safety aspects of this site are far better than at the existing Grange Road site;
- the proposals accord with the NPPF which promotes economic growth and supports business.

Principal Issues

1. The Local Plan accords with the NPPF in its support for economic growth and the support of local businesses. The Council has adopted a positive and pro-active approach to supporting local businesses and one of the key priorities of the local plan is the retention of existing businesses and the establishment of new businesses within the Borough to reduce to current level of trips out of the Borough. However, new development proposals must accord with adopted policy requirements The

application should be judged on the merits and the unique circumstances of the application site itself. For the reasons set out below the site is not considered to be an ideal location for a car wash notwithstanding the benefits it would bring in terms of employment and the reduced travel demands for some local residents in having a facility closer to home. The noise report indicates there will be an increase, albeit small, in the background noise levels associated with the use, and the County Council, as Highway Authority, has indicated concerns for highway safety as a result of the increased use of the access and egress in such close proximity to the roundabout. The main issues for consideration are therefore highway safety and residential amenity.

2. The site has been in commercial use for many years, historically as a Petrol Station with a jet wash facility close to the southern boundary (approved in 1994) and more latterly as a car sales and MOT servicing operation. Commercial activity is therefore established and, given the site is located within the Urban Area boundary, the principle of retaining or providing new commercial uses is acceptable subject to satisfying the relevant criteria of the Gosport Borough Local Plan 2011-2029 with regard to highway safety, residential amenity and character of the area.

3. The proposed car wash use would be likely to introduce significantly greater trips and activity throughout the day than the existing relatively low traffic generation associated with the operation of the car sales. Concerns have been raised that this increase in vehicle movements using an access in such close proximity to the roundabout will conflict with the free flow of traffic and increase the likelihood of accidents and congestion at the junction. Concern is also raised that the level of traffic movements through the roundabout has increased since the site was last used as a petrol filling station in approximately 2001/02.

4. Hampshire County Council, as Local Highway Authority, indicate that the developer has failed to adequately demonstrate that the intensification of use of the existing access and egress points are safe or that the proposed use does not conflict with highway safety. The layout of the site and the positioning of equipment related to the valeting and car wash service being offered allows up to 7 vehicles to wait within the site without obstructing the highway. There is concern that at busy periods the limited availability of space within the site could lead to queuing on the highway at the westbound exit of the roundabout. There is also the strong likelihood of vehicles slowing whilst exiting the roundabout to turn into the site which would increase the likelihood of rear shunts. Furthermore, there is no practical way of preventing vehicles turning right into the site immediately across the west bound exit of the roundabout rather than going right-around the roundabout and turning directly in. This manoeuvre increases the potential for road traffic collisions and also, given the width of the road approaching the roundabout from the west, increases the likelihood of queuing traffic. To enter and exit the site cars would need to cross-over a designated and well used cycle and pedestrian path. This route is part of a continuous off road cycle network linking Lee-on-the-Solent and the town centre and is on a school route which has increased levels of usage around school opening and closing times by pupils and parents in addition to general usage during the remainder of the day. Increased movements and potential queuing and obstruction of this route would introduce a potential conflict with safe usage. Based on this advice it is considered that the proposals have not been demonstrated to be in accordance with Policy LP23 of the Gosport Borough Local Plan 2011-2029.

5. The adjacent garden areas are of reasonable size and currently enjoy good levels of sunlight and relative quiet, despite traffic noise being audible from both traffic using Privett Road and the activities associated with the car sales business which includes an ancillary element of car cleaning. Both neighbours whose gardens would be directly affected maintain these spaces to a high standard and gain significant amenity value from sitting out areas placed alongside the shared boundary with the site. The applicant has employed a noise consultant with national experience dealing with car wash schemes and has submitted a revised noise impact assessment which identifies the levels of noise which would be audible within the habitable rooms of adjoining houses. The report highlights that background noise levels from the nearby highway network are already high and that the manner in which the equipment will be housed and operated on site means that noise levels above this existing background level will, the majority of the time, be negligible. The noise assessment indicates the impact on the garden areas adjoining the site will only be a little above existing background. However, within these areas residents should still expect to enjoy a

level of amenity which is not harmfully altered as a result of new development. Notwithstanding the conclusion of the noise report, the increase in activity and the nature of that activity, including the noise of water on the body of a car at high pressure, is considered likely to alter the current level of amenity enjoyed by the adjoining residents for the worse to the degree where it would be harmful. In coming to this view consideration has been given to the existing car wash provision which is associated with the car sales. The existing arrangements for cleaning cars for sale are less frequent and involve one individual employed to wash static, unoccupied cars. For this reason, it is considered that the operation of a commercial car wash facility on this site and on this scale (given the proposed daily operating times) represent an unneighbourly use which is contrary to Policy LP46: 3 (Noise pollution) of the Gosport Borough Local Plan 2011-2029.

6. Consideration has been given to limiting the hours during which the use can operate through condition and the potential mitigation of providing landscape screening along the southern boundary to improve the visual impact on neighbours and the surrounding area and also to act as an additional sound buffer. However, no formal submission showing these details has been received and, even if they were, they would be unlikely to fully address the concerns set out above regarding the impact the increased activity and noise would have on the level of amenity currently enjoyed by neighbours in their private gardens.

7. It is confirmed that the site was fully decommissioned at the time of the closure of the petrol station and as such the use does not represent a threat of pollution in accordance with Policy LP47 of the Gosport Borough Plan 2011-2029.

8. It is confirmed that there is an existing drainage system in place as a legacy of the former use which includes oil and other pollutant interceptors which would prevent such material getting into the drainage network or the affecting groundwater in accordance with LP47 of the Gosport Borough Plan 2011-2029.

9. It is confirmed that the drainage system has holding capacity for surface water and a regulated flow rate for dispersal of surface water that would prevent inundation of the drainage network or cause increased run-off onto adjoining sites in accordance with Policy LP39 of the Gosport Borough Plan 2011-2029.

10. It is not considered the proposals would have any adverse impact on wildlife in accordance with Policy LP44 of the Gosport Borough Plan 2011-2029.

11. The contents of title deeds for the site are not enforceable through the planning process. Therefore the existence of a clause preventing uses which may cause disturbance to nearby occupiers within the deeds would be a private matter to be resolved through civil law.

12. The proposed acoustic fence would be visible above the existing timber fence along the southern boundary of the site when viewed from the neighbouring gardens and rear windows. This fence could be conditioned to be set off the boundary and screened by new planting. This and the change in levels between the sites (the residential gardens sit at a lower level by approximately 0.6m) would mean that its visual impact could be satisfactorily addressed by condition should all other matters be found to be acceptable. Being on the north side of the residential gardens it would not cause any loss of light or shadowing. It is therefore not considered the provision of an acoustic fence in itself would be harmful to the amenities of neighbours or the character of the area. The design of the acoustic barrier, and that of the plant and equipment required to facilitate the proposed use, could be controlled through condition to ensure the site retains an appearance appropriate for its location in compliance with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

RECOMMENDATION: Refuse

For the following reason(s):-

1. The proposed commercial car wash business, by reason of its scale, operating times and the level of activity associated with it in immediate proximity to the boundary of residential properties represents an unneighbourly form of development resulting in levels of noise and disturbance which would be harmful to the amenities currently enjoyed in the their rear private garden areas by the occupiers of adjacent properties contrary to Policy LP 46 (3) of the Gosport Borough Local Plan 2011-2029.

2. The location of the site on a busy roundabout and the intensification of vehicular activity associated with the proposed commercial car wash business would increase the likelihood of road traffic collisions and introduce conflict with pedestrians and cyclists using the adjoining cycle/footway to detriment of highway safety and contrary to Policies LP10 (2) and LP23 of the Gosport Borough Local Plan 2011-2026.

ITEM NUMBER: 03.
APPLICATION NUMBER: 16/00553/FULL
APPLICANT: The Trustees Of The Donnelly Trust
DATE REGISTERED: 24.11.2016

DEMOLITION OF EXISTING BUILDING AND ERECTION OF 3NO. ONE BEDROOM DWELLINGS, 3NO. THREE BEDROOM DWELLINGS, AND 1NO. TWO BEDROOM DWELLING, TOGETHER WITH FIRST FLOOR REAR EXTENSION TO EXISTING HOUSE AND ASSOCIATED ACCESS, CAR PARKING, LANDSCAPING AND CYCLE AND WASTE STORAGE FACILITIES (as amended by plans 03.01.2017)
124-128 Brockhurst Road Gosport Hants PO12 3BA

The Site and the proposal

1. The site is located on the east side of Brockhurst Road and close to its junction with Kingsley Road. The site includes a two storey building situated adjacent to Brockhurst Road which has three vacant retail units at ground floor, previously used as shops a takeaway and a taxi office, with residential above. Situated on the southern boundary but set back from Brockhurst Road by in excess of 20m is an existing two storey dwelling, number 124, with its rear garden extending to the easterly boundary with The Shrubby. There is an existing vehicular access to the southern side of the retail units and the remainder of the site is open and primarily gravel and unmown grass.
2. To the south of the access are number 122 and 120 Brockhurst Road which are detached properties, with number 122 being on the boundary of the site with a retail unit at ground floor level and a flat above. Number 122 has a ground floor and first floor window on the northern elevation facing the application site. To the north of the site is Norfolk House, a three storey block of flats, with a two storey rear projection. The building is set back from Brockhurst Road by approximately 12m with a parking area to the front. Due to the staggered boundary of the application site the building is of varied distances from the boundary with the central part almost on the boundary itself. There are two vertical rows of windows on this south facing elevation forward of the central section with one row on the two storey projection to the rear, however, the majority of this elevation is a flank wall.
3. To the northeast of the site is the three storey flat roof terrace of houses within The Shrubby which have a staggered rear elevation. The terrace is set off of the northern boundary of number 124 by approximately 8m with single storey garages in the area between. The boundaries surrounding the site are a mix of walls and fences approximately 1.8m in height but of varying quality and appearance. The Shrubby is a 2-way street with double yellow lines close to its junction with Kingsley Road with unrestricted on-street parking opposite the site. To the west, on the opposite side of Brockhurst Road, is a mix of commercial properties with residential above, the majority of which are two storey in height. Directly outside of the application site on Brockhurst Road is an existing pedestrian crossing.
4. The proposal is for the redevelopment of the site to provide residential accommodation of 7 additional units in the form of two terraces of 3 dwellings each, both accessed from Brockhurst Road, and a detached dwelling accessed from The Shrubby. The existing dwelling on the site would be retained and extended as a single dwelling house.
5. The terrace fronting Brockhurst Road would comprise 3 one-bedroom dwellings with a small garden amenity area to the rear and inner areas of the site providing a car parking courtyard. To the rear of the main site area would be a further terrace of 3 three-bedroom dwellings facing into the central area of the site and the car parking court. The detached dwelling would front The Shrubby and have two parking spaces from this road.
6. The parking court would provide 11 car parking spaces. Refuse and cycle stores would be provided within the individual property garden spaces. All of the proposed buildings would be constructed from brick with slate and tiled roofs and PVC windows. Access to the site from

Brockhurst Road would be from a new vehicular and pedestrian access located to the northern end of the site frontage to this main through route.

