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**21 May 2018**

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

**MEETING:** Regulatory Board  
**DATE:** 30 May 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 Furlong) (ex-officio)  
Chairman of the Policy and Organisation Board (Councillor Hook) (ex-officio)

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

Councillor Bateman	Councillor Hammond
Councillor Mrs Batty	Councillor Herridge
Councillor Casey	Councillor Miss Kelly
Councillor Earle	Councillor Raffaelli
Councillor Farr	Councillor Scard
Councillor Foster-Reed	

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

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

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

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#### **IMPORTANT NOTICE:**

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

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

**AGENDA**

1. APOLOGIES FOR NON-ATTENDANCE
2. DECLARATIONS OF INTEREST  
*All Members are required to disclose, at this point in the meeting or as soon as possible thereafter, any disclosable pecuniary interest or personal interest in any item(s) being considered at this meeting.*
3. MINUTES OF THE MEETINGS OF THE REGULATORY BOARD HELD ON 18 APRIL 2018 AND 17 MAY 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 Friday, 25 May 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 Friday, 25 May 2018).*
6. LAND WEST OF CONTROL TOWER, SOLENT AIRPORT  
DAEDALUS  
*To update the Board following its resolution to grant planning permission for the erection of five mixed use hangars (comprising Class C3 dwelling and Class B1(a) office) with associated access, parking and cycle & refuse storage, reference 17/00496/FULL, made at the meeting of 28<sup>th</sup> February 2018.*
7. REPORT OF THE HEAD OF PLANNING AND REGENERATION  
*Schedule of planning applications with recommendations.  
(grey sheets pages 1-86)*
8. ANY OTHER ITEMS  
*Which the Chairman determines should be considered, by reason of special circumstances, as a matter of urgency.*

Debbie Gore  
5455

**A MEETING OF THE REGULATORY BOARD  
WAS HELD ON 18 APRIL 2018 AT 6PM**

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

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

**116. APOLOGIES**

Apologies for inability to attend the meeting were received from Councillor Carter.

**117. DECLARATIONS OF INTEREST**

Councillor Ronayne declared a personal interest in grey pages agenda item 2 and advised he would be speaking as ward Councillor.

Councillor Beavis declared a personal interest in item 4 and declared that he would not be taking part in the discussion or voting, but would remain in the room.

Councillor Allen declared that he had relatives in Hazeldene rest home but that he would remain in the room and take part in the discussion and voting.

**118. MINUTES**

**RESOLVED:** That the Minutes of the Regulatory Board meeting held on 28 February 2018 be approved and signed by the Chairman as a true and correct record.

**119. DEPUTATIONS**

Deputations had been received on the following items:

- Agenda Item 1 of the grey pages – 17/00502/FULL – 9 Harwood Road
- Agenda Item 2 of the grey pages – 17/00579/FULL – 35 Elmhurst Road
- Agenda Item 4 of the grey pages – 17/00498/FULL – 1 Nottingham Place
- Agenda Item 5 of the grey pages – 18/00012/FULL – Hazeldene Rest Home, 20 Bury Road

**120. PUBLIC QUESTIONS**

There were no public questions

**121. LAND AT THE FORMER HMS DAEDALUS**

Consideration was given to a report of the Borough Solicitor advising the Board of a request from Wates Ltd to vary the section 106 Agreement dated 28 January 2016 (the 'Agreement') relating to the redevelopment of land at the former HMS Daedalus.

In answer to a Member's question, the Board was advised that Radian had been appointed as the long term manager for the affordable housing and that this was not to pre-empt the decision, but was necessary to allow planning permission for the shared ownership homes to be delivered within the required timescale.

The necessary regulations from central government had not been brought forward and therefore it was not possible to provide Starter Homes on the site at this time. The shared ownership dwellings would provide greater benefit as affordable housing would continue to be provided even if the shared ownership were to be sold on, allowing greater benefit to more people.

RESOLVED: That the planning obligations relating to the provision of affordable housing contained in the agreement and set out in paragraphs 2.3 and 2.8 of the report be agreed.

## **122. 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:

### **123. 17/00502/FULL - RETENTION OF FRONT AND REAR DORMER WINDOWS AND HIP TO GABLE ROOF EXTENSION 9 Harwood Road Gosport Hampshire PO13 0TU**

Consideration was given to the report of the Head of Planning and Regeneration requesting that consideration be given to planning application 17/00502/FULL.

The Board was advised that Members had attended a site visit at the property.

Miss Briggs was invited to address the Board; she thanked members for their attendance at the site visit and advised that she had spent a lot of time and money on the development and that it would be the only 101 facility in Gosport, Fareham and Portchester.

Members felt that the proposal was acceptable, but expressed concern at the levels of parking available at the property. Members advised that they were supportive of the approval of the application, but requested that the provision of an additional parking space at the rear of the property be secured through an additional condition.

The Board also agreed to delegate authority to the Head of Planning and Regeneration to conclude the wording of and attach appropriate conditions to the application.

**RESOLVED:** That planning application 17/00496/FULL be approved subject to an additional condition requiring a parking space to be provided at the rear of the property with authority delegated to the Head of Planning and Regeneration to formulate and attach the condition.

### **124. 17/00573/FULL - CHANGE OF USE FROM DWELLINGHOUSE (CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION WITH SEVEN BEDROOMS (SUI-GENERIS) 35 Elmhurst Road Gosport Hampshire PO12 1PQ**

Consideration was given to the report of the Head of Planning and Regeneration requesting that consideration be given to planning application 17/0573/FULL.

The Board were advised that Members had undertaken a site visit to the property and that an additional letter of representation had been received from an existing objector raising the issue that the site visit should have taken place at 6pm when on street parking was not readily available and raising the fact that the work on the dwelling was nearly completed suggesting that the developer may have acted improperly.

The Board was advised by officers that the car parking issues had been addressed in the report and that the work undertaken on site did not require planning permission, the application was not retrospective and did not seek to regularise any work already undertaken, the application under consideration was for the change of use of the property only.

Tanya McDermott was invited to address the Board. She thanked Members for attending the site visit and meeting the landlord and hoped that in meeting them Members could see that he genuinely cared about the development and residents.

She reiterated to the Board that the enlargement of the property was permitted development and that a change of use to a six bedroomed HMO did not require planning permission and that the Board was being asked to consider the difference between a 6 bedroomed HMO and a seven bedroomed HMO and the impact that one additional bedroom would have.

The Board was advised that the tenants would be on low incomes and would not usually own cars and that the extra bedroom would not cause significant harm and that there was no evidence that the garage was required for off-street parking space and that one off street space was suitable provision for the 7 bedroomed HMO.

In answer to a Members question, and to provide clarity, the Board was advised by the planning officer that the Supplementary Planning Document relating to Parking advised that the parking requirement for a four or more bedroomed dwelling house was three car parking spaces. However, the use of the property could be changed to a HMO within class C4 for use by six people without the need for the provision of car parking, the existing garage was not being used as a car parking space and there was no requirement for it to be. It was considered that given this fall-back position, the implementation of a suitably worded planning condition for the provision of one off street parking space would be satisfactory and not conflict with LP23 of the Local Plan.

In answer to a Members question, the Board was advised that it would be difficult to require the demolition of the garage and the inclusion of a second parking space to the rear as this could present difficulties with the rear access way and access for bins and would be possible but not be a practicable arrangement.

Councillor Ronayne was invited to address the Board as ward Councillor. He thanked Members for attending the site. He advised that he was disappointed that the visit had not taken place at a later time when the parking problems were more severe. He advised the Board that parking was tight within the whole vicinity and that this proposal would exacerbate the problem.

He advised the Board that he accepted that the proposal was located close to Stoke Road, but that this brought its own problems with cars being damaged and an increase in traffic. He advised the Board that the granting of the application would set a dangerous precedent for the area and the Borough and that he felt that the fact that it was acceptable to change the property to a six bedroomed HMO under permitted development was inconceivable particularly as other, minor alterations such as some gazebos required a full planning application.

Councillor Ronayne advised the Board that the change from a two and a half bedroomed property to a seven bedroomed property would inevitably have an effect on the parking provision.

He advised the Board that the applicant had stated that the property could be used by transient workers and that by the very nature of that, they would have vehicles, as most people in Gosport did to travel to work and that an application for a seven bedroomed property would have to be considered by Hampshire County Council as to whether there was adequate parking provision.

Councillor Ronayne advised the Board that the additional window increased the scale and size of the development and reiterated that an application for a new property of this size would require full planning permission and the provision of more off street parking and objected to applicants proposing additional rooms to make additional profit.

A Member advised that they had found the site visit useful to get a full understanding of the site. They advised that they felt that it was unrealistic to suggest the proposal would not generate additional car users and suggested that there would be a mixture of cars and vans associated with the use.

They reiterated that the application for consideration was the change in use from a six bedroomed HMO to a 7 bedroom HMO and that planning permission was not required for a six bedroomed HMO,

or the physical work to the building and that consideration should only be given to the planning matters presented.

Members recognised that the property was located close to the Town Centre and HMOs were an important provision for housing in the Borough. It was recognised that there had to be a point at which planning applications needed to be submitted for HMOs to allow formal consideration and that the application for consideration was only for one additional bedroom above that what could be used without needing planning permission, however, Members recognised that the parking within the locality was already at breaking point.

Members expressed concern that if the property had been a new build the requirement would have been for 3 off road spaces and advised that they were uncomfortable with the proposal as there was no room to create off road parking..

Members recognised that the locality and the properties in it had been built when there were very few cars and vehicles and that as a result, the vicinity was not best placed to cope with modern vehicle ownership levels.

Members debated whether the additional bedroom would have significant impact . It was acknowledged that the Board was only being asked to consider one additional bedroom, however, Members also recognised that the any increase to parking would add pressure to the surrounding area.

It was proposed and seconded that the application be refused as it did not comply with Policies LP10 and LP23 of the Local Plan in that adequate provision had not been made for off street parking and that as a result the proposal was detrimental to the amenity of the neighbouring properties.

**RESOLVED:** That planning application 17/00573/FULL be refused as it does not comply with Policies LP10 and LP23 of the Local Plan in that adequate provision had not been made for off street parking and that as a result the proposal was detrimental to the amenity of the neighbouring.

**125. 17/00540/FULL- ERECTION OF DETACHED DWELLING Land To Rear Of 181 Portsmouth Road Lee-On-The-Solent Hampshire**

Consideration was given to the report of the Head of Planning and Regeneration requesting that consideration be given to planning application 17/00540/FULL

Members advised that the site visit was helpful in appreciating the proposed changes.

**RESOLVED:** That planning application 17/00540/FULL be approved subject to the conditions contained in the report.

**126. 17/00598/FULL - ERECTION OF A TWO STOREY DWELLING AND AMENDED ACCESS FOR 1 NOTTINGHAM PLACE (as amended by plans received 24.01.2018 and amplified by plans received 06.03.2018) 1 Nottingham Place Lee-On-The-Solent Hampshire PO13 9LZ**

Consideration was given to the report of the Head of Planning and Regeneration requesting that consideration be given to planning application 17/00598/FULL.

The Board was updated that further to the report, in order to further safeguard the residential amenities of the occupiers of neighbouring properties, it was proposed that the upper floor windows in the flank elevations of the proposed dwelling, as shown on the submitted plans, be obscure glazed and that this be secured by the imposition of a suitably worded planning condition.

The Officer's recommendation remained unchanged with the additional following condition added.

All side facing windows above ground floor level shall be obscure glazed to a minimum of level 3 on the Pilkington Scale (or any other equivalent that may be agreed in writing by the Local Planning Authority) and shall not open below a height of 1.7 metres above the finished floor level adjacent to the window. These obscure glazed and non-openable windows shall thereafter be retained.

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

Mrs Carter was invited to address the Board.

She thanked the Board for allowing her to speak as a resident of No. 3 Nottingham Place.

She advised the Board that the application was originally submitted in October 2017 and that there had been a number of subsequent design changes that had introduced significant amendment following her objections.

The Board was advised that this had not been easy to follow as there had been no additions to the Architect Design and Access Statement dated 25<sup>th</sup> October 2017. Mrs Carter advised that she agreed that the design was innovative and that it was commendable that it would utilise sustainable energy features and felt that development of this type should be encouraged but advised that it was unfortunately being squeezed onto a garage plot to the detriment of the existing property.

Mrs Carter advised that the architect statement referred to 1 Nottingham Place being dealt with under a separate application so felt it was relevant to comment on the impact to that existing property. 1 Nottingham Place was a character four bedroom imposing property from the early 20<sup>th</sup> century built equidistant upon an east / west plot. It was possibly unique to the area in that it did not face the road. The proposed new dwelling would be upon the existing garage and garden site of No1 and would include tandem parking for two vehicles.

The Board was advised that in order to provide continued parking for number 1 for three vehicles in accordance with the SPD a tandem parking arrangement would be required across the front of the property. There would then be on site adjacent tandem parking of up to five vehicles and visitor parking would be off site.

Whilst it was noted that the Officer report stated "The proposal would not harm the character and setting of 1 Nottingham Place" Mrs Carter advised that she would challenge that view, as in her opinion the proposal, by reason of its form and incongruous location, would represent an unacceptable and prominent addition to the curtilage of 1 Nottingham Place and would detract from the characteristics of that property and the sense of place of the surrounding area. She noted the Local Highway Authority raised no objection and the Officer report considered the "parking provision to be acceptable and would not harm the amenity of occupants of the local area nor highway safety"

Mrs Carter advised that she would strongly challenge this statement as there were parking restrictions in Nottingham Place which could be expected to be enforced when and if the access to the Daedalus site was reopened. She advised that there was regular on street parking on the Northern side and that Nottingham Place was a surprisingly busy road and there were now an increased numbers of pedestrians. 1 Nottingham Place also straddled the Milvil Road corner junction with Nottingham Place, where there are existing double yellow lines.

Mrs Carter suggested that if the proposal proceeded and there were tandem parked vehicles reversing and manoeuvring on to Nottingham Place this would create an unnecessary highway safety issue.

Mrs Carter advised that she wished to refer to the impact upon 3 Nottingham Place. The report stated, there were three small obscure east facing windows that fulfil a primary function of bringing sunlight into the ground floor living area and noted that the report stated that light into these windows was already compromised by the existing boundary and garage.



She advised that it was unclear upon what basis the statement could be made and stated that sun light was presently received through those windows and did not accept as the report suggested that No3 Nottingham Place would benefit from reflected ambient light to the extent that there would be no harm to the amenity of number 3 Nottingham Place.

Mrs Carter concluded by referring to the spiral stairway, which was a later change and not mentioned in the Design and Access Statement.

She advised that there was much concern to her as it would look down into her property and rear garden. An obscured screen was proposed but that would not work unless it was completely enclosed and this was not evident from the plan.

She advised that she noted that in the conditions the report stated "the obscure glazed screen shall thereafter be retained in that condition". But questioned how this would be enforced.

She summarised by objecting to the proposal because

- 1 It would detract from the established character of No1 Nottingham Place.
- 2 Could result in Highway safety issues resulting from tandem parked vehicles manoeuvring on to Nottingham place.
- 3 Would be detrimental to the amenity of No. 3 Nottingham Place.

She advised that if the Board were minded to grant the application she hoped that Members would first consider visiting the site.

Mr Roberts was invited to address the Board. He advised that there was no intention to damage 1 Nottingham Place and that the application had been developed to be sympathetic to 1 Nottingham Place and that he was happy to answer any questions.

Members welcomed the opportunity to question the applicant, and questioned whether the applicant had engaged with neighbours and were advised that prior engagement had taken place and had been positive.

In answer to a Member's question, the Board was advised that the parking provision was for two cars, but that Mr Roberts advised that he only had one car and there was no plan to increase this as he was a keen cyclist and mainly cycled.. He advised that there would be five spaces for the two properties and that on road parking would seldom be required.

It was proposed and seconded that the proposal be deferred for a site visit.

**RESOLVED:** That application 17/00598/FULL be approved deferred for a site visit.

- 127. 18/00012/FULL - ERECTION OF A SINGLE STOREY REAR EXTENSION AND ROOF EXTENSION; INSTALLATION OF DORMERS, A THIRD FLOOR WINDOW AND ROOF LIGHTS; AND INCREASE IN HEIGHT OF LIFT TOWER TO FACILITATE THE CREATION OF 5 NEW BEDROOMS TO INCREASE THE NUMBER OF RESIDENTS FROM 29 TO 34 (CONSERVATION AREA) (RESUBMISSION OF 17/00323/FULL) (amended by plans received 02.03.2018)**

**Hazeldene Rest Home 20 Bury Road Gosport Hampshire PO12 3UD**

Consideration was given to the report of the Head of Planning and Regeneration requesting that consideration be given to planning application 18/00012/FULL.

Mr Jones was invited to address the Board.

He advised that he lived at 18A Bury Road, adjacent to the proposal, and advised that he was representing both 18A and 18 Bury Road. He advised that the property was a large detached property that had been divided into 2 semi-detached properties that were grade two listed and much loved. He advised that the residents had strived to maintain the integrity of such properties.

He advised the Board that the side wall of 20 Bury Road was an eyesore, that it was pebble dashed and had large levels of moss damage. He advised that when the property had been purchased he had accepted the unsightly view as it offered some level of privacy. He advised the Board that the photographs he had provided to the Board showed why he objected to the proposal as it would affect the privacy and light of his property and that it would affect his enjoyment of his garden. He advised that a previous application had been turned down and that the proposed east and west dormers had been ruled to have an overbearing impact on 18/18A Bury Road affecting the privacy and outlook of the properties and would harm amenity, not complying with policy LP10 of the Local Plan.

Mr Jones advised the Board that the new proposed dormer would overlook the grassed area of his property and that the glass was only required to be the third level of obscurity.

He advised the Board that the previous application proposed a dormer in an area that had caused noise nuisance to neighbouring properties as the residents were often hard of hearing so had louder television sets and there had also been noises from residents screaming and that as a result he was shocked that a dormer was still proposed and that there would still be an effect on the properties at 18/18A Bury Road. The boundary would still be the same and that he was surprised that this proposal was recommended for approval as the affect on his property would be the same.

In answer to a Member's question, Mr Jones advised that the upgrading of the glazing to a level 5 would not reduce the impact as it was the presence, position and proximity of the proposal that was the issue.

Martin Critchley and Allen McGregor were invited to address the Board.

Mr Critchley thanked the Board for allowing him to speak and thanked officers for their patience and help in processing the application.

Mr McGregor advised the Board that he was the owner of the property and that it was a small family owned facility that provided specialist dementia care. He advised the Board that in the long term there would be a greater demand for such services as there was an aging population and there was predicted to be a growth in over 85 year olds between 2015 and 2025 and that there had been increases in both over 65s and over 85s at the last census, as well as an increase in those with dementia, most of which were over 80.

The lack of suitable residential care was a major cause of bed blocking in hospitals and it was hoped the proposals could in some way alleviate this.

The Board was advised that the residents in the property were entering the final chapter of their lives and that the proposal would allow them to live safely and happily with dignity. The Board was advised that the extension would provide 5 new rooms, all with wet rooms, two large activity rooms and a store for 6 mobility scooters. The access would have better disabled facilities and the staff would have a better work place. Residents would be able to safely walk from one end of the property to the other, from the front lounge to the garden and the second floor would provide the activity rooms and reading lounge allowing for greater stimulation and higher standards of care and support.

The proposal would allow for better ambulance access and would make the facility the optimum size for such a facility providing the best ratio of nurses to patients. The Board was advised that the applicant worked hard to ensure that the frontage of the building was in keeping with the area and attractive and that they tried hard to maintain the style of the property

The Board was advised that the photographs provided were inaccurate and did not show the correct impact of the dormer.

In answer to a Member's question, the Board was advised that the dormer would contain 2 bathrooms and toilets as it was acknowledged that when families looked for care facilities for their relatives they look for en-suite facilities for their family members.

The rooms proposed were not viable without the toilet facilities and could not be located elsewhere

In answer to a Member's question, the Board was advised that there had never been any issue with odours from the bins and that there would be an increase in pick ups of waste from the site to accommodate the extra rooms.

In answer to a Members question, the Board was advised that the highest level of obscure glass was always used and that windows could not be opened any greater than two inches and whilst the owner could not guarantee that there would be no noise from the property the noise would be managed as far as possible.

In answer to a further question, the Board was advised that the application differed from the previous one refused in October 2017 as it had removed the front and rear dormers and front conservatory and would retain and improve the boundary screening along Bury Road and alter the position of the parking, scooter store, bin and cycle store provision.

Members thanked officers for their clarification and felt that the application should be deferred to allow a site visit to take place. This was proposed, seconded and subsequently agreed.

**RESOLVED:** That application 18/00012/FULL be deferred for a site visit.

## **128. ANY OTHER BUSINESS**

The Chairman thanked officers and Members for their work over the municipal year and welcomed that there had been members of the public in attendance.

Members thanked the Chairman and Vice Chairman for their work and professionalism over the year.

The meeting concluded at 19.22

CHAIRMAN

**A MEETING OF THE REGULATORY BOARD  
WAS HELD ON 17 MAY 2018**

The Mayor (Councillor Mrs Furlong) (ex-officio), Councillors Hook (ex-officio) (P), Bateman (P) Mrs Batty, (P), Casey (P), Earle (P), Farr (P), Foster-Reed (P), Hammond (P) Herridge (P) Mrs Hook (P), Jessop (P), Miss Kelly (P), Raffaelli (P), Scard (P),

**1. APOLOGIES**

There were none

**2. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**3. DEPUTATIONS**

There were no deputations.

**4. PUBLIC QUESTIONS**

There were no public questions.

**5. ELECTION OF CHAIRMAN**

RESOLVED: That Councillor Jessop be appointed as Chairman of the Regulatory Board for the Municipal Year 2018-2019.

**6. ELECTION OF VICE-CHAIRMAN**

RESOLVED: That Councillor Mrs Hook be appointed as Vice-Chairman of the Regulatory Board for the Municipal Year 2018-2019.

The meeting concluded at 5.36pm

CHAIRMAN

<b>Board/Committee:</b>	REGULATORY BOARD
<b>Date of Meeting:</b>	30 MAY 2018
<b>Title:</b>	LAND WEST OF CONTROL TOWER, SOLENT AIRPORT DAEDALUS
<b>Author:</b>	HEAD OF PLANNING & REGENERATION
<b>Status:</b>	FOR DECISION

**Purpose**

To update the Board following its resolution to grant planning permission for the erection of five mixed use hangars (comprising Class C3 dwelling and Class B1(a) office) with associated access, parking and cycle & refuse storage, reference 17/00496/FULL, made at the meeting of 28<sup>th</sup> February 2018.

**Recommendation**

That the Board reconsiders the matter due to the legal advice which is set out in this report and the additional supporting information provided by the applicant.

**1 Background**

- 1.1 Planning application 17/00496/FULL for the erection of five mixed use hangars (comprising Class C3 dwelling and Class B1(a) office) with associated access, parking and cycle & refuse storage was submitted to the Council on 31<sup>st</sup> October 2017 on behalf of Hangar Homes Ltd.
- 1.2 The application was presented to the Regulatory Board on 17th January 2018 with a recommendation that it should be refused on a number of grounds. Members resolved to defer the application for further consideration at the next meeting of the Board.
- 1.3 The application was presented to the Regulatory Board on 28<sup>th</sup> February 2018 again with a recommendation that it should be refused for the following reasons:-
  1. The proposed predominantly residential development would, by reason of its location adjacent to 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.
  6. The proposal fails to demonstrate that safe and convenient access would be provided to serve the range of vehicles likely to visit the site. The proposal is therefore potentially prejudicial to the safety and convenience of future occupiers of the site and the users of the adjacent road network. The proposal is therefore contrary to Policies LP10 and LP23 of the Local Plan and to the Parking Supplementary Planning Document.
- 1.4 Following consideration of all of the relevant issues, the representations made by deputies and other interested parties and the views of officers, Members resolved to grant conditional planning permission and delegated authority to the Head of Planning and Regeneration to enter into a Section 106 agreement (if necessary) and to attach appropriate planning conditions.
- 1.5 The following reasons were given for the resolution to grant planning permission:-
1. The proposed development would enhance the provision of employment in the Daedalus Regeneration Area and the Solent Enterprise Zone, initially during the development phase and thereafter by generating and promoting additional use of the operational airfield facility. As such the proposal is seen to align with Policy LP5 of the Gosport Borough Local Plan 2011-2029 and the Daedalus SPD.
  2. The proposed development would because of its modest density have minimal impact on adjacent industrial or business units and would make an effective and efficient use of land in accord with Policy LP24 of the Gosport Borough Local Plan 2011-2029.
  3. Future residential occupiers will be aware that there may be excessive noise and disturbance associated with the proximity of the adjacent operational airfield. But this application is not seen to introduce such a significant rise in air traffic that would increase the current risk above that which currently exists. As such this is not believed to be inconsistent with Policies LP10 and LP46 of the Gosport Borough Local Plan 2011-2029.

4. It is not considered that the proposed residential accommodation would, by reason of its layout and juxtaposition give rise to an unacceptable outlook. Future occupiers would be aviation enthusiasts who would welcome the opportunity to accept the amenities provided to enable their enjoyment and use of the on-site airfield facilities. Given the nature of the aircraft operating environment being somewhat different to that of a residential development, it is considered that in this case the provision of an appropriate standard of accommodation is satisfied in accordance with Policy LP10 of the Gosport Borough Local Plan 2011-2029.
5. It is not considered that there would be a harmful impact due to additional recreational disturbance over and above that which currently exists from the existing or proposed business, Commercial and industrial use of the site. As such it is not considered to be contrary to policies LP2 and LP42 of the Gosport Borough Local Plan 2011-2019 and the Solent Special Protection Areas, Gosport Bird Disturbance Mitigation Protocol 2014.

