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**20 February 2018**

### **S U M M O N S**

**MEETING:** Regulatory Board  
**DATE:** 28 February 2018  
**TIME:** 6.00 pm  
**PLACE:** Council Chamber, Town Hall, Gosport  
**Democratic Services contact:** Lisa Young

MICHAEL LAWThER  
BOROUGH SOLICITOR

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### **MEMBERS OF THE BOARD**

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

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

Councillor Allen	Councillor Farr
Councillor Beavis	Councillor Foster-Reed
Councillor Bergin	Councillor Hammond
Councillor Carter	Councillor Hicks
Councillor Ms Diffey	Councillor Raffaelli
Councillor Earle	Councillor Ronayne

### **INFORMATION FOR MEMBERS OF THE PUBLIC**

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

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#### **IMPORTANT NOTICE:**

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Regulatory Board  
28 FEBRUARY 2018

**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 17 JANUARY 2018
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, 26 February 2018. 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, 26 February 2018).*
6. REPORT OF THE HEAD OF PLANNING AND REGENERATION  
*Schedule of planning applications with recommendations.  
(grey sheets pages 1-30/1)*Debbie Gore  
5455
7. ANY OTHER ITEMS  
*Which the Chairman determines should be considered, by reason of special circumstances, as a matter of urgency.*

**A MEETING OF THE REGULATORY BOARD  
WAS HELD ON 17 JANUARY 2018 AT 6PM**

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

It was reported that in accordance with Standing Order 2.3.6, Councillors Miss Kelly and Scard had been nominated to replace Councillors Ms Diffey and Raffaelli respectively for this meeting.

**87. APOLOGIES**

Apologies for inability to attend the meeting were received from The Mayor and Councillors Raffaelli and Ms Diffey.

**88. DECLARATIONS OF INTEREST**

Councillor Mrs Hook declared a personal interest in grey pages agenda items 1 and 8

**89. MINUTES**

**RESOLVED:** That the Minutes of the Regulatory Board meeting held on 6 December 2017 be approved and signed by the Chairman as a true and correct record.

**90. DEPUTATIONS**

Deputations had been received on the following items:

- Agenda Item 1 of the grey pages - 17/00358/FULL – 12 Grafton Close
- Agenda Item 3 of the grey pages – 17/00549/FULL – Carisbrooke Centre
- Agenda Item 4 of the grey pages – 17/00496/OUT – Land to the West of the Control Tower, Solent Airport, Daedalus
- Agenda Item 5 of the grey pages – 17/00523/FULL– 20 Woodstock Road
- Agenda Item 7 of the grey pages – 17/00510/FULL – 58 Western Way
- Agenda Item 8 of the grey pages – 17/00486/FULL – 31 Frater Lane

**91. PUBLIC QUESTIONS**

There were no public questions

**92. REPORTS OF THE HEAD OF PLANNING AND REGENERATION**

The Head of Planning and Regeneration 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:

**93. 17/0358/FULL - RETENTION OF PERGOLA (as amplified by letter received 05.12.17)  
12 Grafton Close Gosport Hampshire PO12 4GD**

**Councillor Mrs Hook declared a personal interest, remained in the room but took no part in the discussion or voting thereon.**

Consideration was given to the report of the Head of Planning and Regeneration requesting that consideration be given to planning application 17/00358/FULL.

Members were advised that a site visit had taken place and that the pergola had been viewed from the garden of both the application property and that of the objector.

Mr Savage was invited to address the Board. He thanked the Board for their attendance at his property and reiterated that he felt that the planning process had been undermined by the applicant seeking planning permission retrospectively.

He reiterated that the pergola was dominant across the rear of his garden and that a reduction in its height would not solve the issue. Mr Savage felt that the structure would not fade into the landscape over time.

Mr Savage advised the Board that he had no issue with his neighbours and that he would abide by any decision made, but that he would be disappointed if permission were to be granted as the situation had occurred as a result of the ignorance of the builder and he expressed concern that this could be repeated elsewhere.

Mr Savage concluded by advising the Board that he had wished them to consider the application from both sides and reiterated his disappointment at the abuse of the planning process.

In response to the deputation, a Member clarified that retrospective planning applications would be considered on their merits, if presented, and that if the structure had been 300mm lower it would not have required planning permission and could have been constructed under general permitted development rules.

In answer to a Member's question, Mr Savage advised the Board that he had not considered mitigation measures to screen the structure from his property but that he would have no option but to do so should the application be approved. He advised that he was not a keen gardener as he had hoped Members had appreciated from their site visit, and that he would need to consider a low maintenance option to mitigate the effects of the structure.

Mr Hovington was invited to address the Board. He advised that he was the applicant and thanked Members for attending the site visit. He advised the Board that he had not been aware that planning permission was required for the structure and that he had undertaken some research and had incorrectly assumed it was not. He advised the Board that it was a mistake on his part and on that of the builder and was human error rather than a deliberate attempt to undermine planning rules.

He welcomed the recommendation of the Planning Officer and was happy to answer any questions from the Members.

**RESOLVED:** That planning application 17/00358/FULL be approved.

- 94. 17/00549/FULL - REFURBISHMENT OF CARISBROOKE CENTRE COMPRISING: (I) GROUND FLOOR EXTENSION TO SHOP (53 SQ.M.); (II) REFURBISHMENT AND RECONFIGURATION OF UPPER FLOORS OF WEST AND NORTH WINGS OF CENTRE TO PROVIDE 17 ONE BEDROOM AND 8 TWO BEDROOM FLATS INCLUDING THE ADDITION OF 2ND FLOOR TO NORTH WING; EXTERNAL ALTERATIONS AND ENCLOSURE OF EXISTING OPEN STAIRCASES SERVING FLATS; (III) CONSTRUCTION OF 2 SEMI-DETACHED, THREE BEDROOM HOUSES TO SOUTH OF CAR PARK ENTRANCE; AND, (IV) ENLARGEMENT OF CENTRE CAR PARK AND RATIONALISATION OF REAR SERVICE AREAS AND RESIDENTS PARKING SPACES, AND LANDSCAPING (RESUBMISSION 16/00599/FULL) (as amplified by parking plan received 19/12/2017 and phasing plans received 21.12.2017)**  
**Carisbrooke Centre, 43-61 Carisbrooke Road, Gosport, PO13 0QY**

Consideration was given to the report of the Head of Planning and Regeneration requesting that consideration be given to planning application 17/0549/FULL.

Matthew Pickup and Lauren Atkins were invited to address the Board.

Lauren Atkins advised that she was the managing director of Zionstone Limited, the applicant and owner of the site and that Matthew Pickup was the planning consultant for the application.

The Board was advised that a previous application had been considered for the site in October 2017 and had been refused by the Board. The current application included a rationalisation of the parking provision on the site and a redesign of the units to reflect a greater mix of unit size.

The Board was advised that the only previous reason given for refusal was that the application did not provide an appropriate mix of dwelling sizes and that this had been considered before resubmission of the application.

The Board was advised that the existing three bedroom units on the site were not used as long-term homes but rather as stepping stones for the residents to more settled accommodation. In an area with a high density of family homes, smaller homes were considered appropriate and were needed.

The Board was advised that the proposed scheme provided a good mix overall with little else amended within the proposal and was advised that the McColls store would increase in size by 53sqm and that additional parking was being provided on the site.

Lauren Atkins advised the Board that the development would be carefully phased to allow the shops to remain open through the refurbishment and that the result would be a more attractive, economically sustainable development that was supported by the Economic Prosperity team at the Council.

The Board was advised that the parking provision for the site would be increased from the current 35 spaces to 69 spaces. Of these 23 would be reserved for residents, 42 would be available for shoppers, and four would be allocated to the semi-detached properties and that this far exceeded the number required.

The Board was advised that the proposal was first submitted in May 2016 and that the applicant had taken on board advice and comments from the Local Highway Authority, the Police, ecologists, drainage experts and the planning officers and had responded positively to any concerns raised.

It was reiterated that the only reason the previous application had been refused was because the mix of dwellings was not considered to be suitable and that this had been addressed within this application.

In answer to a Member's question, the Board was advised that the turnover of occupants in the three bedroom flats was high as they were often used as a stop gap on the way to other properties and, as a result, residents only tended to stay for 6-12 months. It was confirmed that all the flats were leasehold and that the new proposal offered a greater number of two bedroom flats and greater parking provision for all of the flats.

The parking provision included 15 spaces at the rear of the properties and eight within the centre and that the spaces defined at the rear of the property in the service road had been subject to tracking to ensure that service vehicles would have appropriate room and access.

In answer to a subsequent question, Lauren Atkins advised the Board that she was working with commercial tenants to patrol and monitor the parking and that if the planning application was successful she would look to extend the link with the commercial tenant to formalise this monitoring arrangement. The Board was advised that she was also working with the tenants to explore and establish ways for some users of the Centre to extend their time for parking, particularly if they were using facilities such as the hairdressers and beauty salon, accommodating the additional time needed for such appointments.

A Member questioned why the property did not contain provision for affordable housing in line with Policy LP24 of the Local Plan as it comprised more than 10 dwellings. Ms Atkins advised the Board

that a viability appraisal had been submitted as part of the application that had been independently assessed by the District Valuer, and that had shown that there was absolutely no profit that could be made as a result of the application. Policy LP24 stated that it was acceptable in those circumstances not to make provision for affordable housing. In addition, the Board was advised by the Planning Officers that there was no specific mix of properties advocated by the Local Plan and that the proposed amendments were seen as more appropriate than the current mix and those previously proposed, as it was now proposed that 40% of the units would be two bedroomed properties. In addition, the Board was advised that the development of residential properties above commercial units was advocated but that it was very difficult to include family properties within this as no or very limited outdoor space could usually be provided.

In answer to a Member's question, the Planning Officer advised that the housing need of the Borough had evolved and that there was now a shortage of all types and tenures of property within the Borough and that Planning Officers were satisfied that the proposed mix of dwellings was acceptable and complied with the Local Plan. The Board was advised that the Policy had been designed for brownfield sites and that the constraints of this already established and defined site needed to be acknowledged and taken into account when considering the proposed housing mix.

Members reiterated their concerns about the mix of dwellings on the site, the loss of three bedroom properties and the lack of affordable housing within the development and felt that the proposal did not meet the requirements of Policy LP24.

The Board was advised by the Planning Officers that a viability assessment had been submitted by the applicant with regard to the affordable housing element of the proposal as part of the application. This had been independently reviewed by the District Valuer who had confirmed that its contents were robust and accurate and that the development could not bear the costs of making provision for affordable housing.