7. In support of the submission are a Design and Access Statement with appendices including a land contamination desk study report (Appendix E), a CIL assessment form, agent's letter dated 22 December 2016 relating to amended plans (03.01.2016) and access approach off The Shrubby.

Relevant Planning History

12/00505/FULL - demolition of existing properties and erection of two storey replacement building to provide 12 no. two bedroom flats with associated access, parking, bicycle and bin stores - withdrawn 05.12.13 to enable revised proposal

15/00373/FULL - erection of 4no. one bedroom dwellings, 3no. two bedroom dwellings, and 1no. one bedroom coach house, together with associated access, car parking, landscaping and cycle and waste storage facilities following demolition of existing building (as amended by plans received 24.11.15, 25.01.16, 28.01.16, 29.01.16 and 13.07.16) - withdrawn 15.12.16 to enable revised proposal

Relevant Policies

Gosport Borough Local Plan, 2011 – 2029:

- LP1
Sustainable Development
- LP2
Infrastructure
- LP3
Spatial Strategy
- LP10
Design
- LP16
Employment Land
- LP21
Improving Transport Infrastructure
- LP22
Accessibility to New Development
- LP23
Layout of Sites and Parking
- LP38
Energy Resources
- LP44
Protecting Species and Other Features of Nature Conservation Importance
- LP46
Pollution Control
- LP47
Contamination and Unstable Land

Supplementary Planning Documents:

- Solent Special Protection Areas Gosport Bird Disturbance Mitigation Protocol 2014
- Gosport Borough Council Design Guidance: Supplementary Planning Document: February 2014
- Gosport Borough Council Parking: Supplementary Planning Document: February 2014

National Planning Policy Framework (NPPF), March 2012

Consultations

Streetscene Waste & Cleansing

Adequate storage space for required bins of

a 240 litre domestic & 240 litre recycling bin per dwelling. Existing House, unit 4, 5, & 6 maximum carry distance (30m) to collection point exceeded.

A collection point within 9m of the access is shown to be provided.

Southern Water

Southern Water requires a formal application for a connection to the public foul and surface water sewer to be made by the applicant or developer. We request that should this application receive planning approval, an informative is attached to the consent in this regard.

Southern Water supports this stance and seeks through appropriate Planning Conditions to ensure that appropriate means of foul and surface water disposal are proposed for each development. It is important that discharge to sewer occurs only where this is necessary and where adequate capacity exists to serve the development. When it is proposed to connect to a public sewer the prior approval of Southern Water is required. The planning application form makes reference to drainage using Sustainable Urban Drainage Systems (SUDS).

Under current legislation and guidance SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system. We request that should this application receive planning approval, a condition is attached to the consent to secure drainage details are provided.

Environmental Health

The recommendation of this section is that this application could be approved without any conditions relating to land contamination.

If the planning officer or applicant is aware of a potential for contamination to be present please can they advise the contaminated land officer as soon as possible.

Local Highway Authority

The applicant has shown 13 parking spaces

can be provided at the site, with 2 spaces to be accessed from The Shrubbery which is an existing residential unclassified road with the remaining 11 spaces to be accessed from Brockhurst Road via a new vehicular access point. The number of vehicle parking spaces shown is in line with the standards set out within GBC Parking SPD for unallocated spaces together with a provision for visitors. The proposed arrangement of these spaces as shown on the submitted site plan appears to reflect earlier comments from GBC Engineers and therefore is considered acceptable in terms of design.

With respects to the new proposed vehicle access point onto Brockhurst Road, the shown arrangement offers an improvement over the existing access point located to the south of the signalised pedestrian crossing. While the new access point would be located within close proximity of the crossing, it is a further distance away than the existing access and users would benefit from improved vehicle and pedestrian visibility and therefore the proposed access is not expected to impact on the safety or operation of the crossing.

Access to the proposed parking spaces off The Shrubbery will also require the provision of a dropped kerb crossing. It would appear that these spaces (12+13) are likely to be difficult to access if there are vehicles parked legitimately on the opposite side of The Shrubbery. In order to alleviate this, the applicant should provide funding to extend the existing TRO at the Kingsley Road/The Shrubbery junction to prevent vehicles parking in this area.

In order to deliver the access works, the applicant will be required to secure the appropriate highways licence. It should be noted that any proposed internal road/parking areas shall not be made of migratory materials or provision shall be made to stop any migratory materials overflowing onto Brockhurst Road/The Shrubbery in the interest of highway safety.

The applicant should be aware that as part of any access works at the site, they would also be required to re-instate the existing vehicular access from Brockhurst Road to footway.

The site plan shows that bin and cycle

storage provisions will be located within the individual dwellings private gardens each benefiting from gated access. These provisions appear appropriate to serve the dwellings.

Having regard to the above the Highway Authority would recommend - No objection subject to conditions to close the existing access and to adopt a construction methodology for the site.

Crime Prevention & Design

From a crime prevention point of view the layout works fairly well.

Concerns on rear window outlook have been addressed and lighting to the scheme would be subject to a planning condition.

Response to Public Advertisement

3 letters of objection

Issues raised:-

- overdevelopment of site
- vehicle access from Brockhurst Road still too close to pedestrian crossing and is a resultant safety hazard
- vehicle access to the Shrubbery is unsafe and will cause danger to playing children
- increased noise and disturbance from cycle and bin store to plot 3 to neighbouring property

Principal Issues

1. The application site is located within the Urban Area boundary and consequently the principle of residential development is acceptable providing that the details accord with the criteria outlined in Policies LP24 and LP10 of the Gosport Local Plan 2011-2029 (Adopted Oct 2015) and the advice provided in both the Design Guidance : Supplementary Planning Document (Feb 2014) and in the Parking Guidance : Supplementary Planning Document (Feb 2014).

2. Given the various layouts proposed for the development of this land over recent years, the main issues in this case are the relationship of the design, visual appearance and the siting, the available level of internal living space and garden amenity area to future occupiers; the suitability of the access points and availability of parking on site to meet adopted standards, and the need to make adequate contributions under the Solent Recreation Mitigation Partnership.

3. The design, appearance and positioning of the proposed dwellings would be seen alongside the street scene character of both Brockhurst Road and The Shrubbery. It is proposed to have a terrace of three dwellings fronting Brockhurst Road with a terrace of three dwellings within and at the rear of the main body of the site (alongside the retained no.124 Brockhurst Road), and finally to provide a single dwelling fronting The Shrubbery.

4. To Brockhurst Road the terrace of three one-bedroom dwellings would be two-storey in height (ridge height 6.4m) and stand at least 2m into the site behind new front garden areas to the public pavement. The buildings are therefore similar in height to the existing main buildings positioned to the back of pavement which are to be demolished as part of this proposal (main ridge at 6.1m). The scale of the buildings would also fit within the general scale and character of the street scene of this part of Brockhurst Road.

5. To the rear of the site is another proposed terrace of three two-storey two-bedroom dwellings accessed from the parking court from Brockhurst Road. These dwellings are 7.5m in height and

have a small 2m front garden area and a rear garden length (measured along the middle of the plots) of between 5.5m and 6.5m. To the rear of the site are three-storey houses accessed from The Shrubbery, the closest of these existing houses to the proposed terrace is 14m. To ensure that there is adequate privacy to the existing houses to the rear, the first floor windows of the proposed three terrace dwellings are angled at 45degrees to the rear wall to offer a southerly aspect without direct view to the buildings to the east of the site, off The Shrubbery.

6. The retained dwelling on the site (no.124) would have a first floor rear extension and a new rear garden area of 10m length. The extension would have no south facing windows and therefore no impact on the adjacent property (no.122) to the south. A new dwelling accessed from The Shrubbery would be positioned 15.5m to the rear of the existing house. The new detached two-storey dwelling would have its front aspect on to The Shrubbery and space able to provide two dedicated parking spaces for the use of this dwelling.

7. It is accepted that the external garden area depths for the new dwellings are shorter than the 10.5m sought as a standard in the Councils Design Guidance SPD. However to ensure that the proposal makes the optimum use of the site, given the access and relationship constraints, the areas are viewed as an improvement on previous layouts in providing a functional and secure area of private outdoor space. They also ensure provision within each individual plot for refuse / recycle bin storage and cycle storage sheds.

8. The proposal has a density of approx. 71 dwellings per hectare which compares favourably with the existing terrace of 6 dwellings to the rear, fronting The Shrubbery, which has a density of approx. 86.9 dwellings per hectare; and with the terrace of 4 dwellings to the north of Norfolk House which has a density of approx. 76 dwellings per hectare. The proposal is therefore not considered within the character of the area to be an overdevelopment of the site.

9. Vehicular access to the site is divided between the Brockhurst Road access point to the internal parking court of 11 parking spaces serving plots 1 to 6 and the retained dwelling (no.124). Plot 7 has a separate access from The Shrubbery to rear of the site to 2 possible parking spaces.

10. The requirement of the Council's Parking: Supplementary Planning Document (Feb 2014) for mixed unallocated and part allocated parking provision based upon the size of the dwellings proposed (with an additional 0.2 space provision for off-street visitor spaces) is 13 parking spaces overall. The proposal provides the required parking provision in line with the advice provided in the Council's Parking SPD.

11. The proposed new vehicle access from Brockhurst Road (for 7 dwellings) is considered to be an improvement on the existing access located alongside no.122 Brockhurst Road. The existing shared vehicle / pedestrian access lies 5.5m south of a light controlled pedestrian crossing at Brockhurst Road. The proposed new access point with a separated vehicle drive and raised pavement footpath for pedestrians would be 4.9m north of the crossing. Whilst this distance is close to the crossing this is considered to be a safer arrangement than at present. The position of the new access is on the nearside approach to the crossing where vehicles would begin to slow when the crossing is operated, thereby leading to slowing traffic on the approach side to the access point rather than accelerating traffic leaving a completed crossing operation.

12. The proposal will introduce additional dwellings which are likely to result in increased recreational activity on the coast and a consequential impact on the protected species for which the Portsmouth Harbour SPA, the Solent and Southampton Water SPA and the Chichester and Langstone Harbours SPA are designated. To address this impact, appropriate mitigation, in accordance with the Gosport Bird Disturbance Mitigation Protocol, is required. The need for contributions in accordance with Policies LP2 and LP21 of the Gosport Borough Local Plan 2011-2029 has been considered. The payment of a commuted sum towards the Solent Recreation Mitigation Partnership in accordance with Policy for the accommodation would be necessary. Without this obligation the proposal is unacceptable.

13. The applicant has submitted amended plans to address the concerns identified in consultation responses regarding the location of cycle and bin storage to plot 3. Additional clarification has also been submitted by the agent in the accompanying letter to seek to rebalance the objections made by local residents. All the information provided has been considered and assessed as part of the processing of the application.

14. The current application would be a small self-contained housing development located within an existing urban area with buildings of similar design and size. The proposal would appear as a welcomed infill within the street frontage. In these respects the proposal would offer an obvious benefit to the character of properties in this location and would be in keeping with the appearance of the street scene in this area. Given the context of its site and the surrounds the proposal would represent the maximum that this site could provide for in a layout which respects the neighbouring properties.

RECOMMENDATION: Grant Permission

Subject to Section 106 agreement relating to

1. The payment of a commuted sum to extend the traffic regulation order (TRO) at the Kingsley Road / The Shrubbery junction to prevent vehicles parking in this area opposite the proposed new vehicular access to the rear of the site.