### Legal Opinion

- 1.6 Following the resolution to grant planning permission, the Council's Legal Service received enquiries about the robustness of the decision making process which indicated the possibility of legal challenge being made if the decision was issued giving effect to the resolution.
- 1.7 Given the potential implications of a challenge to any decision, legal advice was sought on the robustness of the debate and in particular the reasons given by Members of the Board for overturning the recommendation for refusal.
- 1.8 The advice received noted that some of the assessment of the application was based on officer's professional planning judgement of subjective matters where it was reasonably open to Members to reach to a different conclusion. However, in some cases the conclusions reached by Members (as recorded in the minutes) could be seen to be unsound.
- 1.9 The legal advice received recommended that the matter be returned to the Regulatory Board and set out the following issues as being ones where the conclusions reached by Members could be considered to be unsound:

#### a) Impact on the airfield

The airport operator and airport land owner both raised objection to the proposal on the basis that the proposal did not demonstrate that airport operations would not be prejudiced by the development. Whilst not all of the objections were relevant planning considerations (e.g. CAA guidance for taxiway clearance; Border Force requirements), some of them were and as such it would have been incumbent on the Board to be satisfied that those objections could be dismissed or overcome. This is an issue of fundamental importance to the application, not least because the airfield is recognised as a "key asset" in the Local Plan. The reason given by Members does not expressly address this objection and the potential prejudice to the operation of the airfield, and as such potentially renders the reason inadequate and unlawful.

b) Density

The report sets out that the development would be built at a density of approximately 9 dwellings per hectare (dph), whereas Policy LP24 requires a minimum of 30 dph. The supporting text to Policy LP24(3) acknowledges that “in some instances there may be good reasons for developments to come forward with a density less than 30 dwellings per hectare” and gives some examples where a higher density development might harm the setting of a listed building or because of some constraining factor on the site. The reason given by Members does not directly address this issue. Policy L24 sets an expectation that residential development will be built at a minimum density unless there is a good reason to build at a lower density. In order to justify their conclusion that the development “would make an effective and efficient use of land in accord with Policy LP24”, a good reason would need to be identified for accepting a lower density. The clear absence of such a reason has the potential to render the reason given to be inadequate and unlawful.

c) Noise from airfield

Policy LP10(2)(k) states that development will be permitted (within the urban area boundary, which includes the Daedalus site) provided that “it does not cause harm by reason of: (i) loss of light, privacy or outlook; (ii) noise, light pollution, vibration, smell, or air pollution; or (iii) other adverse impacts”. Policy LP46 states that: “planning permission will not be granted for development proposals where it is likely to cause significant adverse environmental impacts through air, noise and light pollution ... development proposals which are noise-sensitive will not be permitted if the users would be adversely affected by noise from existing or proposed noise-generating uses.” The supporting text to Policy LP46(2) (para 12.118) explains that applications for noise-sensitive development would ordinarily require submission of a noise assessment. No such assessment was provided in support of the application, however the submitted Planning, Design and Access Statement indicates that one could be submitted if required.

The reasons given by Members expressly acknowledges the risk that there “may be excessive noise and disturbance associated with the proximity of the adjacent operational airfield, but also states that, because the development would not result in a “significant rise in air traffic” this would not materially increase the current risk of such adverse impacts. This statement overlooks the concern in the officers report which relates to the very close proximity of the development (within 200m of the main runway and adjacent to the airfield boundary) to a major source of noise and the issue relating to the risk of prejudice to the future operation of the airfield.

The legal advice states that without the benefit of a noise assessment, it is difficult to see how Members could properly weigh up the likely impact of noise from the airfield on both the occupiers of the development and on the operation of the airfield itself. Whilst the recorded reasons expressly acknowledge the risk of excessive noise and disturbance, they do not address these two important points which are clearly material considerations and as such potentially renders the reasons inadequate and unlawful.



## Other Matters

- 1.10 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 is required towards appropriate mitigation, in accordance with the Gosport Bird Disturbance Mitigation Protocol. The applicant has now acknowledged the need to provide mitigation and has done so in accordance with the Protocol. Accordingly, it is considered that the proposal would not now have an unacceptable impact on protected species and would not conflict with Policies LP42 and LP44 of the Local Plan. The recommended reason for refusal number 5 has therefore been addressed and overcome.

## Way Forward?

- 1.11 Following the receipt of the legal advice, officers sought to meet with the applicant and discuss the elements of the resolution that could be seen to be unsound in the event that a decision was issued and challenged. Following the meeting, an amended plan showing an increase in the width of the internal access road by removing a proposed landscape strip was submitted and further supporting information was provided on behalf of the applicant seeking to address the three highlighted issues.
- 1.12 Officers have considered the legal advice received and the additional and amended information provided.

## **2 Officer Comments**

- 2.1 In the light of the additional and amended information provided the main issues for consideration are whether the proposals would prejudice the future of the airfield and Enterprise Zone and whether the proposals are acceptable in amenity, density and highway terms.
- 2.2 In accordance with Policy LP15 of the Local Plan, the Civil Aviation Authority (CAA) and airfield operator were consulted on the original application. Whilst no response was received from the CAA, the airfield operator raised objections on a number of grounds relating to the potential impact of the proposal on the existing and future operation of the airfield. The airport operator have confirmed that they are responsible for ensuring compliance with the conditions of the airfield's licence and as such are empowered to comment on such matters rather than the CAA.
- 2.3 Given the importance of the airfield, which is recognised as a "key asset" in the Local Plan, 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 are not relevant planning considerations (e.g. CAA guidance for taxiway clearance; Border Force requirements), it remains clear that the proposal has the potential to adversely affect the operation of the airfield. The applicant has sought and provided clarification confirming that Border Force would not ordinarily object to the proposals. Whilst the application is supported by a report prepared by an aviation

consultant, this has been prepared without the author having been able to access the airfield or discuss mitigation measures with the airport operator. The applicant has indicated that mitigation measures (including the installation of cameras) could be put in place to address the concerns of the airport operator, however, some of these would require the agreement and co-operation of the airport operator. In the absence of any reasonable certainty that the suggested mitigation measures are deliverable, it cannot be concluded that the proposal would not prejudice the future of the airfield and wider Enterprise Zone. The airport operator has been made aware of the applicant's additional submission and has advised that they wish to maintain their objection. Members are requested to give careful consideration to this in the context of the legal advice provided.

- 2.4 The proposal is primarily residential in nature and would equate to 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. The applicant highlights that the proposal is for a particular and specialist form of accommodation which due to the need to accommodate a sizeable hangar and separation between buildings would preclude a development of a higher density. If the proposal were to be considered acceptable in other respects, it could be considered that the proposal would make as effective and efficient a use of land as practicably possible given the nature of the use and thereby not conflict with Policy LP24 of the Local Plan.
- 2.5 The proposals would be located adjacent to the boundary of the airfield, and within 200 metres of the main runway. As a result, 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 recognised this issue and advised that the properties would be constructed using materials that have noise attenuating properties with double and triple glazing being used and that prospective occupiers would expect noise. 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 has indicated 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.
- 2.6 The applicant contends that the proposed live/work hangar homes can only be built on an airfield and prospective occupiers of the proposed units would occupy them in the clear knowledge and appreciation that they would be exposed to aircraft noise - they would not come to live/work on this site if they expected the 'quiet enjoyment' of a traditional suburban home. Whilst this argument has some merit, in the absence of a Noise Impact Assessment quantifying the level of noise, the proposal is still considered by officers to be contrary to Policy LP46 of the Local Plan. If the proposal were to be considered acceptable in other respects, a condition could be attached requiring the submission of a Noise Impact Assessment and appropriate noise mitigation measures if this was considered necessary. Members are requested to give careful consideration to this in the context of the legal advice provided.
- 2.7 The proposed amended access arrangements from Daedalus Drive would improve the existing layout, however, it has not been demonstrated that larger vehicles (e.g. refuse collection or delivery vehicles) can access and egress the site in an

acceptable manner. If larger vehicles are unable to access the site, it is likely that servicing would take place from the adjacent highway (Daedalus Drive). Given the restricted width of Daedalus Drive adjacent to the site, any vehicles parked or stationary on the carriageway would be likely to disrupt the free flow of traffic and potentially interfere with vehicles using any junction forming part of the emerging residential development of land immediately to the south of the site. Daedalus Drive is currently an un-adopted cul-de-sac, however, it will in due course be open to through traffic via the recently constructed junction with Stubbington Lane. As Daedalus Drive is currently not adopted (although this is expected to occur prior to the opening up of the junction with Stubbington Lane) it is not possible to secure 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. The additional information submitted does not fully overcome the original concerns raised with regard to the provision of safe and convenient access by the range of vehicles likely to visit the site. In the light of the width of Daedalus Drive and its important distributory function within the Enterprise Zone, Members are requested to give this matter careful consideration.

### **3 Risk Assessment**

- 3.1 If the reasons for the resolution to grant planning permission are not properly considered, there is a risk of the decision being successfully challenged with the result that any planning permission would be quashed.

<b>Financial Services comments:</b>	None
<b>Legal Services comments:</b>	Contained in the report
<b>Crime and Disorder:</b>	None
<b>Equality and Diversity:</b>	None
<b>Service Improvement Plan implications:</b>	None
<b>Corporate Plan:</b>	The proposal if approved could prejudice the corporate priorities to develop the economy and to deliver effective services.
<b>Risk Assessment:</b>	Contained in Section 3
<b>Background papers:</b>	Report to Regulatory Board 28 <sup>th</sup> February 2018
<b>Appendices/Enclosures:</b>	
<b>Report author/ Lead Officer:</b>	Simon Barnett

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

**30th May 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.

<u>Item</u>	<u>Page No</u>	<u>Appl. No.</u>	<b>INDEX</b>		<u>Recommendation</u>
			<u>Address</u>		
01.	3-10	17/00498/FULL	1 Nottingham Place Lee-On-The-Solent Hampshire PO13 9LZ		Grant Permission subject to Conditions
02.	11-16/1	18/00012/FULL	Hazeldene Rest Home 20 Bury Road Gosport Hampshire PO12 3UD		Grant Permission subject to Conditions
03.	17-26/1	17/00592/DETS	Land At Former HMS Daedalus (Waterfront East And West) Lee-On-The-Solent Hampshire		Grant Permission subject to Conditions
04.	27-40	17/00599/OUT	Priddys Hard Heritage Way Gosport Hampshire PO12 4LE		Refuse / s106
05.	41-46/1	17/00600/LBA	Priddys Hard Heritage Way Gosport Hampshire PO12 4LE		Refuse subject to Conditions
06.	47-60/1	18/00177/FULL	Land South Of Howe Road Gosport Hampshire PO13 8GS		Grant Permission subject to Conditions / s106
07.	61-76	17/00570/FULL	Site Of Former Crewsaver Building Land To The North Of Harbour Road Mumby Road Gosport Hampshire PO12 1AQ		Grant Permission subject to Conditions / s106
08.	77-80/1	18/00082/FULL	Bayside Cabin Stokes Bay Road Gosport Hampshire PO12 2QT		Refuse
09.	81-82/1	18/00110/FULL	37 St Marys Avenue Gosport Hampshire PO12 2HU		Grant Permission subject to Conditions
10.	83-86	18/00127/FULL	26 Woodstock Road Gosport Hampshire PO12 1RS		Grant Permission subject to Conditions

**ITEM NUMBER: 01.**  
**APPLICATION NUMBER: 17/00498/FULL**  
**APPLICANT: Mr & Mrs Roberts**  
**DATE REGISTERED: 02.11.2017**

**ERECTION OF A TWO STOREY DWELLING AND AMENDED ACCESS FOR 1 NOTTINGHAM PLACE (as amended by plans received 24.01.2018 and amplified by plans received 01.03.2018)**  
**1 Nottingham Place Lee-On-The-Solent Hampshire PO13 9LZ**

***The Site and the proposal***

1. This application was considered by the Regulatory Board on 18 April 2018 when Members resolved to defer it for a site visit.

2. The application site contains a large, white rendered, two storey, 4 bed detached property within a generous plot measuring approximately 50m east - west by 21m north - south. The existing dwelling, 1 Nottingham Place, is located on the south side of Nottingham Place which runs in an approximately east-west direction with Milvil Road directly to the east and north east of the existing dwelling. Immediately to the east of number 1 is an approximately 25m wide garden area and to the west is a 17m wide area which includes a driveway with access onto Nottingham Place. At the end of the driveway and set approximately 1m away from the western boundary is a detached double garage and outbuilding. The property and gardens are surrounded by approximately 1.8m high fencing and walls with areas of planting along. The southern boundary is densely planted with bushes and shrubs taking the average height to approximately 3m. The main pedestrian entrance into no. 1 is in the west elevation along with a series of ground and first floor windows and 2 roof lights. Extending from the north side elevation, facing Nottingham Place, is a mono-pitch conservatory.

3. Nottingham Place has an eclectic mix of residential dwellings along its length with a mix of single and two storey properties of varying ages, styles and designs, the majority of which are on compact sites with no. 1 being an exception. The majority of the properties along the south side of the road are two storey and set back by approximately 5m behind walls and fences varying in height up to approximately 1.6m. On the north side of the road the properties are predominantly single storey and set further back, closer to 8m, behind similarly enclosed frontages as the properties on the south side. Directly to the south of the application site is a heavily extended property converted into a retirement home called Shangri-La. It has a large, flat roofed, single storey extension which extends the full depth of the application site and is set back from the shared boundary by approximately 1.5m. The section of Shangri-La's northern elevation which faces the proposed location of the new dwelling has no windows or doors in it. To the west of the application site is a detached 2 storey dwelling, 3 Nottingham Place, which has 3 small obscure glazed ground floor windows facing the application site and is also set back from the shared boundary by approximately 1.5m. The two-storey rear elevation of no. 3 is positioned approximately 8m from the southern end of the shared boundary with an approximately 4m deep conservatory extending from it.

4. The proposal is for the erection of a two-storey, 2-bedroom detached property with integral garage on the driveway area to the west of the existing dwelling. The proposed new plot would measure 16.5m east - west and 21m north - south, and the proposal would also include landscaping. A new access from Nottingham Place for both no. 1 and the proposed property would be created and the existing access closed. The proposed new dwelling would occupy the western 10.5m wide section of the application site and the rest of the land to the west of the existing property would be used to maintain 3 off road parking spaces for no. 1.

5. The initial scheme was amended significantly by plans submitted on the 24.01.18. They reduced the height and depth of the proposed dwelling as well as repositioned the front elevation to align with the properties on either side. Other amendments included alterations to the garage and cycle storage, and some of the design features of the property including an external spiral stairway to the

rear and a change in materials. A further amended plan submitted on the 01.03.2018 clarified the location of the privacy screen for the proposed spiral stairway.

6. The proposed dwelling would be setback from the road by 4.5m, from the west boundary by 1.6m and have a 5.5m deep rear garden. The integral garage would be adjacent to the new east boundary with the main body of the proposed dwelling set a further 3.5m back. The dwelling would have a gable roof form with bedrooms at ground floor level and living space on the first floor. There would be a plant room in the roof space for the property's sustainable energy features including solar panels, air source heat pump system (if required) and storage batteries etc. A spiral staircase would offer access into the rear garden from first floor level and it would have a 1.8m high glazed privacy screen on the western side of the landing. The proposed dwelling would be modern in style and be finished in white render with aluminium cladding and zinc roofing. There would be inset solar panels on the south plane of roof. The first floor would overhang the ground floor on the front and rear elevation and part of the driveway to the front of the integral garage. There would be ground and first floor windows in the front and rear elevations; large first floor obscure glazed panels and a high-level ground floor bathroom window in the west elevation and further large first floor obscure glazed areas in the east elevation. The integral garage would be 3m by 7.2m to include one off-road parking space and cycle storage; a second off-road parking space on the driveway and bins storage would also be provided.

7. The application was accompanied by a Design and Access Statement and the applicant has paid an appropriate contribution to the Solent Recreational Mitigation scheme.

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

K4376/1 - Outline - dwelling and garage on land - refused 17.06.1980

This was for a large detached property of undetermined number of bedrooms with integral garage on a site 13m wide. It was refused on the ground that the size and shape of the site and its relationship with adjoining properties would give rise to an over-development of the site to the detriment of the appearance of the area.

### ***Relevant Policies***

Gosport Borough Local Plan, 2011 – 2029:

- LP10
- Design
- LP23
- Layout of Sites and Parking
- LP24
- Housing
- LP38
- Energy Resources
- LP39
- Water Resources
- LP44
- Protecting Species and Other Features of Nature Conservation Importance

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

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## **Consultations**

Local Highway Authority	No objection but conditions are recommended to ensure the proper closure of the existing access and construction of the proposed accesses.
Building Control	No objection.
Hampshire Fire And Rescue Service	No objection. Fire service access, materials used and fire safety measures should be in accordance with the appropriate Building Regulations.

## **Response to Public Advertisement**

2 letters of objection (to original plans)

Issues raised:-

- can the builders please make good damage to the verge and keep the road clear
- can the working hours be restricted during construction
- over development within a confined space so out of historic character with wider local area
- north facing roof slope not in line or comparable to adjacent properties
- out of character and detrimental to 1 Nottingham Place and its curtilage
- overlooking of the care home to the south and the rear garden of 3 Nottingham Place
- birds nesting in trees on the site maybe affected

1 letter of objection (to amended plans)

Issues raised:-

- fire safety concerns for the accessible roof space
- proposal would prohibit the comprehensive redevelopment of the site
- over shadowing of high level windows in east elevation of 3 Nottingham Place
- parking issues on Nottingham Place and impact of visitor parking and use of tandem parking on site

## **Principal Issues**

1. Any damage to the verges would be dealt with by the Local Highway Authority; any obstructions to the public highway would be dealt with by the Police; any noise or dust issues impacting neighbouring residents would be controlled by Environmental Health Legislation and Building Regulations specify fire safety and access. The application site is within the defined urban area and the proposal would be considered reuse of previously development land therefore the principle of development is acceptable. The main issues, therefore, are the appropriateness of the design of the proposal and its impact on the appearance of the locality; the amenities of the occupiers of adjacent properties and future occupants of the proposed dwelling; the provision of off road parking and highway access for the existing and proposed dwellings; and the impact on protected species and habitats.

2. Nottingham Place and the adjacent roads constitute a residential area with a variety of property types, predominantly two-storey, detached and of a similar size. Notwithstanding the similarly sized properties the plot sizes vary drastically from between 325 - 700 sqm with rear gardens lengths varying from a few metres to nearly 20m. The only similarity between the properties is their proximity to the road with the majority set back behind an enclosed parking or garden area. The existing dwelling, no. 1, is at odds to this in that it is positioned perpendicular to Nottingham Place and Milvil Road on a 1,100 square metre plot. The westerly, front, elevation has been purposely designed to be functional facing the driveway / garage. The more attractive and regularly formed eastern elevation looks out over the enclosed garden. The position of no. 1 in relation to the road creates a visual break at the end of the street scene before a change in character to larger properties on more generous plots along Milvil Road. The proposal would divide the application site



to create a new 235 square metre plot to the west and retain the rest of the site for no.1. This would maintain a functional and useable space to the west of no. 1. whilst having no harmful impact on its more important eastern elevation. As such whilst the character of the plot and setting of number 1 Nottingham Place would change it is not considered that this impact would be harmful.

3. The proposed new dwelling would be smaller than the surrounding properties (2 rather than 3 or 4 bed) and this is reflected in the smaller plot size and proposed footprint. The new dwelling would, however, be set back from the highway to align with the other properties along the south side of Nottingham Place. It would offer a 5.5m deep rear garden which is comparable to the mix of different garden sizes within the vicinity and considered to provide an adequate amount of useable private open space. It would be of a similar height to its neighbours and would be positioned away from the west boundary ensuring the rhythm of space between properties is maintained and although narrowing the original gap it would retain the clear division between no. 1 and the rest of the road. It is therefore considered that the proposal would be in keeping with the existing eclectic mix of housing in Nottingham Place.

4. Nottingham Place is not a historically sensitive area and is not part of a Conservation Area nor does it contain any listed or locally-listed buildings. The age of the properties on the road varies and they have largely been individually built over years with no strong design or genre to the housing stock as such a modern design would not be at odds to the local character and would simply show a progression of building styles through time. The proposed finish would use render, matching the properties at either end of Nottingham Place, and would include a modern cladding with high levels of glazing to enhance its aesthetics. It is therefore considered that the proposed new dwelling would be appropriate to its location and would not negatively impact on the character of the locality in compliance with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

5. The proposed new dwelling would use obscure glazing in the side elevations and an obscured screen on the spiral stairway landing to ensure the privacy of 1 and 3 Nottingham Place is retained. The use and retention of obscure glazing as indicated on the submitted plans can be secured through the imposition of suitably worded planning conditions. There would be a singular high level window in the west elevation for the ground floor bathroom which would not be obscure glazed but due to the 1.7m cill height, the use of the room and the location of the window (facing the side elevation of 3 Nottingham Place and behind the existing and retained 1.8m high boundary wall) it is not considered to reduce the existing privacy of no. 3. The first floor rear facing windows would overlook Shangri-La to the rear but would predominantly view the roof of the large single storey element and would only have oblique views of the open space beyond which already has a level of overlooking from within the retirement home and the existing surrounding properties. It is therefore considered that any additional overlooking from the proposed new dwelling would not be to such an extent as to harm the amenity of the occupants of Shangri-La.

6. The proposal would create shadow but due to the location and orientation this would predominantly affect the frontage of the new dwelling itself with a lesser effect on the front area and side elevation of 3 Nottingham Place, predominantly in the early morning. The proposed new parking area and the western elevation of 1 Nottingham Place would be mainly affected in the later afternoon. It is not considered that this impact would harm the amenity of the occupants of either of these properties. There is a concern that the bulk of the new dwelling would reduce the light into the higher level obscure glazed ground floor windows in the side of no. 3. The light to those windows is, however, already compromised by the existing boundary treatment and garage. The proposed dwelling would be set approximately 0.5m further back from the boundary than the existing garage and the existing boundary retained. Equally the proposed high level of glazing and pale finish on the new dwelling would increase the amount of reflected ambient light. It is, therefore, considered that any additional impact on the windows would not be to such a level as to cause harm to the amenity of the occupants of no.3.

7. Due to the location, orientation and relationship with the surrounding buildings the proposal is not considered to impact on the outlook of the neighbouring properties and would offer a suitable level of amenity in terms of access to outdoor space, light and privacy for the future occupants of the proposed new dwelling. The proposal would also ensure that appropriate parking and access (see

paragraphs 9, 10 and 11 below) and cycle and bin storage space to maintain the amenity of the occupants of 1 Nottingham Place and the proposed dwelling. Taking this all into account the proposal is considered not to harm the amenity of the occupants of the surrounding properties and to provide a suitable level of amenity for the future occupants of the proposed dwelling in accordance with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

8. The application site is within 400m of the Lee-on-the-Solent waterfront and High Street where there is a good provision of shops and community services as well as regular bus services to Gosport, Fareham, Portsmouth and Southampton which run in both directions at approximately half hourly intervals throughout the day. The roads between the application property and these facilities are predominantly residential with good pavement links. As such it is considered that the application site is within a sustainable location in terms of access to facilities without the requirement of a private vehicle.

9. To comply with the off-road parking provision for residential properties as laid out in the Council's Parking Supplementary Planning Document (SPD), residential dwellings of 2 bedrooms should have 2 off road parking spaces, and of 4 or more bedrooms should have 3 off road parking spaces. The proposal would provide 2 off road parking spaces, 1 in the garage and 1 on the driveway, for the proposed new dwelling and an area large enough to for 3 off road parking spaces for the existing property, which is acceptable. The proposed integral garage would be large enough to offer appropriate long and short stay cycle storage for the proposed new dwelling.

10. Nottingham Place has parking restrictions for Monday - Friday 8am - 5pm but other nearby residential roads do not and there is not a high level of on road parking in the wider area. The Parking SPD requires that visitor parking of 0.2 spaces per dwelling is provided. However, as the visitor requirement for this proposal is less than 0.5 of a visitor space and there is a good level of on street parking availability within the local area it is not considered appropriate to require the provision of visitor parking on site. Therefore it is considered that the proposed parking provision is acceptable and would not harm the amenity of occupants of the local area nor highway safety.

11. The proposal would create an independent access for each property onto Nottingham Place and the width, visibility, cross-over positions and linkage to the existing footpath are considered acceptable for residential dwellings. The existing access would need to be blocked up by reinstating the kerb to ensure pedestrian safety is maintained and it is recommended that this is conditioned. Due to the proposed tandem parking provision vehicles would need to be manoeuvred on Nottingham Place, however, the road is wide and straight, with good visibility and there are low levels of on road parking, so it is considered such vehicle movements can be undertaken without impeding the free flow of traffic along the road or the safety of other road users. Taking into consideration the proposed location, off road parking and access provision it is considered that the proposal would be in compliance with Policies LP10 and LP23 of the Gosport Borough Local Plan 2011-2029.

12. The proposal would 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 has been paid in accordance with the Gosport Bird Disturbance Mitigation Protocol. There is no evidence that the site supports notable or endangered species and none are at threat as a result of the development. The proposal, therefore, complies with Policies LP42 and LP44 of the Gosport Borough Local Plan 2011 - 2029.