Members were advised by the Planning Officers that Policy LP24 of the Local Plan focussed on brownfield sites and that the site was small and constrained in comparison. It was felt that what was proposed was acceptable for the site and included houses with gardens, smaller sized units and a wide mix of one and two bedroom properties which was in accordance with Policy LP24.

It was reiterated to the Board that Policy LP24 advocated affordable housing, but also set out options for developments where this was not viable. The applicant was required to submit an appraisal document supported by financial evidence that was independently and robustly reviewed by the District Valuer, The Board was advised that this has been satisfied and that therefore the proposal was compliant with Policy LP24 with regard to affordable housing.

Members accepted that the proposal was located on a bus route but stated that the services were infrequent and that the occupiers of the proposed properties might have at least two, perhaps three or even four cars per flat. Planning Officers advised that the application had included a rationalisation of the car parking spaces and that there was an adequate increase in the number of spaces to cater for the increase in demand.

Members expressed concern regarding the monitoring of car parking and were advised that a condition could be imposed requiring a car parking management plan to be submitted and agreed.

Some Members expressed concern that the proposal would set a precedent for future applications and reiterated concern that the proposal did not meet policy LP24 of the Local Plan with regard to affordable housing and appropriate mix of properties.

**RESOLVED:** That planning application 17/00549/FULL be approved subject to the conditions contained in the report and a section 106 agreement relating to a re-evaluation of the financial viability appraisal if construction has not reached 'core and shell' completion within a specified period.

**95. 17/00496/OUT - HYBRID APPLICATION COMPRISING: (I) FULL APPLICATION FOR ERECTION OF FIVE MIXED USE HANGARS (COMPRISING C3 DWELLING AND CLASS B1(A) OFFICE) WITH ASSOCIATED ACCESS, PARKING AND CYCLE & REFUSE STORAGE FACILITIES; AND, (II) OUTLINE APPLICATION FOR ERECTION OF HANGAR HERITAGE CENTRE (CLASS D1) AND PROVISION OF PLAY AREA (WITH ALL MATTERS RESERVED) (as amplified by additional supporting information received 09.1.2018)  
Land West Of Control Tower Solent Airport Daedalus Drive Lee-on-the-Solent Hampshire PO13 9FZ**

Consideration was given to the report of the Head of Planning and Regeneration requesting that consideration be given to planning application 17/00496/OUT.

The Board was updated that the applicant had amended the application by removing the outline elements relating to the erection of a hangar heritage centre and the provision of an external play area. Amended plans had been received reflecting these amendments.

The Board was requested to consider and determine the proposal as a full application for the erection of five mixed use hangars (comprising C3 dwelling and Class B1(A) office) with associated access, parking and cycle & refuse storage facilities.

The covering email to the amendments also included comments on matters raised by a number of consultees. The Board was advised that the issues raised by the applicant in response to these consultee comments were dealt with in the Planning Officer's report.

The Board was also advised that an additional letter of support had been received but that the matters raised were also covered in the Planning Officer's report.

Members were requested to disregard the references to the outline elements of the application in the Planning Officer's report as they were no longer relevant.

The Board was advised that by deleting elements from the application, the applicant had simplified the proposal so that it now only related to the proposed mixed use hangars. The officer's recommendation to refuse and the reasons for refusal all related to the proposed mixed use hangars and were therefore unaffected by the amendments.

The Board were also advised that officers recommended that the first of the reasons for refusal should include a reference to the proposal being contrary to Policy LP16 of the Gosport Borough Local Plan 2011-2029.

Mr Day was invited to address the Board.

He thanked the Board for the opportunity to address them and advised that he would like the Board to be aware of the benefits of hanger homes as they made airports more sustainable by bringing in income through tax and runway fees.

Mr Day advised the Board that there were over 600 licensed airfields in America with hanger homes and 12 sites in Europe but as yet there were none in the United Kingdom. He advised that they were similar to the concept of marina homes and golf homes and that they would safeguard flying activity and aviation interest at the airport.

He advised that the proposal would bring likeminded people together and give kudos to the airfield.

The Board was advised that, although the heritage centre and play centre had been removed from the proposal, space for them remained should they wish to be provided at a later date.

Mr Day advised the Board that the two red lines indicated on his plan indicated that the proposal had the correct category B airfield separation distance and the green line showed how the line of



view from the control tower would not be obstructed by the proposed properties and that, even if there was an obstruction, this could be overcome by the installation of cameras as was often used in other airports.

He advised the Board that the proposal was a good and efficient use of the land and that each unit could provide employment for 5 people and would increase the employment level on the site.

Mr Day advised that the units would comply with the Civil Aviation Authority and Border Force and European Union rules with regard to access for the site and that unauthorised access would not be permitted.

The Board was advised that the proposal was supported by 90% of residents and 100% of businesses in the locality and the flying community, and would be a first for the United Kingdom. The proposal would not only put Gosport on the map, but would support the sustainability of the airport.

In answer to a Member's question, Mr Day advised the Board that the project had been a long term ambition of his and that he had gleaned that there had been a desire for a heritage centre and that this was something he would have undertaken. He also advised that he would be willing to meet with the airport operator but that the opportunity had not occurred.

He advised the Board that advice had been sought from an aviation consultant and that the proposal was fully compliant with the requirements of the Civil Aviation Authority and that the proposal presented no safety issues and did comply with the Civil Aviation Authority's required distance of 21.5 metres.

Some Members advised that they felt that the proposal was innovative and good for the Borough.

In answer to a Member's question, the Board was advised by the Planning Officer that the Civil Aviation Authority had been consulted as part of the proposal, but had not responded. A Member advised the Board, that the Civil Aviation Authority allowed the airport operator to respond on its behalf. The Planning Officer advised that the airport operator had objected to the proposal as it did not meet Civil Aviation Authority guidelines.

A Member advised that they felt that the objection of the airport owner, although not a material planning consideration, was detailed in the report and that the objection from the airport operator was significant and included concern regarding the contravention of Civil Aviation Authority requirements, obstruction of views, Border Force access, fire risk from smoking on balconies and that there was also an objection from the land owner.

They advised that, as stated in the officer's report, the proposal was prejudicial to the airport and the Enterprise Zone and that the proposal did not go well with the proposed mixed use for the site and that they felt the Planning Officer's recommendation should be supported.

Members reiterated that the airport operator had responded on behalf of the Civil Aviation Authority and had stated that the safety guidelines had not been met and that, whilst it was accepted that the concept was popular in America and offered an exciting opportunity, unfortunately the proposal was not appropriate for the site as a result of the adverse effect it would have on the function of the airport and the impact on the Daedalus Enterprise Zone.

Some Members felt that the proposal was an acceptable use of a working airport and that any associated noise was to be accepted on an airfield.

The recommendation of the Planning Officer, to refuse the application for the reasons set out in the report, was put to the Board and was not carried.

It was subsequently proposed and seconded that the application be deferred to a future meeting of the Board and this was carried.

**RESOLVED:** That planning application 17/00496/FULL be deferred to a future meeting of the Board.

**96. 17/00523/FULL - DEMOLITION OF EXISTING DWELLING AND ERECTION OF TERRACE OF 3 THREE BEDROOM HOUSES AND 1 TWO BEDROOM MAISONETTE OVER AN UNDERCROFT VEHICULAR ACCESS FROM WOODSTOCK ROAD WITH ASSOCIATED PARKING, REFUSE AND CYCLE STORAGE (RESUBMISSION OF 17/00001/FULL)  
20 Woodstock Road Gosport Hampshire PO12 1RS**

Consideration was given to the report of the Head of Planning and Regeneration requesting that consideration be given to planning application 17/00523/FULL.

Mr Newman was invited to address the Board.

He advised the Board that his continuing objection to the proposal was that in 2016 a wall adjacent to 18 Woodstock Road had been removed and that this had given access to the site from Cranbourne Road and Dock Road along the rear service road.

He advised the Board that the Local Highway Authority had objected to a previous application which had been refused, mainly as the access arrangements were detrimental to highway safety and that replacing the wall would address this.

Mr Newman advised the Board that properties 14-18 Woodstock Road did not have side access and that the service road was utilised by them as a result, but that 20 Woodstock Road did not need this as it had sufficient side access.

Mr Newman commended the report of the Planning Officers but felt that it did not address the issue of access from the service road. He felt that, although the report stated that the proposal did not indicate that the service road would be used from the gated access at 20 Woodstock Road, it also did not state that it would not be used. He felt that this was a risk for both residential use and use throughout the construction and that this went against the reasons for refusal of the application made in 2016.

Mr Newman advised that he would withdraw his objection to the proposal if the site was walled off preventing access from the rear service road.

Councillor Mrs Cully, Ward Councillor for Town, was invited to address the Board. She advised that the proposal would add high density development to the site where currently only one property existed, and that neighbouring residents were unhappy with the lack of privacy that the proposal offered them. She advised that the addition of the undercroft to allow the proposal to have additional parking had significantly reduced the size of the gardens.

The Board was advised that, in addition to lack of privacy, the main concern was the increase in vehicles arriving at and departing from the development site, and she supported Mr Newman's request that a condition be placed upon the application to ensure that access via the service road was not permitted.

Councillor Mrs Cully advised that only two properties had garages on the service road and that it was also used by children playing and that its use as an access point for the development was a safety concern.

In answer to a Member's question, the Board was advised that it would be possible to impose a condition to any permission that would preventing vehicular access to the site from the rear service road both during construction and following completion.

It was proposed and seconded that the application be approved subject to delegated authority being granted to the Head of Planning and Regeneration to attach appropriate conditions to the application to prevent access to the site by the service road.

**RESOLVED:** That planning application 17/00523/FULL be approved subject to the conditions contained in the report and delegated authority being granted to the Head of Planning and Regeneration to attach a suitably-worded additional condition to prevent access to the site by the rear service road.

**97. 17/00510/FULL - ERECTION OF PART TWO STOREY AND PART THREE STOREY REAR EXTENSION AND INSTALLATION OF SIDE DORMER WINDOW (as amended by plans received 29.11.2017)  
58 Western Way Gosport Hampshire PO12 2NQ**

Consideration was given to the report of the Head of Planning and Regeneration requesting that consideration be given to planning application 17/00510/FULL.

Mr Goulding was invited to address the Board.

He advised that he was the applicant and that he had lived in the property for 13 years, along with his wife and 4 children and that the additional space was needed to accommodate his family.

He advised that he agreed with the Planning Officer's recommendation to approve the application and advised the Board that he took the structural stability of the proposal very seriously.