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:

956/20 Rev C Location Plan and Site Layout Plan

956/21 Rev A Block A plans and elevations

956/22 Rev B Block B plans and elevations

956/23 Rev A House plans and elevations

956/12 Rev B Existing house plans and elevations

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 (October 2015).

3. No development shall take place until details, including samples, of all external facing materials, including the window reveals, brick bond, and mortar and the roofing 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 - To ensure that the external appearance of the development is satisfactory and to comply with Policies LP10 and LP12 of the Gosport Borough Local Plan 2011-2029 (October 2015).

4. No development shall take place until full details of the soft landscaping works at ground level and roof top areas including planting location plans, planting container details, written specifications, schedules of plants, noting species, plant sizes and proposed number/densities and an implementation programme have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved within 6 months or within the first available planting season of the first use and occupation of the first dwelling to be occupied and any trees or plants which die are removed or become seriously damaged or diseased during the first five years, shall be replaced with others of identical species (or as may otherwise be agreed in writing with the Local Planning Authority) during the next planting season.

Reason - In the interests of amenity and the appearance of the locality, and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029 (October 2015).

5. No development shall take place until full details of the hard surfacing landscaping works at ground and roof top areas including all means of enclosure, ground level details, car parking layout markings, pedestrian access and circulation areas, and lighting details have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved prior to the first use and occupation of the first dwelling to be occupied.

Reason - In the interests of amenity and the appearance of the locality, and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029 (October 2015).

6. The development hereby permitted shall not be brought into use until the areas shown on the approved plan for the parking of vehicles shall have been surfaced, marked out and made available for parking, and these areas shall be retained for that purpose at all times.

Reason - In the interests of pedestrian safety and to ensure adequate parking is provided and retained and to comply with Policy LP10, LP22 and LP23 of the Gosport Borough Local Plan 2011-2029 (October 2015).

7. No development shall start on site until a construction method statement has been submitted to and approved in writing by the Local Planning Authority, which shall include:

- (a) A programme of and phasing of demolition (if any) and construction work;
- (b) The provision of long term facilities for contractor parking;
- (c) The arrangements for deliveries associated with all construction works;
- (d) Methods and phasing of construction works;
- (e) Access and egress for plant and machinery;
- (f) Protection of pedestrian routes during construction;
- (g) Location of temporary site buildings, compounds, construction material and plant storage areas;
- (h) Hours of construction on site (including materials delivery times)

Demolition and construction work shall only take place in accordance with the approved method statement.

Reason - In order that the Local Planning Authority can properly consider the effect of the works on the amenity of the locality.

8. No development shall be started, other than for the demolition of buildings, until the existing access from the site to Brockhurst Road has been permanently stopped up and effectively closed and the footway reinstated, in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.

Reason - In the interests of highway safety and to comply with Policy LP10, LP22 and LP23 of the Gosport Borough Local Plan 2011-2029 (October 2015).

9. No development shall be commenced until a drainage strategy detailing the proposed means of surface water and foul water sewerage disposal, a timetable for its implementation and its future maintenance, has been submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out and maintained in accordance with the agreed strategy.

Reason - To ensure adequate provision of infrastructure for the development and to reduce flood risk and to comply with Policies LP2, LP39 and LP45 of the Gosport Borough Local Plan 2011-2029 (October 2015).

10. Before the development hereby permitted is first brought into use details of cycle storage facilities and of refuse and recycling bin storage facilities and collection points shall be submitted to and approved in writing by the Local Planning Authority and the cycle storage facilities and refuse and recycling bin storage facilities as subsequently approved shall be provided prior to the first occupation of the dwellings and thereafter retained on site for those purposes.

Reason - In order to ensure that adequate cycle and bin storage is provided in compliance with Policy LP10 and LP23 of the Gosport Borough Local Plan 2011-2029 (October 2015).

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order), no windows shall be constructed at first floor in the south side elevation of the extension hereby permitted to property no.124, without the prior consent in writing of the Local Planning Authority.

Reason - In order to protect the amenity of the occupiers of the nearby properties and to comply with Policy LP10 of the Gosport Borough Local Plan 2011--2029 (October 2015).

12. Development shall cease on site if, during any stage of the works, unexpected ground conditions or materials which suggest potential contamination are encountered, unless otherwise agreed in writing with the Local Planning Authority. Works shall not recommence before an investigation and risk assessment of the identified material/ ground conditions has been undertaken and details of the findings along with a detailed remedial scheme, if required, has been submitted to and approved in writing by the Local Planning Authority. The remediation scheme shall be fully implemented and shall be validated in writing by an independent competent person as agreed with the LPA prior to the first occupation of any of the units hereby permitted.

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 the NPPF and Policies LP46 and LP47 of the Gosport Borough Local Plan 2011-2029 (October 2015).

13. No development shall commence until details of the means for securing appropriate mitigation for recreational disturbance have been submitted to and approved, in writing, by the Local Planning Authority. The approved mitigation shall be in place before the development is first occupied.

Reason - To ensure the impact of recreational disturbance is mitigated and to comply with the Policy LP42 of the Gosport Borough Local Plan 2011-2029 (October 2015).

ITEM NUMBER: 04.
APPLICATION NUMBER: 16/00582/OUT
APPLICANT: Woodhams JHE Developments
DATE REGISTERED: 09.01.2017

OUTLINE APPLICATION - ERECTION OF NINE DWELLINGS WITH INDICATIVE ACCESS FROM WYCH LANE
Land Rear Of 363, 365 & 367 Fareham Road Gosport Hampshire PO13 0AD

The Site and the proposal

1. The application site comprises an irregularly shaped parcel of land located to the rear of numbers 363-367 Fareham Road. The site comprises the western (rearmost) half of the back gardens of the three dwellings together with a parcel of Council owned land fronting Wych Lane. The site is located adjacent to Henry Court Way (part of the BRT and cycle route linking Fareham and Gosport) and an area of Council-managed allotments.
2. The site lies close to the traffic light controlled junction of Wych Lane with the A32 Fareham Road. The junction is left turn out only and prevents vehicles from turning right when exiting from Wych Lane onto Fareham Road. There is a feeder lane to enable vehicles travelling southwards, to make a right turn into Wych Lane.
3. There are two distinct characters within this area. On the northeast side of Fareham Road are commercial/industrial uses, generally within buildings set back from the road frontage. To the southwest side of Fareham Road, the external appearance of the properties is varied but they comprise principally dwellings directly fronting the highway and this is the case for Fareham Road, Wych Lane to the south, and Woodside to the west. There are a number of large extensions to the properties to the northwest of the site, along with a variety of outbuildings of various sizes and styles situated within the rear gardens. These appear to be longstanding structures and generally their overall scale and massing results in a more subservient structure to the adjacent dwelling and these are on more modest footprints than the proposal and the rear gardens of these properties are generally of more open appearance interspersed with these outbuildings.
4. Outline planning permission, with all matters reserved, is sought for the erection of nine detached dwellings with an indicative access shown from Wych Lane. The submitted indicative drawings show a row of three pairs of semi-detached two-and-a-half storey 3 bedroom properties backing onto Henry Cort Way and three detached two-and-a-half storey 4 bedroom dwellings sited parallel to Wych Lane to the rear of no 365. An indicative access is shown onto Wych Lane, 50 metres west of the traffic light controlled junction with Fareham Road. The indicative access would serve a parking and turning area with 24 car parking spaces.
5. The application is supported by a tree survey covering part of the site and a bio-diversity checklist.

Relevant Planning History

Land Rear of 363 Fareham Road
16/00015/FULL - erection of 1 no. two bedroom detached bungalow and detached single garage with associated parking and turning - permitted 05.08.2016

Relevant Policies

Gosport Borough Local Plan, 2011 – 2029:
LP3
Spatial Strategy
LP1
Sustainable Development

LP10
 Design
 LP23
 Layout of Sites and Parking
 LP24
 Housing
 LP42
 International and Nationally Important Habitats
 LP44
 Protecting Species and Other Features of Nature Conservation Importance
 LP22
 Accessibility to New Development

Supplementary Planning Documents:

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

Gosport Borough Council Parking: Supplementary Planning Document: February 2014
 Solent Special Protection Areas Gosport Bird Disturbance Mitigation Protocol 2014

National Planning Policy Framework (NPPF), March 2012

Consultations

HCC Ecology	Raise objection. The site comprises a mix of managed grassland verge, mature trees, shrubs and hedging and is immediately adjacent to allotment gardens. These habitats could support populations of legally-protected species including nesting birds, reptile species and badgers. The application is not supported by sufficient ecological information to demonstrate that the proposed works would not be likely to impact on habitats or protected species.
Streetscene Parks & Horticulture	No objection. Proposal includes removal of two poplar trees on GBC land, Neither tree is worthy of protection but should be replaced. None of the other trees on private land shown to be removed are worthy of protection.
Property Services	No response.
Defence Infrastructure Organisation	No response.
Natural England	No objection subject to SPA mitigation being secured.
Local Highway Authority	Raise objection. Indicative access not supported by appropriate road safety audit. Proposed means of access is inadequate to serve development proposals and would be likely to have detrimental impact on highway safety.
Building Control	No response.

Crime Prevention & Design	No response.
Streetscene Waste & Cleansing	No objection. Proposal would require adequate bin provision and collection facilities.
Transport & Traffic	<p>Site is located in close proximity to a very busy, key junction on the highway network. Development should not be permitted where it would compromise the function of this signalised junction. No evidence or studies have been submitted to demonstrate the effect of the proposed development on the function and capacity of the junction.</p> <p>As Wych Lane has waiting restrictions (loading ban) along this section of the road, all parking and servicing needs would need to be met wholly on-site. The site layout would not allow vehicles of more than 8 metres in length to access the site. No tracking information has been submitted should also be provided to show vehicles entering and leaving the site from Wych Lane to demonstrate the adequacy of the size/design of access. Furthermore no detail has been provided with regards to visibility splays at the site entrance, nor an assessment of intervisibility between vehicles exiting the site and pedestrians. Proposed parking layout would meet SPD requirements, however a number of the car parking spaces do not appear to be capable of independent use without excessive manoeuvring.</p>
Hampshire Fire And Rescue Service	No objection.

Response to Public Advertisement

10 letters of objection

Issues raised:

- overdevelopment;
- unsympathetic form of development and out of character;
- inappropriate access onto heavily congested road;
- increased danger to pedestrians and drivers;
- loss of privacy;
- increased noise, disturbance and pollution;
- loss of habitat and indirect impact on wildlife.

Principal Issues

1. The main issues for consideration in this case are whether the site could accommodate nine dwellings in an acceptable manner without having: a harmful impact on the amenities of existing adjoining and prospective occupiers; a detrimental impact on the character and appearance of the area; a detrimental impact on highway safety; or causing harm to ecological interests.