### **RECOMMENDATION: Grant Permission**

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

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

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

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

PA17-162:03 Revision C

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) No development above slab level shall take place until details of all external facing materials for the dwelling hereby approved, including details of the roofing and fascia materials, have been submitted to and approved, in writing, by the Local Planning Authority.

b) The development shall thereafter be carried out in accordance with approved details.

Reason - In the interests of amenity and to ensure that the appearance of the development is acceptable and to comply with the NPPF and Policy LP10 of the Gosport Borough Local Plan, 2011-2029.

4. The new dwelling hereby permitted shall not be occupied until

a) details of the hard surface for the two new driveways has been submitted to, and approved in writing, by the Local Planning Authority, and

b) the new driveways have been completed in accordance with the approved details.

Reason - To ensure that the external appearance of the development is satisfactory and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

5. All side facing windows above ground floor level shall be obscure glazed to a minimum of level 3 on the Pilkington Scale (or any other equivalent that may be agreed in writing by the Local Planning Authority) and shall not open below a height of 1.7 metres above the finished floor level adjacent to the window. These obscure glazed and non-openable windows shall thereafter be retained.

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

6. The new dwelling hereby approved shall not be occupied until the obscure glazed screen to the spiral staircase shown on approved plan reference PA17-162:03 Revision C, has been provided. The obscure glazed screen shall thereafter be retained.

Reason - In order to protect the amenity of the occupiers of the 3 Nottingham Place and to comply with Policy LP10 of the Gosport Borough Local Plan, 2011 - 2029.

7. Unless otherwise agreed in writing by the Local Planning Authority, the dwelling hereby permitted shall not be occupied until

a) details of how the existing site access shall be blocked up have has been blocked up by been submitted to, and approved in writing, by the Local Planning Authority, and

b) the approved works completed in accordance with the approved details, and

c) the alterations to the existing dropped kerb have been carried out.

Reason - To ensure safe and defined vehicular accesses onto the site, and to comply with Policy LP23 of the Gosport Borough Local Plan 2011-2029.

8. The new dwelling hereby permitted shall not be occupied until the garage and driveway as shown on approved plan, PA17-162:03 Revision C, have been provided and made available for the parking of 2 vehicles and thereafter retained.

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

9. The dwelling hereby permitted shall not be occupied until an off road parking area for 3 vehicles has been provided for 1 Nottingham Place and this shall be retained for vehicle parking at all times unless otherwise agreed, in writing, by the Local Planning Authority.

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

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10. The dwelling hereby permitted shall not be occupied until facilities for the storage of cycles and bins as shown on plan PA17-162:03 Revision C have been provided and thereafter retained.

Reason - To protect the amenities of future occupiers of the approved dwelling and to comply with Policies LP10 and LP23 of the Gosport Borough Local Plan 2011-2029.



**ITEM NUMBER: 02.**  
**APPLICATION NUMBER: 18/00012/FULL**  
**APPLICANT: Mr Allan McGregor Firtree Associates Ltd.**  
**DATE REGISTERED: 10.01.2018**

**ERECTION OF A SINGLE STOREY REAR EXTENSION AND ROOF EXTENSION;  
INSTALLATION OF DORMERS, A THIRD FLOOR WINDOW AND ROOF LIGHTS; AND  
INCREASE IN HEIGHT OF LIFT TOWER TO FACILITATE THE CREATION OF 5 NEW  
BEDROOMS TO INCREASE THE NUMBER OF RESIDENTS FROM 29 TO 34  
(CONSERVATION AREA) (RESUBMISSION OF 17/00323/FULL) (amended by plans  
received 02.03.18 and 08.05.18 and amplified by information received 08.05.18)  
Hazeldene Rest Home 20 Bury Road Gosport Hampshire PO12 3UD**

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

1. This application was considered by the Regulatory Board on 18th April 2018 when Members resolved to defer it for a site visit.

2. The application site is a large, detached two storey property used as a residential care home. It has had multiple extensions and alterations to facilitate this use including a conservatory on the front elevation measuring 5.9m deep, 4.5m wide and 3.8m tall. The building is finished in a brown pebble dash with a red tiled roof. It is set back from Bury Road on the northern side by approximately 29m behind an approximately 1m high boundary wall, a drive and raised garden areas. The 2.5m wide drive continues to the rear of the property between the east elevation of the property and the eastern boundary underneath a 12.5m long section of the first floor which bridges over and abuts the eastern site boundary. To the rear (north) of the property is an approximately 19m long area of hard standing providing 7 useable car parking spaces, a detached flat roofed outbuilding used as an office and some informal cycle storage facilities. The east boundary is formed by the side elevation of the adjacent property, the support wall for the bridging first floor, an approximately 2m high boundary wall followed by approximately 1.8m high fencing. The northern boundary is an approximately 2m high wall, with a small section of fencing infill; and the west boundary is a mixture of fencing and walls starting at an approximate height of 1.8m at the northern end and reducing incrementally to approximately 1m at the southern end.

3. The application site is within 50m of a notable species habitat - Narrow Leaved Pepperwort. It is also within the Bury Road Conservation Area and the 2 properties to the east and 10 properties to the west are Listed. They are set closer to the road, are white / cream rendered and all of a similar style creating a strong character to the northern side of Bury Road. The property directly to the east, 18 Bury Road, has been divided into 3 separate dwellings and its two storey rear elevation is broadly in line with the front elevation of the application property. There are 3 ground floor windows and 1 first floor window in the west elevation of no. 18. The rear gardens of the 3 dwellings in no. 18 are to the north and enjoy relatively high levels of privacy relying on a tall evergreen hedge along the western boundary which screens them from the existing first floor windows in the east elevation of the application property. The property to the west, 22 Bury Road, is at a lower level than the application property and has a large garden to the north. It has a two storey rear projection which screens the main rear elevation from the majority of the existing windows in the west elevation of the application property, although the windows do have clear views over the rear garden of no. 22.

4. An application for amendments was refused in October 2017. The refused proposal included roof alterations with front and side dormers; a nearly full width replacement conservatory to the front with parking beyond; and a garden, scooter, bike and bin stores to the rear. The reasons for refusal are as follows:-

1. The proposed front dormer and conservatory would, by reason of their unsympathetic scale and appearance, represent inappropriate and incongruous addition to the recipient building harmful to the character and appearance of the Bury Road Conservation Area and the setting of the

surrounding listed buildings, contrary to Policies LP10, LP11 and LP12 of the Gosport Borough Local Plan 2011-2029.

2. The dormers and second storey windows in the east and west elevation would, by reason of their size, position and relationship with 18 and 22 Bury Road result in harm to the amenity of the existing and future occupants of those properties in terms of loss of privacy from the windows and loss of outlook from the dormers, contrary to Policy LP10 of the Gosport Borough Local Plan 2011 - 2029.

3. Inadequate provision has been made for the parking and manoeuvring of vehicles within the application site which would result in harmful overspill parking in the local road network and manoeuvring to the detriment of highway and pedestrian safety, contrary to Policies LP10 and LP23 of the Gosport Borough Local Plan 2011 - 2029 and the Gosport Borough Council Parking Supplementary Planning Document.

4. The proposed cycle and scooter storage provision is unsatisfactory and would not promote the use of such alternative methods of transport, contrary to Policies LP10 and LP23 of the Gosport Borough Local Plan 2011 - 2029 and the Gosport Borough Council Parking Supplementary Planning Document.

5. Adequate provision has not been made for the storage and collection of refuse, to the detriment of the amenities of occupants of the site and highway safety contrary to Policies LP10 of Gosport Borough Local Plan 2011-2029.

5. The current proposal is for the erection of a single storey rear extension and roof alterations to extend into the roof space creating 5 new bedrooms and additional communal space. This along with a variety of additional internal alterations would increase the residential capacity of the application property from 29 to 34 and ensure all the bedrooms reflect the current care standards. The proposed single storey extension would be 8.1m long and 5.3m wide. It would have a 3.1m high flat roof with two lantern lights. There would be a set of patio doors and windows in the west elevation overlooking a newly created rear garden. The proposed roof alterations are:-

- a 10.3m flat roof extension incorporating the various valleys and slopes of the roof towards the rear of the property. This would include 1 obscure glazed second floor window in the west elevation, non-opening below 1.7m from the internal floor level, and 1 second floor window in the rear elevation;

- 2 dormers one in the rear and one in the east elevation. The rear dormer would be 0.8m wide, 1.2m high and 1.2m deep with a single rear facing window. The dorm in the east elevation would be 2.6m wide, 1m high and 1.4m deep with 2 obscure glazed windows both of which would be non-opening below 1.7m from the internal floor level;

- Increase in height of the lift tower by 2.4m thereby protruding above the roof ridge by 1.8m; and

- 5 roof lights within the flat roof, 2 roof lights within the front roof slope, 1 in both the east and west roof slopes and 1 second floor window in the front gable on the front of the property.

6. The current proposal differs from the refused proposal as it removes the front dormers and enlarged front conservatory; it retains and improves the boundary screening along Bury Road and alters the position of the parking, scooter store, bin and cycle store provision.

7. The alterations to the building would be completed in matching materials. It is proposed to create 13 parking spaces to the front and rear of the property and install mobility scooter, bike and bin storage sheds as well as Sheffield stand cycle storage along the western boundary of the site. A Design, Access and Heritage Statement was submitted with the application.

8. Amended plans were submitted on the 02.03.2018 which amended the location of bin, scooter and cycle storage to improve the vehicle turning area to the front of the property and minor

amendments including details of the roof lights and the east dormer. Further amended plans have been received to correctly show the position of a chimney in the eastern roofslope. In response to a deputation given at the last Regulatory Board meeting, additional information has been received in the form of 3D montages of the internal spaces and external appearance of the proposed extended building.

### **Relevant Planning History**

17/00323/FULL - extension of conservatory; extension of roof, installation of dormers, third floor windows and roof lights; and increase in lift tower height to facilitate the creation of 7 new bedrooms and increase the number of residents to 33 (conservation area) - refused 30.10.2017

K2575/12 - erection of single storey side and rear extensions and two storey side and rear extensions to existing rest home, and increase no. residents from 23 to 29 (Conservation Area) - permitted 27.06.95

### **Relevant Policies**

Gosport Borough Local Plan, 2011 – 2029:

LP10

Design

LP11

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

LP12

Designated Heritage Assets: Conservation Areas

LP23

Layout of Sites and Parking

LP44

Protecting Species and Other Features of Nature Conservation Importance

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**

Local Highway Authority	No objection.
Building Control	A Building Regulations application is required. The open stair cases and access to the second floor in relation to the fire strategy would need to be considered. There is a high potential the proposed layout will create Building Control and fire safety related issues.
The Gosport Society	No objection as support the Conservation Officer's position but concerns remain for side dormers and lift tower and their effect on the external appearance of the original building.
Hampshire Fire And Rescue Service	No objection.



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

2 letters of objection

Issues raised:-

- potential damage to side wall of 18 Bury Road due to parking and manoeuvring vehicles
- additional noise created from additional residents
- overlooking from east facing dormer
- loss of light due to bulk of dormer
- car parking and access related to additional usage would impact on highway safety
- bin storage directly adjacent to side wall and windows of 18 Bury Road

### ***Principal Issues***

1. Whilst diagrams overlain on photographs and 3D montages are helpful to visualise proposals, they are not necessarily produced to scale and cannot, therefore, be relied upon to be accurate. Applications must be considered on the basis of the scaled plans and elevations submitted. Damage to private property is not a planning consideration. The main issues, therefore, are the appropriateness of the design of the proposal its impact on the appearance of the locality, the setting of the listed buildings and the character and appearance of the Conservation Area; the amenities of the occupiers of adjacent properties; off road parking provision; bin storage provision and protected species.

2. The proposal mainly seeks to change the roof form, by introducing dormers, extensions, additional windows and conservation roof lights, and add an extension to the rear of the application building. The majority of the works would be to the rear of the property which has been significantly altered and is not overly visible from Bury Road or within views through and into the Conservation Area. The proposed works to the front of the application property have been substantially reduced from those within the refused scheme, and would include a single side dormer, roof lights and a window in the gable. These are not considered to significantly harm the visual amenity of the building nor unduly alter its appearance. The property is not a listed building but it is within a Conservation Area and within the setting of a number of listed buildings; however the proposed alterations are not considered to materially alter the relationship of the application property with its surroundings. The proposed bin, cycle and scooter storage would be discreetly positioned to the rear and side of the application property. To improve the parking provision and turning capabilities within the site, as proposed, there would be a requirement for additional hard surfacing to the front of the property. However this would be largely screened and softened by extensive planting to the front boundary, thus ensuring the enclosed and verdant nature of the frontages along Bury Road are maintained and the character of this part of the Conservation Area is enhanced. It is recommended that details of the screening planting are conditioned to ensure the plants used are appropriate. Taking this into consideration the proposal would be appropriately designed and would conserve the character and appearance of the Conservation Area as well as the setting of the surrounding listed buildings; it would overcome the issues raised in the previous reason for refusal and comply with Policies LP10, LP11 and LP12 of the Gosport Borough Local Plan 2011-2029.

3. The proposal would increase the capacity for residents of the care home which has the potential of increasing the amount of disturbance; however the increase would only be a maximum of 5 extra residents. The proposed movement of the car park to the front would mean that cars could be parked closer to the side elevation of 18 Bury Road, however, the driveway already runs along the side elevation so the property is already impacted by the vehicle movements on site. Taking this into consideration, the proposed increase in the number of residents and associated comings and goings would not harm the amenity of the occupants of the adjacent properties in terms of potential increased noise nuisance and any isolated incidents of noise could be dealt with under the Environmental Health legislation. The proposal would not considerably alter the mass of the application property and as such is unlikely to create a significant loss of light for the properties on either side.

4. The additional windows in the side elevations of the proposal would serve bathrooms, be obscure glazed and non-opening below 1.7m from the internal floor level. The roof lights in the side

elevations would also have cill heights of 1.7m and would be secondary windows in the rooms only. The roof lights in the front elevations would be lower to allow views out of them when they are the primary window in a bedroom. This is therefore considered to maintain the privacy of the occupants of the properties on either side whilst ensuring the amenity of future occupants of the 4 new bedrooms in the roof space. The additional roof alterations would be positioned within the envelope of the application property so are not considered to significantly alter the bulk of the existing building in relation to its impact on the outlook from or shadow over adjacent properties. Taking this into consideration the proposal is not considered to harm the amenity of the occupants of the adjacent properties; it would overcome the issues raised in the previous reason for refusal and comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

5. The application property currently has access to 7 useable parking spaces. The proposal would increase the number of residents by a maximum of 5 and the number of staff by 2.5 full time equivalents which would require 4 additional parking spaces. The proposal would provide 6 additional spaces which exceeds the parking need and they are of a form which meets the size requirements set out in the Council's Parking Supplementary Planning Document. Appropriate manoeuvring space has been provided for the rear and front parking spaces and it is evident larger vehicles such as delivery trucks and ambulances can access and egress the site in a forward gear. It is therefore considered that vehicles using the site would be able to safely exit the site in a forward gear without impacting on the safety of other users or the traffic flow of Bury Road. Cycle storage and scooter storage is appropriate to the use of the application property and is easily accessible for both residents and staff. The proposal therefore overcomes the issues raised in the previous reasons for refusal and complies with Policies LP10 and LP23 of the Gosport Borough Local Plan 2011 - 2029 and the Gosport Borough Council Parking Supplementary Planning Document.

6. There is no specific requirement for bin provision for a care home within the Council's Design Supplementary Planning Document (Design SPD), as this is a commercial use, and the proposal shows provision for 2 commercial bins which is 1 more than is currently available on the site so does constitute an improvement to the current situation. They would be stored 25m from the road side which is an acceptable distance for moving the bins to the road edge for collection. This provision is therefore considered acceptable; would overcome the issues raised in the previous reason for refusal and comply with Policy LP10 of the Gosport Borough Local Plan 2011 - 2029.

7. The site is located close to a habitat for a notable species. Whilst this is of importance, having regard to the continued use and nature of the site and the type of the development proposed, the proposal is not considered to have a detrimental impact on this important habitat so complying with the Policy LP44 of the Gosport Borough Local Plan, 2011 - 2029.

### **RECOMMENDATION: Grant Permission**

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

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

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

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

17010-130 O  
17010-430 A  
17010-431 A  
17010-432 O  
17010-433 O  
17010-530 A  
17010-630 O

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

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

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

4. The dormer windows in the side elevations, as outlined in green on Plan 17010-530 Revision A, shall be non-opening to a height of 1.7m above finished floor level and glazed with obscure glass (minimum of level 3) and shall be retained in that condition thereafter.

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

5. Occupation of the property shall not exceed a maximum of 29 residents until the off road parking spaces and vehicle manoeuvring areas as shown on plans 17010-432 O and 17010-433 O have been provided and made accessible. The spaces and manoeuvring areas shall thereafter be retained for vehicle parking and manoeuvring.

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

6. Occupation of the property shall not exceed a maximum of 29 residents until the details listed below concerning the 'New Screening' planting shown plan 17010-430 A and described in paragraph 10.3 of the Design, Access, and Heritage Statement (written by Martin Critchley, Chartered Architect and dated January 2018) have been submitted to and approved, in writing, by the Local Planning Authority.

The details required are:-

- Location, number, density of planting and height of each species; and
- A future maintenance scheme.

The planting shall then be carried out in accordance with the approved details in the next planting season and maintained in accordance to the approved maintenance scheme.

Reason - To safeguard the character and appearance of the area and preserve the Conservation Area and the setting of the nearby Listed Buildings in accordance with Policies LP10, LP11 and LP12 of the Gosport Borough Local Plan 2011-2029.

**ITEM NUMBER: 03.**  
**APPLICATION NUMBER: 17/00592/DETS**  
**APPLICANT: C/O Agent Wates Construction Ltd**  
**DATE REGISTERED: 31.01.2018**

**DETAILS PURSUANT TO CONDITION 5 OF PLANNING PERMISSION K17976 (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**

**DETAILS OF LAYOUT, SCALE, APPEARANCE AND LANDSCAPING PURSUANT TO PHASE 2 - ERECTION OF 200 RESIDENTIAL UNITS (CLASS C3) AND ASSOCIATED PUBLIC REALM, LANDSCAPING AND CAR PARKING (CONSERVATION AREA) (as amended by plans received 27.03.2018)**

**Land At Former HMS Daedalus (Waterfront East And West) Lee-On-The-Solent Hampshire**

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

1. The application site is located within the Waterfront area of the former HMS Daedalus located south of the airfield. The site is within the Solent Enterprise Zone and forms part of a wider site which benefits from an Outline planning permission for a mixed-use development, approved under reference K.17976 (11/00282/OUT) in January 2016. Part of the application site falls within the Daedalus Conservation Area. The site does not include Wykeham Hall, Keith Cottages and Building 142 that are to be retained and will be the subject of a future planning application for their conversion.
2. The wider Daedalus site originated as the western extremity of the late Victorian planned seaside settlement of Lee-on-the-Solent when a number of streets and buildings were purchased and around which the first seaplane base was developed in 1917. After an initial camp, which integrated use of some of the Victorian buildings (Wykeham Hall and Westcliffe House for example) and witnessed the development of the seaplane hangars, power house and slipway, the airfield was significantly enhanced in 1920s and 1930s with the establishment of the site as Coastal Command Headquarters on a more formalised layout. This layout included the addition of the Wardroom, Barracks, Dining Room and Cookhouse, Married Quarters, the NAAFI Club, Guardhouse, Sick Bay and Eagle Block. The formalised layout developed by the late 1930s was used as the basis to designate the Conservation Area.
3. The Outline planning permission is for an 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.
4. Means of access was considered and approved under the Outline application. The Outline permission established the main vehicular access as being from the new spine road (now known as Daedalus Drive) with access from Broom Way to the east and Stubbington Lane to the west. Three

further secondary vehicular accesses were also established that would reuse the existing gated access points from Nottingham Place (two-way), Brambles Road (one-way into the site) and Drake Road (one-way out of the site). Additional pedestrian and cycle only accesses were approved from Seaplane Square, Norwich Place, Richmond Road (south of the Wardroom), Manor Way/Milvil Road and Marine Parade West (to the south of Ross House).

5. This proposal is for the approval of matters reserved by Condition 5 of the Outline Permission and relates solely to the erection of 200 dwellings together with the provision of associated public realm, landscaping and car parking. This application comprise full details of the layout, scale, appearance and landscaping for the 200 dwellings which would comprise Phase 2 of the permitted mixed-use development.

6. As permitted at the Outline stage, access to the dwellings would in the main be from Daedalus Drive via the internal road infrastructure that has recently been constructed (Vengeance and Archer Roads). Secondary pedestrian and cycle access would be provided from Marine Parade West, Drake Road and Norwich Place. An alternative pedestrian and cycle access is shown from Catalina Close as an alternative to the one directly from Milvil Road that would enter the site at the same location as approved. The layout details for the application also include the formation of vehicular crossovers to serve a total of 11 individual properties that would front Kings Road and Drake Road.

7. The application site comprises three separate parcels of land, one to the east of the wider Waterfront area (henceforth referred to as the eastern parcel) and the other two to the west (henceforth collectively referred to as the western parcel). Each of the eastern and western parcels would provide 100 dwellings.

8. The eastern parcel is bounded to the north by Daedalus Park Phase 2 and to the east by properties in Milvil Road, Norwich Place, Kings Road and Inverkip Close. The western boundary of the eastern parcel is the recently constructed Vengeance Road. The development proposed on the eastern parcel would comprise 82 houses and 18 flats. The houses would all be two-storey and comprise a mix of one to four bedroom properties and a mix of detached, semi-detached and terraced dwellings. Seven of the dwellings would front Kings Road and have individual direct access thereto. The flats would be in 2 three-storey blocks and be a mix of one and two bedrooms. Allocated on plot parking would be provided for most of the dwellings, with two communal car parks serving the flats and 11 of the dwellings which would also provide dedicated visitor parking. A total of 185 parking spaces would be provided to serve the eastern parcel.

9. The western parcels would be bounded to the west and south by properties fronting Marine Parade West and Drake Road, to the north by Daedalus Drive and to the east by the recently constructed Archer Road. The development proposed on the eastern parcel would comprise 73 houses and 27 flats. The houses would all be two-storey and comprise a mix of one to four bedroom properties and a mix of detached, semi-detached and terraced dwellings. Four of the dwellings would front Drake Road and have individual direct access thereto. The flats would be in 3 three-storey blocks and be a mix of one and two bedrooms. Allocated on plot parking would be provided for most of the dwellings, with three communal car parks serving the flats and 2 of the dwellings. Visitor parking would be provided along the edge of the open space. A total of 197 parking spaces would be provided to serve the western parcel. The south-western boundary of the site is bounded by an adopted service road running to the rear of properties fronting Marine Parade West from which no access would be formed.

10. The proposed dwellings would be laid out with properties fronting the existing roads within each parcel and fronting new roads and cul-de-sac within each parcel. Each house would have a rear garden with pedestrian access with most having either on plot parking or allocated parking to the front.

11. The proposed dwellings would be traditional in appearance and sit beneath pitched roofs with a mix of gabled and hipped features that would be finished in slate. Externally the dwellings would be finished in a mix of red, buff and grey/blue bricks with the eastern parcel, part of which falls within

the Daedalus Conservation Area, proposed to be finished in predominantly red brick. Brick detailing would be used to enliven the buildings and add interest and articulation.

12. Public open space would be provided in several locations, the key areas in the western parcel being at 'the Captains Gardens' adjacent to the rear of Ross House where the existing trees and natural features would be retained and in two smaller parcels fronting the roundabout on Daedalus Drive and Archer Road which runs north to south from the roundabout opposite the Airport Control Tower. On the eastern parcel a landscaped corridor would be provided from the existing access point at the junction of Kings Road and Norwich Place to Vengeance Road which runs north to south between Phase 2 of Daedalus Park and 'Overlord Hangar'. A further small parcel of open space would be provided adjacent to where the landscaped corridor meets Vengeance Road.

13. The application is supported by a range of documentation including a Planning Compliance Statement, Design and Access Statement, Heritage Statement, Transport Statement and Statement of Community Involvement.

14. Amended plans have been received that have increased the rear garden depth and separation of the proposed terrace of dwellings to the rear of Inverkip Close and added brick detailing to the otherwise blank rear elevations. The layout of the four dwellings proposed on the triangular parcel of land to the north of Drake Road has been amended to increase the separation from the northernmost dwelling in Drake Road (Windsong). Two of these dwellings have also been reduced in size from 2 to 1 bedroom. Alterations have also been made to the layout of roads and parking areas to achieve greater compliance with the Parking SPD.

15. It should be noted that consideration of this 'reserved matters' application would not enable the construction of the dwellings to be undertaken until such time as the relevant conditions in respect of the further details of contamination, ecology, tree protection measures, street furniture, street lighting, surface treatments and landscaping have been agreed and discharged pursuant to planning conditions attached to the Outline permission.

16. The Section 106 Agreements associated with the Outline permission secure the provision of Affordable housing, mitigation for recreational disturbance, the provision and management of open space and transport infrastructure improvements. The legal agreement relating to the provision of Affordable housing has been varied to alter the tenure and timing of its delivery.