Mr Goulding advised the Board that he was an experienced building surveyor and had previously worked for Savills. He also advised that he was an expert on Party Wall matters. He advised that he was seeking to reassure Members that the proposal was safe, and that it was in his own interest to ensure that the development was structurally sound as any collapse would impact on his property before his neighbours'. He advised that the application would be constructed correctly, and in compliance with the appropriate Party Wall Act requirements.

He advised the Board that the proposal would be built in accordance with Building Regulations, as required by law, and that he would be employing a structural engineer, as well as consultant and would be project managing the construction himself. He advised that the proposal and construction would be carried out diligently and professionally and that he took these matters and the build very seriously.

**RESOLVED:** That application 17/00510/FULL be approved subject to the conditions contained in the report.

**98. 17/00486/FULL - ERECTION OF TWO STOREY SIDE AND REAR EXTENSION (RESUBMISSION OF 17/00370/FULL)  
31 Frater Lane Gosport Hampshire PO12 4AU**

**Councillor Mrs Hook declared a personal interest, remained in the room but took no part in the discussion or voting thereon.**

Consideration was given to the report of the Head of Planning and Regeneration requesting that consideration be given to planning application 17/00486/FULL.

Mr McDermott and Mr Wright were invited to address the Board.

They advised that they were representing the applicant and that they wished to address some of the concerns identified.

Mr McDermott advised the Board that the identified issues were minor in relation to the overall balance and merit of the application and that the Council had a duty to approve the application.

He suggested that Members should make a site visit to view the application site and advised that the applicant had instructed him to appeal if the application was refused.

Mr Wright advised the Board that the applicant had a young family and wished to remain in the area as his children were settled in local schools, but that wanted to improve and extend the property to accommodate their family.

He advised that the design was sympathetic and that other changes required by Planning Officers following submission of initial plans had been made. He believed the proposal was compliant with requirements and felt that as Frater Lane was an eclectic mix of properties the proposal would not look out of place.

In answer to a Member's question, the Board was advised by Mr McDermott that the original plans had been refused and that the applicant had now addressed the reasons for refusal in the new application.

In answer to a Member's question, the Planning Officer advised that a previous application had been refused and that the applicant had discussed options to improve the proposal informally with Planning Officers.

The Board was advised that whilst the applicant had made some improvements to the proposal, the Planning Officers did not support the application as the design was still unsympathetic.

In answer to a subsequent question, it was clarified that, although Frater Lane contained a mixture of property types, the proposal was considered unsympathetic because the existing property was narrow and deep and that the proposal would add significant width to the rear of the building and would not respect the original building. The Board was advised that the proposals were not sufficiently different to the original application for it to be considered acceptable for recommendation for approval.

It was further clarified that the design principles for developments were set out in the Design Supplementary Planning Document and that the principles set out a vertical emphasis on narrow properties, whereas the proposal would make the property horizontal and box-like. The Board was advised that the proposal would be viewed from a number of vantage points, not just from the front and that, whilst it was accepted that design was subjective, it was felt on balance that the proposal did not respect the design principles set out in the Design SPD.

It was proposed and seconded that the application be deferred for a site visit and this was carried.

**RESOLVED:** That application 17/00486/FULL be deferred for a site visit.

**99. 17/00203/OUT - OUTLINE APPLICATION - ERECTION OF NEW SCIENCE PARK COMPRISING FOUR 3-STOREY BUILDINGS (COMPRISING 7,500 SQUARE METRES OF NEW OFFICE (Use Class B1(a)) AND RESEARCH AND DEVELOPMENT FLOORSPACE (Use Class B1(b)) WITH 222 ADDITIONAL PARKING SPACES AND 74 CYCLE SPACES (ALL MATTERS RESERVED) (as amended by Transport Modelling Note received 7.11.17 and amended Travel Plan received 13.11.17)  
Unit 50 Hoeford Point Barwell Lane Gosport Hampshire PO13 0AU**

Consideration was given to the report of the Head of Planning and Regeneration requesting that consideration be given to planning application 17/00203/OUT.

In answer to a Member's question the Board was advised that a phase one desktop study had been submitted identifying potential contamination on the site, but that the site was deemed suitable for occupation for industrial purposes.

The Board was advised that conditions 11, 12 and 13 of the report of the Planning Officer covered the measures needed to ensure that further investigations and, if required, remediation would take place before any development were occupied..

In answer to a Member's question, the Board was advised that the application was for outline permission for a science park, that the applicant was Wickham Laboratories and that the occupants of the building had not been identified.

A Member expressed concern that the proposal would create additional problems with the already congested A32, particularly as there were 222 car parking spaces proposed. Members acknowledged that the site had previously had the Cyanamid Factory located on it, but were concerned at the impact the new development would have.

The Board was advised that the Local Highway Authority had recognised the impact that the proposal would have on the A32 and advised that mitigation measures were required to ensure that the impact of the development did not prejudice the safety or convenience of users of the A32. A legal agreement was therefore required to secure a financial contribution towards junction improvements to increase road capacity and that the development was prevented from being occupied until the necessary contribution had been made and the improvement works to the highway delivered.

It was acknowledged that the proposal was well served by the Eclipse Bus Rapid Transport Route.

Members welcomed the potential for the site to deliver an additional 120-180 jobs and recognised that there would be additional applications for reserved matters at a later date.

**RESOLVED:** That application 17/00203/OUT be granted subject to the conditions contained in the report and a Section 106 agreement relating to a financial contribution towards improvements at the A32 Fareham Road/Lederle Lane junction and the A32 Fareham Road/Wych Lane Junction; a travel plan and associated set-up and monitoring fees bond; and an Employment and Skills Plan.

**100. 17/00402/FULL - CHANGE OF USE OF LAND FROM AMENITY TO RESIDENTIAL GARDEN (USE CLASS C3), RETENTION OF GARDEN SHED AND ERECTION OF ADDITIONAL GARDEN SHED AND 2M HIGH FENCE AND GATE  
Land Adjacent 12 Moat Walk Gosport Hampshire PO12 2SP**

Consideration was given to the report of the Head of Planning and Regeneration requesting that consideration be given to planning application 17/00402/FULL.

**RESOLVED:** That application 17/00402/FULL be approved subject to the conditions contained in the report.

**101. 17/00527/FULL - ERECTION OF SINGLE STOREY SIDE/REAR EXTENSION, FRONT PORCH AND GARAGE  
8 Anglesea Road Lee-On-The-Solent Hampshire PO13 9HD**

Consideration was given to the report of the Head of Planning and Regeneration requesting that consideration be given to planning application 17/00527/FULL.

**RESOLVED:** That application 17/00527/FULL be approved subject to the conditions contained in the report.

**102. ANY OTHER BUSINESS**

There was no other business.

The meeting concluded at 19.40

CHAIRMAN

## **GOSPORT BOROUGH COUNCIL – REGULATORY BOARD**

**28th February 2018**

### **ITEMS WITH RECOMMENDATIONS**

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

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01.	3-10	17/00496/FULL	Land West Of Control Tower Solent Airport Daedalus Drive Lee-on-the-Solent Hampshire PO13 9FZ	Refuse
02.	11-14	17/00486/FULL	31 Frater Lane Gosport Hampshire PO12 4AU	Refuse
03.	15-18	17/00573/FULL	35 Elmhurst Road Gosport Hampshire PO12 1PQ	Grant Permission subject to Conditions
04.	19- 22/1	17/00502/FULL	9 Harwood Road Gosport Hampshire PO13 0TU	Refuse
05.	23- 28/1	17/00540/FULL	Land To Rear Of 181 Portsmouth Road Lee-On- The-Solent Hampshire	Grant Permission subject to Conditions
06.	29-31	18/00008/FULL	30 Bay Road Gosport Hampshire PO12 2QA	Grant Permission subject to Conditions

**ITEM NUMBER: 01.**  
**APPLICATION NUMBER: 17/00496/FULL**  
**APPLICANT: Mr Peter Day Hangar Homes Ltd**  
**DATE REGISTERED: 10.11.2017**

**ERECTION OF FIVE MIXED USE HANGARS (COMPRISING CLASS C3 DWELLING AND CLASS B1(A) OFFICE) WITH ASSOCIATED ACCESS, PARKING AND CYCLE & REFUSE STORAGE FACILITIES (as amplified by additional supporting information received 09.1.2018 and amended by revised plans received 12.01.2018)**  
**Land West Of Control Tower Solent Airport Daedalus Drive Lee-on-the-Solent Hampshire PO13 9FZ**

### ***The Site and the proposal***

1. This application was considered by the Regulatory Board on 17th January 2018 when Members resolved to defer it for further consideration at the next meeting of the Board.
2. The application site comprises a parcel of land, approximately 0.75 hectares in area, located to the west of the control tower at Solent Airport. The site is broadly rectangular in shape and measures approximately 150 metres wide and 45 metres deep.
3. The site straddles the airfield boundary and abuts the administrative boundary of the Borough with Fareham along its northern edge. To the south the site would abut the northern edge of the section of Daedalus Drive between the roundabout opposite the control tower and the link to Stubbington Lane, which is currently under construction. The site is located within the Solent Enterprise Zone and the Daedalus Regeneration Area. The site is close to the recorded locations of a number of protected and notable species including Yellow Horned-poppy, Sea Sandwort, Black Redstart, Wheatear, Shag, Red Fescue, Sea Radish, Butcher's-broom and Early Meadow-grass. The site also forms part of a recognized Solent Wader and Brent Goose Strategy Site.
4. The application is for full planning permission for the erection of five mixed use hangars (comprising C3 dwelling and Class B1(a) office) with associated access, parking and facilities for the storage of cycles and refuse.
5. The proposed mixed use live-work hangars would be two-storey buildings comprising a hangar, double garage and office to the ground floor with a four bedroom dwelling above. The applicant has advised that the hangar (109.5 sqm) and double garage (52.5 sqm) would be associated with the residential element of the proposal with only the office (36 sqm) to the ground floor comprising the commercial/industrial element. The proposed buildings would have a footprint measuring 12.7 metres wide by 18.4 metres deep and measure 7.8 metres high. Externally the proposed buildings would sit beneath a curved roof finished in zinc cladding above rendered masonry walls and have the appearance of contemporary hangars.
6. The proposed mixed use hangars would be set behind a new service road off Daedalus Drive with each property having a hardstanding to the front that would provide off-road parking for 4 vehicles. The submitted details indicate that two of these parking spaces would be for the proposed commercial office element of the proposal. The proposed double garages could also accommodate two cars.
7. As originally submitted the application was a hybrid application and sought full planning permission for the erection of five mixed use hangars (comprising C3 dwelling and Class B1(A) office) with associated access, parking and cycle & refuse storage facilities, and outline planning permission (with all matters reserved) for the erection of a hangar heritage centre (Class D1) and the provision of a play area. The outline elements of the original proposal were removed from the scheme prior to its consideration by the Regulatory Board in January.