2. The character and appearance of the area is predominantly of two-storey residential properties facing onto the street. However, there are no dwellings on this, the north side of Wych Lane east of

the 'Bus Rapid Transit route and none in the area that are provided on backland locations. No character assessment has been provided, and therefore it is not clear how the indicative layout reflects the established existing character of the area. A proposal for houses of two or more storeys would create an overall scale and massing of residential development, with upper floor windows and daily domestic activity which would be out of context with the surrounding long residential garden areas and the allotments. The proposal would introduce dwellings that would be at odds with the established open character of the locality unlike the existing single storey outbuildings. The introduction of a development of the scale and nature proposed would appear as an incongruous, discordant and unduly prominent feature, out of keeping with the established pattern of development of the locality detrimental to the character of the area and contrary to Policy LP10 of the Gosport Borough Local Plan 2011-2029. The application does not demonstrate that nine dwellings could be provided on the site in an acceptable manner.

3. The properties need to reflect their location and their relationship with the surrounding development. As shown the proposal whilst not resulting in direct overlooking to the gardens to the north from first floor windows, there would be oblique overlooking from the front and rear first floor windows. Direct window to window overlooking is unlikely due to the distance to the rear elevations of the Fareham Road dwellings to the north of the site. Having regard to the indicative location height, massing and design of the proposed dwellings, along with the window positions and separation distances to the existing and adjoining residential properties, and boundary treatment, it is considered that a scheme could be designed so as not to have a significant impact on the amenities of the occupiers of neighbouring dwellings in terms of loss of light, outlook or privacy. Whilst the proposals would increase activity behind these existing properties, the access, parking and turning areas as indicated are considered to be of sufficient distance from the existing dwellings to prevent activities associated with their use having a harmful impact. The level of amenity space indicated for both the existing and proposed dwellings is considered to be of adequate size for existing and future residents.

4. Whilst the application seeks outline permission with all matters reserved, the only available access would be that shown on the indicative plans onto Wych Lane. The access proposals are not supported by a road safety audit or tracking information demonstrating that the proposed access would be safe or practical. The proposal fails to demonstrate any visibility splays for the access. The access would be located 50 metres from the traffic controlled junction where Wych Lane meets the A32 Fareham Road. This is a heavily trafficked junction that is congested at peak time. In the absence of any evidence to demonstrate that the proposal would not adversely affect the function or capacity of the junction or increase queuing traffic on Wych Lane, the proposal cannot be considered acceptable in highway terms. The proposal is therefore contrary to Policy LP22 of the Gosport Local Plan 2011-2029.

5. Whilst the indicative layout shows parking could be provided in accordance with the SPD requirements, the parking layout is unlikely to function well in practice with some spaces being incapable of being conveniently used independently of each other. Given the site's location and the lack of on-street parking, the site would be required to provide off-road parking to fully meet demand generated by it. The proposal does not demonstrate that the likely demand for parking would be met and is contrary to Policy LP23 of the Gosport Local Plan 2011-2029.

6. The site would be capable of providing adequate facilities for the storage of cycles which could, if the scheme was otherwise acceptable, be secured by the imposition of a suitably worded planning condition.

7. The Conservation of Habitats and Species Regulations 2010 (as amended) and the Wildlife and Countryside Act 1981 place duties on the Council to ensure that the proposed development would not have a significant effect on the interest features for which Portsmouth Harbour, the Solent and Southampton Water are designated as Special Protection Areas, or otherwise affect protected habitats or species. Policy LP42 in Gosport Borough Local Plan 2011-2029 sets out how the Council will ensure that the European designated nature conservation sites along the Solent coast will continue to be protected.

8. The Solent Special Protection Areas - Gosport Bird Disturbance Mitigation Protocol was adopted in April 2016. It has been identified that any development in the Borough which is residential in nature will result in a significant effect on the Special Protection Areas (SPAs) along the Solent coast.

9. The proposal would lead to a net increase in population, which is likely to lead to a significant effect, as described in Regulation 61 of the Habitats Regulations, on the Portsmouth Harbour SPA, the Solent and Southampton Water SPA and the Chichester and Langstone Harbours SPA. The Gosport Bird Disturbance Mitigation Protocol sets out how the significant affect which this scheme would otherwise cause, could be overcome. The applicant has not acknowledged the need to provide SPA mitigation in this way and no mechanism has been proposed to secure appropriate mitigation in accordance with the Protocol. Without mitigation the proposal is unacceptable and would have an unacceptable impact on protected species contrary to Policy LP42 of the Gosport Borough Local Plan 2011-2029.

10. The site comprises a mix of managed grassland verge, mature trees, shrubs and hedging and is immediately adjacent to allotment gardens. These habitats could support populations of legally-protected species including nesting birds, reptile species and badgers. The application is not supported by sufficient ecological information to demonstrate that the proposed works would not be likely to impact on habitats or protected species. In the absence of sufficient and up-to-date ecological information the proposals are contrary to Policy LP44 of the Gosport Borough Local Plan 2011-2029 and cannot be permitted.

11. There is sufficient space within the site to make adequate provision for refuse storage and collection. Such matters, along with details of the construction materials, parking and turning, hard and soft landscaping and tree protection measures could be controlled by condition if the proposals were acceptable in all other respects.

RECOMMENDATION: Refuse

For the following reason(s):-

1. The proposed development, by reason of its location, size and inappropriate siting within the rear garden of numbers 363, 365 and 367 Fareham Road, would be at odds with the established pattern of residential development in the locality and would create an incongruous, cramped and discordant development, detrimental to the character of the area and contrary to Policy LP10 of the Gosport Borough Local Plan 2011-2029.

2. The application does not demonstrate that adequate access could be provided to serve the proposed development and that the proposal would not be prejudicial to the safety or convenience of users of the surrounding highway network. The proposal is therefore contrary to Policy LP22 of the Gosport Local Plan 2011-2029.

3. The proposal does not demonstrate that adequate provision can be made for off-street parking and manoeuvring of vehicles to meet likely demand. The proposal is therefore contrary to Policy LP23 of the Gosport Local Plan 2011-2029 and to the adopted Parking SPD.

4. In the absence of any ecological evidence to demonstrate that the proposals would not be likely to affect the habitats of protected species the proposal is contrary to Policy LP44 of the Gosport Borough Local Plan 2011-2029.

5. The proposal does not make adequate provision to mitigate against the harmful impacts of recreational disturbance on the Portsmouth Harbour SPA, the Solent and Southampton Water SPA and the Chichester and Langstone Harbours SPA sites to the detriment of the protected and other species for which these areas are designated, contrary to Policy LP42 of the Gosport Borough Local Plan 2011 - 2029, the Solent Special Protection Areas Gosport Bird Disturbance Mitigation Protocol 2016 and the Conservation of Habitats and Species Regulations 2010 (as amended).

ITEM NUMBER: 05.
APPLICATION NUMBER: 16/00571/FULL
APPLICANT: Mr Jeremy Wormington
DATE REGISTERED: 06.12.2016

ALTERATIONS TO ROOF AND FORMATION OF DORMER WINDOW TO SOUTH ELEVATION (AMENDMENT TO APPLICATION 15/00303/FULL -ERECTION OF TWO STOREY SIDE/REAR EXTENSIONS)
32 Alver Road Gosport Hampshire PO12 1QR

The Site and the proposal

1. The application site is located midway along the western side of Alver Road, a narrow and established residential street comprising a mix of mainly terraced properties interspersed with a small number of semi-detached houses. The application property is a two storey semi-detached dwelling which has been significantly altered in the recent past. Some of these alterations are authorised by planning permission, including a two storey rear extension. Other alterations do not have the benefit of planning permission including two large dormer structures on the north and south side roofslopes and alterations to the profile of the roof on the front elevation.
2. The north elevation of the dwellings faces the adjoining scout shop and has a high level first floor window, whilst the south elevation has no windows facing the rear garden of the residential neighbour at no. 34. The scout shop is located to the north of the application site and adjoins no. 28 Alver Road, a residential property. The site backs onto the playing grounds of Haselworth Primary School.
3. The application seeks to regularise the current situation by proposing to remove the whole of the unauthorised dormer structure on the north side roofslope; removing 5.3m (55%) off the 9.7m long dormer structure on the south side roofslope; re-profiling the unauthorised works to the roof on the front elevation to be wholly within the applicants site; re-instating the vertically projecting 'firewall' between 32 and 34 Alver Road and re-forming the continuous eaves line above the first floor windows on the front elevation.
4. The previously approved two storey rear extension (15/00303/FULL) has been constructed in accordance with the approved plans and is therefore to remain as constructed.

Relevant Planning History

15/00303/FULL - erection of two storey side/rear extensions - permitted 24.09.2015

Relevant Policies

Gosport Borough Local Plan, 2011 – 2029:

LP10

Design

LP23

Layout of Sites and Parking

Supplementary Planning Documents:

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

Gosport Borough Council Parking: Supplementary Planning Document: February 2014

National Planning Policy Framework (NPPF), March 2012

Consultations

Transport & Traffic

I understand from the plans submitted that the Existing House contained 3 bedrooms, the as built plans indicate 4 bedrooms, and the proposed plans indicate 3 bedrooms (including a storage room with no windows in place of the 4th bedroom).

With the house being retained as/reverted back to a three bedroom property there would be no increase in car parking required, and therefore I raise no objection.

As discussed if the property were to be increased from a 3 to a 4 bedroom property, under the adopted car parking SPD it would require an additional car parking space. Given the site constraints this would not be achievable off-street and would therefore put additional pressure on existing on-street parking. There is already a very high demand in the locality for on-street car parking due to the density of housing, and narrow roads (with parking only being achievable on one side of Alver Road).

Response to Public Advertisement

1 letter of objection received

Issues raised:-

- dormer window on the south side should be removed as it is an eyesore
- the approved two storey rear extension shouldn't have been approved as it is too big and close to neighbouring houses and the school
- damage has been done to the adjoining house
- if the house is to be rented out as a HMO there is no parking space on the road to accommodate extra people
- health and Safety rules were ignored during construction

Principal Issues

1. The main issues in this case are the acceptability of the design of the development, the impact on the character and appearance of the area, the impact on amenities of adjoining residents, and highway safety.
2. The proposed alterations remove a number of unauthorised structures and return the scheme to being similar to that approved by 15/00303/FULL but with a section of the as built dormer on the south side elevation retained and a remodelling of the appearance of the front elevation including the re-introduction of the firewall.
3. The retained portion of the dormer on the south side elevation is 4.4m in length and is at the same height as the ridge on the main part of the roof (7.7m). The dormer window would be partially visible to the front of the application site in Alver Road when looking from the south, and also at the rear when viewed from the end of the rear garden 34 Alver Road and the school grounds. However, it would be effectively hidden when viewed from other rear gardens in Alver Road and not visible when using the decked patio area immediately at the rear of 34 Alver Road. The retention of this portion of the dormer is not considered to prejudice the privacy of neighbours or the school as

the structure is needed for headroom at the top of a staircase giving access to the loft space and contains no glazing. Its visual appearance is significantly reduced from that which is currently constructed and is not considered to be disproportionate in size to the main house or unduly prominent in the street scene. The retention of this portion of the dormer therefore accords with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

4. The alterations to the front elevation are more sympathetic to the character of the area than the originally approved scheme. The alterations include the re-introduction of a vertical firewall between the application site and 34 Alver Road which is a common feature within the road given the age and design of the majority of the houses. The re-establishment of a simple, continuous eaves on the front elevation is also typical of the design of houses within the Alver Road. This element of the scheme is considered to be in accordance with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

5. The as constructed two storey rear extension, whilst large and having some impact on the neighbours and wider street-scene, has been built in accordance with the approved plans. Being on the north side of the only immediate residential neighbour, it does not reduce sunlight or cause overshadowing. The outlook to the north is restricted but the length of the rear garden and the relatively open aspect to the south and west, ensures the rear windows in 34 Alver Road and its garden area retains adequate light, privacy and spaciousness.