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

K17976 (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 28.01.2016

16/00441/DETS - details pursuant to Condition 5 of Outline Permission 11/00282/OUT - Phase 1 - details of layout of roads, and infrastructure and services, including new foul water pump house - permitted 13.03.2017

### ***Relevant Policies***

Gosport Borough Local Plan, 2011 – 2029:

LP42

International and Nationally Important Habitats

LP44

Protecting Species and Other Features of Nature Conservation Importance

LP5

Daedalus  
LP10  
Design  
LP12  
Designated Heritage Assets: Conservation Areas  
LP22  
Accessibility to New Development  
LP23  
Layout of Sites and Parking  
LP24  
Housing  
LP46  
Pollution Control  
LP47  
Contamination and Unstable Land

**Supplementary Planning Documents:**

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

Gosport Borough Council Parking: Supplementary Planning Document: February 2014

Solent Special Protection Areas Gosport Bird Disturbance Mitigation Protocol 2014

Gosport Borough Council Daedalus: Supplementary Planning Document: September 2011

National Planning Policy Framework (NPPF), March 2012

***Consultations***

Environment Agency (Hants & IOW)	No response received.
LOTS Airfield	No response received.
Natural England	No objection subject to SPA mitigation.
Portsmouth Water Catchment Management	No objection.
Scottish And Southern Energy	No response received.
Southern Water	No objection.
The Gosport Society	No response received.
Historic England	No objection.
Crime Prevention & Design	Crime prevention measures required.
Fareham LPA	No objection.
Hampshire Fire And Rescue Service	No objection.
HCC Ecology	No objection.
Local Highway Authority	No objection to proposed road layout. Highlight need to provide adequate off-road parking to avoid potential for on-street parking.
HCC Local Lead Flood Authority	No objection.

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HCC Public Health Team	No response received.
Building Control	No objection.
Environmental Health	No objection.
Streetscene Waste & Cleansing	No objection.

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

11 letters of objection

Issues raised:

- proposals lack any design flair;
- isolated triangle site out of character;
- loss of privacy;
- inadequate separation from existing dwellings;
- loss of light;
- proposal would harm Conservation Area;
- proposals taller than previous single storey buildings;
- potential loss of green space;
- loss of trees/habitat;
- potential impact on badgers which use site;
- opening up of Drake Road to through traffic would make egress from adjacent service road difficult;
- there should be no access to the service road to the rear of properties fronting Marine Parade West and a robust boundary;
- no information about site of former substation;
- no health care provision;
- inadequate parking;
- additional pedestrian access to Marine Parade West could lead to road safety issues;
- development should not front existing roads and should be inward looking.

6 letters of representation

Issues raised:

- there should be no access to the service road to the rear of properties fronting Marine Parade West and a robust boundary;
- existing service road to the rear of properties fronting Marine Parade West is too narrow to allow a refuse collection vehicle to access without reversing from Drake Road

1 letter of support

Issues raised:

- welcome provision of much needed new homes

### ***Principal Issues***

1. This proposal reflects the uses and parameters for this part of the site that were approved, in principle, under the Outline planning permission and are appropriate in land use terms and in compliance with Policy LP5 of the Local Plan.

2. Traffic generation from the development as a whole and the impact on the surrounding road network was assessed, considered and approved under the Outline application. The arrangements for vehicular and other means of access were also assessed, considered and approved under the Outline permission. The proposal would not affect the existing service road adjacent to the site that runs to the rear of properties fronting Marine Parade West and connects with Drake Road. The consideration of the Outline application also dealt with ecology and contamination.

3. The main issues in this case are, therefore, whether the proposed layout, scale, appearance and landscaping details proposed for Phase 2 are acceptable, having regard to whether the proposal



would preserve or enhance the character and appearance of the Conservation Area, its impact on the wider setting of Listed Buildings in the Waterfront Area, whether the proposal would prejudice the future redevelopment of the remainder of the site, whether appropriate provision can be made for car and cycle parking and refuse storage and collection, the impact on the amenity of existing, prospective and nearby occupiers, and the impact on highway safety.

4. The proposed internal road layout and adjacent hard surfaces would provide adequate access, turning provision and permeability through the site for all users and would link into those approved and constructed as Phase 1. They also finish at appropriate junctures to link into future Phases. Access points to all of the buildings are appropriately and conveniently located for future occupiers and visitors. The individual vehicular crossovers for dwellings fronting Kings and Drake Roads are considered acceptable such that they would not be prejudicial to the safety or convenience of users of the highway.

5. The formal layout of the proposed dwellings within the eastern parcel which encompasses part of the Conservation Area complements the 1930s layout which was the basis for its designation as a Conservation Area. There are two 3 storey flat blocks included within the eastern section, the western of which closes the long eastward view along Implacable Road and by so doing replicates the function of Eagle Block at the southern end of Vengeance Road. Its balanced form, following good classical proportioning and with indented central bays, is acceptable in this location and provides appropriate articulation. The window to brick ratio is good and the roof pitch is correct in its context. Overall the simplicity and rigid proportioning is characteristic of a number of historic buildings on site and would complement the retained buildings.

6. The proportioning is repeated on the southern elevation of the western block of flats where it addresses the adjacent open space. To its east is a further 3 storey block, then a gap before Wykeham Hall. The rigid formality of the treatment of these larger buildings works well in this prominent location and their siting would not dominate by virtue of the open space to the south and the long views towards the buildings from the south and west.

7. The various two storey dwellings have drawn from the formal historic layout and respect the setting of the historic buildings in or adjoining the Conservation Area. The proposed materials are an appropriate mix and well detailed in this context.

8. The submitted drawings show the retained buildings in context and them having sufficient space around them to enable them to be converted in a manner that would not be prejudiced by the current proposals.

9. The proposal for the eastern parcel would complement the established and historic character of the Conservation Area such that its character and appearance would be enhanced. The wider setting of the nearby Listed Buildings would be enhanced by the proposals for the Eastern parcel. The proposal therefore complies with Policies LP11 and LP12 of the Local Plan.

10. The western parcel is isolated from the Conservation Area and containing no historic buildings. The proposed layout and design of buildings has had regard to the long views towards the site and the need to integrate a mix of materials as well as a degree of formality in design and layout with regard to key views. The 3 storey flat blocks are sited to take advantage of the longer views created by the Phase 1 road network.

11. The proposals include dwellings on the edge of the site that would front existing roads, rather than turn their back on them. This is considered to be an appropriate approach which would assist with the integration of the new development into the existing streets that bound the site.

12. The proposed layout and resulting relationship between the buildings and external space would result in a mixture of active uses and passive surveillance to help create a vibrant and safe environment for future residents and visitors in an attractive and usable external setting. The development would enhance the pedestrian environment and create safe, well-lit and desirable routes with limited gradients through this phase. The details of the external facing materials and

architectural detailing should be secured by the imposition of a suitably worded planning condition. The details of means of enclosure (e.g. walls and fences) are controlled through a condition attached to the Outline permission.

13. The separation distance between windowed elevations generally accord with the Design SPD and would result in an acceptable residential environment in terms of levels of light, outlook and privacy for adjacent and prospective occupiers. There are two locations where the separation distance for windowed elevations would not be met. These are to the rear of Inverkip Close on the Eastern parcel and to the north of Drake Road in the Western parcel. In response to this, the application proposes dwellings with no windows at first floor level in the rear elevation to avoid the potential for overlooking. The dwellings in question would be one bedroom with single aspect first floor facing to the front of the dwelling. The rear elevations also include brick detailing to add interest to what would otherwise be a blank elevation at first floor level. Given the constraints of these parts of the site, the proposals are considered to be a well-considered response to the relationship with neighbours that would provide an appropriate quality of accommodation for future occupiers and protect the amenities of the occupiers of existing neighbours. The activity associated with the use of the individual vehicular crossovers is not likely to significantly affect the residential amenities of the occupiers of neighbouring properties. In amenity terms the proposals comply with Policy LP10 of the Local Plan.

14. The proposals are part of a strategic development that would eventually contain a mixture of uses and the occupiers of Phase 2 and existing dwellings would be expecting a reasonable level of activity as a result. Conditions are in place on the Outline permission to protect the amenity of occupiers during the demolition and construction phases of the development, to secure the investigation and remediation of any contamination that may be present on the site and to mitigate noise disturbance when the site is in use and operating.

15. The layout incorporates adequate provision for car and cycle and parking for the proposed dwellings, with appropriate justification being provided in respect of those areas where the technical requirements of the Parking SPD in relation to tandem parking and the dimensions of parking spaces are not fully met. The overall level of parking, including for visitors, meets the SPD requirements to ensure that likely demand can be met within the Phase 2 site area. Almost all of the parking spaces have been amended to meet the requirements of the Parking SPD to make sure that the provision is practical for use by future occupiers and their visitors. The layout provides for adequate turning areas to ensure vehicles can manoeuvre in a safe manner. There is adequate permeability within the layout for pedestrians and cycles and car movements associated with the development would not harm the amenity of the occupiers of prospective or adjacent occupiers, the overall number of dwellings having been assessed and approved under the Outline permission. A condition attached to the Outline permission controls the provision and retention of car and cycle parking. Overall the proposal complies with Policy LP23 of the Local Plan.

16. The submitted drawings indicate provision being made for communal facilities for the storage of refuse for the blocks of flats. A condition attached to the Outline permission controls the submission and approval of details and the provision and retention of facilities for the storage of waste.

17. The landscape proposals are comprehensive and on the eastern parcel would appropriately reflect the formal military history of the site and at the same time create an attractive and user friendly environment. The site is host to a small number of existing trees, most of which are indicated to be removed. These trees, whilst mature are not worthy of preservation and would be replaced by suitable specimens within the proposed landscaping proposals. The open landscaped areas between the buildings would provide high quality areas of usable open space and reinforce a landscape hierarchy. The western parcel would contain larger area of open space and would incorporate the Captain's Garden to the rear of Ross House. The western parcel would also include a landscaped corridor connecting the site to the seafront. The timely delivery and maintenance of the landscaping proposals should be secured by the imposition of a suitably worded planning condition.

18. There is potential for disturbance to badgers, bats and other protected species, however the carrying out of further ecological surveys, the provision for on-site mitigation measures and mitigation for recreational disturbance have been secured under the Outline permission. As the proposals within this application accord with the parameters of the Outline permission, and are submitted within three years of the Outline permission, there is no requirement to reassess the impact on the nearby European sites. The proposal complies with Policies LP42 and LP44 of the Local Plan.

19. Overall it is considered that the proposed layout, scale, appearance and landscape details for Phase 2 of the development are acceptable. The proposals demonstrate a high standard and quality of architectural design that would enhance the historic and architectural character and appearance of the Daedalus Conservation Area and the wider visual appearance of the area. The proposals would not prejudice the implementation of the remainder of the development or harm the amenities of the occupiers of existing, prospective or neighbouring occupiers, or be detrimental to highway safety and makes adequate provision for car and cycle parking and refuse storage and removal.

### **RECOMMENDATION: Grant Permission**

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

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

01318\_MP\_06 Rev. P2 - Site Location Plan  
 01318\_MP\_01 Rev. P2 - Proposed Site Layout  
 01318\_MP\_02 Rev. P5 - Proposed Site Layout - Western Parcel  
 01318\_MP\_03 Rev. P5 - Proposed Site Layout - Eastern Parcel  
 01318\_MP\_07 Rev.P2 - Western Parcel - Ground Floor Plan  
 01318\_MP\_08 Rev.P2 - Eastern Parcel - Ground Floor Plan  
 01318\_MP\_09 Rev.P2 - Western Parcel - Roof Plan  
 01318\_MP\_10 Rev.P2 - Eastern Parcel - Roof Plan  
 01318\_MP\_15 Rev.P2 - Western Parcel - Parking Provision  
 01318\_MP\_16 Rev.P2 - Eastern Parcel - Parking Provision  
 01318\_FB\_02 Rev.P3 - Flat Block A-B - Elevations  
 01318\_FB\_03 Rev.P3 - Flat Block C-E - Elevations  
 01318\_FB\_04 Rev.P2 - Flat Block A & B - Plans  
 01318\_FB\_05 Rev.P2 - Flat Block C & E - Plans  
 01318\_FB\_06 Rev.P2 - Flat Block D - Plans  
 01318\_HT\_1B1\_01 Rev.P2 - House Type 1B1 - Plans - Semi Detached  
 01318\_HT\_1B1\_02 Rev.P2 - House Type 1B1 - Elevations - Semi Detached - Red  
 01318\_HT\_1B1\_03 Rev.P3 - House Type 1B1 - Elevations - Semi Detached - Buff  
 01318\_HT\_1B1\_04 Rev.P1 - House Type 1B1 - Plans - Terrace  
 01318\_HT\_1B1\_05 Rev.P2 - House Type 1B1 - Elevations - Terrace - Red  
 01318\_HT\_1B1\_06 Rev.P1 - House Type 1B1 - Plans  
 01318\_HT\_1B1\_07 Rev.P3 - House Type 1B1 - Elevations  
 01318\_HT\_1B1\_08 Rev.P1 - House Type 1B1 - Plans - Semi Detached  
 01318\_HT\_1B1\_09 Rev.P1 - House Type 1B1 - Elevations - Semi Detached - Red  
 01318\_HT\_2B1\_01 Rev.P1 - House Type 2B1 - Plans - Semi Detached  
 01318\_HT\_2B1\_02 Rev.P2 - House Type 2B1 - Elevations - Semi Detached - Red  
 01318\_HT\_2B1\_03 Rev.P2 - House Type 2B1 - Elevations - Semi Detached - Buff  
 01318\_HT\_2B1\_04 Rev.P1 - House Type 2B1 - Plans - Terrace  
 01318\_HT\_2B1\_05 Rev.P1 - House Type 2B1 - 2B4P - Elevations - Terrace - Buff  
 01318\_HT\_2B1\_06 Rev.P1 - House Type 2B1 - 2B4P - Elevations - Terrace - Red  
 01318\_HT\_2B1\_07 Rev.P1 - House Type 2B1/2B3 - Plans - Terrace  
 01318\_HT\_2B1\_08 Rev.P2 - House Type 2B1/2B3- 2B4P - Elevations - Terrace - Buff  
 01318\_HT\_2B2\_01 Rev.P1 - House Type 2B2 - Plans- Semi Detached  
 01318\_HT\_2B2\_02 Rev.P1 - House Type 2B2 - Elevations- Semi Detached - Red

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01318\_HT\_2B2\_03 Rev.P1 - House Type 2B2 - Elevations- Semi Detached - Buff  
 01318\_HT\_2B2\_04 Rev.P1 - House Type 2B2 - Plans - Terrace  
 01318\_HT\_2B2\_05 Rev.P1 - House Type 2B2 - Elevations - Terrace  
 01318\_HT\_2B2\_06 Rev.P1 - House Type 2B2 - Plans - Terrace  
 01318\_HT\_2B2\_07 Rev.P1 - House Type 2B2 - Elevations - Terrace  
 01318\_HT\_2B3\_01 Rev.P1 - House Type 2B3 - Plans - Semi Detached  
 01318\_HT\_2B3\_02 Rev.P2 - House Type 2B3 - Elevations- Semi Detached (Buff)  
 01318\_HT\_2B3\_03 Rev.P1 - House Type 2B3 - Elevations- Semi Detached (Red)  
 01318\_HT\_3B1a\_01 Rev.P1 - House Type 3B1a - Plans - Semi Detached  
 01318\_HT\_3B1a\_02 Rev.P2 - House Type 3B1a - Elevations - Semi Detached - Red  
 01318\_HT\_3B1a\_03 Rev.P1 - House Type 3B1a - Elevations - Semi Detached - Buff  
 01318\_HT\_3B1b\_01 Rev.P1 - House Type 3B1b - Plans - Semi Detached  
 01318\_HT\_3B1b\_02 Rev.P1 - House Type 3B1b - Elevations- Semi Detached - Red  
 01318\_HT\_3B1b\_03 Rev.P1 - House Type 3B1b - Elevations- Semi Detached - Buff  
 01318\_HT\_3B1b\_04 Rev.P1 - House Type 3B1b - Plans - Terrace  
 01318\_HT\_3B1b\_05 Rev.P1 - House Type 3B1b - Elevations- Terrace - Buff  
 01318\_HT\_3B1b\_06 Rev.P1 - House Type 3B1b - Elevations- Terrace - Red  
 01318\_HT\_4B1\_01 Rev.P2 - House Type 4B1 - Plans  
 01318\_HT\_4B1\_02 Rev.P2 - House Type 4B1 - Elevations - Buff  
 01318\_HT\_4B2\_01 Rev.P1 - House Type 4B2 - Plans  
 01318\_HT\_4B2\_02 Rev.P2 - House Type 4B2 - Elevations - Red  
 01318\_HT\_4B2\_03 Rev.P2 - House Type 4B2 - Elevations - Buff  
 01318\_JTP\_HT\_E\_01 Rev.P1 - Alternate Side Elevations  
 01318\_SG\_01 Rev.P1 - Single Garage - Plans & Elevations  
 D0307\_001 - Landscape - Western Parcel Hardworks Layout  
 D0307\_002 - Landscape - Eastern Parcel Hardworks Layout  
 D0307\_003 - Landscape - Western Parcel Softworks Layout  
 D0307\_004 - Landscape - Eastern Parcel Softworks Layout  
 Reason - To ensure that the development is completed satisfactorily in all respects and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

2. a) No development above slab level shall take place until details, including samples, of all external facing materials, including to the roof, all fenestration and balustrades and hand rails to balconies, have been submitted to and approved, in writing, by the Local Planning Authority.  
 b) The development shall thereafter be carried out in accordance with the approved details, unless otherwise agreed, in writing, by the Local Planning Authority.  
 Reason - To ensure the appearance of the development is satisfactory and to comply with Policy LP10 of the Gosport Borough Local Plan.

3. a) No development above slab level shall take place until details of the architectural features to be incorporated in the dwellings hereby approved (to include parapets, window reveals and brick detailing), have been submitted to and approved, in writing, by the Local Planning Authority.  
 b) The development shall be carried out in accordance with the approved details, unless otherwise agreed, in writing, by the Local Planning Authority.  
 Reason - To ensure the appearance of the development is satisfactory and to comply with Policy LP10 of the Gosport Borough Local Plan.

4. a) The planting shown on the approved landscape plans shall be carried out within six months from the completion of the dwellings hereby approved, or within the next available planting season.  
 b) Any trees or plants which die are removed or become seriously damaged or diseased during the first five years after planting, shall be replaced with others of identical species (or as may otherwise be agreed in writing with the Local Planning Authority) during the next planting season.  
 Reason - In the interest of amenity and the appearance of the locality, and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

5. a) No part of the development hereby approved shall be occupied or brought into use until an Open Space & Landscape Management Plan has been submitted to and approved, in writing, by the Local Planning Authority.

b) The development shall be managed in accordance with the approved Open Space & Landscape Management Plan, unless otherwise agreed in writing by the Local Planning Authority.

Reason - In the interests of visual amenity and to comply with Policy LP44 of the Gosport Borough Local Plan, 2011-2029.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking or re-enacting that Order with or without modification), no windows shall be constructed in the first floor rear elevations of plots 77 to 82 and plots 197 to 200, without the prior express permission of the Local Planning Authority.

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

**ITEM NUMBER: 04.**

**APPLICATION NUMBER: 17/00599/OUT**

**APPLICANT: Mr Peter Goodship PNBPT & Elite Homes Heritage Way Ltd**

**DATE REGISTERED: 17.04.2018**

**HYBRID APPLICATION COMPRISING - OUTLINE APPLICATION FOR ERECTION OF THREE DETACHED DWELLINGS IN RAMPARTS (WITH ALL MATTERS RESERVED) AND FULL APPLICATION FOR (I) ERECTION OF 17 THREE-STOREY TERRACED DWELLINGS IN SOUTHERN DEMI-BASTION, (II) DEMOLITION OF FORMER COOK HOUSE AND ERECTION OF 4 THREE-STOREY TERRACED DWELLINGS, (III) CHANGE OF USE OF FORMER SHELL PAINTING ROOM TO FORM 4 DWELLINGS, (IV) DEMOLITION OF QUICK FIRE SHELLING ROOM AND ERECTION OF 2 THREE-STOREY DETACHED DWELLINGS, (V) CHANGE OF USE OF E MAGAZINE AND FORMER PROOF HOUSE TO DISTILLERY (CLASS B1), CHANGE OF USE OF FORMER SHELL STORE (BUILDING Q) TO STORE FOR DISTILLERY (CLASS B8), CHANGE OF USE OF PART OF CASE STORE EXHIBITION AND CONFERENCE CENTRE (BUILDING M) TO FORM 1 UNIT OF HOLIDAY ACCOMMODATION (CLASS C3), CHANGE OF USE OF FORMER SHIFTING HOUSE (BUILDING U) TO FORM 1 UNIT OF HOLIDAY ACCOMMODATION (CLASS C3), CHANGE OF USE OF FORMER MINES AND COUNTERMEASURES STORE (BUILDING P) TO COASTAL FORCES MUSEUM (CLASS D1), (VI) ERECTION OF SINGLE STOREY BUILDING TO FORM HOLIDAY ACCOMMODATION (CLASS C3) (LISTED BUILDINGS IN CONSERVATION AREA AND SCHEDULED MONUMENT) (as amended by plans received 10.05.2018, additional ecological information received 21.05.2018 and as amplified by emails received 17.5.18)**

**Priddy's Hard Heritage Way Gosport Hampshire PO12 4LE**

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

1. The application site is located within Priddy's Hard which was formerly the site of a Royal Ordnance Yard whose purpose was to arm the ships of the Royal Navy. Priddy's Hard was first developed following the construction of the ramparts around 1760, when this isolated and defensible site became the location for a large gunpowder magazine for the Royal Navy. This magazine soon expanded into ancillary stores and rooms for the manipulation of explosives, in addition to a Camber quay, offices and accommodation. By the mid-19th Century the facility had further expanded to include a laboratory complex and associated cottages and by the end of the 19th Century the facilities had expanded further with numerous stores and four separate magazines. By World War One the facility had also developed beyond the ramparts and subsequently continued to expand at Bedenham. The site remained in use by the Royal Navy until the 1980's and was used to arm the fleet during the Falkland's War.

2. Priddy's Hard retains many listed buildings, including a Grade I and three Grade II\* Listed Buildings, in addition to a large Scheduled Ancient Monument. The whole site, including the ramparts, is within the Priddy's Hard Conservation Area. Priddy's Hard is arguably the most important historic ordnance complex in England and retains a wide range of historic buildings spanning over two centuries of use: all purpose-built to provide ordnance to the Royal Navy.

3. The ramparts are a designated Scheduled Ancient Monument. Within the boundary of the monument there is evidence for a number of phases of development both with respect to the ramparts, but also with buildings that have appeared over the last 150 years. Understanding the relative significance of the layers of historic earthworks and structures that survive within the area of the ramparts is essential in evaluating the impact of the current proposal.

4. The first phase of the ramparts originated around 1760 when two demi-bastions were constructed facing westward, set between, and linked, by linear defences. The ramparts were formed from raised earth banks accessed by earth ramps onto a terre-plein (the level area where cannon and troops were deployed to fire over the defences). A dry moat and a small glacis (a gently sloping

earthwork beyond the ramparts) were formed to the immediate west of the ramparts, and an entrance to the site was via a tunnel towards the northern end of the defences. The historic evidence indicates that these initial defences were soon neglected but were hastily repaired on news of an imminent invasion scare in 1779. The number of gun positions in the 18th Century suggests some degree of remodeling within the early history of the ramparts but the first significant upgrade took place c1846. At this date the ramparts received extensive re-working, a caponiere (firing position facing at right angles to the ramparts) and fire step were added at the northern and southern ends; the dry moat was clay-lined and turned into a wet moat; the gun positions were moved; a sally port was inserted and the entrance was reformed. The central portion of the moat was simplified by linking the moat west of the north and south demi-bastions with a shortened connecting moat between the two, and infilling the area to its east. New ramps for artillery also seem to have been added within the demi-bastions.

5. By 1880 further changes occurred by which time new gun positions had been constructed, the tunnel entrance modified once more, and ready use magazines and shell recesses appeared. Within the southern (left) demi-bastion four shell recesses and two expense powder magazines also appear to have been added as part of either the 1846 remodelling or within the decades thereafter. By the late 19th Century, however, the purpose and function of the ramparts had long been abandoned and the military began to populate the area with buildings associated with the manufacture or storage of naval munitions. The northern demi-bastion was completely filled by E Magazine, which also resulted in the loss of the artillery ramps to its terre-plein. At the southern end of the defences buildings associated with the Shell Filling Rooms also appeared in phases. Most significantly, around the turn of the 19th to 20th Century, a series of laboratory buildings and associated concrete traverse walls and railed platform resulted in extensive modifications to the southern half of the ramparts. This included cutting the profile of the ramparts back and lowering the height of the southern demi-bastion and the defences to its south; buildings a series of concrete traverse walls cutting into the same area; remodelling most of the glacis to the south of the demi-bastion; inserting new earth traverses around new buildings in this same area (including the Paint Store); and largely backfilling the moat to facilitate the construction of the concrete platforms for the rails running through a significant portion of the moated area. Further changes included the demolition of the northern tunneled entrance to the site; widening of the access road; the demolition of most of the southern caponiere; the removal of various shell recesses and stores; and the addition of further buildings through the first half of the 20th Century.

6. The result is a complex series of layers of earthworks and buildings. The best surviving portion of the ramparts is undoubtedly the outer face of the northern demi-bastion. This demi-bastion did not experience the significant remodeling of the southern demi-bastion and additionally retains its wet moat (at least in part). Apart from the loss of the entrance tunnel, the most severe change has occurred to the southern demi-bastion and the land to its south where it can be particularly difficult to appreciate the context of the original earthworks.