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## **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 - permitted 28.01.16

## **Relevant Policies**

Gosport Borough Local Plan, 2011 – 2029:

- LP16
- Employment Land
- LP1
- Sustainable Development
- LP2
- Infrastructure
- LP3
- Spatial Strategy
- LP5
- Daedalus
- LP10
- Design
- LP12
- Designated Heritage Assets: Conservation Areas
- LP13
- Locally Important Heritage Assets
- LP23
- Layout of Sites and Parking
- LP42
- International and Nationally Important Habitats
- LP44
- Protecting Species and Other Features of Nature Conservation Importance
- LP46
- Pollution Control
- LP47
- Contamination and Unstable Land

Supplementary Planning Documents:

- Gosport Borough Council Daedalus: Supplementary Planning Document: September 2011
- 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**

BAA Safeguarding	No response received.
Civil Aviation Authority	No response received.
LOTS Airfield	Object on the following grounds: - proposals contravene CAA guidelines

	<p>relating to taxiway clearances;</p> <ul style="list-style-type: none"> <li>- proposals do not demonstrate that they would not block views of the runway, final approach or taxiway from the control tower;</li> <li>- proposals breach Border Force requirements require control of access to the airport;</li> <li>- proposals represent potential fire risk associated with smoking on open balconies;</li> <li>- proposals are sited inside the current holding point;</li> <li>- No Obstacle Limitation Survey has been carried out.</li> </ul>
Natural England	No objection subject to SPA mitigation being provided.
Crime Prevention & Design	No objection. Offers comments on type and nature of fencing to secure airfield.
Fareham LPA	<p>Object. Proposals contrary to Policy LP5 of Gosport Borough Local Plan. This part of the Regeneration Area should be used for aviation or employment purposes.</p> <p>Proposals do not demonstrate operation of airport would not be prejudiced as part of Fareham Borough Council's strategic Development Allocation under Policy CS12 of Fareham Core Strategy.</p>
Hampshire Fire And Rescue Service	No objection.
HCC Ecology	No objection.
Local Highway Authority	<p>Request provision of additional information relating to access for refuse collection vehicle and amended drawings of parking layout. No objection in parking or traffic generation terms. Request financial contribution towards Traffic Regulation Orders to implement parking restrictions in vicinity to protect junctions.</p>
HCC Landscape Planning & Heritage	No objection.
Building Control	No objection. Highlights internal amendments required to comply with Building Regulations.
Environmental Health	No objection. Recommends imposition of conditions relating to land contamination.
Streetscene Waste & Cleansing	No objection.
Economic Prosperity	<p>Object. Residential led development with low job creation potential not appropriate in a location with airside access that could be an employment asset. Expect that alternative</p>

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employment generating uses be fully explored prior to considering a predominantly residential use.

### ***Response to Public Advertisement***

5 letters of objection.

Issues raised:

- proposals contrary to published Vision for Daedalus;
- proposals not in accordance with Daedalus SPD or Local Plan;
- potential for adverse impact on Solent Enterprise Zone;
- proposals not supported by landowner due to potential conflict with future plans for airport;
- proposals should not rely on car parking associated with control tower;
- applicant has not consulted with airport operator and not referred to complete correspondence with landowner;
- land owner does not intend to relocate existing hangar to provide heritage hangar;
- do not agree proposed heritage hangar would not generate limited additional vehicular movements;
- concern about impact on operation and safety of airport;
- note comments from airport operator about Border Force requirements;
- loss of view;
- impact on future of airfield;
- increased noise and disturbance;
- proposed housing for wealthy and would not benefit locals;
- inadequate pre-application consultation by applicant;
- proposals contrary to multiple sets of regulations.

41 letters of support.

Issues raised:

- proposals would boost area and economy;
- proposals would provide additional homes;
- help to sustain airfield;
- proposals would benefit students at CEMAST;
- hangar homes successful overseas;
- proposals innovative;
- proposals eco-friendly, attractive and sustainable design;
- would be interested in occupying proposals.

### ***Principal Issues***

1. Whilst it is clear that the land owner does not support the proposals, this in its own right would not be a material planning consideration and could not be a reason for refusal. The applicant's pre-application consultation process is not a material planning consideration. The requirements of the Building Regulations, Civil Aviation Authority, Border Force and other regulatory authorities fall outside of the scope of the planning system and would need to be addressed independently of any planning application. The proposal relates to a development of mixed use hangars comprising residential and office uses. The use of the buildings for other purposes, including the construction of aircraft would need to be the subject of a separate planning application.

2. Therefore, the main issues to be considered in the determination of this application are whether the proposals are acceptable in principle, whether the proposals would prejudice the future of the airfield and Enterprise Zone and whether the proposals are acceptable in design, heritage, amenity, highways and ecological terms.

3. The site is located within the Daedalus Regeneration Area where Policy LP5 of the Local Plan promotes a mix of uses including 75,000m<sup>2</sup> of employment floorspace including premises suited for advanced manufacturing and technology clusters including aviation and aerospace uses and the provision of 350 dwellings. Paragraph 7.80 of the supporting text to Policy LP5 notes that an

element of residential development could increase activity on the site and assist with the blending of the site into neighbouring residential areas. This puts emphasis upon locating the proposed residential element of the scheme adjacent to the existing housing at the edge of the site and away from the airfield.

4. The Daedalus Supplementary Planning Document (SPD) provides further detail in relation to the mix of uses across the Regeneration Area. Although this part of the Regeneration Area is not allocated for a specific use in the SPD, the site falls within a character area (no. 8) where the emphasis is to provide a mix of employment premises to suit a range of business needs with uses in this character area being employment-based with opportunities for aviation related business. Policy LP16 states that "employment assets (such as the waterfront access, airfield access or specialist on-site facilities) will be protected". The supporting text to Policy LP16 recognises the importance of protecting employment assets that have the potential to attract new employment opportunities and identifies access to the runways at Daedalus as being a potential employment asset. The supporting text continues by stressing the importance of fully exploring the options for using such assets for employment opportunities before being released for other uses. No evidence has been submitted to demonstrate that any assessment of the potential use of the application site for employment purposes has been undertaken.

5. The priority for this part of the Regeneration Area is focused on employment-generating uses maximising the benefits of the airfield as an asset. The limited office element of the proposed live-work units has the potential to provide some small scale employment, however, no details are provided with the application. The applicant has stated that the live-work units could assist in helping to deliver the aspirations of the Council on the Regeneration Area by attracting aviation-related businesses to the area. Whilst this may be the case, there have been a number of successful new aviation-related businesses locating to the Daedalus site most notably within Fareham Borough. This would suggest that the presence of the airfield alone is enough to attract aviation-related business. The proposed use would take valuable land allocated for employment-generating uses which could make use of the site's assets to provide significant levels of specialist employment.

6. The applicant has confirmed that the accommodation that would be provided within the proposed live-work hangars would be 90% residential with only 10% being given over for employment purposes. It is therefore clear that the proposal is primarily residential in nature and as such would have limited potential for generating employment. The proposed development would be at a density of approximately 9 dwellings per hectare, which would be significantly less than the minimum density of 30 dwellings per hectare set out in Policy LP24 of the Local Plan. Furthermore the proposed five dwellings would not provide a significant contribution to the Borough's housing needs for a site of this size.

7. Having regard to the foregoing, the proposal would be contrary to Policies LP5, LP16 and LP24 of the Local Plan and would not meet the aims and objectives of the Daedalus SPD. Accordingly the principle of the proposal is not acceptable in this location.

8. In accordance with Policy LP15 the Civil Aviation Authority (CAA) and airfield operator have been consulted. Whilst no response has been received from the CAA, the airfield operator has raised objections on a number of grounds relating to the potential impact of the proposal on the existing and future operation of the airfield. Given the importance of the airfield and its integral contribution to the Solent Enterprise Zone, any potential risk to its continued functionality must be given substantial weight in the consideration of this application. Whilst some of the issues raised fall outside the scope of the planning system, it is clear that the proposal has the potential to adversely affect the operation of the airfield. In the absence of any certainty that the proposal would not prejudice the future of the airfield, and in the context of its contribution to the Enterprise Zone, the application cannot be supported in planning terms.

9. In design terms the proposed buildings for which permission is sought are considered acceptable with their hangar-like appearance being considered appropriate in this location. In this respect the proposals are therefore in accordance with Policy LP10 of the Local Plan.

10. The site is located over 300 metres from the edge of the Daedalus Conservation Area and almost 400 metres from the nearest Listed Building (former Dining Rooms and Cookhouse). Given this degree of spatial separation and the presence of substantial hangar buildings in between, it is considered that the proposals would not harm the setting of either the Conservation Area or the Listed Buildings. The proposals are therefore in accordance with Policies LP11 and LP12 of the Local Plan.

11. The proposals would be located adjacent to the boundary of the airfield, and within 200 metres of the main runway. As such future occupiers would undoubtedly be subject to noise and disturbance from airport operations. This would particularly be the case in respect of the external amenity areas. The applicant recognises this issue and advises that the properties would be constructed using materials that have noise attenuating properties with double and triple glazing being used. However, no details have been provided to support the applicant's claim that "there would be no significant loss of amenity derived from noise". The applicant does note that a supportive 'Noise Impact Assessment' can be provided, if required. Given the importance of the airfield in the context of the Enterprise Zone, it is considered necessary to ensure that the proposals would not prejudice its future operation. The presence of residential dwellings in such close proximity has the potential to do so and in the absence of a Noise Impact Assessment is contrary to Policy LP46 of the Local Plan. The proposals would be located approximately 150 metres from the nearest existing residential property with the intervening land likely to be developed for residential purposes. Given the extent of the spatial separation and the strong likelihood that the intervening land will be developed, the proposal would have no significant impact on the amenities of the occupiers of any neighbouring residential property. The loss of a view of the airfield would not, in this instance, be a material consideration.

12. The layout of the proposed residential accommodation has two bedrooms being located centrally within the building that would take their sole light and outlook from windows in the flank elevation. Due to the arrangement of the proposed properties in a row, these windows would (in four out of the five) look onto the flank of the adjacent property to the east which would contain secondary windows serving a bedroom and the main living space. The spacing between the buildings would be 4.5 metres which is considered to be so close as to fail to provide an appropriate outlook or separation in privacy terms to the detriment of the residential amenities of future occupiers. The proposal is therefore contrary to Policy LP10 of the Local Plan and the Design SPD.