6. The current application includes additional measures to infill the narrow gap between the extension and 34 Alver Road. This enables rainwater pipes to be provided to both properties and avoid the concerns of water ingress between the gap and has been included at the neighbours request. Damage done to 34 Alver Road during construction of the unauthorised works is a matter to be dealt with under the Part Wall Act rather than through the planning system but a dialogue and agreed set of measures is understood to have been established between the applicant and the neighbour.

7. The property is classified as a dwelling house (Class C3 of the Use Classes Order) but planning permission would not be required to occupy the property as a small HMO (Class C4 of the Use Classes Order). This could potentially allow up to six non-related individuals to live at the property as long as they shared all facilities as a family would. The property is indicated to have only three bedrooms. The original house was three bedroom and therefore there is no increase in the parking requirements as a result of the proposed works. However, it is recommended to impose a condition restricting the house to three bedrooms in order to comply with Policy LP23 of the Gosport Borough Local Plan 2011-2029 and the parking standards set out the 2014 Parking SPD. The provision of additional bedrooms would increase the parking requirements for the site. The site has no off road parking. There are already high levels of on-road parking within Alver Road and capacity to accommodate additional cars is extremely limited. The narrowness of the road combined with the on-road parking demands effectively means the existing road is a single carriageway which would be difficult for larger vehicles to negotiate. The condition will allow the LPA to control any future increase in the number of bedrooms.

8. Working practices and compliance with health and safety legislation during construction fall outside the scope of planning control.

9. The scheme, as now proposed, has been sympathetically designed to assimilate well with the design of the existing dwelling. The use of matching materials and detailing to the roof and front elevation will ensure the development is of an appropriate and acceptable design. As such it is considered that the proposed alterations will be integrated well into existing development and therefore complies with Policy LP10 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: 1686-101 Proposed Block Plan/Location Plan, 1686-401 Proposed Floor Plans, 1686-402 Proposed Roof Plans, 1686-501 Proposed Elevations: all received 02.12.2016.

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. No more than 3 bedrooms shall be provided within the property at any time.

Reason - To ensure the occupation of the property is consistent with the scheme as submitted and considered, and to ensure that the proposals are in compliance with Policy LP23 of the Gosport Borough Local Plan 2011-2029 and the parking standards set out in the LDF Parking: Supplementary Planning Document February 2014.

4. The materials used in the making good of the roof, following removal of the dormer windows, and the re-introduction of the projecting 'firewall' shall match in type and colour those used on the existing house.

Reason - In the interests of visual amenity in accordance with Policy LP10 of the Gosport Borough Council Local Plan 2011-2029.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), other than those shown on the approved plans, no additional windows, including dormer windows and rooflights within the roofslope, shall be constructed in the north or south side elevations of the building hereby permitted.

Reason - In order to protect the amenity of the occupiers of the adjoining property(ies) and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

Principal Issues

1. Planning legislation makes provision for the submission of retrospective planning applications. Any damage to the fence between the application property and 31a Monckton Road is a civil matter and not a material planning consideration. The main issues, therefore, are the appropriateness of the extension and its impact on the appearance of the locality and the amenities of the occupiers of adjacent properties.

2. The proposal is to the rear of the application property and will not be visible from Monckton Road due to the existing double garage. Therefore it does not impact on the appearance of the locality. It is of a simple style and size that is appropriate to the application property. The proposal is approximately 0.8m higher than the boundary fence between the application property and 31a Monckton Road, however it is to the north of no.31a and set in from the southern elevation of the existing taller double garage. This means that the distance between it and the side elevation of no. 31a is approximately 3.5m and therefore it is considered that the proposal would not restrict the light available to the windows and doors within the side elevation of the neighbouring property. The proposal is in keeping with the application property, and would not harm the amenity of occupants of neighbouring properties in compliance with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

RECOMMENDATION: Grant Permission

Subject to the following condition(s):-

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

Proposed Block Plan; Proposed Elevation Plan; Plan scaled at 1:100 showing elevations of the proposal only and Plan scaled 1:50 showing the proposed floor plan.

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.

2. 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.

ITEM NUMBER: 07.

APPLICATION NUMBER: 16/00463/FULL

APPLICANT: Mr Nick Dawkins Defence Infrastructure Organisation

DATE REGISTERED: 17.10.2016

CONSTRUCTION OF A SHEET PILE GROUNDWATER MIGRATION BARRIER AND ASSOCIATED COLLECTION CHAMBERS AND TREATMENT PLANT, BUILDING AND STRUCTURE DEMOLITION, SITE CLEARANCE AND ASSOCIATED REMEDIATION WORKS INCLUDING: REMOVAL OF CONCRETE STRUCTURES, AREAS OF HARDSTANDING AND BURIED OBSTRUCTIONS; REMOVAL OF ABOVE GROUND AND BELOW GROUND PIPELINES AND ASSOCIATED INFRASTRUCTURE; AND EXCAVATION AND REMEDIATION OF CONTAMINATED SOILS. WORKS INCLUDE THE CONSTRUCTION OF TWO TEMPORARY RAMPED ACCESSES TO THE FORESHORE OF FORTON LAKE, TEMPORARY WORKING PLATFORM ON THE FORESHORE AND RE-PROVISION OF PEDESTRIAN ACCESSES FROM GOSPORT OIL FUEL DEPOT TO THE FORESHORE OF FORTON LAKE (CONSERVATION AREA) (as amplified by information received 27.10.16, 23.11.16 and 16.12.16, plan received 16.02.17 and amended by plan received 13.02.17)

Admiralty Oil Fuel Depot Forton Road Gosport Hampshire PO12 4TH

The Site and the proposal

1. The application site is a Ministry of Defence establishment that is currently operating as the Admiralty Oil Fuel Depot. The site is located on the northern side of Forton Road, opposite its junction with Spring Garden Lane. The northern edge of the site is within the St George Barracks North Conservation Area. The Oil Fuel Depot site is approximately 10ha in area and backs onto Forton Creek, a tidal inlet of Portsmouth Harbour that is designated as a Ramsar Site, a Special Protection Area (SPA) and a Site of Specific Scientific Interest (SSSI). To the east of the site is a circa 1760's rampart and moat, which is designated as a Scheduled Ancient Monument (SAM) and is also located within the Conservation Area. The site contains 17 fuel tanks (approximately 10m high) and ancillary plant and equipment together with a number of brick built and pre-fabricated office buildings. There are significant earthworks on all sides of the tanks that act as bunds. There is a gatehouse and vehicular barrier at the entrance to the site from Forton Road and a secondary access on the eastern side of the site from Weevil Lane. The site is enclosed on its southern side, fronting Forton Road, by an approximately 2.5m high brick wall. The eastern boundary is formed of a 2.5m high fence with the earthwork ramparts beyond. The western boundary is formed of a 2.5m high concrete wall, beyond which is a rear service road and the two storey, terraced dwellings that front Parham Road. These properties generally have 15-20m deep rear gardens. The northern boundary is formed of an approximately 1.5m high sea wall with approximately 2m high mesh fence over, and Forton Creek beyond.

2. The proposal is for the construction of a sheet pile groundwater migration barrier (new sea wall) and associated collection chambers and treatment plant; the demolition of redundant buildings and structures, site clearance and associated remediation works on the northern side of the site including: removal of concrete structures, areas of hardstanding and buried obstructions; removal of above ground and below ground pipelines and associated infrastructure; and the excavation and remediation of contaminated soils. Works also include the construction of two temporary ramped accesses to the foreshore of Forton Lake, a temporary working platform on the foreshore and the re-provision of the security fence together with the provision of two permanent pedestrian accesses from the Gosport Oil Fuel Depot to the foreshore. The works are required in order to remove buried pipelines and associated infrastructure, and to remediate polluted soil and groundwater impacted where these pose an unacceptable risk to controlled waters, ecologically designated areas and/or human health.

3. The new sea wall will be approximately 370m long with the top of the new wall being at a height of approximately +2.75mOD (approximately 1.7m above the existing ground level, approximately 0.2m high than the existing). The new wall would be located approximately 1m north of the existing

sea wall, within the foreshore of Forton Lake. It would be constructed from steel sheet piles that would extend approximately 5m into the ground. The exposed sections would be faced and capped with concrete, with the new security fence erected over. Two pedestrian access gates and concrete steps onto the foreshore would be created in the new fence.

4. To facilitate plant access to the foreshore, two temporary access ramps would be constructed at the existing access points to the foreshore. These would be constructed from a granular material placed above a geogrid separator layer to enable the granular material to be recovered and removed upon completion of the works. The works will also require the construction of a temporary working surface for the piling equipment along the length of the foreshore (approximately 370m long, 5m wide and up to 0.5m high), comprising a geo-grid separator layer, gravels with timber mats over, laid on the foreshore. The new sheet piles would be installed using vibration piling methods, with impact piling only being used if required to drive a pile to its design depth. The existing wall will remain in situ. The area between the old sea wall and new would be backfilled using recovered gravels. A membrane will be installed over the existing sea wall to protect and preserve it when covered with the gravel and concrete capping.

5. The proposal also includes:

- the installation of new surface water drainage outfalls through the new barrier, together with six groundwater collection chambers and a groundwater treatment plant.
- the demolition and removal of sillage tanks and other redundant infrastructure (including the two large tanks in the north eastern corner of the site)
- the break out, removal and crushing of concrete structures, areas of hardsurfacing and buried structures
- the removal of above ground and below ground pipelines and associated infrastructure.
- the cleaning out and blocking up of pipelines left in situ
- excavation and remediation of soils, as required.
- the removal, treatment and/or disposal of oil fuel/hydrocarbons accumulating in excavations
- the demolition of six ancillary buildings (not including Building 21, the former pump house).

6. In total, the proposed works are expected to take approximately 18 months to complete, commencing in early/-mid 2017.

7. The application is supported by technical details that include; plans showing areas of demolition and remediation, details of the new sheet pile wall and working platform design along with reports including a Construction Environment Management Plan, Flood Risk Assessment, Interpretative Report and Remediation Strategy, Noise and Vibration Assessment, Heritage Statement and ecological appraisals. An amended plan has been received to show the areas subject to the works in more detail.