7. To the west is the recently completed Shell Filling Rooms development, to the north is an area of grassed open space forming the cordon sanitaire outside the defences beyond which is a modern residential development, to the east is the remainder of the Heritage Area which includes a number of other historic buildings and the residential development competed by Crest Nicholson and to the south is the Millenium bridge providing cycle and footpath access to the Town Centre via Royal Clarence Yard. The site is located adjacent to Portsmouth Harbour which is designated, a Special Protection Area (SPA), Ramsar Site and Site of Special Scientific Interest (SSSI), is to the north. The harbour is of international importance to brent geese and wading birds with noteworthy flora. Parts of site are located within Flood Zones 2 and 3.

8. This proposal relates to a number of existing buildings and separate parcels of land all within the wider Priddy's Hard Heritage Area and accessed via Heritage Way and the existing highway network. The wider area also includes a number of houses and flats built in the first decade of this century, and the Explosion Museum located principally within the Grade I Listed former Grand Magazine and adjoining buildings. Full planning permission is sought for the following:

- the erection of 17 three-storey terraced dwellings in the southern demi-bastion;

- the demolition of the former cook house and the erection of 4 three-storey terraced dwellings;
- the change of use of the former Shell Painting Room to form 4 dwellings;
- the demolition of the Quick Fire Shell Filling Room and the erection of 2 three-storey detached dwellings;
- the change of use of E Magazine and former proof house to a distillery (Class B1);
- the change of use of the former Shell Store (Building Q) to a store for the distillery (Class B8);
- the change of use of part of the Case Store exhibition and conference centre (Building M) to form a unit of holiday accommodation (Class C3);
- the change of use of the former Shifting House (Building U) to form a unit of holiday accommodation (Class C3);
- the change of use of the former Mines and Countermines Store (Building P) to a coastal forces museum (Class D1); and,
- the erection of a single storey building to form a unit of holiday accommodation (Class C3) adjacent to the former shifting house.

The application also seeks outline planning permission (with all matters reserved) for the erection of three detached dwellings in the southern part of the ramparts.

9. The proposals relate to a number of key listed buildings which would be brought into use as a result of the application including: E Magazine (Grade II\*); the Mines and Counter Mines Store (Grade II); C Magazine (Grade II\*); Shell Store (Grade II); Shifting House (Grade II); the Shell Painting Room (Grade II); Expense Magazine (Grade II); the Case Store and Conference Rooms and Rolling Way (Grade II). The former Proof House, although not listed in its own right, is historically significant and would also be brought into use. Two historic buildings, the heavily altered Quick Fire Shell Filling Room and the remains of the Cook House (which has been delisted) are proposed to be demolished.

10. The 17 proposed dwellings within the southern demi-bastion would be aligned roughly north-south in three parallel rows. Those to the east are located to align with the existing buildings to their north and south, but to a more modest scale, with the remaining buildings set within the demi-bastion to minimise closing views to the defences from within the area. The new build follows a balanced neo-classical style in design and proportioning which complements the character of some of the historic buildings on the site. The proposals include the use of a mottled red brick and slate roof to ensure the buildings relate well to their wider context.

11. The short terrace, proposed to replace the former cook house, follows the general design indicated for the southern demi-bastion, with the exception of its east elevation which would include a connecting row of dormers on its third floor to ensure the lower two-thirds of the elevation balances with the building to its north. The south elevation also includes a single vertical window where the development would be adjacent to the bend in the access road to the former Shell Filling Rooms.

12. The Grade II Listed Shell Painting Room dates to c.1900 and is built with a metal frame interspersed with red brick panels. At the upper level is a continuous run of timber windows beneath a hipped slate roof. Internally the space is open plan with no features of interest. A blast wall had at some point been inserted behind what appear to be later southern doors. The proposal to convert the building into four residential units would result in the eastern and northern elevations remaining unaltered, a modest change to the southern elevation to enable access via a new flight of steps; and alterations along the western façade that are design to complement the rhythm of the existing design whilst facilitating new entrances to each unit. At a lower level proposed new doors would be faced in timber, and some upper sections of window would be dropped to enable access to a small balcony area above a new bin/bike store.

13. As part of the proposals for the former Shell Painting Room the earth traverse, to its west, would be lowered to provide an area of parking and landscaping and open up views to the Creek. The lowering of this traverse would revert the form of the landscape to nearer its appearance prior to c.1900.



14. The Quick Fire Shell Filling Room dates from c.1887-9 and was heavily altered in the 20th Century when its original pitched slate roof was removed and replaced with a flat roof. It formed part of the wider Shell Filling complex which included the former Shell Filling Rooms and the Expense Magazine (Grade II Listed), to the south-west. The landscape to the south and south-west of the building was completely changed with the raising of brick and earth traverses, the addition of railed access for narrow gauge trains, and insertion of above ground pipes: all associated with the shell production process.

15. The proposals would result in the replacement of the existing building with a new pair of three storey red-brick units (one in the same location as the Quick Fire Shell Filling Room and one to its east), together with the retention of a large part of the earth traverse that surrounds the existing building. The proposal also includes the reuse of the adjacent Expense Magazine as an ancillary outbuilding to the proposed dwellings. The contemporary design is intended to complement the recently built red-brick dwellings on the site of the former Shell Filling Rooms to the south-west, whilst being cut away on their upper-western side to lessen their mass and replicate the pitch of the traverse banks and ramps.

16. The large E Magazine (Grade II\* Listed) was built c1878 and was remodelled within a few years of completion when the tunnels to its east were blocked and a new railed link formed near the south-eastern corner of the building. It served initially as a Powder Magazine and subsequently as a Cordite Magazine. A viewing point was added to the roof c.1939. A section of the interior floor and timber structure has been lost in the southern of the two interior chambers following historic fire damage. E Magazine has been vacant for a considerable time and is at increasing risk of deterioration. The proposal is to convert the interior for use as a distillery. This would involve virtually no alteration to the internal north range, but to facilitate the installation of machinery the missing section of the southern range floor would not be replaced and the existing internal depth would be utilised for distillery equipment.

17. To enable machinery to be inserted into the building a section located towards the south-east corner of the south elevation would be opened up. Opposite this new entrance a small yard would be created by removing earth forming part of the current traverse and inserting timber doors through two sections of the brick wall constructed around this traverse. Externally the plans indicate an extensive amount of repair and restoration works with a few modest additions: new steel doors; a fire curtain and ramp between the yard and magazine, and discretely located external plant. Internally the new work includes hardwood fire doors; a new raised floor area; double glazed screen; raising of two door lintels; insertion of a concrete slab for distillery equipment; a new metal deck walkway; a small disabled toilet and laboratory, and some new surface treatment and timber boarding infill-panels between the north and south ranges. As part of the works two of the tunnels would be reopened within the traverse to the east.

18. The Proof House (also known as Building 335) was first built between 1897 and 1900. It was reconstructed in 1921 after an explosion and largely dates from that period. It is built in red brick with a pitched roof and has a lean-to single storey southern extension and a veranda on its north side. The proposed works comprise the restoration of the Proof House and the reconstruction of the veranda following good conservation practice and with minimal alteration. The rear extension is to be replaced with a new building in similar proportions with timber clad external walls and an insulated corrugated metal roof.

19. The Grade II Shell Store (Building Q) was built around 1879 and was substantially enlarged in 1892. It is built in red brick with a pitched slate roof and retains small windows at its upper level. Built as a secure store it is proposed to be used as a store for the proposed distillery in E Magazine.

20. A Covered Rolling Way was built connecting the Grand Magazine complex to the Laboratory complex sometime after 1865. Three Case Stores were later added to its south: two built c.1881 and one around 1901. The southernmost Case Store was rebuilt in 1938 with a flat roof. These buildings are Grade II Listed and are currently in use as museum offices and as a small exhibition/conference centre. The proposals include the demolition of southernmost building (dating

from 1938) together with the conversion of the middle case store (the exhibition/conference centre) to form holiday accommodation. The northern part of the building would remain as offices.

21. The former Shifting House (subsequently known as the Royal Laboratory Examining Room), is Grade II Listed and dates to 1847/8, and was possibly rebuilt in brick at a later date. Built in red brick with a hipped slate roof the only internal details of note relate to the existing timber roof structure. The proposed conversion to a holiday let would involve some internal subdivision with partition walls inserted to ensure the roof structure is unharmed and remains exposed. The eastern double-doors and door on the south elevation are proposed to have a new glazed door inserted behind each.

22. The former Mines and Countermines Store was constructed in 1899-1900 at a time when mining engineering had become a significant new branch of the military to enhance the defences of Spithead and provide support to the Royal Navy. Built in red brick with a pitched roof the buildings comprise one large open plan store with a small attached store at its south-eastern corner. The proposals include the insertion of new doors at the southern end of the main building to facilitate access for large historic coastal forces vessels to be placed on permanent display. Internally, only a small connecting door and a small pod for a toilet are proposed as part of its conversion to a Coastal Forces museum.

23. A proposed new-build holiday let would be located to the north of the Shifting House in approximately the location of a (now demolished) WW2 surface shelter. Historically a number of other buildings were located on the Camber to its east. The single storey scale and traditional design of the proposed new building is intended to complement that of the adjacent Grade II Listed former Shifting House.

24. The ramparts were altered around 1900 with the insertion of many laboratory buildings and a raised concrete platform for a narrow gauge train. The proposed dwellings, for which outline permission is sought, would be in the location of three of these former buildings: set between the existing concrete and earth traverse walls. These three units would be screened from the east by existing buildings. The buildings formally on the site were relatively low rise; if the proposed dwellings can be protected from flooding it may be feasible to reduce their height from the suggested three storeys, while still allowing for a view over the ramparts from an upper floor. The proposed design is very similar to those dwellings recently constructed to the south-west, between the brick traverse walls of the former Shell Filling Rooms.

25. The application is accompanied by details of the provision of car parking to serve the various elements of the proposal that would, in part, reuse existing spaces that are in the control of the Portsmouth Naval Base Property Trust who own those parts of the Priddy's Hard Heritage Area that do not form part of the residential development built by Crest Nicholson. Overall the proposals demonstrate that parking, including for future residents, staff and visitors, for the various element of the proposal would be provided in accordance with the requirements of the Parking SPD.

26. The application is supported by a range of documentation including Design and Access Statements, Heritage Statements, Transport Statement, Ecological information and Flood Risk Assessments.

27. Amended plans and information have been submitted to address concerns raised about ecology, highway matters and viability.

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

#### **Priddys Hard**

99/00336/FULL - construction of extensions & refurbishment of existing buildings, together with car parking facilities to provide museum - permitted 08.12.1999

04/00613/FULL - mixed use development consisting of 198 residential units with associated roads, parking and landscaping and the change of use of existing buildings and land to leisure, commercial and community uses and open space - permitted 21.03.2005

## Former Shell Filling Rooms

05/00306/FULL - conversion of existing buildings to form 5no. dwellings and erection of 4 new dwellings with associated landscaping, parking, flood defences and access road - permitted 22.08.2005

07/00020/FULL - demolition of 6 shell filling rooms and associated structures and construction of 9 dwellings with associated access, landscaping, parking and ancillary structures - permitted 24.04.2007

14/00495/FULL - removal of existing concrete slabs, repair works to existing traverse walls, alterations to sea wall and erection of 2 no. two bedroom dwellings and 7 no. three bedroom dwellings with associated landscaping and car parking - permitted 24.07.2015

16/00325/FULL - erection of a detached, two storey, three bed dwelling with two covered parking spaces - permitted 09.11.2016

## **Relevant Policies**

Gosport Borough Local Plan, 2011 – 2029:

LP1

Sustainable Development

LP2

Infrastructure

LP3

Spatial Strategy

LP9A

Allocations outside of Regeneration Areas: Mixed Use site

LP10

Design

LP11

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

LP12

Designated Heritage Assets: Conservation Areas

LP18

Tourism

LP22

Accessibility to New Development

LP23

Layout of Sites and Parking

LP24

Housing

LP32

Community, Cultural and Built Leisure Facilities

LP41

Green Infrastructure

LP42

International and Nationally Important Habitats

LP44

Protecting Species and Other Features of Nature Conservation Importance

LP45

Flood Risk and Coastal Erosion

LP47

Contamination and Unstable Land

Supplementary Planning Documents:

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

Gosport Borough Council Parking: Supplementary Planning Document: February 2014

## Solent Special Protection Areas Gosport Bird Disturbance Mitigation Protocol 2014

National Planning Policy Framework (NPPF), March 2012

**Consultations**

Portsmouth LPA	No response.
Defence Infrastructure Organisation	No objection.
Environment Agency (Hants & IOW)	Initial objection on grounds submitted Flood Risk Assessment is inadequate. Update to be provided.
Historic England	<p>Priddy's Hard is an outstanding ensemble of heritage assets. It is suffering considerably from disuse and its regeneration potential has for many years been frustrated by a wide range of environmental constraints and challenging local market conditions. This scheme would be a major step towards securing a beneficial future for the whole site, including its many redundant listed buildings and scheduled ancient monument. We think this would be a significant public benefit.</p> <p>These applications would nonetheless entail a high level of harm to the significance of the scheduled earthwork defences at Priddy's Hard. They are also contrary to your Council's local plan, which allocates these defences for public open space, not residential development. However, we recognise that there are exceptional circumstances in this case which mean that some form of enabling development (i.e. development that is contrary to policy but justified to secure important heritage benefits) may be necessary if conservation of the site's many heritage assets, including its defences, is to be secured in the medium to long term.</p> <p>The present proposal incorporates grant aid from various sources. This funding minimises the amount of enabling development (and harm) that is necessary to secure that conservation. Although the harm associated with this development remains high, we would not object in this case if your Council determines that this scheme represents the least harmful means of securing the considerable public benefit of the site's long-term conservation, and that these benefits outweigh the disbenefits of departing from your local plan policies.</p>
Joint Committee Of The National Amenity Societies	No response received.

Natural England	Object. Application supported by inadequate and out of date ecological information. Unable to determine impact on Portsmouth Harbour SPA and SSSI. Update to be provided in respect of submitted additional ecological information.
Royal Society For The Protection Of Birds	No response received.
The Gosport Society	No response received.
Eastern Solent Coastal Partnership	No response received.
Crime Prevention & Design	No objection. Highlights opportunities to reduce crime and recommends incorporation of crime prevention measures.
Hampshire Fire And Rescue Service	No objection.
HCC Ecology	Object. Application supported by inadequate and out of date ecological information. Unable to determine impact on Portsmouth Harbour SPA and SSSI. Update to be provided in respect of submitted additional ecological information.
Local Highway Authority	No objection to overall level of development and trip generation. No objection to road layout. Request submission of further information to demonstrate proposed shared surfaces are safe, adequate visibility can be provided and vehicles can turn. Request financial contribution towards off-site cycleway improvements.
HCC Local Lead Flood Authority	Initial objection on grounds of inadequate Flood Risk Assessment and drainage details. Update to be provided.
HCC Landscape Planning & Heritage	No response received.
Queen's Harbour Master	No response received.
Building Control	No response received.
Economic Prosperity	Welcome and supports continued redevelopment of Priddy's Hard Heritage Area. Provision of new museum and distillery as tourist attractions as well as holiday accommodation will enhance Priddy's Hard as a tourist/visitor destination and add to the Boroughs overall tourism/visitor offer. Proposals will also create new job opportunities for residents.
Environmental Health	No objection subject to conditions relating to contaminated land.

Housing Services Strategic	No response received.
Streetscene Parks & Horticulture	No objection.
Streetscene Waste & Cleansing	No objection.

***Response to Public Advertisement***

13 letters of objection.

Issues raised:-

- impact on heritage assets;
- impact on wildlife;
- loss of habitat;
- loss of open space
- public opposition to development in ramparts
- graveled roads inappropriate;
- existing roads narrow and unsuitable for more traffic;
- inadequate parking;
- loss of parking;
- exacerbation of existing drainage issues;
- distillery out of character;
- potential for fumes from distillery;
- disruption caused by construction;
- loss of privacy;
- loss of light;
- no mention of land contamination;
- concern about use of modern/inappropriate materials;
- increased demand on existing health and education facilities;
- potential for fire/explosion at distillery;
- modern design inappropriate in Ramparts area;
- no benefit to existing residents;
- consultation period should be extended to allow for amount of application to be considered.

1 letter in support has been received that also raises concerns about lack of cycle parking and waterside access.

***Principal Issues***

1. The application has been publicised in accordance with the Council's Statement of Community Involvement. The main issues are therefore whether the principle of the development is acceptable, whether the proposals are acceptable in design, heritage, amenity, highways, ecological and flooding terms.

2. Policy LP9A of the Local Plan relates to much of the Priddy's Hard Heritage Area and allocates the wider site for a mix of uses including residential (up to 100 dwellings), commercial, community and leisure. The current application is the first phase of wider proposals to complete the redevelopment of the former armaments facility and deliver the repair, refurbishment and reuse of all of the vacant Listed Buildings and the opening up of the ramparts to the public. The mix of uses proposed accords with Policy LP9A in this respect and includes a mix of uses that would expand the tourism potential of the site.

3. The ramparts are allocated in the Local Plan as Open Space with the intention of providing a publicly accessible park. The proposed residential development within the ramparts area would conflict with this aspiration; however regard must be had to the existence of the current and historic presence of buildings on the sites of all but one of the proposed dwellings. The current proposals would not prejudice the delivery of a publicly accessible park on the remainder of the ramparts which would be unaffected by the current proposals and which it is intended to deliver in a future

phase of development. Overall, although there is harm through the extent of the development in the Ramparts, the proposals are considered acceptable in principle and in accordance with Policy LP9A of the Local Plan.

4. The proposals include development within the boundary of the Scheduled Monument (SAM) and therefore will require a separate Consent from Historic England in order for those elements to be carried out. Nevertheless the designation of the SAM and the impact of the proposals upon it is a matter to be considered as part of this planning application.

5. It is accepted that some harm to the wider setting of the ramparts would result from the proposed construction of the pair of buildings on the site of the former Quick Fire Shell Filling rooms. However, this harm has to be balanced with the extensive benefits brought about by the reuse of many listed buildings and the improved landscaping in the context of this largely damaged area of the ramparts. This landscape could be managed and improved as a result of the current proposals.

6. The proposed lowering of the traverse adjacent to the former Shell Painting Room would improve the setting of the ramparts and revert the form of the landscape to nearer its appearance prior to c.1900 at which date significant alterations were carried out as the armaments facility expanded.

7. Although the proposals would result in harm to the setting of the ramparts, some of the proposed changes could be viewed as positive enhancement in that they would effectively undo 20th Century alterations and lead to the restoration of the historic form of part of the landscape west of the southern end of the ramparts. The level of harm is less than substantial and must be weighed against any wider public benefits of the overall scheme.

8. The proposals would result in the repair, restoration and reuse of a number of important listed buildings including E Magazine (Grade II\*); the Mines and Counter Mines Store (Grade II); C Magazine (Grade II\*); Shell Store (Grade II); Shifting House (Grade II); the Paint Store (Grade II); Expense Magazine (Grade II). These buildings are currently unused or in limited use. The proposed uses are all considered appropriate and compatible with the listed status of the buildings. The associated external alterations to the buildings are all considered acceptable such that they would not harm the special architectural and historic interest of the buildings. The proposals therefore comply with Policy LP11 of the Local Plan.

9. The character of the Priddy's Hard Conservation Area is predominately focused on the complex of historic buildings associated with the former armaments facility, however the existing newer residential development also makes a positive contribution. The proposed works to the listed buildings to bring them into active use would constitute an enhancement to the character and appearance of the Conservation Area. The scale, siting and detailing of the proposed new build elements would complement the more modern residential development that forms the existing built environment and whilst some harm to the setting of the ramparts may result, on balance the benefits of the wider scheme are considered to outweigh the harm. The submission and approval of external facing materials and architectural details could be secured by the imposition of suitably worded planning conditions. The proposals would, on balance, harm the character and appearance of part of the Conservation Area within the context of the ramparts, but would help secure the future use of key heritage assets, and therefore complies with Policy LP11 and LP12 of the Local Plan with regard to the impact on heritage assets and their setting, and the character and appearance of the Conservation Area.

10. The proposed new build dwellings that would front Heritage Way and Searle Drive would be sited over 20 metres from the facing buildings on the opposite side of the existing road network (Whiston House, Issac House and Rutherford House) that are three and four storeys in height. The separation between the existing and proposed blocks are comparable to, and in some cases are greater than, those between existing buildings in the Heritage Area. The separation distances between the existing and proposed buildings are considered acceptable such that there would be no significant harm to the residential amenities of existing occupiers.

11. The separation distances between the new build dwellings within the demi-bastion are below the guidelines set out in the Design SPD, however the relationship and orientation of the dwellings are considered to provide an appropriate standard of amenity for future occupiers. Given the limited depth of the gardens proposed within the demi-bastion, it would be appropriate to remove permitted development rights for extensions to ensure that adequate external amenity space were retained for future occupiers. It must be recognised that this part of the site is constrained by the surrounding Scheduled Monument and the need to allow a degree of separation to safeguard its setting. This limits how the proposed level of new development (which is required to support the restoration of the listed buildings) can be accommodated within the demi-bastion.

12. The new dwellings proposed within and adjacent to the ramparts would be carefully designed and oriented to maximise the opportunities for light and outlook given the surrounding earthwork structures. In this respect they would be similar to those dwellings built within the brick traverses of the former Shell Filling Rooms that have in effect a single aspect at the open end of the traverse. Given the heritage constraints of their location, the standard of amenity that would be provided for future occupiers is considered acceptable.

13. The proposed non-residential elements of the proposal are all considered acceptable such that they would not give rise to a level of activity or pollution that would adversely affect the occupiers of other neighbouring buildings. The proposed distillery has the potential to make use of plant and equipment that may emit noise or odours. However, this could be addressed through the imposition of a suitably worded planning condition. Whilst the use of the former Shell Store as a store for the distillery is considered acceptable, its wider use for storage and distribution purposes could give rise to a degree of vehicle movements that could be prejudicial to the convenience and safety of highway users. Accordingly it is considered reasonable and necessary that a condition be imposed restricting the use of this building as a store to be used in association with the distillery only. On balance it is considered that the development as whole is acceptable in amenity terms and complies with Policy LP10 of the Local Plan.

14. The overall level of traffic that the development and mix of uses would be likely to generate can be accommodated without detrimentally impacting on the highway network. The proposals comply with Policy LP22 of the Local Plan in this regard. The proposal would make use of a number of existing parking spaces located throughout the Heritage Area that are currently not used or are used on an informal basis but are under the control of the land owner. Taken together with additional parking spaces that would be created as part of the proposals, the application demonstrates that sufficient parking can be provided to serve the likely day-to-day demands of future occupiers and which would comply with the levels of parking identified in the Parking SPD. The provision, details (including surfacing) and management of the car parking areas could be secured through the imposition of suitably worded planning conditions. Adequate pedestrian and cycle links would be provided to serve all elements of the proposal via the existing highway network. The financial contribution requested by the Highway Authority towards off-site cycleway improvements is not considered necessary to make the proposed development acceptable in planning terms and as such should not be secured as part of this application.

15. It is recognised that the existing museum car park has a limited capacity some of which would now be shared with other uses. The applicant advises that additional capacity can be provided as and when required (i.e. when events are being held) on the grassed cordon sanitaire which is within their control. The occasional use of the cordon sanitaire to provide a facility for overflow car parking is considered necessary to protect the amenities of existing and future occupiers and to safeguard highway safety and could be secured through a legal agreement.

16. The submitted details indicate provision being made for the parking of cycles and the storage of waste, however no substantive details have been provided. Nevertheless it is considered that the site is capable of providing these facilities in an acceptable manner. A planning condition could be imposed to secure the provision of long and short stay cycle parking. A further planning condition could be imposed to secure the provision of suitable facilities for the storage and collection of waste from both the residential and commercial elements of the proposal.



17. Parts of the site are known to be at risk from flooding such that the introduction of new residential units has the potential to increase the risk to both life and property. Whilst objections have been received from consultees relating to the adequacy of the information submitted this matter is the subject of further ongoing consideration by consultees. It is considered likely that this issue could be satisfactorily resolved through the imposition of suitably worded planning conditions and/or a legal agreement.

18. In recognition of the ecologically sensitive location of the site and its proximity to sites known to host protected species the application is accompanied by a range of supporting ecological information. Notwithstanding the degree of information provided, there are identified deficiencies within it such that the potential impacts of the proposal on the Portsmouth Harbour SPA cannot be fully assessed. Furthermore there is a lack of information relating to the impact on protected species known to be present on and adjacent to the site.

19. Additional ecological information, including up-to-date surveys, has been submitted that are currently under consideration. An update on this matter will be provided, however based on the inadequate ecological information initially submitted, it cannot be concluded that the proposals would not harm the adjacent sites that are internationally recognised as being of nature conservation importance. At this time the proposal is contrary to the Conservation of Habitats and Species Regulations and to Policies LP42 and LP44 of the Local Plan.

20. The proposal would introduce new 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 indicated a willingness to provide mitigation in accordance with the Protocol such that the proposal would comply with Policies LP42 and LP44 of the Local Plan. Subject to a legal agreement to secure the delivery of the mitigation this aspect of the proposal would accord with Policies LP42 and LP44 of the Local Plan.