13. The proposed access arrangements off Daedalus Drive are generally acceptable, however, the Highway Authority have requested additional information relating to access by refuse collection vehicles. Whilst this information has not been provided, it is considered that the site is capable of accommodating larger vehicles to avoid the properties being serviced from Daedalus Drive. The Highway Authority has requested a financial contribution towards the provision of Traffic Regulation Orders in the vicinity of the site to restrict on-road parking around junctions to ensure they remain clear of obstruction. Given the scale of development proposed it is not considered that such a contribution would be necessary to make the development acceptable in planning terms.

14. The proposal would include the provision of a level of car parking that accords with the Parking SPD. Whilst a number of the spaces are shown smaller than required by the SPD, the site is capable of accommodating spaces of the appropriate size. If the proposal were considered acceptable in other respects, a suitably worded planning condition could be imposed to secure the provision of suitable sized spaces. The proposed double garages are of a size that could accommodate cycle storage. Details are shown on the submitted drawings of facilities for the storage and collection of waste, the provision of which could be secured by a suitably worded planning condition if the proposal were otherwise considered acceptable. The proposal is acceptable in highway terms and would not conflict with Policy LP23 of the Local Plan.

15. The site is located in an area known to be used by protected species (Brent Geese), however given the proximity of the site to the airfield it is unlikely that birds would use this area. The site is within 50 metres of areas that have been identified as providing habitats for a number of protected species. Whilst these are of significant importance, none have been identified on the application

site. Having regard to the location and nature of the site and the size of the development proposed, the proposal will not have a detrimental impact on these important habitats and in this respect would comply with Policies LP42 and LP44 of the Local Plan.

16. 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, a contribution towards appropriate mitigation, in accordance with the Gosport Bird Disturbance Mitigation Protocol, is required. The applicant has acknowledged the need to provide SPA mitigation in accordance with the Protocol, but has not confirmed that it would be provided. In the absence of any mechanism to secure the required mitigation, the proposal would have an unacceptable impact on protected species and be contrary to Policies LP42 and LP44 of the Local Plan.

17. Whilst the site lies close to an area where archaeological traces relating to prehistoric activity have been found, investigations have concluded that this area has been extensively disturbed by modern development, mainly connected with the airfield. As such it is considered unlikely that ground works associated with any construction activity would expose interpretable archaeological features. As such the proposal would not conflict with Policy LP13 of the Local Plan.

18. Given the historic use of the site for military purposes there is potential for the site to be affected by both land contamination and unexploded ordnance. If the proposal were considered acceptable in other respects, suitably worded planning conditions could be imposed to safeguard and deal with these issues in accordance with Policy LP47 of the Local Plan.

### **RECOMMENDATION: Refuse**

For the following reason(s):-

1. The proposed predominantly residential development would, by reason of its location straddling the airfield boundary, be prejudicial to the future provision of employment in the Daedalus Regeneration Area and the Solent Enterprise Zone, and to existing and future operations of the airfield. The proposal is therefore contrary to Policies LP5 and LP16 of the Gosport Borough Local Plan 2011-2029 and to the Daedalus SPD.

2. The proposed development would, by reason of its modest density, fail to make an effective and efficient use of land contrary to Policy LP24 of the Gosport Borough Local Plan 2011-2029.

3. The application fails to demonstrate that future residential occupiers would not be subject to excessive noise and disturbance associated with the adjacent airfield and that the introduction of a noise sensitive use would not prejudice the long-term lawful operations of neighbouring premises. The proposal is therefore contrary to Policies LP10 and LP46 of the Gosport Borough Local Plan 2011-2029.

4. The proposed residential accommodation would, by reason of its layout and juxtaposition give rise to an unacceptable outlook from bedrooms and an unacceptable degree of overlooking that would fail to provide an appropriate standard of accommodation to the detriment of the residential amenities of future occupiers and contrary to Policy LP10 of the Gosport Borough Local Plan 2011-2029 and the adopted Design SPD.

5. The proposal does not make adequate provision to mitigate against the harmful impacts of recreational disturbance resulting from increased residential provision in the area on internationally designated habitat sites, specifically the Portsmouth Harbour and Solent and Southampton Water SSSI/SPA/Ramsar sites which would be detrimental to the protected and other species for which these areas are designated. The proposal is therefore contrary to Policies LP2 and LP42 of the Gosport Borough Local Plan 2011-2029 and the Solent Special Protection Areas Gosport Bird Disturbance Mitigation Protocol 2014.



**ITEM NUMBER: 02.**  
**APPLICATION NUMBER: 17/00486/FULL**  
**APPLICANT: Mr & Mrs Sparks**  
**DATE REGISTERED: 25.10.2017**

**ERECTION OF TWO STOREY SIDE AND REAR EXTENSION (RESUBMISSION OF 17/00370/FULL) (as amended by plans received 18.01.2018)**  
**31 Frater Lane Gosport Hampshire PO12 4AU**

### ***The Site and the proposal***

1. This application was considered by the Regulatory Board on 17th January 2018 when Members resolved to defer it for a site visit prior to the application being reconsidered at the next meeting of the Board.
2. The application site, located on the western side of Frater Lane, comprises the curtilage of no 31 Frater Lane. The application property is a narrow fronted, two-storey semi-detached dwelling with a gabled front elevation (shared with the adjoining semi-detached dwelling). The property has a two-storey flat roof projection to the rear and two-storey bow projection to its east facing front and south facing side elevations.
3. The site is flanked to the north by the adjoining property no 33 which shares the existing two-storey flat roofed projection to the rear. To the south is no 29, a similar two-storey semi-detached dwelling. To the west (the rear) is a service road offering vehicular access to garages and the rear of neighbouring properties in Frater Lane, Anthony Grove and Cedar Close. To the east (front) of the site is the junction of Orchard Close with Frater Lane.
4. Planning permission is sought for the erection of a two-storey rear and side extension that is 'L-shaped' in plan and would wrap around the existing two-storey rear projection. The extension would provide enlarged living space to the ground floor with an enlarged third bedroom and additional fourth bedroom above. The extension has an overall depth of 7.2 metres of which 2.95 metres would project beyond the rear of the existing rear projection. The extension has a width of 7.1 metres of which 3.2 metres would project to the side of the existing dwelling. The extension has a hipped roof with a flat crown that would be subordinate to the roof of the existing building. The rear elevation of the proposal would include four large portrait windows to the ground and first floor and a pair of French doors to the ground floor. The extension is indicated to be finished in materials to match the existing property.
5. This application follows the refusal of a previous application. The main differences between this and the previous application are that the wrap around element of the extension projects further forward by approximately 1.7 metres and that the previous mix of hipped and gabled roof has been replaced by a simpler hipped roof that would wrap around the existing with a flat crown. Following the consideration and deferral of the application by the Regulatory Board at its meeting on 17th January 2018, the applicant submitted amended plans altering the proportions of the windows in the rear elevation, from landscape to portrait, and removing a set of large bi-folding doors to the ground floor and replacing them with a pair of French windows.

### ***Relevant Planning History***

17/00370/FULL - erection of two storey side and rear extension - refused 27.09.2017 for the following reason:

The proposal would, by reason of its unsympathetic design, in particular its siting, variable roof pitch's and pattern of fenestration to the rear elevation, appear as an incongruous feature at odds with the recipient building and out of character with the wider area to the detriment of visual amenity. The proposal is therefore contrary to Policy LP10 of the Gosport Borough Local Plan 2011-2029 and to the Design Guidance Supplementary Planning Document.



## ***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***

Nil

## ***Response to Public Advertisement***

Nil

## ***Principal Issues***

1. The main issue is whether this revised proposal is acceptable in design terms and whether it addresses and overcomes the previous design reason for refusal. Other issues to consider are whether the proposal would impact on the amenities of the occupiers of neighbouring properties and whether there are any parking implications associated with an increase in the number of bedrooms.

2. The existing dwelling has a narrow and deep footprint with its fenestration and architectural detailing giving its appearance a strong vertical emphasis. The scale of the side projection is disproportionate and somewhat at odds with the character of the recipient dwelling, however the 7.8 metre set back from the front elevation and 16 metre set back from the site frontage would reduce its visual impact such that any harm to the contextual streetscene associated with the scale and mass of the extension would be limited. The proposed roof would have a pitch to match that of the existing dwelling; however, the scale of the flat crown is such that it would be poorly related to the recipient building. The extent of the flat roof over the extension would appear as an incongruous and unsympathetic addition that would be at odds with and harm the appearance of the host building. The rear elevation of the proposal would mask the original building such that its form would be lost. Whilst the proposed fenestration would give a degree of verticality to the rear elevation, this revised proposal is not considered to fully address or overcome the reason for the refusal of the previous application. Accordingly, this proposal is considered unacceptable in design terms such that it would be contrary to Policy LP10 of the Local Plan and to the Design SPD.

3. Whilst the proposed extension would project to the rear of adjacent properties and closer to the neighbouring property to the south, the degree of rear projection, orientation and lateral separation is such that it would not result in any significant loss of light or outlook and would not appear unduly overbearing. The proposed means of fenestration would not result in any significant increase in overlooking of neighbouring properties. The proposal is therefore considered acceptable in amenity terms and in this regard would be in accordance within Policy LP10 of the Local Plan.

4. The property has a driveway that is capable of accommodating three vehicles, albeit in a tandem fashion. The on-site parking provision therefore accords with the requirements of the Parking SPD for a four bedroom dwelling. The proposal is in accordance within Policy LP23 of the Local Plan.

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**RECOMMENDATION: Refuse**

For the following reason(s):-

1. The proposal would, by reason of its unsympathetic design, in particular its siting, roof configuration and pattern of fenestration to the rear elevation, appear as an incongruous feature at odds with and harmful to the appearance of the recipient building and out of character with the wider area to the detriment of visual amenity. The proposal is therefore contrary to Policy LP10 of the Gosport Borough Local Plan 2011-2029 and to the Design Guidance Supplementary Planning Document.



**ITEM NUMBER: 03.**  
**APPLICATION NUMBER: 17/00573/FULL**  
**APPLICANT: Mr D Rose**  
**DATE REGISTERED: 20.12.2017**

**CHANGE OF USE FROM DWELLINGHOUSE (CLASS C3) TO HOUSE IN MULTIPLE  
OCCUPATION WITH SEVEN BEDROOMS (SUI-GENERIS)**  
**35 Elmhurst Road Gosport Hampshire PO12 1PQ**

***The Site and the proposal***

1. The application site comprises the curtilage of number 35 Elmhurst Road, a two-storey, mid-terraced property located on the western side of the street. The site is flanked to the north by the adjoining property number 37, a two-storey terraced dwelling. To the south is number 33, also a two-storey terraced dwelling. To the west (the rear) is an adopted service road running to the rear of properties in Elmhurst and St Edward's Roads. To the east of the site is the junction of Percy Road with Elmhurst Road.
2. The property the subject of this application has recently been extended and altered with additional accommodation being provided in the roofspace that has been enlarged by the erection of dormer windows to the rear. These works are permitted development and as such do not require planning permission.
3. This application seeks planning permission for a change of use of the property from a single dwelling, within Class C3, to a seven bedroom House in Multiple Occupation, a sui generis use.
4. The property was a three bedroom dwelling but is currently being extended and altered without the need for planning permission. The submitted plans indicate that the property would have two bedrooms and a shower room together with communal living space to the ground floor, three bedrooms with en-suite shower rooms to the first floor and two further bedrooms with en-suite shower rooms in the roofspace. Some (but not all) of the bedrooms could be capable of being occupied by two persons.