Relevant Planning History

Nil

Relevant Policies

Gosport Borough Local Plan, 2011 – 2029:

LP23

Layout of Sites and Parking

LP1

Sustainable Development

LP3

Spatial Strategy

LP10

Design

LP11

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

LP12
 Designated Heritage Assets: Conservation Areas
 LP39
 Water Resources
 LP40
 Waste and Material Resources
 LP42
 International and Nationally Important Habitats
 LP44
 Protecting Species and Other Features of Nature Conservation Importance
 LP45
 Flood Risk and Coastal Erosion
 LP46
 Pollution Control
 LP47
 Contamination and Unstable Land
 LP48
 Hazardous Substances

National Planning Policy Framework (NPPF), March 2012

Consultations

Environment Agency (Hants & IOW)	No objection, subject to conditions in respect of the methodology and verification of remediation works.
Natural England	No objection, subject to conditions in respect of the working methods and measures to secure biodiversity enhancements within the Portsmouth Harbour SSSI. The proposal is necessary for the management of the European site interest features, for nature conservation purposes by reducing contaminated intertidal sediments, and therefore contributing to the achievement of the site's Conservation Objectives.
Environmental Health	No objection, subject to conditions in respect of the methodology and verification of remediation works.
Eastern Solent Coastal Partnership	No objection.
HCC Ecology	No objection, subject to adherence to ecological mitigation measures.
Local Highway Authority	No objection, subject to adherence to a Construction Traffic Management Statement.
HCC Local Lead Flood Authority	No objection, subject to conditions in respect of surface water runoff.
HCC Landscape Planning & Heritage	No objection, subject to conditions to ensure that the archaeological features (including buildings) are suitably assessed, recorded and the findings disseminated.

Historic England	No objection, the application should be determined in accordance with national and local policy guidance and on the basis of the Council's specialist conservation advice. Completed Archaeology Report should be made available to Historic England.
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Response to Public Advertisement

1 letter of objection

Issues raised:-

- previous incidents of fuel ingress into drains of Parham Road
- application does not refer to impacts upon residents of Parham Road
- consideration must be given to residents of Parham Road

Principal Issues

1. The main issues in this case are the principle of the development, the impact of the development in visual terms, the impact of the development on the character and appearance of the Conservation Area, the interests of archaeology, land contamination and flood risk, the impact on the amenities of the occupiers of the neighbouring dwellings, highway and pedestrian safety and the impact upon significant and protected species and habitats.

2. The site is located within the Urban Area boundary as defined by the Gosport Borough Local Plan, 2011-2029 and is a long established fuel storage facility. The development would offer a clear benefit in terms of the remediation of the site and the long term impact upon the adjacent sites of ecological importance. It will help safeguard the ongoing function of the site and the principle of the development, therefore, is acceptable.

3. The site is secured and not publicly accessible, furthermore, the interior of the site is not readily visible from public vantage due to the height of the surrounding walls, fences and earthworks. The works to remediate the soil and remove redundant pipework, fittings and small ancillary buildings, and the installation of the groundwater collection chambers will not have a significant visual impact. The site, however, is adjacent to a SAM and the works will impact upon outworks to the 18th Century Ramparts that, whilst outside of the SAM, have significance to the function to the Scheduled defensive earthworks. It is considered appropriate, therefore, to require details of how the land will be profiled upon completion of the remediation works in those areas to replicate the historic land form and, in this respect, will enhance the setting of the SAM. With regard to the demolition of the large tanks on the site, whilst they serve as a local landmark and are of historic significance, they are sited outside of the Conservation Area; it has been demonstrated that they are no longer required for their intended purpose and have exceed their functional lifespan. The remaining 15 tanks on the Oil Fuel Depot site are not proposed to be demolished as part of this application and the demolition of the two large tanks in the north eastern corner is, therefore, considered acceptable in this instance. The existing sea wall will be retained in situ and its recording will be controlled, by condition. The application also proposes suitable means of protecting the wall during the works and once the area between the existing and new wall has been backfilled. Although the new sea wall will extend further onto the foreshore than the existing wall and will be finished in concrete, it will be visually similar to the other seawalls in the vicinity, on both sides of Forton Creek, therefore, its appearance and height is appropriate in this location. The works to carry out the development on the foreshore would be for a short period of time and the working platform and ramps will be removed once works are complete. Conditions are proposed in respect of the recording of archaeological features and buildings to be demolished on the site to ensure that any archaeological remains encountered are recognised, characterised and recorded. The overall minor impact of the development upon the appearance and setting of the Conservation Area resulting from the new sea wall and loss of large tanks will be outweighed by the wider benefit of the decontamination of the site, which forms part of the setting of the SAM. Having regard to the above, and subject to the aforementioned conditions, the development is acceptable in visual terms. The works to restore the historic profile of the defensive earthworks around the ramparts will better

reveal the significance of the SAM and, therefore, the historic interest of the site and wider Conservation Area. Overall, therefore, the development is in compliance with Policies LP10, LP11 and LP12 of the Gosport Borough Local Plan, 2011-2029.

4. The development will result in the removal and cleaning of contaminated soils and redundant equipment and buildings that are either causing contamination at present, or are likely to do so in the near future. The installation of the new sea wall will further prevent future contamination of Forton Creek. The application is supported by adequate detail to demonstrate that there are practicable and effective measures available to treat contain and control the land contaminants present on the site, so as to ensure that there would not be an unacceptable risk to controlled waters and/or human health. It is proposed, however, to control the specific working methodology, detail of the remediation strategy and the surface water runoff management measures in the interests of flood risk, through the imposition of planning conditions. In light of the above, the proposal is in compliance with Policies LP39, LP40, LP45, LP46, LP47 and LP48 of the Gosport Borough Local Plan, 2011 - 2029.

5. There are residential dwellings on the western side of the site, fronting Parham Road and on the eastern side within St George Barracks, some within 15m of the site boundary. The site, however, is bound by significant earthworks which will help reduce the transfer of noise and dust. Most audible noise is likely to come during construction of the new seawall as a result of piling operations and the lifting and crushing of concrete hard surfacing on the western side of the site. The application states that the site will be serviced from the main access on Forton Road and not from the secondary access from Weevil Lane. The application is supported by draft Construction Environment Management Plan and Noise and Vibration which conclude that the works can be undertaken without harming the amenities of the occupiers of the neighbouring dwellings. It is considered appropriate, however, to require the submission and approval of detailed working method statements, and Construction Environment Management Plans which will include controls over the working hours to ensure that the development is carried out without cause harm in terms of noise and disturbance to the neighbouring occupiers. Subject to the aforementioned conditions, therefore, the development is in compliance with Policies LP10, LP23 and LP46 of the Gosport Borough Local Plan, 2011 - 2029.

6. The application would result in fewer contaminants entering Forton Creek. The site itself is, overall, of limited ecological value and the impacts of the development are manageable using the mitigation measures set out within the submitted reports and statements. The development would, however, extend the sea wall 1m onto the foreshore and, as a result, would directly impact upon the SSSI. Natural England initially objected to the development due to this impact. Since then, measures to provide adequate off-site biodiversity enhancement works, consisting of landscaping and the erection of signage upon the nearby Pewit Island within Portsmouth Harbour, to maintain and enhance the site as a refuge for overwintering birds have been provided. Natural England are now satisfied, that subject to the provision of the enhancement works, the development is likely to have an overall beneficial effect and, therefore, does not object to this proposal in terms of the effect on the SSSI. These measures will be controlled by a Section 106 agreement. The longer-term environmental benefits of the development are clear and the impact of the work will be for up to two years only, after which the site will be likely to repair naturally with no substantial effects. Mitigation measures include timing the most disruptive works to avoid the key wintering bird period and the deploying of measures to minimise physical damage to the intertidal habitats and these will be controlled, by condition. Having regard to the above, therefore, the development is in accordance with Policies LP42 and LP44 of the Gosport Borough Local Plan, 2011-2029.

RECOMMENDATION: Grant Permission

Subject to Section 106 agreement relating to

1. the payment of a commuted sum to provide adequate off-site biodiversity enhancement works.

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, documents and method statements:

14030/D071 REV C
14030/D072 REV A
14030/D073 REV A
14030/D074 REV B
14030/D075 REV A
14030/D076 REV A
14030/D078 REV A
HC14030-040A REV D
HC14030-058 REV B
HC14030-063
HC14030-082 REV A
HC14030-083 REV A
14030/058 REV B
HC14030-063

Heritage Statement (DIO, September 2016)

Flood Risk Assessment (Hydrock, August 2016)

Ecological Appraisal (Hydrock, August 2016)

Bat Roost Inspection Report (Keystone, August 2016)

Bat Roost Characterisation Report (Keystone, August 2016)

Badger Survey (Keystone, August 2016)

Great Crested Newt Habitat Suitability Assessment Report (Keystone, August 2016), Habitats Regulations Assessment (HRA) and Coastal Ecological Impact Assessment (EcIA) and appendices (DIO, August 2016)

Outline CEMP (Hydrock, September 2016)

Phase 2 Works Noise and Vibration Assessment Report (Hydrock, August 2016)

Environmental Risks Addendum Study Interpretative Report and Remediation Strategy (Hydrock, May 2014)

Reason - To ensure that the development is completed satisfactorily in all respects and to comply with Policies LP10, LP11, LP23, LP39, LP40, LP45, LP46, LP47 and LP48 of the Gosport Borough Local Plan, 2011 - 2029.

3. No below ground remediation works shall take place north of the perimeter ring road, shown on approved plan, 14030/D071 REV C, prior to the construction of the Groundwater Migration Barrier.

Reason - 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 Policies LP46, LP47 and LP48 of the Gosport Borough Local Plan, 2011 - 2029.

4. Notwithstanding the submitted details, no development shall commence until a Construction Environmental Management Plan (CEMP) for the development has been submitted to and approved, in writing, by the Local Planning Authority. The CEMP shall contain details of:

- (a) A plan of the defined working area;
- (b) The location of the site compound and any buildings within it;
- (c) The means of enclosure of the site compound;
- (d) The provisions to be made for the parking of contractors, site operatives, employees and visitors;
- (e) The provision for wheel washing facilities;
- (f) Measures to control the emission of dust and dirt;

- (g) Measures to prevent adverse impacts to surface water and ground water;
- (h) Any screening or hoarding;
- (i) A lighting strategy;
- (j) Hours of construction;
- (k) phasing and timing of works;
- (l) details of how neighbouring residents will be notified prior to works commencing.

The development shall thereafter be carried out in accordance with the approved CEMP.

Reason - To safeguard the amenity of occupiers of adjoining properties, highway and pedestrian safety, the character and appearance of the area and to prevent pollution and to comply with Policies LP10, LP22, LP23, LP44, LP46 and LP47 of the Gosport Borough Local Plan 2011-2029.

5. Notwithstanding the submitted details, no development within the 'Groundwater Mitigation Barrier Area' shown on approved plan, 14030/D071 REV C, shall commence until details of the temporary working platform and ramps that will be located within the designated sites; and details of any sacrificial (locally sourced) sand layer that will be used and measures to be used to ensure the sand or disturbed sediments will not disperse outside of the footprint of the working platform and ramps have been submitted to and approved, in writing, by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason - To conserve and enhance biodiversity and to comply with Policies LP44 and LP42 of the Gosport Borough Local Plan, 2011-2029.

6. Notwithstanding the submitted details, no development shall commence until a drainage strategy detailing the proposed means of surface water disposal, a timetable for its implementation and its future maintenance, has been submitted to and approved, in writing, by the local planning authority. The strategy shall contain details of:

- areas that may have been affected by existing failures in the existing drainage regime
- detailed plans confirming the proposed drainage and its functionality considering the site topography and the characteristics of the proposed groundwater migration barrier
- a summary of surface run-off calculations for rate and volume for post development considering changes in impermeable/permeable areas using a suitable method (e.g. IH124 or FEH available from UK Sustainable Drainage: Guidance and Tools).
- evidence that exceedance flows and runoff in excess of design criteria have been considered
- confirmation of maintenance regimes and adoption of SuDS features

The development shall thereafter be carried out and maintained in accordance with the approved strategy.