21. In accordance with Policy LP24 of the Local Plan, the applicant would normally be required to enter into a planning obligation to secure the provision of affordable housing on site. This would equate to 12 dwellings being made available on the affordable housing market. In this instance the applicants submission indicates that the proposed new build residential development is in effect a form of enabling development that would bridge the 'conservation deficit' associated with the costs of bring the listed buildings back into use measured against their value once restored. The applicant has provided evidence demonstrating that the funds that would be raised by the sale of the land for the new build elements are essential to deliver the restoration of the Listed Buildings. In these circumstances the non-provision of affordable housing could be considered acceptable and the non-compliance with Policy LP24 is justified. Nevertheless a legal agreement would be required to ensure that the restoration of the Listed Buildings were delivered in a timely manner and to ensure that the new build residential development were not implemented in isolation.

22. Due to the previous use of the land there is potential for contamination to be present on the site. However, this need not prevent the proposal being implemented successfully. Planning conditions could be imposed to secure the investigation and if necessary remediation of any contamination, the proposal would accord with Policy LP47 of the Local Plan.

23. This proposal would deliver the repair, restoration and reuse of a number of important heritage assets, however, it would also result in some harm to the ramparts both as a Scheduled Monument and as an area of designated Open Space. This harm would result from the residential development that the applicant submits is necessary to deliver the repair, restoration and reuse of the Listed Buildings. The information provided by the applicant demonstrates that the residential development is required to bridge the conservation deficit and that there is no less harmful way that this could be achieved without potentially prejudicing the delivery of the repair, restoration and reuse of the remaining Listed Buildings through a future phase of development within the wider Heritage Area.

24. It should also be recognised that the delivery of the current proposal has the potential to lead to a significantly increased prospect that the long-term future of the remaining Listed Buildings in the Heritage Area will be secured by a future phase of development.

25. The proposal is considered acceptable in design, Listed Building, amenity and transport terms. The harm associated with the proposed residential development in the ramparts is in this instance considered to be outweighed by the wider public benefits associated with securing the future of the Listed Buildings and a publicly accessible route through the southern part of the ramparts, and notwithstanding the comments in paragraph 19, would otherwise be capable of support.

**RECOMMENDATION: Refuse**

For the following reason(s):-

1. The application is supported by insufficient ecological information and does not demonstrate that the proposal would not harm protected species found in and around the application site. Furthermore the submitted information does not fully consider the impact on the proposals on the adjacent internationally designated habitat, specifically the Portsmouth Harbour SPA, SSSI and Ramsar sites. In the absence of adequate information about the likely impacts on the protected and other species for which these areas are designated, the proposal cannot comply with the Conservation of Habitats and Species Regulations 2010 (as amended) and is contrary to Policies LP42 and LP44 of the Gosport Borough Local Plan 2011-2029.



**ITEM NUMBER: 05.**

**APPLICATION NUMBER: 17/00600/LBA**

**APPLICANT: Mr Peter Goodship PNBPT & Elite Homes Heritage Way Ltd**

**DATE REGISTERED: 17.04.2018**

**LISTED BUILDING APPLICATION - (I) INTERNAL AND EXTERNAL ALTERATIONS TO E MAGAZINE TO FACILITATE CONVERSION TO DISTILLERY, (II) INTERNAL AND EXTERNAL ALTERATIONS TO FORMER SHELL STORE (BUILDING Q) TO FACILITATE CONVERSION TO STORE FOR DISTILLERY, (III) INTERNAL AND EXTERNAL ALTERATIONS TO C MAGAZINE, (IV) INTERNAL AND EXTERNAL ALTERATIONS TO CASE STORE EXHIBITION AND CONFERENCE CENTRE (BUILDING M) TO FACILITATE CONVERSION TO HOLIDAY ACCOMMODATION, (V) INTERNAL AND EXTERNAL ALTERATIONS TO FORMER SHIFTING HOUSE (BUILDING U) TO FACILITATE CONVERSION TO HOLIDAY ACCOMMODATION, (VI) INTERNAL AND EXTERNAL ALTERATIONS TO FORMER MINES AND COUNTERMEASURES STORE (BUILDING P) TO FACILITATE CONVERSION TO MUSEUM (CONSERVATION AREA AND SCHEDULED MONUMENT)**

**Priddys Hard Heritage Way Gosport Hampshire PO12 4LE**

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

1. A broad description of the application site and surroundings is contained in the report accompanying the planning application reference 17/00599/OUT. For the purposes of this application, the description will focus on the Listed Buildings themselves. There are 25 groups of listed buildings within the Priddy's Hard Conservation Area: including one Grade I and three Grade II\*, in addition to a large Scheduled Ancient Monument. Priddy's Hard is considered to be the most important historic ordnance complex in England and retains a wide range of buildings spanning over two centuries of use: all purpose-built to provide ordnance for the Royal Navy.

2. The earliest buildings are clustered around the late 18th Century Grand Magazine (Grade I Listed) and during the course of the 19th Century buildings gradually expanded across the site. The great majority of buildings are built in red brick with slate roofs. All the buildings are equivalent to single or two storeys in height, with the Magazines and Mine and Countermine Store having the largest internal volume. The buildings are generally set at right angles to each other: excepting E Magazine, the Shifting House, Paint Store and Expense Magazine which differ in layout due to the constraints of the historic landscape. After the closure of the site for military purposes 'Explosion' Museum was opened utilising the Grand Magazine (also known as A Magazine) and buildings within its context. The Camber Quay (Grade II Listed) was restored around the same time. Subsequently Crest Homes developed the central core of the site. The Portsmouth Naval Base Property Trust manages the remaining land with the National Museum of the Royal Navy now running the museum.

3. The present application proposed varying uses for each of the following listed buildings: E Magazine; the Mines and Countermine Store (Building P); C Magazine (Building C); Shell Store (Building Q); Shifting House (Building U); Case Store and Rolling Way (Building M). The two magazines are Listed Grade II\* and the other buildings Grade II.

4. The Case Stores (Building M) comprises a covered rolling way constructed to link the buildings related to the Grand Magazine to the Laboratory complex sometime after 1865. Three Case Stores were later added to its south, two built c.1881 and one around 1901. The southernmost Case Store was rebuilt in 1938 with a flat roof. It is proposed to demolish the 1938 part of the building and to convert the remaining structure to one three bedroom holiday let whilst retaining an office at the northern end.

5. The large E Magazine was built c1878 and remodelled within a few years when the tunnels to its east were blocked and a new railed link formed near the south-eastern corner of the magazine. It served initially as a Powder Magazine and subsequently as a Cordite Magazine. A brick built

observation post was added to the roof c.1939. Internally the building comprises two long chambers accessed by door at the eastern end of each. These chambers were subdivided into a number of bays by open timber screens. The other three sides of the building retain deep-set shuttered windows. Internally the two chambers retain their vaulted brick ceilings and walls and are connected via openings along the central spine wall. The substantial roof covers and conceals an open chamber above the internal vaulted chambers. The building is surrounded by an area of paving beyond which is a high and robust red-brick wall. This red brick wall is the inner face of the earth filled traverse which encloses the building on three sides. A further red brick wall encloses the outer face of the same traverse and cuts into the north demi-bastion. The eastern side of the building is shielded by a further earth traverse through which three tunnels connected the building to the core of the site (two for narrow gauge trains and one for pedestrians). This eastern traverse is physically connected to E Magazine by a vaulted section above the entrance doors. Part of the internal southern chamber was lost to fire damage at some point in the past. The northern chamber is intact. It is proposed to convert the building to a distillery.

6. The Shell Store (Building Q) was built around 1879 and substantially enlarged in 1892. It is built in red brick with a pitched slate roof and retains small metal-framed windows high on the external walls. It is accessed by doors on each elevation. Built as a secure store its interior has partially been infilled by a squash court but otherwise retains its historic form.

7. C Magazine (Building C) was built as a Powder Magazine around 1860. Substantially smaller than E and A Magazines, to its north-west and north-east it is surrounded by a high red brick blast wall. The roof, and the south-west and south-east elevations, are encased in earth: intended to reduce harm were the building to explode. This single storey building is divided internally into 9 bays: one forming a small lobby and the remaining bays for stacking barrels. Access is through a door on its north-eastern elevation and there are four shuttered windows along the north-western elevation. The proposal is to convert the building to form the Portsmouth Naval Base Trust volunteers' headquarters.

8. The Shifting House (Building U) was subsequently known as the Royal Laboratory Examining Room. This listed building dates to 1847/8, although it was possibly rebuilt at a slightly later date. Built in red brick with a hipped slate roof, the only internal details of note relate to the existing timber roof structure. Externally there a single door on its southern elevation, double doors leading onto the camber at its east end, and three windows on the northern elevation and two on the southern. It is proposed to convert the building to a holiday let.

9. The Mines and Countermines Store (Building P) was constructed in 1899-1900 at a time when mining engineering had become a significant new branch of the military to enhance the defences of Spithead and provide support to the Royal Navy. Built in red brick with a pitched roof this substantial building comprises one large open plan store with a small attached store at its south-eastern corner. It has 15 bays with high level windows on its longer north-eastern and south-western elevations, and pairs of windows and double doors on the two gable ends. It is proposed to convert this building into a Coastal Forces Museum which will include two historic coastal forces vessels as permanent exhibitions within the interior.

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

Museum

00/00377/LBA - installation of 'history of Naval Armaments Exhibition' - Listed Building Consent Granted 2.8.00

### ***Relevant Policies***

Gosport Borough Local Plan, 2011 – 2029:

LP11

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

LP12

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Designated Heritage Assets: Conservation Areas

National Planning Policy Framework (NPPF), March 2012

**Consultations**

The Gosport Society	No response received.
Joint Committee Of The National Amenity Societies	No response received.
Historic England	<p>Priddy's Hard is an outstanding ensemble of heritage assets. It is suffering considerably from disuse and its regeneration potential has for many years been frustrated by a wide range of environmental constraints and challenging local market conditions. This scheme would be a major step towards securing a beneficial future for the whole site, including its many redundant listed buildings and scheduled ancient monument. We think this would be a significant public benefit.</p> <p>These applications would nonetheless entail a high level of harm to the significance of the scheduled earthwork defences at Priddy's Hard. They are also contrary to your Council's local plan, which allocates these defences for public open space, not residential development. However, we recognise that there are exceptional circumstances in this case which mean that some form of enabling development (i.e. development that is contrary to policy but justified to secure important heritage benefits) may be necessary if conservation of the site's many heritage assets, including its defences, is to be secured in the medium to long term.</p> <p>The present proposal incorporates grant aid from various sources. This funding minimises the amount of enabling development (and harm) that is necessary to secure that conservation. Although the harm associated with this development remains high, we would not object in this case if your Council determines that this scheme represents the least harmful means of securing the considerable public benefit of the site's long-term conservation, and that these benefits outweigh the disbenefits of departing from your local plan policies.</p>
Joint Committee Of The National Amenity Societies	No response received
The Gosport Society	No response received.

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

5 letters of objection

Issues raised:-

- maintenance issues with original open space and remaining natural areas and listed buildings should be protected
- noise, disturbance, highway safety issues and smells from distillery which is not conducive to tourism
- industrial use of the heritage area inappropriate, alternative site's available
- overdevelopment, loss of garden land and open aspect, space should be used as a playground with cafe and restaurant and local shop
- overlooking and loss of privacy
- loss of view
- overshadowing and loss of light
- disturbance during construction works
- sewage system inadequate
- buildings out of keeping, overbearing, out of scale and will reduce quality of area and house prices
- consultation period should be extended due to volume of information
- lack of direct consultation
- conflict with Local Plan and green infrastructure and open space background paper
- wildlife habitats damaged by other works
- broadly in support but concerns regarding lack of cycle promotion and facilities at the museum and distillery for staff and visitors, lack of signage, lack of outside drying space and storage of holiday related equipment, improvements to pedestrian access required, nature of fencing, management of access to holiday lets, design of building replacing shell painting room and lack of waterfront and public access

## ***Principal Issues***

1. The issues raised in the letters of representation will be considered and addressed under the associated planning application, not being matters that can be taken into account when considering an application for Listed Building consent which deals only with the direct impact on the fabric and special architectural and historic character of the individual buildings. Some of the issues raised are also not material planning considerations. The only issues in this case, therefore, are the impact of the proposals on the Listed Buildings having special regard to the desirability of preserving the buildings and any features of special architectural or historic interest which they possess.
2. The proposals involve the conversion or reuse of eight listed buildings. As the buildings are being brought into different uses, key issues are highlighted on a building by building basis.
3. The existing Case Stores (Building M), currently used as the museum office and a small conference room, is proposed to be split into one three bedroomed holiday let and retained office. It is proposed to demolish the southernmost Case Store, dating to 1938, which is of limited architectural merit having been built in common 'Fletton' bricks typical of hastily erected buildings of the early to mid-20th Century and which visually detracts from the character of the buildings to which it is attached. With the 1938 building demolished, the exposed southern end of the remaining range would integrate new glazed doors below a brick gable with a circular brick architectural feature. With the exception of this elevation, and the replacement of some rooflights with slates, the exterior of the building would remain virtually unchanged. The proposed internal alterations are formed around the existing historic fabric and retain the open character of the historic rolling way. The area around the building is to be landscaped using a simple pallet of materials, including some new railing and gates.
4. E Magazine has been vacant for a considerable time and is physically deteriorating. The proposal to convert the interior for use as a distillery will involve virtually no alteration to the internal northern chamber but to facilitate the insertion of machinery the missing section of the southern range timber

floor would not be reinstated: the exposed depth would instead be utilised for distillery equipment. To enable machinery to be inserted into the building a section located towards the south-east corner of the south elevation, where there is currently a window, would be opened up. Opposite this new entrance a small yard would be created by removing earth forming part of the current traverse and inserting timber doors through two sections of the brick wall constructed around this traverse. Externally the plans indicate an extensive amount of repair and restoration works with a few modest additions (new steel doors; a fire curtain and ramp between the yard and magazine, and discretely located external plant). Internally the new work includes hardwood fire doors; a new raised floor area; double glazed screen; raising of two door lintels; insertion of a concrete slab for distillery equipment; a new metal deck walkway; a small disabled toilet and laboratory; some new surface treatment, and timber boarding infill-panels between the north and south ranges. As part of the works two of the tunnels would be reopened within the traverse to the east. Overall whilst there is some alteration to the building these alterations are considered modest considering the scale of the building and the active use that would result. The details submitted by the conservation architect demonstrate a thorough understanding of the significance of the building and its context.

5. The proposed works to the Shell Store (Building Q) almost entirely relate to repairs. These works would result in the reuse of this listed building as a store ancillary to the distillery.

6. C Magazine is proposed to be used as volunteers' headquarters for the site. Works to the building are minimal and involve a new partition to create a WC; a small kitchen unit, and a fixed exit ladder to ensure a secondary means of escape from the building through an existing window. These minor changes would not harm the internal form or character of the building.

7. The proposed works to the Shifting House (Building U) involve some internal subdivision, with partition walls inserted such that the timber roof structure is unharmed and remains exposed. The eastern double-doors and door on the south elevation are proposed to have a new glazed door inserted behind each. The proposal makes efficient use of the limited space with no alterations to the building's exterior. The area around the building would be landscaped using a simple pallet of materials in keeping with the setting.

8. The Mines and Countermines Store (Building P) is proposed for conversion to a Coastal Forces Museum. To enable two large historic vessels to be placed within the building as exhibits, the external alteration to the building would require a pair of large double doors at the southern end of the building. These are proposed to be stylistically correct for the building. Internally only a small connecting door and a small pod for a toilet are proposed. A small modern partition at the south-western corner of the main building would be removed. The proposals would provide an additional visitor attraction to the existing museum and promote Gosport's connection to the history of the Coastal Forces.

9. In conclusion the range of works to the above listed buildings is considered to work well with the form and character of each building. The application is supported by a detailed understanding of each building and follows good conservation practice in accordance with guidance in the NPPF and Policy LP11 Gosport Borough Local Plan, 2011 - 2029. The methodology of repair and restoration works and the timing of the implementation of these works will be controlled by a legal agreement under the associated planning application. The restoration and active use of the buildings will ensure a long term future for the buildings and prevent their further deterioration. For the above reasons it is considered that the proposals would not harm the features of special historic and architectural interest that the buildings possess and will facilitate their long term use and e Given all of the above, the

### **RECOMMENDATION: Grant Listed Building Consent**

For the following reason(s):-

1. The works hereby consented must be begun within a period of three years beginning with the date on which this consent is granted.



Reason - To comply with Section 18 of the Planning (Listed Buildings and Conservation Area) Act, 1990 (as amended).

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

To be added in the event that consent is granted.

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

3. No works shall commence on any Listed Building until the methodology for the insertion of new internal fixtures; partition walls; floors and ceilings, for that building, clearly indicating how these would impact on the surrounding historic fabric, have been submitted to and approved, in writing, by the Local Planning Authority. The works shall thereafter be carried out as approved.

Reason - To ensure that the development would not harm the special historic or architectural interest of the Listed Building and to comply with Policy LP11 of the Gosport Borough Local Plan, 2011 - 2029.

4. No works shall commence on any Listed Building until typical window and door details for that building, including elevations and sections at 1:20, and glazing bar details at 1:5, have been submitted to and approved, in writing, by the Local Planning Authority. The works shall thereafter be carried out as approved.

Reason - To ensure that each detail is appropriate to each affected listed building and that the development would not harm the special historic or architectural interest of the Listed Building and to comply with Policy LP11 of the Gosport Borough Local Plan, 2011 - 2029.

5. No works shall commence on any Listed Building until samples of all new facing materials for that building have been submitted to and approved, in writing, by the Local Planning Authority. The works shall thereafter be carried out as approved.

Reason - To ensure an appropriate match to each listed buildings and ensure that the development would not harm the special historic or architectural interest of the Listed Building and to comply with Policy LP11 of the Gosport Borough Local Plan, 2011 - 2029.

6. No works to the Case Store (Building M) shall commence until full details of the brick bond, mortar and method of pointing, for the proposed new southern elevation, including full details of the circular brick feature on that gable-end, have been submitted to and approved, in writing, by the Local Planning Authority. The works shall thereafter be carried out as approved.

Reason - To ensure that the development would not harm the special historic or architectural interest of the Listed Building and to comply with Policy LP11 of the Gosport Borough Local Plan, 2011 - 2029.

7. No works to E Magazine shall commence until the following details have been submitted to and approved, in writing, by the Local Planning Authority: i) a methodology for cutting the opening towards the south-east corner of the southern elevation, and the raising of the lintels to two internal doors: to ensure the method is precisely controlled and the openings are appropriately repaired; ii) a methodology for the safe storage of internal flooring and partitions dismantled within the southern range: to ensure this fabric is protected and can be utilised for future repairs; iii) full details of the extract plant and grilles: to ensure the proposed detail is appropriate to its setting; iv) a full record of the historic graffiti on the tunnel walls south-east of E Magazine, including a methodology to protect the graffiti, due to its historic interest. The works shall thereafter be carried out as approved.

Reason - To ensure that the development would not harm the special historic or architectural interest of the Listed Building and to comply with Policy LP11 of the Gosport Borough Local Plan, 2011 - 2029.

**ITEM NUMBER: 06.**  
**APPLICATION NUMBER: 18/00177/FULL**  
**APPLICANT: Rowner Renewal Partnership**  
**DATE REGISTERED: 23.04.2018**

**ERECTION OF 37 DWELLINGS WITH ASSOCIATED CAR PARKING AND LANDSCAPING TO INCLUDE NEW ACCESS TO ALVER VALLEY COUNTRY PARK AND CREATION OF ADDITIONAL CAR PARKING TO REAR OF FOXGLOVE HOUSE (PHASE 1B OF THE ROWNER RENEWAL PROJECT) (as amplified by surface water drainage statement received 11.05.18 and amended by plans received 18.05.18)**  
**Land South Of Howe Road Gosport Hampshire PO13 8GS**

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

1. The comprehensive redevelopment of Rowner was first considered under Outline planning application reference K17671 ('the Outline Consent') and covered an area of land on the western side of Grange Land from Howe Road at the south and Ensign Drive to the north. The Outline Application was considered by the Regulatory Board on 21 April 2009, where it resolved to advise the Secretary of State that the Borough Council was minded to grant Outline Consent, subject to the completion of a Section 106 Agreement relating to the provision of sports pitches within the Borough and the implementation of a management plan for Browndown Site of Special Scientific Interest (SSSI) in order to mitigate the impacts of recreational disturbance, and 22 planning conditions.
2. The Secretary of State confirmed on 8 May 2009 that the application should be determined by Gosport Borough Council. The Section 106 Agreement was completed on 23 July 2009 and the decision notice issued on 24 July 2009. The Outline Consent granted planning permission for the demolition of approximately 200 properties and the erection of up to 700 residential units and a new neighbourhood centre, including a food store and 3 retails units. The Outline Consent established means of access from Grange Road and Nimrod Drive, building parameters and vertical limits. It also established a requirement to achieve a car parking ratio across the redevelopment area of 1.07 spaces per dwelling. Condition 14 of Outline Consent requires that 37% of dwellings within the redevelopment area are affordable. This requirement can be provided across the entirety of the redevelopment site and does not, therefore, have to be achieved within each individual phase of development.
3. The Outline Consent is also the subject of a legal agreement that requires the developer to pay the Council a commuted sum towards the provision of Open Space, upon the occupation of the 502nd and 600th dwelling. The monies required by the legal agreement will contribute towards the provision of formal sports pitches in the Borough.
4. The Masterplan attached to the Outline Consent ('the Masterplan') established a set of Design Codes, including specific character areas that should be applied across the redevelopment site.
5. The first Phase of the Rowner Redevelopment (Phase 1) was approved in October 2009, under Details Pursuant application reference K17671/1. This consent comprises the first 219 dwellings. Works on Phase 1 were commenced in March 2010 and are now complete with the exception of 'Block A', which comprised an L shaped, three storey block of 29 flats which was to be located on the south eastern side of Howe Road, adjacent to the now vacant GBC plant nursery and the Little Woodham 17th Century Village.
6. Phase 2 of the Rowner Redevelopment was approved in October 2012 under Details Pursuant application reference K17671/3. This consent approved the erection of 101 residential units, a foodstore and 3 retail units, together with car parking, open space (including a LEAP) and landscaping. The food store, residential units and 3 retail units have been completed and they are all occupied.

7. Phase 3 of the Rowner Redevelopment was approved in December 2012 under planning application reference K17671/15. The consent comprises the erection of 175 residential units, together with a partial revision to the parking layout for the Phase 2 element of the redevelopment. Development of Phase 3 is nearing completion.

8. Phase 4 of the Rowner Redevelopment area was approved under reference 14/00203/FULL in August 2014 and was for the erection of 127 residential units together with parking and open space including amended access from Phase 2 of the Rowner re-development. Works to implement Phase 4 are also nearing completion.

9. In total, 615 dwellings of the maximum 700 dwellings permitted by the Outline Consent have been erected and 586 are occupied, with a further 8 currently under construction.

10. Taylor Wimpey have reviewed the outstanding proposals for Phase 1 and the Borough Council have also been reviewing options for progressing a proposed plant nursery and garden centre for the Alver Valley Country Park. Taylor Wimpey's preference for houses, rather than flats, has been negotiated into a new proposal that extends slightly outside of the original site for Block A on the south western side. As such, this necessitates the submission of a 'Full' planning application rather than a 'Details Pursuant' application to the original Outline Consent.

11. The application site is 0.96ha in area and currently comprises a grassed verge, a footpath from Howe Road into the Alver Valley Country Park and part of the northern section of the former GBC plant nursery together with a small section of land used as part of the Little Woodham 17th Century Village. The application site also includes sections of the highway alongside Howe Road and the car parking area that is at the rear of Foxglove House. There is a grass bund alongside Howe Road and the site slopes down to the southwest. The site is occupied by a number of trees and small outbuildings.

12. Foxglove House is a block of 12 flats located on the eastern side of the application site. Its side elevation is located approximately 6m away from the application site boundary and contains kitchen windows and secondary windows to kitchen/dining rooms, with an intervening cycle store. To the north west of the site is 29 Howe Road which is the eastern half of a pair of semi-detached dwellings constructed as part of Phase 1. The opposing side elevation, which contains bathroom and secondary bedroom and secondary kitchen/dining room windows, is located approximately 4m from the western edge of the application site. To the north of the site is Howe Road with landscaping beyond. The nearest dwellings to the north are located approximately 19m away. To the south and south west is the GBC nursery, Grange Farm and Little Woodham 17th Century Village.

13. This proposal is for the erection of 37 dwellings with associated car parking and landscaping to include new access to Alver Valley Country Park and the creation of additional car parking to the rear of Foxglove House, in place of the 29 flats approved as 'Block A' within Phase 1.

14. The residential accommodation would comprise 6 two bedroom houses, 1 FOG unit (Flat Over Garage) and 30 three bedroom houses.

15. Taken in combination with the residential units already approved in the previous Phases, the proposed development would take the total number of residential units in the Rowner Redevelopment area to 660. This is 40 less than the maximum 700 approved under the Outline Consent.

16. The new access that would serve this development, and future development proposals within the Alver Valley Country Park, would be located on the eastern side of the site. There would be 23 units fronting Howe Road (Plots 1-23), 8 units on the southern edge of the site (Plots 30-37) with 6 units in between (Plots 24-29). There would be two parking areas to serve the development, one centrally located within the site, also taking access from the new road, and a second, smaller car park at the western edge of the site, accessed directly from Howe Road.