***Relevant Planning History***

Nil

***Relevant Policies***

Gosport Borough Local Plan, 2011 – 2029:

LP10  
Design  
LP23  
Layout of Sites and Parking  
LP24  
Housing

Supplementary Planning Documents:

Gosport Borough Council Parking: Supplementary Planning Document: February 2014

National Planning Policy Framework (NPPF), March 2012

***Consultations***

Environmental Health

No objection. Confirms requirement for HMO license.

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Crime Prevention & Design	No objection.
Building Control	No objection.
Streetscene Waste & Cleansing	No objection. Confirms waste storage requirements.

### ***Response to Public Advertisement***

12 letters of objection.

Issues raised:

- exacerbation of existing parking issues;
- loss of privacy from new windows serving accommodation in roofspace;
- increased rubbish generation and inadequate storage provision;
- increased traffic;
- increased noise and disturbance;
- increased fire/safety risk;
- works already carried out.

1 letter of comment.

Issues raised:

- extensive works to property already carried out and completed.

### ***Principal Issues***

1. The enlargement of the property that has been carried out does not require planning permission and as such is not directly relevant to the determination of this application. The HMO licensing regime will address issues associated with fire safety. The main issues to be considered are whether the proposal is acceptable in principle and whether it is acceptable in amenity, design and highway terms.

2. Whilst this application seeks planning permission for a change of use of the property from a single dwelling within Class C3, to a seven bedroom House in Multiple Occupation (HMO), regard must be had to the 'fall-back' position created by the General Permitted Development (England) Order (GPDO). The GPDO in effect grants a deemed planning permission for a change of use from a single dwelling within Class C3 to a Class C4 HMO which could be occupied by up to six people. In considering the relevant issues regard must be had to the fall-back position and the likely additional impacts associated with occupation by more than six persons. Whilst outside of planning control, the HMO licensing regime would limit the maximum number of occupants to no more than 9 or 10 persons.

3. The Local Plan contains no policies which make specific reference to HMOs. Policy LP24 encourages that "proposals for new housing development should include a mix of dwelling types, sizes and tenure to meet the needs of Gosport's current and future population". HMOs can make a valuable contribution towards meeting the housing needs of the Borough by providing accommodation for those on lower incomes. Given the relative proximity (within 200m) of the site close to Stoke Road and the fall-back position, it is considered that the proposal is acceptable in principle and is in accordance with Policy LP24 of the Local Plan.

4. The current lawful use of the property is as a single dwellinghouse, a use which includes no limits on the size of a family that could occupy it. Whilst the proposed use could lead to an increased level of activity than the occupation of the property as a dwelling or smaller HMO (within Class C3), there is no evidence to suggest that such a use would give rise to significant harm to the occupiers of neighbouring properties. Accordingly the proposal would not conflict with Policy LP10 of the Local Plan in this regard.

5. The proposal would involve no external alterations to the building beyond those already carried out as permitted development. Accordingly the proposal has no design implications and would not conflict with Policy LP10 of the Local Plan in this regard.

6. The site is host to a garage at the rear which faces the service road that could be used to provide a single off-street car parking space, however, there is no requirement that this be used for parking at present. The Parking SPD does not include a standard for HMOs, however, it should be noted that houses of four or more bedrooms should make provision for three off-street parking spaces. The fall-back position is such that the property could be occupied as a Class C4 HMO by up to six people with no off-street parking. Given the fall-back position, it is considered that the proposed use of the site as a seven bedroom HMO, with the provision of one off-street parking space which can be secured through the imposition of a suitably worded planning condition, would not conflict with Policy LP23 of the Local Plan.

7. Whilst the proposal has the potential to increase traffic movements, there is no evidence to demonstrate that the proposed use would necessarily lead to significantly more vehicle movements that could be associated with the occupation of the property by a family with multiple cars or as a HMO occupied by 6 persons without the need for planning permission. Accordingly it is considered that the proposal would not be likely to harm the safety or convenience of users of the surrounding highway network.

8. The rear of the property is also used to store refuse and recycling bins from where collections are made (from the service road). Whilst the proposed use would require larger refuse and recycling bins to be provided, the site is capable of accommodating them in an acceptable manner to allow collecting by the existing residential service. The provision of suitable bins and storage facilities can be secured through the imposition of a suitably worded planning condition.

### **RECOMMENDATION: Grant Permission**

#### **Subject to the following condition(s):-**

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan; and, Drawing No. PG.2058 17.2.

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. a) The use hereby permitted shall not commence until provision has been made for:

i) the on-site parking of a car in accordance with a detailed scheme that shall have been submitted to and approved, in writing, by the Local Planning Authority.

b) The car parking space shall thereafter be retained.

Reason - In the interests of the amenities of future occupiers and neighbouring residents and the safety and convenience of users of the surrounding highway network in accordance with Policies LP10 and LP23 of the Gosport Borough Local Plan 2011-2029.

4. a) The use hereby permitted shall not commence until provision has been made for the storage of two 1100 litre refuse and recycling bins (or any other alternative provision as may be agreed in writing by the Local Planning Authority) in accordance with a detailed scheme that shall have been submitted to and approved, in writing, by the Local Planning Authority.

b) The facilities of the storage of refuse and recyclable materials shall thereafter be retained.

Reason - In the interests of the amenities of future occupiers and neighbouring residents and in accordance with Policy LP10 of the Gosport Borough Local Plan 2011-2029.



**ITEM NUMBER: 04.**  
**APPLICATION NUMBER: 17/00502/FULL**  
**APPLICANT: Ms Sophia Briggs**  
**DATE REGISTERED: 12.12.2017**

**RETENTION OF AND FURTHER WORKS FOR THE ERECTION OF A FRONT AND REAR  
DORMER AND HIP TO GABLE ROOF EXTENSION**  
**9 Harwood Road Gosport Hampshire PO13 0TU**

***The Site and the proposal***

1. This application property is a two-storey, two-bedroom, end terrace on the north-west side of Harwood Road and finished in brick, light coloured render and a dark tiled roof. It has a hipped roof on the south-west elevation and the main door is in the same side elevation. The terraced row is set back from Harwood Road behind approximately 6m long front gardens and a public footpath, highway verge and parking layby with a combined length of 6m. To the rear (north-west) of the property is an approximately 15m long garden which has two outbuildings running along the south-west boundary. The garden is surrounded by approximately 1m high fencing and there is an access onto James Close beyond. James Close is made up of a series of single storey properties facing the rear of the properties in Harwood Road.
2. The terraced row is uniform in appearance and surrounded by very similar short terraces and semi-detached dwellings all of a similar size, style and age. Although a number have rear extensions and alterations, there are very limited alterations to the frontages facing Harwood Road. There is only one visible example of a front roof dormer in the locality which was permitted in 2009 (2 Harwood Road - reference K13387/1), prior to the adoption of the current Local Plan and Supplementary Guidance. Off road parking provision along Harwood Road is limited with the majority of properties relying on the shared parking laybys which are regularly at capacity and require additional on road parking to be sought by residents.
3. The attached property to the north-east is 11 Harwood Road. It has been built with its rear elevation protruding beyond that of the application property by approximately 0.75m and has a modest single storey front extension. The adjacent property to the south-west, 7 Harwood Road, is part of a hipped roof semi-detached pair and set away from the side elevation of the application property by approximately 2.5m. It is also positioned closer to the road meaning its front elevation is forward of the application property's by 3.75m.
4. The application is for a hip to gable roof extension and a front and rear dormer. It is part retrospective as the roof extension and front dormer have been completed and the structure of the rear dormer has been built but not yet clad, however works are ongoing. The new gable has the same eaves and ridge height as the existing roof and has been completed in matching materials. The front and rear dormers mirror each other in dimensions, they are 2.1m high, 5.1m long and 2.9m deep. They are positioned in line with the ridge of the roof and extend nearly the full width of the property. There is a singular window in the front dormer positioned above the first floor window and of similar proportions. The rear dormer would be completed with two windows again positioned above the existing first floor windows. The front dormer has been completed in pale cladding and the same would be used on the rear one.
5. It should be noted that if the hip to gable roof were to be built on its own it would constitute permitted development so would not require planning permission. However the hip to gable extension facilitates the front dormer and has to be considered as part of the planning application. A rear dormer of the size proposed would likely be permitted development if it were completed in materials similar to those on the existing dwelling. In this case, however, the use of pale cladding in not a similar material and so the rear dormer requires planning permission.



## ***Relevant Planning History***

2 Harwood Road

K13387/1 - erection of front and rear dormer windows - permitted 24.03.09

## ***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***

Nil

## ***Response to Public Advertisement***

2 letters of objection

Issues raised:-

- council tax banding will be incorrect
- health and safety concerns during the build
- believe use of the extension will be for student accommodation
- disregard for the planning process
- the design and look of the proposal
- overlooking of 8 Harwood Road
- additional cars related to the development impacting the area

## ***Principal Issues***

1. Council tax banding is not a material planning consideration, nor are health and safety concerns in relation to the building practices on site. Any issues with building practices should be directed to the Health and Safety Executive via Building Control. Planning permission would be required if the property were to be used for anything other than residential purposes. Residential purposes can include the individual renting out of rooms as long as all parties within the house use commonly-shared facilities such as kitchens, bathrooms, living spaces etc. limited to a maximum of 6 individuals before planning permission would be required. Planning legislation makes provision for retrospective applications and the Local Planning Authority is required to consider all submissions on their own merits. The main issues, therefore, are the appropriateness of the design of the proposal, its impact on the appearance of the locality and the amenities of the occupiers of adjacent properties, and its impact on the highway associated with an increased demand for parking.

2. Although the properties along Harwood Road are functional in design there is a strong street character with very few alterations to the roof form other than roof lights and a single example of a front roof dormer. The property with the front dormer is 2 Harwood Road which is positioned at the junction between Harwood Road and Chatfield Road to the south of the application property. It is part of a semi-detached pair at the end of the row of housing and in a set-back position. The dormer on no. 2 is completed in materials which closely match the colours of the existing roof and is less than half the width of the property.