Reason - To ensure adequate provision of infrastructure for the development and to reduce flood risk and to comply with Policies LP2, LP39 and LP45 of the Gosport Borough Local Plan 2011-2029.

7. Notwithstanding the submitted details, no development within the 'Groundwater Mitigation Barrier Area' shown on approved plan, 14030/D071 REV C, shall commence until a 'Detailed Design Report' for the groundwater migration barrier and associated collection chambers has been submitted to and approved, in writing, by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved Detailed Design Report.

Reason - To ensure that the impacts to groundwater flow are understood and to demonstrate how they will be managed and to comply with Policies LP45, LP46, LP47 and LP48 of the Gosport Borough Local Plan, 2011-2029.

8. Notwithstanding the submitted details, no development shall commence until a 'Detailed Remediation Strategy' for the development has been submitted to and approved, in writing, by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved 'Detailed Remediation Strategy'.

Reason - 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 LP46, LP47 and LP48 of the Gosport Borough Local Plan, 2011 - 2029.

9. Within 3 months of the completion of the works, a verification report, carried out by an independent, competent person, to confirm that the measures contained within the approved

remediation strategy have been carried out and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The verification report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason - To demonstrate that the remedial works, including construction of the groundwater migration barrier and collection chambers have been carried out in accordance with the agreed scheme and to ensure that risks from land contamination to the future uses of the land, neighbouring land, surface water, groundwater and wider environment are mitigated to ensure that the development can be carried out safely without any unacceptable risks to workers, neighbours and off site receptors and to comply with Policies LP46, LP47 and LP48 of the Gosport Borough Local Plan, 2011 - 2029.

10. No demolition of buildings shall commence until the implementation of a programme of building recording has been secured in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved, in writing, by the Local Planning Authority. The WSI should also include provision for a rectified photographic record to be made of the extant sea wall within the development area prior to the construction of the new sea wall.

Reason - In order to recognise, characterise and record those structures deemed to be of historic importance in line with recording levels established by Historic England: Understanding Historic Buildings: A Guide to Good Recording Practice and to comply with Policies LP10, LP11 and LP12 of the Gosport Borough Local Plan, 2011 - 2029.

11. No development shall commence until the implementation of a programme of archaeological work has been secured in accordance with a Written Scheme of Investigation (WSI) which has been submitted to and approved, in writing, by the Local Planning Authority. The WSI must include provision to be made for the public dissemination of any results.

Reason - To ensure that any archaeological remains encountered are recognised, characterised and recorded and to comply with Policy LP11 of the Gosport Borough Local Plan, 2011 - 2029.

12. No development shall commence within the 'North East Area' shown on approved plan, 14030/D071 REV C, until details of the works to restore the historic profile of the defensive earthworks have been submitted to and approved, in writing, by the Local Planning Authority. These details should include sectional drawings and written specifications (including cultivation and other operations associated with plant and grass establishment) and an implementation programme. The remedial landscaping works shall thereafter be carried out in accordance with the approved details.

Reason - To restore the landscaping to better reveal the significance of the adjacent Scheduled Ancient Monument and the historic interest of the site and wider Conservation Area and to comply with Policies LP10, LP11 and LP12 of the Gosport Borough Local Plan, 2011 - 2029.

13. No development within the 'Groundwater Mitigation Barrier Area' shown on approved plan, 14030/D071 REV C, shall commence until details of the method of protecting and retaining the existing sea wall 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 order to preserve structures deemed to be of historic importance and to comply with Policies LP10, LP11 and LP12 of the Gosport Borough Local Plan, 2011 - 2029.

14. No development within the 'Groundwater Mitigation Barrier Area' shown on approved plan, 14030/D071 REV C, shall commence until details of the new fence along the northern site boundary and new pedestrian accesses have been submitted to and approved, in writing, by the Local Planning Authority. These fences and pedestrian accesses shall be provided within 3 months of the completion of the new sea wall and thereafter retained.

Reason - In the interests of amenity, the appearance of the locality and highway and pedestrian safety and to comply with Policies LP10 and LP23 of the Gosport Borough Local Plan, 2011 - 2029.

15. No percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbAmax, measured at the SPA) shall be carried out between 1 October and 31 March, unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To protect over-wintering birds and to comply with Policy LP44 of the Gosport Borough Local Plan, 2011 - 2029.

16. No development shall be carried out other than in accordance with the mitigation measures set out within the approved 'Phase 2 Works Noise and Vibration Assessment Report' (Hydrock, August 2016) unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - In the interests of residential amenity and to comply with Policies LP10 and LP46 of the Gosport Borough Local Plan 2011-2029.

17. No development shall be carried out other than in accordance with the ecological mitigation measures detailed within the approved Ecological Appraisal, Badger Survey, Bat Roost Inspection Report, Bat Roost Characterisation Report, Great Crested Newt Habitat Suitability Assessment Report (Keystone, August 2016), Habitats Regulations Assessment (HRA) and Coastal Ecological Impact Assessment (EcIA) and appendices (DIO, August 2016) and Outline CEMP (Hydrock, September 2016) unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To conserve and enhance biodiversity and to comply with Policies LP44 and LP42 of the Gosport Borough Local Plan, 2011-2029.

18. No works pursuant to this permission, within the ecologically designated sites, including the construction and removal of the temporary working surface and access ramps, shall be carried out between 1 October and 31 March, unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To protect over-wintering birds and to comply with Policy LP44 of the Gosport Borough Local Plan, 2011 - 2029.

19. The temporary access ramps and working surface shall be removed from the site within 3 months of the completion of the works within the 'Groundwater Mitigation Barrier Area' shown on approved plan, 14030/D071 REV C, or in the event that removal is not completed by 1 October, within 1 month immediately following 31 March the next year which marks the end of the over-wintering period for birds, and as required by Condition 18, unless otherwise agreed in writing with the Local Planning Authority. The land shall thereafter be restored to its former condition in accordance with a scheme to be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include a timetable for completion of these restoration works.

Reason - To preserve the ecological interests of the site and to comply with Policies LP42 and LP44 of the Gosport Borough Local Plan, 2011-2029.

ITEM NUMBER: 08.
APPLICATION NUMBER: 16/00595/FULL
APPLICANT: Mr James Terry
DATE REGISTERED: 16.12.2016

RETENTION AND FURTHER WORKS TO A SINGLE STOREY OUTBUILDING
11 Clanwilliam Road Lee-On-The-Solent Hampshire PO13 9HX

The Site and the proposal

1. The application site contains a detached two storey white painted residential dwelling and a detached garage on the south side of Clanwilliam Road. The rear garden to the south of the property is approximately 25m long by 11m wide and is screened from Clanwilliam Road by the main dwelling. On the east and west boundaries of the rear garden is an approximately 1.8m high fencing with mature tree and shrubs that extend above this. On the dog-legged south-western boundary at the rear is a 1.4m high block wall with shrubbery extending above. The application site is within a residential area where the majority of properties are detached and of a similar size to the application property. The site is bordered by other residential gardens on all sides. The majority of properties along the road are situated close to the road side of their plot and have a variety of differently sized outbuildings within their rear gardens; the majority of the gardens have well vegetated boundaries providing good screening.

2. The proposal is for the part retention of and further works to an outbuilding located in the southern corner of the rear garden. The outbuilding has been built from block to eaves height and the roof joists have been constructed. The structure measures 3.7m wide, 3.73m long with eaves no more than 2.4m high. The roof has not been completed but the ridge would be 3.35m high. The north elevation, facing into the garden, would have glazed doors and windows in it, the roof would be finished with reclaimed Welsh blue slate and the block work would be painted cream with trellising on the south elevation for plants. It is situated 0.8m from the western boundary; 0.9m from the southern boundary; and 0.9m - 2.0m from the angled eastern boundary.

3. This application is required to be considered by the Regulatory Board as the applicant is related to a member of staff.

Relevant Planning History

ENF/160/16 - construction of building in rear garden - registered 10.10.16

Relevant Policies

Gosport Borough Local Plan, 2011 – 2029:

LP10

Design

National Planning Policy Framework (NPPF), March 2012

Consultations

Nil

Response to Public Advertisement

Nil

Principal Issues

1. The main issues are the appropriateness of the outbuilding, its impact on the appearance of the locality and the amenities of the occupiers of adjacent properties.

2. The proposal is not visible from Clanwilliam Road or any surrounding roads. It is simple and functional in design and would be in keeping with the painted finish of the main dwelling on the application site and the boundary block wall. It does not have any windows or doors that face towards the neighbouring properties although the roof will be visible from the adjacent properties' gardens. The overall height and slate finish of the roof, however, would be in keeping with the residential character of the area and partly screened by the hedges and bushes along the boundaries of the rear garden. It is located approximately 20m away from the nearest neighbouring property to the south and is situated at the end of all the neighbours gardens away from the adjacent properties. It is therefore considered that the retention and completion of the proposed outbuilding is appropriate to its location, would not impact on the appearance of the locality and would not harm the amenities of the occupiers of adjacent properties when completed. The proposal is in compliance with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

RECOMMENDATION: Grant Permission

Subject to the following condition(s):-

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

All elevations; Front Elevation; Right Side Elevation; Site Plan scaled 1:200 and Block Plan scaled 1:50

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.

ITEM NUMBER: 09.
APPLICATION NUMBER: 16/00441/DETS
APPLICANT: Mr Jeremy Herring Homes and Communities Agency (HCA)
DATE REGISTERED: 08.09.2016

DETAILS PURSUANT TO APPLICATION 11/00282/OUT - EIA - OUTLINE APPLICATION WITH ALL MATTERS RESERVED EXCEPT FOR ACCESS - EMPLOYMENT-LED MIXED USE SCHEME INCLUDING UP TO 69,992 SQM OF COMMERCIAL FLOOR SPACE IN NEW BUILDINGS AND RE-USE OF EXISTING BUILDINGS (USE CLASSES B1, B2 AND B8); UP TO 1,075 SQM OF RETAIL (USE CLASSES A1, A2, A3 AND/OR A4); UP TO 200 RESIDENTIAL UNITS (USE CLASS C3); UP TO 32 UNITS OF CARE ACCOMMODATION (USE CLASS C2); UP TO 1,839 SQM OF COMMUNITY USES (USE CLASS D1); UP TO 8,320 SQM OF HOTEL USE (USE CLASS C1); UP TO 2,321 SQM OF LEISURE (USE CLASS D2); NEW AND UPGRADED VEHICULAR AND PEDESTRIAN ACCESS ARRANGEMENTS; HARD STANDING AND CAR PARKING; OPEN SPACE PROVISION; LANDSCAPING; AND ASSOCIATED WORKS. (WORKS AFFECTING LISTED BUILDINGS/CONSERVATION AREA (IN PART)) (as amended by revised Design and Access Statement, amended plans, Second Addendum to Environmental Statement, Appropriate Assessment Screening Report, Transport Assessment Supplementary Technical Response, Delivery and Service Plan, and Framework Travel Plan all received 25.01.12, additional plans received 24.02.12, revised Heritage Statement and amended plans received 06.03.12, additional information received on 16.03.12, 21.03.12, 23.03.12, 26.03.12, 28.03.12, 28.12.15 and 13.01.16). (CONDITION 5 PURSUANT TO PHASE 1 - LAYOUT OF ROADS, AND INFRASTRUCTURE AND SERVICES INCLUDING NEW FOUL WATER PUMP HOUSE.
HMS Daedalus Nottingham Place Lee-On-The-Solent PO13 9YA