17. The dwellings would all follow the design parameters established under the previous Phases and would be constructed of contrasting bricks under pitched roofs with Plots 10-15 also having front dormer windows. Each dwelling would be provided with its own private rear garden with the exception of Plot 24 (the FOG unit) whose garden area would be located on its eastern side. The gardens would be between 8-15m in length and would all be independently accessible via side or rear paths. The majority of the rear gardens would be enclosed by 1.5m high wooden fencing with 0.3 metres of trellising. Where properties occupy public areas, however, the side boundaries would comprise 2m high brick walls or 1.8m high solid fences. The southern boundary with the Little Woodham 17th Century Village would be formed of a 0.3m high retaining wall with a 1.8m high fence above.

18. Details of the proposed road layout, including visibility splays, swept path analysis; street lighting and car parking arrangements have been submitted as part of the application. The development would result in the removal of the existing, redundant access opposite Davenport Close that was constructed during the Phase 1 works and intended to serve 'Block A'. The plans include 3 further pedestrian/cycle accesses from Howe Road. The existing pedestrian path from Howe Road into the Alver Valley Country Park will be removed as part of the development. The application, however, proposes to provide a temporary footpath on the western side of Foxglove House until such time as the new access road, which will have pavements on both sides, has been constructed.

19. The principle vehicular access would be from the approximately 75m long new access road at the eastern side of the site and would lead to the central parking area within the proposed development and the Alver Valley Country Park. The second access would serve a smaller car park area at the western edge of the site. The development would provide a total of 77 car parking spaces for the new dwellings. The central parking area would contain 28 parking spaces. There would be a further 4 spaces in front of Plots 27-29 and 25-26 respectively and 6 spaces to the side and rear of Plot 24, in addition to that unit's integral parking space, and Plots 29-37 would each have 2 adjacent parking spaces. In total, this new access would lead to 61 spaces. The smaller car park at the western edge would contain 11 spaces. Originally, it was proposed to provide 5 on street spaces in a layby on Howe Road. Amended plans, however, have been received to show that spaces in this location.

20. Each dwelling would be allocated 2 parking spaces each (with the exception of Plots 1, 2, 3, 27 and 28 which are to be allocated one) at a ratio of 1.8 spaces per residential unit. There would be two visitor spaces allocated in the central parking area and two spaces allocated for visitors within the smaller car park to the west (for a total of nine visitor spaces across this Phase of development). The visibility splay required on the eastern side of the new access necessitates the removal of 2 existing on street parking spaces in front of Foxglove House. These spaces will be re-provided, together with 2 additional spaces, within the existing 20 space car parking area at the rear of Foxglove House. Refuse and cycle parking facilities would be provided within the rear gardens of the proposed dwellings.

21. This application is supported by full details of the proposed hard surfacing materials. The internal road surface would be constructed of charcoal coloured, herringbone laid, pavers with the two main parking areas to be brindle finished, herringbone laid, pavers. The internal paths would be made of buff coloured concrete slabs. The works in the highway and for the new access road would be finished in tarmac. Street lighting would be provided throughout the site and positioned at regular intervals and around the central car parking area.

22. The application would result in the loss of 15 individual trees and 12 groups of Fir trees and is supported by a Tree Survey Report and Soft Landscape Specification and Management and Maintenance Plan. The notable trees that are to be retained (notably the large English Oak trees within the Little Woodham 17th Century Village) are shown to be protected during works. It is proposed to provide numerous replacement trees, shrub beds and landscaped verges across the application site.

23. The Outline application was accompanied by a full drainage strategy for the development area, the implementation of which, is controlled by a condition. This application is also supported by a Drainage Technical Note. A further Surface Water Drainage Statement has been submitted to clarify the proposed drainage system. The application also includes archaeological evaluation and excavation reports.

24. The application is also supported by an Ecological Impact Assessment, Reptile Mitigation Strategy and Badger Mitigation Strategy which acknowledge that there would be a short term impact upon the biodiversity and the loss of an existing badger sett on the site but collectively recommends a number of measures to offset the impact and propose a number of enhancements, including the translocation of reptiles and the creation of an artificial badger sett on land to the west of the site.

25. It is proposed for 3 of the two bedroom houses (Plots 1-3) to be offered on the affordable housing market with the remaining 34 houses for sale on the private market.

26. Early enabling works in the form of scrub clearance, initial reptile translocation, tree felling, the creation of the new artificial badger sett and improvements to paths within the Little Woodham 17th Century Village have commenced on the site. These works do not require planning permission and have been undertaken under licence from GBC.

27. Amended plans have been received to show a knee rail added on the northern side of Plot 27 and amendments to fencing of the plots adjacent to footpaths in response to comments from Hampshire Constabulary; minor alterations to size of car parking spaces within the smaller car park; widening of and alteration to the integral garage/carport of Plot 24 to aid visibility and manoeuvring; plans showing vehicle tracking details within the site and additional details of the retaining wall to be constructed along the southern boundary. Additional surface water drainage details have also been received.

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

K17671 - demolition of existing buildings and removal of existing earth bunds and redevelopment to provide new residential accommodation of up to 700no. units and a new neighbourhood centre incorporating a food store (Class A1), cafe (Class A3), and up to 3no. retail units (Classes A1, A2, A3 and A5), and provision of open space and landscaping, and access junctions and associated roads including the re-alignment of Howe Road and new north-south road and car parking, with all matters reserved apart from access - permitted 24.07.09  
K17671/1 - details pursuant to K17671 - erection of 219no. residential units with associated open space landscaping and car parking and realignment of Howe Road - appearance, landscaping, layout and scale details for Phase 1 of Rowner Renewal Scheme - permitted 12.10.09

K17671/3 - details pursuant to K17671 - erection of 101no. residential units, a food store and 3no. retail units together with parking, open space (including a LEAP) and landscaping - appearance, landscaping, layout and scale details for phase 2 of Rowner Renewal Scheme - permitted 11.10.10

K17671/7 - details pursuant to K17671 - erection of 219no. residential units with associated open space, landscaping and car parking and realignment of Howe Road - Phase 1 of Rowner Redevelopment Scheme - amended appearance, landscaping and layout of Block F (amendment to K17671/1) - permitted 28.11.11

K17671/15 - erection of 175no. Residential units together with parking and open space (including a leap) and partial revision of parking layout for phase 2 of the Rowner re-development (as amended by plans received 15.10.12, 14.11.12, 26.11.12 and 28.11.12 and landscape management and maintenance plan and landscape specification received 26.11.12 and amplified by road safety audits received 30.10.12 and 28.11.12) - permitted 21.12.12

14/00203/FULL - erection of 127 no. residential units together with parking and open space including amended access from phase 2 of the Rowner re-development (phase 4) (as amplified by plan received 21.07.14 and amended by email received 25.07.14) - permitted 08.08.14

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## **Relevant Policies**

### Gosport Borough Local Plan, 2011 – 2029:

LP1  
Sustainable Development  
LP3  
Spatial Strategy  
LP7  
Rowner  
LP10  
Design  
LP11  
Designated Heritage Assets including Listed Buildings, Scheduled Ancient Monuments and Registered Historic Parks & Gardens  
LP22  
Accessibility to New Development  
LP23  
Layout of Sites and Parking  
LP24  
Housing  
LP39  
Water Resources  
LP40  
Waste and Material Resources  
LP41  
Green Infrastructure  
LP44  
Protecting Species and Other Features of Nature Conservation Importance

### 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**

HCC Ecology

No objection, subject to mitigation, compensation and enhancements measures being secured. The submission includes an Ecological Impact Assessment (CSA, February 2018) which provides a useful assessment of the site and its ecological constraints. Sufficient survey effort has been carried out, with a good standard of habitat classification plus detailed surveys for various species groups. Also submitted are a Badger Mitigation Strategy and Reptile Mitigation Strategy (both CSA, February 2018).

The site contains a variety of semi-natural habitat types, ranging from bare ground through grassland and scrub to trees and woodland. Various protected species are present, including badgers, bats (one off-site roost plus several species flying within the

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	site), reptiles, breeding birds and scarce invertebrate species.
	Overall, the level of survey effort deployed is appropriate and confidence can be had that the actual and potential constraints are understood.
Streetscene Parks & Horticulture	No objection. Concur with Tree Survey appraisal and recommendations.
Streetscene Waste & Cleansing	No objection, each dwelling will require a 240 litre waste and 240 litre recycling wheeled bin. Bins will be presented kerb-side to facilitate collection. Highway to be constructed to Hampshire County Council adoptable standards for collection vehicle access.
Natural England	No objection, subject to appropriate SPA mitigation.
Southern Water	No objection, subject to conditions in respect of sewer protection and foul and surface water drainage measures.
Hampshire & Isle Of Wight Wildlife Trust	No objection.
Crime Prevention & Design	Measures are required to protect window in northern elevation of Plot 27. Garden gates should have locks. Fences to plots adjacent to footpaths should have fences topped with trellis. Lighting should be to BS 5489:2013. Fences should be erected on land between Plots 6 and 7 or land incorporated into gardens to prevent being used as a cut through.
Housing Services Strategic	The three Affordable units offered by Taylor Wimpey and provided by Vivid Housing are desperately needed in Gosport regardless of tenure and should be secured by S106 agreement. If it is decided not to secure them under a S106 provision then there is a chance that Taylor Wimpey will withdraw the offer of the three units. If in securing these three extra units through a S106 provision it could potentially have an impact on other parts of the agreement then this would need to be taken in to consideration. It is emphasised, however, that the final decision is for Gosport's Regulatory Board to make.
Building Control	No objection.
HCC Local Lead Flood Authority	No objection, subject to conditions in respect of surface water drainage.

Local Highway Authority	No objection, the details of the access and visibility splay will be dealt with under the S278 process with the Highway Authority. Contribution of £6000 for TRO is required for off-site highway works.
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HCC Landscape Planning & Heritage	No objection. Previously approved written scheme of investigation relates to the original Outline application. The objective of this investigation was focused on to an area where Saxon settlement evidence had previously been found and is outside the area of the present application Phase 1B. At the Outline stage no archaeological work was planned within the area of Phase 1B. The amended proposals do not materially change the impact on archaeological issues from the outline planning application and no additional archaeological information has been forthcoming in the meantime. On that basis no archaeological issues are raised with regard to Phase 1B, which is a position consistent with the archaeological advice made at the time of the outline planning application.
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HCC Planning	No objection.
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### ***Response to Public Advertisement***

3 letters of objection

Issues raised:-

- greater level of publicity for application should have been undertaken
- loss of view of green space
- questions over motives for development
- questions of duration of construction works
- inconvenience to residents wanting to access Alver Valley Country Park during construction works
- more suitable Brownfield sites in area
- harmful loss of green space
- questions why new housing when parts of 'old Rowner' not regenerated
- disturbance to occupiers of Foxglove House
- insufficient consideration given to wildlife
- impact on ecology and nesting birds
- road network cannot accommodate houses being built in borough
- concerns over pedestrian safety when crossing Howe Road
- highway safety issues resulting from new junction on Howe Road
- traffic calming measures required
- material change in development since outline consent that would result in loss of ancient trackway across site
- archaeological work required in advance of construction

### ***Principal Issues***

1. The commercial motives of the developer cannot be taken into consideration. Each application is required to be considered, as submitted, on its merits in light of the relevant national and local planning policies. The application has been publicly advertised in accordance with the Council's Statement of Community Involvement and there is no right to a view under planning legislation. The



Local Planning Authority has no powers to control the length of time that a development has to be completed within. The application proposes the provision of a temporary access route for the duration of works, the provision of which and subsequent reinstatement of the land will be controlled, by condition. The land between Plots 6 and 7 is over a sewer easement so this land cannot be built upon or land incorporated into gardens. The main issues for consideration in this case, therefore, are the acceptability of the principle of the development, the appropriateness of the design, the impact on the occupiers of the neighbouring and prospective properties, highway and pedestrian safety and the impact on features of importance for nature conservation, drainage and the interests of archaeology.

2. The site is allocated for residential purposes under Policy LP7 of the Gosport Borough Local Plan, 2011-2029 (GBLP) and residential development on this site has been established through the granting of the Outline and Phase 1 Consents. The principle is, therefore, acceptable. The proposed development for 37 units is, at approximately 45 dwellings per hectare (dph), within the guideline figure of 30-45dph set out in Policy LP24 of the GBLP. The application states that 3 of the two bedroom houses (Plots 1-3) are to be offered on the affordable housing market. This would equate to 8% of the total number of residential units proposed within this Phase. In combination with the units approved in previous Phases, however, this would take the total number of affordable units to 41% of the total number within the Rowner Redevelopment area, which exceeds the 37% target of Condition 14 of the Outline Consent. It is not considered necessary, therefore, to secure the provision of the Affordable Housing in this instance. The development would result in an additional 8 dwellings over that approved as Block A and proposes 36 family houses and one FOG unit which are considered to provide a better housing mix for the Rowner Redevelopment area.

3. The overall layout, mass and form is consistent with the other dwellings in the immediate locality. The proposed dwellings have a simple appearance and range of materials that is in keeping with the broad design of the earlier Phases of the Rowner re-development. The dwellings have a uniform and coherent design, including contrasting brick panels which will add visual interest and provide design continuity across the wider site. The proposed bin and cycle stores have a simple appearance and a mix of hard and soft landscaping is proposed to provide some variety at ground level. The parking layout is well considered and is laid out in such a manner so as not to create large, unbroken areas of hard surfacing forward of the dwellings that front Howe Road, to the benefit of the streetscene. The proposed boundary treatments will define the public and private spaces of the site. The finishes to the buildings and hard landscaping, together with types of planting are to be controlled by condition to ensure that they are appropriate to the location and the materials used on surrounding development. There are no trees worthy of protection or retention proposed to be felled and the application includes measures to protect the significant trees on the neighbouring land. The protection of these trees and the implementation of new, enhanced planting will be controlled by condition. It is also proposed to remove certain permitted development rights for the dwellings proposed nearest the significant Oak trees to the west (Plots 27-29) to prevent any harmful impacts to the roots from the construction of any outbuildings etc. in the future. The proposal, therefore, is acceptable in design terms and complies with the Policy LP10 of the Gosport Borough Local Plan, 2011 - 2029 and the Design SPD.

4. The dwellings have been laid out in a linear manner, in three sections, with the majority of the dwellings located fronting Howe Road. The middle section is located a minimum of 21m to the south of those fronting Howe Road with the remainder 9m further south, beyond car parking areas, access roads and driveways. The only side facing windows in the proposed dwellings would front onto public areas and this layout would not, therefore, result in a harmful living environment for any prospective occupier and would provide natural surveillance over the site. With regard to the existing neighbours, Plot 1 will be located approximately 23m away from 29 Howe Road to the west, beyond a car parking area. Plot 23 will be located approximately 30m from the opposing side elevation of Foxglove House to the east, beyond the new access road. There would not, therefore, be any harmful impact upon the residents of those properties in terms of loss of light, outlook or privacy. In terms of activity, the Outline and Phase 1 consents included the erection of 29 flats on this site, making use of an access opposite Davenport Close. This proposal, however, includes the creation of a car parking area adjacent to 29 Howe Road and the new access adjacent to Foxglove House, which would both result in increased activity in those areas. Such relationships are a

common arrangement for residential properties within urban areas. Having regard to the separation distance between 29 Howe Road and the small, 11 car parking area, however, together with the provision of a new 1.8m high fence along the common boundary would mean that the additional activity in that location from the use of the car park will not be harmful to the occupiers of 29 Howe Road. The provision and retention of the fence will be controlled, by condition. This site is the only appropriate location for the new access road to the Alver Valley Country Park. Taking into account the scale and location of the existing cycle store and the position and separation distance of Foxglove House relative to the proposed new access road, therefore, the use of the new access road will not have a harmful impact upon the amenities of the occupiers of Foxglove House. The additional car parking spaces within the existing car park at the rear of Foxglove House will have minimal additional impact.

5. The rear gardens of the dwellings vary in depth between 8-15m and whilst the gardens of some of the dwellings do not meet the 10.5m depth recommended within the Design SPD, all of the dwellings proposed will have useable private garden space of a size consistent with many of the gardens provided in the surrounding properties. In terms of impacts during construction works, it is considered appropriate to require the submission and approval of a detailed Construction Environment Management Plan to include controls over the working hours to ensure that the development is carried out without causing harm in terms of noise and disturbance to the neighbouring occupiers. In this respect, therefore, the layout is acceptable in this instance and complies with Policy LP10 of the Gosport Borough Local Plan, 2011 - 2029 and the Design SPD.

6. The principle of a vehicular access from Howe Road is established and whilst this application proposes two access in differing locations and an increase in 8 residential units on the site beyond that previously approved under the Outline and Phase 1 consents, the overall pattern of activity resulting from the residential development will not differ significantly from the previously approved use on the site. Any impacts arising from the use of the access for future proposals within the Alver Valley Country Park would be considered on their own merits, in the event that applications are forthcoming. The parking areas proposed and parking bays in the vicinity provide a mix of allocated and unallocated car parking and the level proposed (77 plus 2 additional spaces at rear of Foxglove House) is, at 1.8 spaces per unit, greater than the parameters approved under the Outline Consent (1.07 per unit) and greater than the approved building on the site (Block A) which included 29 flats (11 one bedroom, 12 two bedroom and 6 three bedroom) with 25 parking spaces, at a ratio of 1.16. Whilst this is at a level below the overall requirements of the Parking SPD, given the above, it is acceptable in this instance. The majority of the spaces within the amended layout comply with the size requirements of the Gosport Borough Parking SPD. The spaces that don't comply (those at the end of the eastern row in the smaller car park), however, have adequate space around them to make this achievable. The detailed landscaping scheme and retention of car parking is proposed to be controlled, by condition. The Local Highway Authority have confirmed that works within the highway works will be required to be undertaken in accordance with standards laid down by, and under a Section 278 agreement with the Highway Authority. The development would not result in a significant increase in pedestrian movements across Howe Road above that established under the Outline Consent. Measures are to be put in place, via a Traffic Regulation Order, along the access to prevent inappropriate car parking and to ensure that the access is kept clear, in the interests of highway and pedestrian safety. The sums required will be secured via a Section 106 agreement. The proposal, therefore, meets the aims and objectives of Policies LP21 and LP23 of the Gosport Borough Local Plan, 2011 - 2029 and Parking SPD.

7. Long stay cycle parking is to be provided to an acceptable level and is recommended to be secured by condition along with acceptable provision for refuse storage and short stay cycle parking. The proposal, therefore, complies with the Policies LP10, LP21 and LP23 of the Gosport Borough Local Plan, 2011 - 2029.

8. The development has been identified as having likely impacts upon statutory designated sites of international and national ecological importance, semi-improved grassland, Hedgerow, Woodland, Veteran/ancient trees, Bats, Badger, Common reptile species and Invertebrates. The submitted Ecological Impact Assessment, Reptile Mitigation Strategy and Badger Mitigation Strategy, however, demonstrate that adequate ecological compensation and enhancement measures are

proposed which will ensure that no significant long term effects will result. To ensure no harm is caused to the important habitats and notable species it is recommended to attach conditions to ensure that adequate ecological compensation and enhancement measures are implemented and that the works are carried in such a manner as to ensure that there is no overall harm to biodiversity or nesting birds on the site. The proposal will also introduce additional dwellings which 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. The measures required to mitigate this impact were dealt with under the Outline Consent though the management plan for Browndown Site of Special Scientific Interest. Adequate drainage is proposed to be secured by condition. The proposal is, therefore, considered to be acceptable in respect of features of importance for nature conservation and drainage and complies with Policies LP34, LP44 and LP39 of the Gosport Borough Local Plan, 2011 - 2029.

9. Notwithstanding the archaeological works undertaken as part of the Outline Consent, this site has been identified as having archaeological potential. It is proposed, therefore, to impose a condition to ensure that any archaeological remains encountered during works are recognised, characterised and recorded, in compliance with Policy LP11 of the Gosport Borough Local Plan, 2011 - 2029.

10. Overall it is considered that the proposed layout, access, scale, appearance and landscape details for the development are acceptable. The overall benefits of the development, notably the creation of the new access into the Alver Valley Country Park, would outweigh the short term impacts of the development and would not harm the amenities of the occupiers of existing, prospective or neighbouring occupiers, or be detrimental to highway safety and makes adequate provision for car and cycle parking and refuse storage and removal.

### **RECOMMENDATION: Grant Permission**

Subject to Section 106 agreement relating to

1. The payment of a sum towards the funding of a traffic regulation order

### **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 and particulars:

14.168.100  
 14.168.102\_E  
 14.168.200 Rev B  
 14.168.201 Rev B  
 14.168.202 Rev B  
 14.168.203 Rev B  
 14.168.204 Rev B  
 14.168.205 Rev B  
 14.168.206 Rev B  
 14.168.207 Rev B  
 14.168.208 Rev B  
 14.168.209 Rev B  
 14.168.210 Rev B  
 14.168.211 Rev B  
 14.168.212 Rev B  
 14.168.213 Rev B  
 14.168.214 Rev D

14.168.215 Rev D  
Tree Removal Plan, 700  
HDL/S278/02/001  
HDL/S278/02/002  
TWSC21764 11C sheet 1  
TWSC21764 11C sheet 2  
TWSC21764 12C sheet 1  
TWSC21764 12C sheet 2  
5700:P70  
5700:P01 Rev G  
5700:02 Rev B  
5700:03 Rev B  
Ecological Impact Assessment (CSA, January 2018)  
Reptile Mitigation Strategy (February 2018)  
Badger Mitigation Strategy (February 2018)

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

3. No development shall be carried out until a scheme to protect existing public sewers, including a timetable for the measures to be carried out, has been submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved details and timetable.

Reason - To protect existing services from the development and to comply with Policies LP10, LP39 and LP45 of the Gosport Borough Local Plan 2011-2029.

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

- (a) the method of demolition;
- (b) the location of the site compound and any buildings within it;
- (c) the means of enclosure of the site compound;
- (d) the provisions to be made for the parking of contractors, site operatives, employees and visitors vehicles;
- (e) working hours;
- (f) access to the site for demolition and construction vehicles;
- (g) the provision for wheel washing facilities;
- (h) measures to control the emission of dust and dirt from the site during construction;
- (i) measures to prevent adverse impacts to surface water and ground water

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

Reason - To ensure the environment is protected and that the demolition and construction works on site do not impact surrounding properties and/or adjacent occupiers and to comply with Policies LP10, LP23 and LP46 of the Gosport Borough Local Plan, 2011 - 2029.

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

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

6. No development shall be carried out until the temporary path, highlighting in green, on the approved plan, 5700:PO1 Rev G, has been constructed. The temporary path shall be maintained and kept clear at all times. The temporary path shall be removed from the site within 3 months of the completion of the development and the land restored to its former condition, in accordance with a scheme to be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include a timetable for completion of these restoration works.

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

7. No off-site highway works shall be carried out until parking spaces to be provided at the rear of Foxglove House have been constructed in accordance with a scheme to be submitted to and approved, in writing, by the Local Planning Authority.

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

8. No development above slab level shall be carried out until the off-site highway works have been carried out in accordance with the details shown on approved plans, HDL/S278/02/001 and HDL/S278/02/002, and thereafter retained and maintained.

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

9. No development above slab level shall be carried out until a programme/timetable for the implementation and maintenance of the following approved aspects of the development have been submitted to and approved, in writing, by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved programme/timetable and retained thereafter.

- (a) hard landscaping, including boundary treatments
- (b) the make-up and provision of accesses, roads, footpaths, junctions and lighting installation
- (c) the provision of vehicle parking and turning areas
- (d) soft landscaping
- (e) measures to stop up the southern end of the new access road
- (f) crime prevention measures

Reason - In the interests of highway and pedestrian safety, residential and visual amenity and reduce the likelihood of crime and to comply with the Policies LP10 and LP23 of the Gosport Borough Local Plan, 2011-2029.

10. The areas for the parking of vehicles shall be retained for those purposes at all times.

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

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

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

12. The development hereby permitted shall not be occupied until refuse storage facilities for each dwelling have 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 thereafter be retained in accordance with the approved details unless otherwise agreed, in writing, by the Local Planning Authority.

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

13. The development hereby permitted shall be constructed in accordance with the approved plans listed in Condition 2 and from the following materials, unless otherwise agreed, in writing, by the Local Planning Authority:

Roof Tiles - Redland Richmond 10 - slate

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Facing Brickwork - Hardwicke Minster Sandringham - Buff  
Contrasting Brick Panel - Hardwicke Minster Cream  
White IG Front Door  
Lead Grey GRP Porch with White Painted Gallows Brackets  
uPVC Windows in White  
Black uPVC Gutters and Downpipes  
Lead Grey GRP Dormers

Reason - To ensure that the external appearance of the buildings is satisfactory, and to comply with and to comply with Policy LP10 of the Gosport Borough Local Plan 2011 - 2029.

14. The trees which are shown to be retained on the approved Tree Removal Plan, 700, and Arboricultural Method Statement shall be protected during building operations by compliance with BS5837:2005 - Trees in Relation to Construction.

Reason - To ensure the enhancement of the development by the retention of natural features, and to comply with Policy LP10 of the Gosport Borough Local Plan 2011 - 2029.

15. No development shall be carried out other than in accordance with the ecological mitigation measures detailed within the approved Ecological Impact Assessment (CSA, January 2018), Reptile Mitigation Strategy (February 2018) and Badger Mitigation Strategy (February 2018) unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - to conserve and enhance biodiversity in accordance with the Conservation Regulations 2017, the Wildlife & Countryside Act 1981, the NERC Act 2006, NPPF and with Policy LP44 of the Gosport Borough Local Plan 2011-2029.