3. The application property is central to the road thus more visually prominent and the front dormer negatively impacts upon the terrace row of which it is a part by drawing undue attention and creating a visually top-heavy roof. This is due, in part, to the dormer's near full-size width and pale colour in contrast to the dark tiled roof. It is appreciated that an attempt has been made to follow the features of the application property by positioning the window in the front dormer over the existing windows in the front elevation of the application property. This, however, further exacerbates the front dormer's impact on the character of the road as the expanse of remaining pale cladding created by this is unnecessarily prominent and out of character with the material used in the immediate vicinity. As such it is considered that the front dormer is not compliant with Policy LP10 of the Gosport Borough Local Plan 2011 - 2029 or the Council's Design Supplementary Planning Document.

4. The rear dormer is of equal size and prominence and would also be completed in pale cladding. Generally rear extensions of this nature would be less incongruous in the street scene and as such have less impact; however, with James Close being to the rear, the visibility of the dormer from the public realm would be significantly increased. The use of white cladding again would draw undue attention to its size and would create an incongruous feature within the rear elevations visible from James Close. Therefore the rear dormer would also not comply with Policy LP10 of the Gosport Borough Local Plan 2011 - 2029 and the Council's Design Supplementary Planning Document.

5. Due to the close grain of, and relationship between dwellings surrounding the application property, it is not considered that the roof alterations would have a significant impact on the outlook from or access to light for the occupants of the surrounding properties. The proposed windows in the front elevation would predominantly overlook the roads and the frontages of the properties opposite, including 8 Harwood Road, and behind which are areas already visible from the highway. The windows in the rear dormer would have views of the gardens of the properties on either side but is not considered to increase the existing amount of overlooking to such levels as to constitute harm. The proposal is therefore not considered to harm the amenity of the occupants of neighbouring properties and so complies with this aspect of Policy LP10 of the Gosport Borough Local Plan 2011-2029.

6. The application property was a two-bedroom dwelling prior to the extension and has no off road parking. The submitted plans have shown that the roof extensions are intended to be used as a bedroom and study. However the study is of a size that could be used as a bedroom and so has to be considered as such. The proposal therefore has extended the application property from a two- to a four-bedroom dwelling, but has failed to provide any new or additional off road parking. The Council's Parking SPD states that a two-bedroom house should have two off road parking spaces provided and a four-bedroom house should have three off road parking spaces. However, the proposal can only be required to provide for the increased demand for the additional bedrooms, and as such the provision would need to be for one off road parking space. This has not been provided nor has any justification been offered as to why this lack of provision is acceptable. Any additional vehicles related to the proposal would therefore be required to park on the highway, adding to the already constrained parking availability, and thus constituting an interruption in the free flow of traffic and pedestrian movement to the detriment of road safety and the amenities of the occupants of neighbouring properties. The proposal therefore does not comply with Policies LP10 and LP23 of the Gosport Borough Local Plan 2011 - 2029 and the Council's Parking Supplementary Planning Document.

### **RECOMMENDATION: Refuse**

For the following reason(s):-

1. The front dormer by reason of its unsympathetic design, excessive size and inappropriate materials and the rear dormer by reason of its inappropriate materials would represent unacceptable additions to the property and form visually incongruous features that are out of keeping with the character and appearance of the recipient property and the surrounding area. The proposal is contrary to Policy LP10 of the Gosport Borough Local Plan 2011-2029 and to the Gosport Borough Council Design Guidance Supplementary Planning Document.

2. Adequate provision has not been made for off-street parking provision within the site clear of the highway (including footway) resulting in the likelihood of parking of vehicles on the public highway which would interrupt the free flow of traffic (including pedestrians) to the detriment of highway safety and to the detriment of the amenities of the occupiers of neighbouring properties. No justification has been provided for such an under-provision. This is contrary to Policies LP10 and LP23 of the Gosport Borough Local Plan 2011-2029 and the Gosport Borough Council Parking Supplementary Planning Document.

**ITEM NUMBER: 05.**  
**APPLICATION NUMBER: 17/00540/FULL**  
**APPLICANT: Mr & Mrs Steve And Paula Murphy**  
**DATE REGISTERED: 21.11.2017**

**ERECTION OF DETACHED DWELLING**

**Land To Rear Of 181 Portsmouth Road Lee-On-The-Solent Hampshire**

***The Site and the proposal***

1. The application site is the rear garden of a detached two storey dwelling located on the southern side of Portsmouth Road which also takes an additional access from Queens Road. The L shaped site is approximately 15m wide at the front and approximately 30m wide at the rear and is in excess of 35m deep. It is bounded by 1.8m high fencing and has a paved front garden with sufficient space for the parking of a minimum of two vehicles. The rear garden slopes down to the south and there is a detached pitched roof garage alongside the south western boundary. This garage is set back from Queens Road to the east by approximately 13m. The adjacent property to the west, number 183 Portsmouth Road, is a hipped roofed chalet style bungalow that is set off the eastern boundary by approximately 1.8m. The rear garden of this property is approximately 6m deep.
2. The property to the southwest, number 2 Queens Road, is a detached bungalow that has an adjoining garage alongside the common boundary with the application site. The curtilage of this property is at an angle to the application site and it has a triangular shaped rear garden with a maximum depth of approximately 19m. The north western end of the garden is raised with the approximately 8m deep flat section of garden next to the property being laid to lawn. There are three windows in the rear elevation that serve bedrooms and a kitchen. There is a surfaced area in the north eastern corner of the front garden that has been fenced off.
3. There is a further detached, art deco style dwelling to the east that has a detached garage adjacent to the common boundary. There is a car sales garage further to the north and a Public House on the opposite side of Queens Road. The locality is an area of mixed character with examples of both old and new two storey dwellings and bungalows in the immediate vicinity. The majority of properties are set back from the highway by between 6.5 to 7m.
4. An application for planning permission was made last year, under reference 17/00376/FULL, for the erection of a detached two storey dwelling in the rear garden of 181 Portsmouth Road following the demolition of the existing garage. That application proposed a dwelling that would have been at an angle to Queens Road and extended approximately 4.5m beyond the rear elevation of number 2 Queen Road. Concerns, however, were raised regarding the visual impact of that proposal and its impact upon the amenities of the occupiers of number 2 Queens Road in terms of loss of light and outlook and the application was withdrawn.
5. This proposal is for the erection of a part two, part single storey detached dwelling that seeks to overcome the previous concerns. The plans show the two storey front section of the proposed dwelling being in-line with the adjacent properties either side, set back from the highway by 7m. This section would be 7.5m wide and 8.6m deep, which is the same depth as the adjacent bungalow, number 2 Queens Road. This section would have an eaves height of 4.7m and an overall height of 7.4m to the top of the pitched roof. The single storey rear section would angle to the west to follow the line of the gardens and would be 4m deep on the southwestern side and a maximum of 7.4m beyond the rear of the two storey section. It would have an eaves height of 2.7m and an overall height of 5.6m to the top of the pitched roof.
6. The new dwelling would be accessed from a door in the south western side elevation and would have windows and Juliet balcony in the front elevation. The rear elevation would contain a set of patio doors and there would be ground floor windows in the side elevations. There would be two first floor windows in the south eastern elevation, in the most forward section of the dwelling. The roof of the two storey section would contain eleven roof lights (seven in the south western roofslope

and five in the south eastern). The roof of the single storey rear section would contain five more roof lights (three in the south western roofslope and two in the south eastern). The roof lights would be at a high level and more than 1.7m above the finished floor level. The proposed dwelling would be finished in a mixture of bricks and render with the upper floor being clad in vertical boarding. The door and windows are shown to be grey aluminium. Internally, the plans show the ground floor to contain a lounge/dining room/kitchen, a hallway, shower room, study and bedroom. The first floor would contain a bedroom with dressing room and bathroom.

7. The proposed dwelling would have an approximately 10m deep rear garden with the existing vehicular access used to provide two parking spaces in front of the dwelling. The plans show the existing dwelling to retain its existing parking area in front, accessed from Portsmouth Road and an approximately 7.5m deep retained rear garden.

### **Relevant Planning History**

17/00376/FULL - erection of detached dwelling (as amplified by letter received 28.09.17) - withdrawn 04.10.17

### **Relevant Policies**

Gosport Borough Local Plan, 2011 – 2029:

- LP10
- Design
- LP23
- Layout of Sites and Parking
- LP24
- Housing
- LP42
- International and Nationally Important Habitats

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**

Streetscene Waste & Cleansing	No objection. Suitable wheeled bin storage - 240 litre domestic & 240 litre recycling wheeled bins required. Collection point, kerb-side, Queens Road.
Building Control	No objection.
HCC Ecology	No objection. The application site is an existing garden within a built-up suburban area. No concerns are raised in relation to protected species or habitats. The proposal will result in a net increase in residential units in close proximity to the Solent SPAs and therefore a contribution towards the Solent Recreation Mitigation Partnership (SRMP) will be necessary.
Natural England	No objection. The proposal is likely to

increase the level of recreational disturbance along the coast, the impact of which will need to be satisfactorily mitigated. Refer to Standing Advice on protected species.

Environmental Health

No objection.

### ***Response to Public Advertisement***

6 letters of objection

Issues raised:-

- garage of 2 Queens Road is to be converted into a bedroom, and will be adversely impacted
- area at front of 2 Queens Road is to be used as patio area, and will be adversely impacted
- bungalow would be a more appropriate form of development on site
- recent developments have contributed to unprecedented over-development of the area
- contrary to Article 8 of the European Convention on Human Rights
- 179 Portsmouth Road is listed as Art Deco and is of local and historic interest due to use as a café during WWII
- development is 'garden grabbing', which is a major anti-social issue
- inappropriate and unsympathetic to appearance and character of local environment
- modern looking building is out of character
- windows are too large and have character of commercial building, not a dwelling
- development is contrary to design guidance
- number of roof lights in excessive
- 2 Queens Road will look strange being between larger houses
- proposed dwelling will be overbearing and overshadow 2 Queens Road
- loss of light to 2 Queens Road
- loss of privacy
- additional strain on car parking

### ***Principal Issues***

1. Whilst the intentions of the occupiers of 2 Queen Road to convert the garage and make use of the paved area in front of the dwelling as a patio are noted, each application is required to be considered, as submitted, on its merits in light of the relevant national and local planning policies and on the basis of the circumstances at the time an application is considered. The Human Rights Act 1998 makes it unlawful, subject to certain exceptions, for a public authority to act in a way which is incompatible with a Convention right. When a planning decision is to be made, however, there is further provision that a public authority must take into account the public interest. Existing planning law has for many years demanded a balancing exercise between private rights and public interest and the Council's decision-making takes into account this balance. It is not considered that there are sufficiently exceptional circumstances in this case that the Article 8 rights of the occupiers of the neighbouring property to private and family life, home and correspondence are sufficiently affected to justify refusing planning permission, particularly as the affected individuals have the opportunity to make representations to a democratic body within the planning system (in this case the Regulatory Board). Number 179 Portsmouth Road is not a Listed Building and whilst it may have historic associations to WWII, these associations have no bearing on the consideration of this application. The application site is located within the Urban Area Boundary where the principle of residential development is acceptable. The main issues in this case, therefore, are the impact on the character and visual amenity of the locality, the impact on the amenities of neighbouring and prospective occupiers, the adequacy of access and parking arrangements and the provision for cycle parking, refuse storage and collection and the interests of nature conservation.