The Site and the proposal

1. The application site is located within the former HMS Daedalus complex south of the airfield. The site is within the Solent Enterprise Zone and is part of the wider area allocated for a mixed-use development, approved under reference 11/00282/OUT (Outline Consent) in January 2016.
2. This proposal is for the approval of matters reserved by Condition 5 of the Outline Consent and relates solely to the provision of adoptable infrastructure works including the new internal site road network and associated foul and surface water drainage. These works will facilitate the delivery of future phases of development, including up to 200 new dwellings and employment, commercial and leisure uses, the details of which will be the subject of separate applications to be submitted in the future. The works are centrally located within the Daedalus Waterfront site and will provide the necessary road access and drainage infrastructure of sufficient capacity to serve the quantum of development approved under the Outline Consent.
3. These 'reserved matters' therefore comprise full details relating to the provision of the layout of new roads; the upgrading of existing sections of Implacable Road to be retained; and the provision of new foul sewage works and a foul water pump house to be located north of the newly completed spine road, Daedalus Drive, and to the east of the existing air traffic control tower.
4. The application includes details of road widths and alignments, position and width of cycle routes and pedestrian crossing points. The application also includes details of works required to be carried out to ensure delivery of this new infrastructure, including the demolition of buildings 67, 70/71 and 154, which are all on the alignment of the proposed road layout. These works have been designed in close communication Hampshire County Council, as Local Highway Authority, who will be responsible for the adoption and maintenance of the new road infrastructure.
5. The proposed new road network connects directly onto Daedalus Drive in three locations, two of which, the western and eastern junctions are to be adopted and, therefore, form part of this application. The third, central, connection whilst shown on the details indicatively, however, will be

the subject of a later phase of development when details of the uses and layout of buildings within that central area are ready to be submitted as an application.

6. The newly completed Daedalus Drive has a carriageway width of 7.3m. The proposed new road system varies in width from 7.3m where it connects onto Daedalus Drive and is most likely to serve areas to be developed for employment uses. This section narrows to 6.1m along its southern edge (known as Implacable Road) where future development is intended to be a mix of residential, leisure and business uses. Increases in widths up to 7.4m are shown on corners to enable two larger vehicles to pass safely.

7. Pedestrian footpaths are shown to be 2m wide and the shared cycle/pedestrian routes are shown to be 3m wide. Service routes, including electric supplies, fibre optics and drainage pipes are shown beneath the cycle/pedestrian routes. Two pedestrian crossing points are shown along the upgraded section of Implacable Road which runs in an east to west alignment separating the employment zone to the north and the mixed use area to the south.

8. The new drainage infrastructure has been worked up in discussion with the relevant drainage bodies to ensure an appropriate network is provided with sufficient capacity to accommodate future phases of development which will need to connect into it.

9. It should be noted that consideration of this 'reserved matters' application does not enable these works to be undertaken until such time as the relevant conditions in respect of the further details of appearance, contamination, ecology, tree protection measures, street furniture, street lighting, surface treatments and landscaping have been agreed and discharged under separate application for discharge of conditions attached to the outline permission (reference DC04/033/16).

Relevant Planning History

11/00282/OUT - EIA - Outline application with all matters reserved except for access - employment-led mixed use scheme including up to 69,992 sqm of commercial floor space in new buildings and re-use of existing buildings (use classes B1, B2 and B8); up to 1,075 sqm of retail (use classes A1, A2, A3 and/or A4); up to 200 residential units (use class C3); up to 32 units of care accommodation (use class C2); up to 1,839 sqm of community uses (use class D1); up to 8,320 sqm of hotel use (use class C1); up to 2,321 sqm of leisure (use class D2); new and upgraded vehicular and pedestrian access arrangements; hard standing and car parking; open space provision; landscaping; and associated works. (works affecting listed buildings/conservation area (in part)) (as amended by revised Design and Access Statement, amended plans, Second Addendum to Environmental Statement, Appropriate Assessment Screening Report, Transport Assessment Supplementary Technical Response, Delivery and Service Plan, and Framework Travel Plan all received 25.01.12, additional plans received 24.02.12, revised Heritage Statement and amended plans received 06.03.12, additional information received on 16.03.12, 21.03.12, 23.03.12, 26.03.12, 28.03.12, 28.12.15 and 13.01.16) - permitted 28.01.16

DC04/033/16 - Discharge of conditions 1 (phasing plan), 5 (road layout, appearance and landscaping), 7 (tree protection), 8 (hard standing, footpaths and street furniture), 9 (construction management plan), 10 (surface water drainage), 11 (foul water drainage), 12 (Japanese knotweed removal), 13 (external lighting), 15 (archaeology), 16 (building recording for demolition of buildings 67, 70/71 and 154), 28 (street layout and transport infrastructure), 29 (width, gradient and alignment of transport infrastructure), 34 (contamination), 35 (remediation) and 38 (ecology) of planning permission 11/00282/OUT : EIA - Outline application with all matters reserved except for access - employment-led mixed use scheme including up to 69,992 sqm of commercial floor space in new buildings and re-use of existing buildings (use classes B1, B2 and B8); up to 1,075sqm 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 1,839sqm of community uses (use class D1); up to 8,320sqm 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 - pending consideration.

Relevant Policies

Gosport Borough Local Plan, 2011 – 2029:

LP1
 Sustainable Development
 LP2
 Infrastructure
 LP3
 Spatial Strategy
 LP5
 Daedalus
 LP16
 Employment Land
 LP21
 Improving Transport Infrastructure
 LP22
 Accessibility to New Development
 LP23
 Layout of Sites and Parking
 LP39
 Water Resources
 LP44
 Protecting Species and Other Features of Nature Conservation Importance
 LP46
 Pollution Control
 LP47
 Contamination and Unstable Land
 LP48
 Hazardous Substances

Supplementary Planning Documents:

Gosport Borough Council Daedalus: Supplementary Planning Document: September 2011
 Hampshire County Council Transport Contributions Policy: A New Approach to Calculating
 Transport Contributions in Hampshire September 2007

National Planning Policy Framework (NPPF), March 2012

Consultations

Environment Agency (Hants & IOW)	No objection.
Transport & Traffic	Update to be provided.
HCC Highways Strategic	The details have been worked up to adoptable standards in liaison with the County Highways to ensure the scheme meets the Highway Authority's highway geometry and construction requirements.
Southern Water	No objections to the details of the foul pumping station house. The new pipework will need to be adopted by Southern Water. No future residential units should be located within 15m of the pumphouse due to noise and vibration.
Civil Aviation Authority	Update to be provided.

Natural England	Update to be provided.
The Gosport Society	No objection.
Environmental Health	No objection subject to the decontamination and remediation being undertaken in accordance with details submitted to satisfy conditions 34 and 35 of 11/00282/OUT.
HCC Landscape Planning & Heritage	Update to be provided.
Economic Prosperity	No objection
Fareham LPA	No objection.
Hampshire Fire And Rescue Service	Update to be provided.

Response to Public Advertisement

1 letter of objection

Issues raised:-

- the first 100m of Daedalus Way (Drive) to the west of the roundabout is dangerous and too narrow to allow two vehicles to pass safely.
- the layout in future residential phases should not include the retention on the two security fences which include razor wire or create any other additional 'no-man's land' across the site as these areas inevitably become overgrown and dumping grounds.

5 letters of observation

Issues raised:-

- this phase of development is vague and confusing and meaningful comments can only be made of receipt of details of where and what buildings are proposed.
- a strip of land (in a later housing allocated phase) in Milvil Road is still shown as within HCA's remit and there are concerns that as this links into Milvil Road it could be a potential vehicle thoroughfare.
- want to see details of what is being proposed along the back gardens of existing houses in Milvil Road.
- it's amazing that this level of development is being proposed given the existing difficult traffic conditions for people leaving the peninsular.
- the new business park buildings are too close to houses.
- the area should have more open space and less development.
- want to understand where the foul drainage pump house is to be located, from the plans it is not clear.
- what precautions have been put in place for relocating protected species including bats and slow worms.

Principal Issues

1. The comments raised by local residents to the application relate mainly to previous separate permissions and potential future phases of development for which there are no details currently submitted and are not within the scope of this reserved matters application. This application relates only to the access arrangements and layout of the infrastructure works including the upgrading of existing roads, the construction of new roads, the demolition of buildings 67, 70/71 and 154, and provision of associated services, landscaping and works, including the foul water pump house.

2. Details of the type, size and position of new buildings, the access points to be provided within future phases or development, details of boundary treatments, provision of areas of open space, are all for future consideration when applications are submitted for future phases of development. Details have been submitted to the Local Planning Authority relating to the relocation and mitigation

of protected species but these are being considered separately from the 'reserved matters' under details submitted with application DC04/033/16 to satisfy the requirements of condition 38 (ecology) imposed under the Outline Consent. There is an important distinction between the agreeing of the 'reserved matters' and the agreeing of details subject to conditions imposed under the Outline Consent. They are two separate processes. The reserved matters (for the road and drainage infrastructure works) require public consultation and consideration by the Regulatory Board. The discharge of the conditions, which are linked to the provision of the infrastructure, provide details on a wide range of technical matters. Both applications need to be satisfied before the works can take place.

3. The access and layout details including the alignment and details of the new road network are acceptable to accommodate the future traffic demands of the site and provide appropriate access arrangements to connect to future phases of development and are to an adoptable standard. These matters are, therefore, in accordance with Policies LP1, LP2, LP5, LP21 and LP23 of the Gosport Borough Local Plan 2011-2029. These works, however, can only commence on discharge of conditions 7, 8, 9, 12, 13, 15, 16, 28, 29, 35 and 38 of Outline Consent 11/00282/OUT relating to the detail of street furniture, street lighting, surface treatments, archaeology, contamination and remediation, ecology and landscaping including tree protection and weed management..

4. The layout of the provision of the new drainage infrastructure is acceptable to accommodate the future capacity requirements of the future phases of development and is similarly to an adoptable standard. These matters are, therefore, in accordance with policies LP1, LP2, LP5 and LP39 of the Gosport Borough Local Plan 2011-2029. These works, however, can only commence on discharge of conditions 10, 11 and 35 of Outline Consent 11/00282/OUT relating to the detail of capacities, discharge points, flow paths, run off rates, filtration treatment and maintenance.

5. The demolition of buildings 67, 70/71 and 154 is acceptable. These works, however, can only commence on discharge of conditions 9, 15, 16, and 38 of Outline Consent 11/00282/OUT relating to the detail of the demolition methodology, archaeology and recording and ecological mitigation.

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, documents and method statements:

12575-CRH-Z1-XX-SK-C-4350 P3 (Site Plan), 5160_026 (Phasing Plan); 5160_031 (Street Sections); 5160_032 (Street Sections); 5160_033 (Street Sections)

Reason - To ensure that the development is completed satisfactorily in all respects and to comply with Policies LP1, LP2, LP5, LP21 and LP23 of the Gosport Borough Local Plan, 2011 – 2029.