2. The development would, at 25 dwellings per hectare (dph), be lower than the density range of 30-45dph set out in Policy LP24 of the Local Plan. This density is, however, in keeping with the density of the surrounding area and does not constitute an overdevelopment of the site. Although the design guidance quoted in the objections is taken from the now superseded Gosport Borough Local Plan Review, 2006, broadly the same criteria can now be found within the "Residential Amenity"

section of the adopted Gosport Borough Council Design Guidance: Supplementary Planning Document (Design SPD). That section of the Design SPD, however, provides illustrative commentary on distances between windowed elevations and opposing gable end walls in order to provide a reasonable outlook for occupiers and is it not directly applicable to this situation. It goes on to state that "...to achieve a reasonable degree of spatial separation it may be appropriate in areas where this character is predominant, to keep development at a distance of 1m from the plot side boundary to the building". In this instance the proposed dwelling would be set off the side boundaries by 1m. That notwithstanding, the key tests, however, remains as to whether the proposal complies with national and local policy, the overall aim of which is to prevent harmful development in inappropriate locations, having regard to the merits of each individual case. In terms of this proposal and its context within the streetscene, the proposed dwelling would have an active frontage and be on a comparable alignment with the adjacent buildings. Although it would be located next to, and 2m higher, than the adjacent bungalow, 2 Queens Road, the overall form and scale is in keeping with the existing varied built form within the area and is considered to be appropriate in the context of the surrounding buildings. The eaves and overall height are lower than the neighbouring two storey dwellings further to the south west and would not overpower the adjacent bungalow. Although the single storey section at the rear is on a different alignment to the front section, this element would not be readily visible from public view and would not harm the streetscene. The modern materials and the number and form of windows are acceptable in this coastal location and the details will be secured by condition. The creation of a parking area at the front of the dwelling is appropriate within this residential context. Within the NPPF, a key objective is that Local Planning Authorities continue to make effective use of land by re-using that which has previously been developed and overall, given the above, the proposal is not considered to be a harmful instance of 'garden grabbing'. It is of an acceptable design and would not harm the character and visual amenity of the locality, in compliance with Policies LP10 and LP24 of the Local Plan and Design SPD.

3. The proposed dwelling would be located on the southern side of numbers 181 and 183 Portsmouth Road. Given the separation distance between the buildings and the slope of the land, however, there would not be a harmful impact on the occupiers of those dwellings in terms of loss of light or outlook. With regard to number 2 Queens Road to the southwest, the rear garden is already overshadowed by the existing bungalow for large parts of the day. Furthermore, the orientation of the properties is such that any significant overshadowing from the two storey element of the proposed dwelling would only affect the garage and main roof of the bungalow, and not the rear garden or windows in the rear elevation. The rear, single storey, section of the proposed dwelling would be angled away from the rear elevation of number 2 and although it would result in some loss of light and some increased sense of enclosure and a consequential loss of outlook, this impact would not be harmful. With regard to privacy, the bottom edge of all rooflights would all be located more than 1.7m above the respective finished floor levels and would not, therefore, allow for any harmful levels of overlooking to the neighbouring properties. The only other upper floor windows would be those in the front elevation and the two windows in the south eastern elevation to take in views of the Solent. Although this would allow for some views of the adjacent front gardens, this is a common arrangement in urban areas and would not be harmful in this instance. In order to protect the amenities of the occupiers of the adjacent properties, it is proposed to control any future extensions, by condition. Adequate facilities and access to the highway will be available for the storage and collection of refuse bins. The proposed development would result in a parking area being located to the front of the dwelling and the location of the main pedestrian door in the southwestern elevation, however, having regard to the existing parking arrangements within this established residential area and the minor increase in activity, the proposal is unlikely to result in an unacceptable level of disturbance to adjacent occupiers. As such, the proposal is acceptable in terms of its impact upon the amenities of the occupiers of neighbouring dwellings and prospective occupiers and in this respect, complies with the Policy LP10 of the Local Plan and Design SPD.

4. The GBC Parking: Supplementary Planning Document (Parking SPD) recommends two car parking spaces for a two bedroom dwelling. The proposal includes that number of parking spaces in front of the dwelling at a size that meets the recommendations within the Parking SPD. The demolition of the existing garage on the site would not significantly reduce the parking arrangements for number 181 Portsmouth Road, which would retain a minimum of two parking

spaces. Adequate parking is, therefore, provided and the development would not increase the strain on on-street parking in the locality. Adequate areas for the storage of cycles will be made available on the site and controlled by condition. Subject to the above conditions, the proposal complies with Policies LP10 and LP23 of the Local Plan.

5. The proposal will introduce an additional dwelling which is likely to result in increased recreational activity on the coast and a consequential impact on the protected species for which the Portsmouth Harbour SPA, the Solent and Southampton Water SPA and the Chichester and Langstone Harbours SPA are designated. To address this impact, a contribution towards appropriate mitigation, in accordance with the Gosport Bird Disturbance Mitigation Protocol, is required and has been made. There is no evidence that the site supports notable or endangered species and none are a threat as a result of the development. The proposal, therefore, complies with the Policies LP42 and LP44 of the Local Plan.

### **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:

Murphy-17-03, Murphy-17-01, Murphy-17-04 and Murphy-17-02

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.

3. No development above slab level shall take place until details of all external facing and roofing materials, including doors and windows, have been submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason - Such details have yet to be provided and to ensure that the appearance of the development is acceptable and to comply with Policy LP10 of the Gosport Borough Local Plan, 2011 - 2029.

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

5. The development hereby permitted shall not be occupied until boundary treatments have been provided in accordance with a scheme to be submitted to and approved, in writing, by the Local Planning Authority. The approved boundary treatments shall thereafter be retained.

Reason - To ensure the appearance of the development is satisfactory, to preserve the amenities of the occupiers of the neighbouring properties and prospective occupiers and to comply with Policy LP10 of the Gosport Borough Local Plan, 2011 - 2029.

6. The development hereby permitted shall not be occupied until the areas hatched red on the approved plan, Murphy-17-04, for access and parking of vehicles shall have been made available, surfaced, and marked out. These areas shall be retained for those purposes at all times.

Reason - In the interests of highway safety and to ensure adequate access and parking is provided and retained, and to comply with Policies LP10 and LP23 of the Gosport Borough Local Plan, 2011 - 2029.



7. The development hereby permitted shall not be occupied until facilities for the storage of refuse for the dwelling has been provided in accordance with a scheme to be submitted to and approved, in writing, by the Local Planning Authority. The approved refuse storage facilities shall be retained for that purpose at all times.

Reason - In order to ensure that adequate refuse storage facilities are available in compliance with Policy LP10 of the Gosport Borough Local Plan, 2011 - 2029.

8. The development hereby permitted shall not be occupied until long and short stay 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 be retained for that purpose at all times.

Reason - In order to ensure that adequate cycle storage facilities are available in compliance with Policies LP10 and LP23 of the Gosport Borough Local Plan, 2011 - 2029.

9. Notwithstanding the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order), no alterations or enlargements permitted by Part 1, Schedule 2, Classes A, B and E shall be carried out to the dwelling without the prior permission, in writing, of the Local Planning Authority.

Reason - In order to protect the amenities of the occupiers of the neighbouring properties, the amenities of the prospective occupiers and to comply with Policy LP10 of the Gosport Borough Local Plan, 2011 - 2029.

**ITEM NUMBER: 06.**  
**APPLICATION NUMBER: 18/00008/FULL**  
**APPLICANT: Mr & Mrs Tom Trevail-Perch**  
**DATE REGISTERED: 05.01.2018**

**ERECTION OF TWO STOREY REAR EXTENSION**  
**30 Bay Road Gosport Hampshire PO12 2QA**

***The Site and the proposal***

1. The application site is situated on the western side of Bay Road. It is a two storey semi-detached dwellinghouse constructed of red brick and uPVC windows. At the front of the property is a small driveway. At the rear of the property is a conservatory which backs on to an approximately 30m long garden which has an outbuilding at the end of it. Bay Road comprises of similar dwellings all with similar sized gardens and driveways.

2. The proposal is for a two storey rear extension which will create more living space. The extension will have a depth of 3m and width of 5.6m. The ridge and eaves heights will not be higher than those on the existing property. There will be two additional windows in the first floor northern elevation of the property which would overlook onto the alleyway which separates number 28 and the application property. In the first floor rear elevation there would be 2 windows, no more than what currently exists, and in the ground floor rear elevation there will be bi-fold doors which will look down onto the application property's garden.

3. The application is being referred to the Regulatory Board for decision as the applicant is employed by the Council.

***Relevant Planning History***

Nil

***Relevant Policies***

Gosport Borough Local Plan, 2011 – 2029:

LP10  
Design

Supplementary Planning Documents:

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

National Planning Policy Framework (NPPF), March 2012

***Consultations***

Nil

***Response to Public Advertisement***

1 letter of representation

Issues raised:-

- boundary line maintenance
- scaffolding to be kept at number 30 only

### ***Principal Issues***

1. Maintenance of the boundary line is a civil matter between the owners of the properties involved and not a planning consideration and the erection of scaffolding is a likewise private matter. Therefore the main issues for consideration are the appropriateness of the design of the proposal and its impact on the appearance of the locality and the amenities of the occupiers of adjacent properties.

2. The proposed rear extension would be subservient to the application property and in keeping in terms of materials and design. It is not out of character with the surrounding residential area. The proposal is therefore considered appropriate to the location and would comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

3. Due to the limited depth, location and relationship of the proposal to the adjacent properties, it is not considered to harm the amenity of the occupiers of those properties in terms of loss of light, privacy or outlook. The proposal is therefore considered appropriate to the location and would comply 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:

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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.