16. Notwithstanding the measures included within the approved Ecological Impact Assessment (CSA, January 2018), biodiversity enhancements shall have been provided on the site within 3 months of completion of the development, in accordance with a scheme to be submitted to and approved, in writing, by the Local Planning Authority. The biodiversity enhancements shall be retained, in accordance with the approved scheme, thereafter, unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - to conserve and enhance biodiversity in accordance with the Conservation Regulations 2017, the Wildlife & Countryside Act 1981, the NERC Act 2006, NPPF and with Policy LP44 of the Gosport Borough Local Plan 2011-2029.

17. Notwithstanding the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order), no outbuildings or enlargements permitted by Part 1, Schedule 2, Classes A and E of that Order shall be erected within the rear gardens of Plots 27-29 (as shown on approved plan 14.168.102\_E) without the prior permission, in writing, of the Local Planning Authority.

Reason - To ensure the enhancement of the development by the retention of natural features and to comply with Policy LP10 of the Gosport Borough Local Plan 2011 - 2029.

18. The integral carport for Plot 24 (as shown on approved plan 14.168.215 Rev D) shall be used only for the accommodation of a private vehicle and for secure cycle storage and for no other purpose whatsoever.

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

19. Nothing over 600mm high above the footway shall be located within the areas hatched red shown on approved plan 14.168.102\_E, unless otherwise agreed, in writing, by the Local Planning Authority.

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

20. No development shall be carried out until the implementation of a programme of archaeological work has been secured in accordance with a Written Scheme of Investigation (WSI) which has been submitted to and approved, in writing, by the Local Planning Authority.

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

**ITEM NUMBER: 07.**  
**APPLICATION NUMBER: 17/00570/FULL**  
**APPLICANT: Mr L. Fryer Prinset Limited**  
**DATE REGISTERED: 07.12.2017**

**ERECTION OF A PART NINE, PART EIGHT, PART FOUR, PART THREE & PART TWO STOREY BUILDING (WITH SEMI-BASEMENT PARKING AREA) TO PROVIDE 6 ONE BEDROOM FLATS AND 41 TWO BEDROOM FLATS, WITH ASSOCIATED ACCESS, CAR PARKING, REFUSE AND CYCLE STORAGE & LANDSCAPING (as amended by plans received 8.2.18) (RESUBMISSION OF 17/00143/FULL)**  
**Site Of Former Crewsaver Building Land To The North Of Harbour Road Mumby Road Gosport Hampshire PO12 1AQ**

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

1. The application site is 0.18 hectares in area and is located on the northern side of Harbour Road, immediately to the east of its junction with Mumby Road (A32). The site, which is identified as an area of archaeological interest, is located within the Gosport Waterfront Mixed Use site, as defined by Policy LP4 of the Gosport Borough Local Plan, 2011-2029.
2. Portsmouth Harbour, a Special Protection Area (SPA), Ramsar Site and Site of Special Scientific Interest (SSSI), is to the north. The harbour is of international importance to wading birds with noteworthy flora including Dwarf Eelgrass, Narrow-Leaved Eelgrass, Marine Eelgrass and Golden Samphire. The site is located within Flood Zones 2 and 3.
3. The site is currently vacant, the three storey building formerly on the site having been demolished. Harbour Road provides access to a number of commercial units/sites, including the adjacent Gosport Boat Yard and the associated slipway. Unrestricted, on-street car parking, is available on Harbour Road, between double yellow lines that have been implemented in order to maintain access across existing vehicular entrances. Mumby Road is a two-way carriageway (including a designated cycle lane) that is subject of a 30 mile per hour speed restriction.
4. To the south of the application site, and on the opposite side of Harbour Road, is a two storey, red brick, building known as Clarence Square Council School. The building is included on the Borough Council's List of Buildings of Local Interest for its historic and architectural interest. The principal façade of the building originally addressed Clarence Square, an area of the town laid out by the late 17th Century, and developed around a natural inlet in the coastline, which is now occupied by the application site, upon reclaimed land. During the 18th Century, the southern side of Clarence Square saw the erection of a row of Georgian townhouses to the east of the Clarence Square Council School. The town houses were demolished as part of the program of post-war slum clearance and the Clarence Square Council School building is, therefore, all that remains from the original development. The building still contains a number of timber, sash windows in its southern and northern elevations. The principal access into the building is from the northern elevation, however, there are also accesses in the western elevation, fronting Mumby Road. There is a modern, two storey extension on the western side of the building, the first floor of which has been finished using corrugated sheeting. The building is currently used as office space, as well as for retail and storage. There is a vehicular access on the eastern side of the building which is used to service a set of double doors.
5. The land, to the south-east of the application site (and adjacent to the Clarence Square Council School), has been redeveloped by the erection of a ten storey tower comprising 48 one and two bedroom retirement apartments. Beyond the residential tower is a foodstore.
6. Immediately to the north west of the application site is the Clarence Wharf Industrial Estate, which comprises a total of 11 no. industrial units operating under Classes B1, B2 and B8 of the Use Classes Order. The buildings are single storey and have been constructed from a combination of



red brick and corrugated metal. The blank, rear elevations of Units 1-6 are sited directly adjacent to the application site.

7. Approximately 200m further to the north-west, and on the eastern side of Mumby Road, is the Rope Quays development, a mixed-use scheme, approved in March 2003, under planning permission reference K15900. This development comprises a combination of residential and commercial floorspace, as well as a doctor's surgery. The development is constructed, for the most part, from red brick and render, with significant areas of glazing and exposed metalwork. The buildings range in height from two to fourteen stories.

8. To the north and east of the site is the Gosport Boat Yard which is used primarily, for the storage and repair of boats. The boat yard, which wraps around the northern extent of the application site, is accessed via a set of gates, approximately 80m to the east.

9. Public car parking (short stay during the day) is available in the North Cross Street (approximately 100m away) and Minnett Road South (approximately 300m away) public car parks with long stay parking being available in the Minnett Road North public car park (approximately 300m away).

10. The Gosport Bus Interchange and Ferry Terminal are located approximately 450m to the south east. The Ferry Terminal provides access to Portsmouth Harbour Station and the Hard Interchange. The Gosport Bus Interchange provides services to a range of locations within the Borough, as well as services to Fareham and Southampton.

11. Planning permission was granted in 2015 for the redevelopment of the site for 31 flats in a four-storey building with 42 car parking spaces. A further planning application for the erection of a part nine, part eight, part four, part three and part two storey building (with semi-basement parking area) to provide a total of 49 one and two bedroom flats with 46 car parking spaces was refused, on parking grounds, in October 2017.

12. This proposal is for the erection of a part nine, part eight, part four, part three and part two storey building (with semi-basement parking area) to provide a total of 47 one and two bedroom flats with 47 car parking spaces.

13. The proposed building would be the same size, and have the same siting and external appearance, as that previously refused. The differences between this and the previously refused scheme relate to changes to the internal layout that have resulted in two less flats being provided overall. The number of one bedroom flats proposed has dropped from 10 to 6 and the number of two bedroom flats increased from 39 to 41. The basement layout has been altered to provide one additional car parking space.

14. The building would be sited 15m from the northern (principal) elevation of the adjacent Clarence Square Council School building and set approximately 4m further forward (towards Mumby Road) than the building which used to be on the site. With the exception of a four storey, projecting element (which would be sited 2m off the boundary with Clarence Wharf Industrial Estate), the rear (north western) elevation of the building would be set off the boundary with Clarence Wharf Industrial Estate by 11m. The south eastern elevation of the building would be sited 15m from the Gosport Boat Yard.

15. The building would have two main elements, an eight storey tower with a ninth floor set back and sited adjacent to the water, and a part two, three and four storey block adjacent to Harbour Road. The maximum height of the building would be approximately 30m above ground level with the subordinate block having a height of 14.5m. The ninth floor would be set back over 1.5m from the main façade of the tower and would be built with a gull-wing roof that has been designed with a projecting eaves detail.

16. The majority of the building would be finished in red brick or white coloured render, with elements on the north-east and south-western sides of the building being clad in Verdigris coloured

panelling to add colour and interest to the building. The rendered section on the south western side of the building would front the Harbour Road/Mumby Road junction and would be clearly visible when turning in to Harbour Road. It would be two stories high (with a roof terrace) and would provide the principal entrance into the building. The ground floor would contain a large, glazed lobby, which would provide a reception/concierge area, serving the proposed flats. The lobby area would be accessed via a set of external steps, together with a level access lift, which would provide disabled access into the building. Areas of soft landscaping would be provided on either side of the steps, one of which would include facilities for visitor cycle parking in the form of three hoops. The landscaped areas would be enclosed by 1.1m high, black painted railings. An additional area of soft landscaping would be provided on the north western side of the site, at the junction between Harbour Road and Mumby Road.

17. The red brick projection on the north western side of the building would be four storeys high and would be sited 2m from the shared boundary with Clarence Wharf Industrial Estate. It would be set back 29m from the south western elevation of the building and 45m from the highway. There would be no windows in the north western elevation of the projection, facing towards the adjacent Clarence Wharf Industrial Estate.

18. The building would be set back approximately 3m from the back edge of Harbour Road. With the exception of the four storey element, the majority of the north western elevation will be sited 11m from the shared boundary with the Clarence Wharf Industrial Estate.

19. There would be projecting, glazed balconies on all elevations of the building. The building would have aluminium, powder coated windows and doors (grey) with stainless steel balustrades and hand rails to the balconies.

20. The main difference between this proposal and the previously permitted scheme is the inclusion of a tower adjacent to the Harbour which would rise to 9 storeys. The tower would be finished in white render with areas of cladding to add colour and interest. Where it would face Mumby and Harbour Roads, the current proposal would be of a similar four storey scale, appearance and finish to the permitted scheme.

21. In the interest of mitigating flood risk, the whole building would be constructed on supporting columns to avoid habitable accommodation at ground floor level. The resultant space beneath the building would be utilised to provide semi-basement car parking for 47 cars (equating to one space per dwelling).

22. The semi-basement car park would be accessed from the north western corner of the site, via Harbour Road and down graded slopes to account for the difference in levels. The parking would be arranged around two cores, which would contain plant and lift accesses to the residential accommodation above. The semi-basement would also accommodate facilities for the storage of refuse and recyclable materials (in the form of 22no. 1,100 litre bins). The plans indicate that the stairwells and stores would be built with flood protective walls. Steps would be provided at the south western and north eastern ends of the semi-basement in order to provide access onto street level. Cycle parking for the proposed flats would be provided within the flat units themselves, within the hallway of each unit. A refuse collection area would be provided adjacent to Harbour Road.

23. In addition to providing all living accommodation at 4.8m AOD, as part of the flood defence strategy for the site, the south eastern and north eastern sides of the building would be enclosed by a new, 1.8m high, brickwork, flood defence wall, complete with gabion stone panels. The application is supported by a Flood Risk Assessment which outlines the proposed flood mitigation measures and considers matters such as fluvial flood risk, tidal flood risk, groundwater flooding, overland flow and sewer flooding, together with the implications for surface water drainage.

24. The application is supported by a Phase 1 Ecological Survey that assessed the potential for the previous building to provide habitat for protected species, including bats and considers the potential impact of the proposed development on birds present within the adjacent SPA. The applicant has

indicated that swift boxes would be incorporated in the design of the building to enhance the biodiversity value of the site.

25. The application is accompanied by an Affordable Housing Viability Report that has been independently reviewed by the District Valuer.

26. The application is also supported by a Transport Statement, which assesses the likely car parking requirements of the proposal and the impact of the development on the existing highway network. An Acoustic Report has been submitted in order to establish the existing background noise levels associated with the adjacent commercial units and the potential impact on prospective occupiers with regard to noise disturbance from neighbouring commercial premises. The report includes an assessment of the noise associated with nearby marine engineering works. The application is also accompanied by a Planning Statement, a Design & Access Statement and a Conservation Appraisal & Heritage Impact Assessment.

27. Amended plans have been received showing an improved layout to the semi-basement car park and ramped access thereto.

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

14/00550/FULL - demolition of existing building and erection of a four storey building to provide 7 no. one bedroom flats, 23 no. two bedroom flats and 1 no. three bedroom flat, with associated access, car parking, refuse and cycle storage - permitted 18.12.15

17/00143/FULL - erection of a part nine, part eight, part four, part three & part two storey building (with semi-basement parking area) to provide 10 no. one bedroom flats and 39 no. two bedroom flats, with associated access, car parking, refuse and cycle storage & landscaping - refused 19.10.2017 for the following reason:

The proposal makes insufficient provision for the parking of cars to meet the likely demand from future occupiers of and visitors to the site. The proposal is therefore contrary to Policy LP23 of the Gosport Borough Local Plan 2011-2029 and to the adopted Parking Supplementary Planning Document.

### ***Relevant Policies***

Gosport Borough Local Plan, 2011 – 2029:

- LP1  
Sustainable Development
- LP2  
Infrastructure
- LP3  
Spatial Strategy
- LP4  
The Gosport Waterfront and Town Centre
- LP10  
Design
- LP13  
Locally Important Heritage Assets
- LP22  
Accessibility to New Development
- LP23  
Layout of Sites and Parking
- LP24  
Housing
- LP37  
Access to the Coast and Countryside
- LP42  
International and Nationally Important Habitats

LP44  
Protecting Species and Other Features of Nature Conservation Importance  
LP45  
Flood Risk and Coastal Erosion  
LP47  
Contamination and Unstable Land

Supplementary Planning Documents:

Gosport Borough Council Design Guidance: Supplementary Planning Document: February 2014  
Gosport Borough Council Parking: Supplementary Planning Document: February 2014  
Solent Special Protection Areas Gosport Bird Disturbance Mitigation Protocol 2014  
Gosport Borough Council Waterfront and Town Centre: Supplementary Planning Document: March 2018

National Planning Policy Framework (NPPF), March 2012

**Consultations**

Natural England	No objection subject to Solent recreational disturbance mitigation being secured and restriction of use of heavy machinery during bird overwintering period.
Royal Society For The Protection Of Birds	No response received.
Crime Prevention & Design	No objection. Recommends provision of CCTV to car park and building access and frontage.
HCC Ecology	No objection. Suggests ecological enhancement measures are secured by condition.
Queen's Harbour Master	No response received.
Building Control	No objection.
Hampshire Fire And Rescue Service	No objection.
Environment Agency (Hants & IOW)	No objection subject to condition to secure flood mitigation measures.
Southern Water	No response received. Raised no objection to previous application and recommended conditions and informatives in relation to foul and surface water drainage.
Eastern Solent Coastal Partnership	No objection subject to a condition to require development to be carried out in accordance with the submitted FRA.
Local Highway Authority	No objection subject to conditions to secure Construction Method Statement, the provision and retention of on site car parking, and any necessary works to the existing highway required to provide safe access to

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	and egress from the public highway.
Environmental Health	Contaminated Land - No objection. Noise - No objection. Recommends imposition of conditions to secure noise mitigation measures set out in submitted Acoustic Report.
Housing Services Strategic	No objection subject to economic viability case being robustly assessed and any possible contributions being secured.
Streetscene Waste & Cleansing	No objection.
Portsmouth LPA	No comments.

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

9 letters of objection:

Issues raised:-

- inadequate parking
- parking spaces undersized and do not conform to SPD
- exacerbation of existing parking issues;
- site is in a low accessibility area;
- inaccurate Traffic Assessment
- impractical cycle storage
- loss of privacy between proposals and neighbouring McCarthy & Stone development
- further tall building out of character
- site should be retained for employment use
- future occupiers likely to be subject to noise from Gosport Ferry
- increased traffic a 'health and traffic risk'
- area unable to cope with additional residential properties
- potential increased risk of flooding
- Flood Risk Assessment questionable
- undersized flats
- inappropriate provision for refuse collection
- impact of construction on neighbouring properties
- insufficient access for firefighting

### ***Principal Issues***

1. Matters associated with access for fire and rescue purposes are dealt with under the Building Regulations. Whilst the site is located in an area of archaeological interest, the planning conditions imposed on the previous permission have been complied with and therefore no further archaeological work is required. The site is not allocated for employment purposes with the principle of a residential redevelopment having been established by the granting of the earlier planning permission. Accordingly, the main issues in this case are the acceptability of the additional development now proposed, the acceptability of the design of the amended proposal and the impact of the development on the character and visual amenity of the locality and the setting of the adjacent Locally Listed Building, the amenity of adjacent and prospective users/occupiers, whether the development can be delivered without prejudicing the access and servicing arrangements of adjacent uses, or the future redevelopment of adjoining land, whether appropriate provisions can be made for access, car and cycle parking, refuse storage and collection and servicing and whether the development can be delivered without having a harmful impact on the interests of nature conservation, flooding and land contamination. In particular regard must be had to the parking related reason for the refusal of the previous application.

2. Policy LP4 of the Gosport Borough Local Plan identifies the application site as forming part of the Waterfront redevelopment area that has the potential to provide 700 - 900 new dwellings. The provision of dwellings in this location would also accord with the aims and objectives of the recently adopted Waterfront Supplementary Planning Document. The provision of 47 residential units would further contribute towards this provision. Having regard to the foregoing the principle of the additional 16 dwellings over and above that previously permitted is considered acceptable in policy terms, with the site's location close to a range of local services, facilities and transport links making it appropriate for a higher density development.

3. Taking into consideration the permitted and historic uses of the site, together with the proposed access arrangements, the submitted plans demonstrate that the proposed development can be accommodated without compromising the existing access or servicing arrangements/everyday operations of neighbouring uses. The proposed development would not compromise the development potential of adjacent sites, including the Clarence Square Council School building and Gosport Boat Yard. The proposal would not result in the loss of existing public access to the coast and would not prejudice future proposals to extend public access along the waterfront as opportunities arise within the waterfront regeneration area. It would therefore be in accordance with Policy LP37 of the Gosport Borough Local Plan.

4. The proposed building would have a relatively simple design, with extensive areas of glazing provided on the elevation fronting the Harbour Road/Mumby Road junction, which would create an attractive, active frontage that will contribute to the vibrancy and vitality of the area, clearly defining the entrance to the building. The simple form of the building, which will be complemented by the provision of projecting, glazed balconies, set at regular intervals, will provide a rhythm and uniformity to the elevations that is reflective of the previous building on the site, whilst at the same time, providing an appropriate level of visual interest and articulation to the publicly visible facades. The top floors of the building have been set back from the main façade to reduce its perceived height and overall mass. The provision of gull-wing roofs will add interest to the design and it will be set back a sufficient distance to ensure that it does not create too dominant a feature. The submission of details, including samples, of the proposed external facing materials, so as to ensure a high quality finish will be controlled by condition.

5. The provision of new areas of soft landscaping adjacent to the glazed entrance of the building would enhance the appearance of the site where it addresses the Harbour Road/Mumby Road frontage and would improve the public realm and pedestrian experience, helping to re-establish this currently underused section of Harbour Road as an important, historic link to the waterfront. The building has been set back from the application boundaries by a sufficient distance to ensure that it would not dominate the plot and has been sited and designed in such a way so as to respect the setting of the adjacent Locally Listed Building. It would not extend forward beyond the north eastern corner of this building and would step-down in height at its south western end so as not to appear overbearing when compared to the scale and form of this adjacent structure.

6. The proposed 1.8m high flood defence wall on the south eastern side of the site would form an integral part of the flood defences for the site. The wall would include gabion stone panels, so as to avoid the introduction of a long, uninterrupted section of brickwork on the south eastern side of the building. The final details of the wall, together with the materials to be used in its construction, will be controlled by condition so as to ensure a high quality finish. The proposed area of car parking has been carefully designed so as to be hidden from public view, thereby helping to ensure the development is not dominated by a large area of hard surfacing, or parked vehicles. The provision of lighting throughout the semi basement car park, to achieve a pleasant and safe environment, will be controlled by condition.

7. Overall, the proposed development is considered acceptable in design terms. The building would not dominate its surroundings, nor harm the setting of the adjacent Listed Building. It would complement the adjacent 10 storey residential tower and contribute towards the positive regeneration work earmarked for this particular part of the Borough. For the reasons set out above the proposal complies with Policies LP10, LP12 and LP13 of the Gosport Borough Local Plan.

8. Measures to protect residents and adjacent commercial occupiers during construction will be controlled by planning condition together with the siting and design of any site compound, to ensure that disruption, in terms of noise, vibration and dust, is minimised. The siting of residential accommodation adjacent to commercial sites is not uncommon in waterfront locations, where the marine environment often constitutes a desirable location for both residential occupiers and marine/leisure based industries. The submitted Acoustic Report concludes that the adjacent uses will not result in unacceptable levels of disturbance to prospective occupiers of the proposed flats, but recommends that suitable glazing be installed so as to reduce the potential levels of disturbance associated with nearby marine related industries. In accordance with the recommendations of the report, a condition can be imposed requiring the approval details of the glazing to be installed in all windows and balconies, so as to preserve the residential amenity of prospective occupiers. This would be consistent with the previous permission.

9. Due to its siting relative to existing buildings and the orientation of neighbouring properties it is considered that the proposed development would not have an unacceptable impact on the amenities of any neighbouring or prospective occupiers in terms of loss of light or outlook. Likewise, due to the orientation of the buildings, the proposal would not result in harmful levels of overshadowing. The proposed building would be 25m from the recently built McCarthy and Stone development on the opposite side of Harbour Road at its closest point. The distance between the tower element of this proposal and the tower in the McCarthy and Stone development would be in excess of 60m. The proposed flats are considered to be of an appropriate size with most exceeding the space standards in the Design SPD. A small number of the flats fall below the recommended sizes in the Design SPD, however, most of these flats would exceed the recommended space standards set out in the National Technical Space Standards set out by central Government are therefore considered acceptable. There are two exceptions where the minimum standard for a 2 person, 1 bedroom flat would not be met with the shortfall being 0.6 and 2.8 square metres respectively. The layout of the building would ensure that habitable rooms in all of the flats would benefit from an appropriate outlook and have access to a degree of external amenity space (balconies or roof terraces). Given the foregoing it is considered that the proposal is acceptable in amenity terms and would not conflict with Policy LP10 of the Gosport Borough Local Plan.

10. The submitted Transport Assessment indicates that the proposed development would generate approximately 31 additional multi modal trips in each of the morning and evening peak hours. This would be an increase of 10 trips in each peak hour over and above that likely to be generated by the previously permitted scheme. The Transport Assessment indicates that even if all the trips associated with the proposed development were made by motor vehicle, this would, on average, equate to one additional motor vehicle movement on to the highway network every two minutes during the peak periods. Such an increased number of trips would not have a harmful impact on the capacity of the surrounding highway network or the safety or convenience of highway users.

11. The proposed access would be sited 15m from the adjacent Harbour Road/Mumby Road junction and adequate visibility is available to ensure that there is no conflict between vehicles exiting the semi-basement car park and all other users of the public highway. Likewise, the siting of the access is such that it will not interfere with the safe use of the access to the double doors in the Clarence Square Council School building. The Local Highway Authority have advised that the potential requirement to regulate car parking adjacent to the proposed vehicular access to allow safe entry to and egress from the site can be considered and secured under Highway legislation. The proposed access and servicing arrangements are similar to that previously permitted. It is considered that the detailed design of the access and associated alterations to the highway can be addressed through the imposition of a suitably worded planning condition.

12. The Council's Parking Supplementary Planning Document (SPD) sets out the parking guidelines for development proposals. It also makes provision for applicants to justify their car parking provision where a development proposal does not comply with those guidelines. The permitted scheme for 31 flats included 42 car parking spaces to serve occupiers and visitors and as such met the standards in the Parking SPD which equates to a ratio of 1.35 spaces per dwelling. The proposed 47 flats should be served by 66 unallocated spaces to accord with standards in the Parking SPD, however only 47 are proposed, a ratio of 1 space per dwelling. The submitted

Transport Assessment puts forward a case for a reduction in car parking based on flats having a lower level of car parking demand than houses with the same numbers of bedrooms. The site is located close to the High Street where a range of local services, facilities and amenities are available, and is also accessible by a number of modes of transport given that it is within walking distance of the Gosport Bus Station and Ferry Terminal. The easy access to public transport reduces the reliance on the use of the private motor vehicle for future occupiers. Visitor and long stay cycle parking facilities would be provided at the site, in accordance with the requirements of the Parking SPD, which would also provide sustainable travel alternatives to the private motor vehicle. No dedicated visitor spaces would be provided, however, there are a number of public car parks within a short walking distance of the site which could serve to complement the on-site car parking provision.

13. Whilst the proposed level of car parking would not accord with the Parking SPD, the application is accompanied by a robust case setting out the justification for a relaxation of the standards. Notwithstanding the reason for the refusal of the previous application, it is therefore considered that the refusal of this application on parking grounds could not be sustained. The layout of the proposed semi-basement car park is not fully compliant with the SPD, with some of the spaces not having an increased width where they would be adjacent to walls or columns, however the spaces can accommodate a vehicle. Furthermore the semi-basement car park layout would reflect the layout previously approved. The provision and subsequent retention of the car parking spaces and cycle parking facilities could be controlled by condition. In light of the above, the proposed parking and access arrangements are considered acceptable and would comply with Policies LP22 and LP23 of the Local Plan.

14. The proposal will introduce 47 dwellings which is likely to result in increased recreational activity on the coast and a consequential impact on the protected species for which the Portsmouth Harbour SPA, the Solent and Southampton Water SPA and the Chichester and Langstone Harbours SPA are designated. To address this impact, a contribution towards appropriate mitigation, in accordance with the Gosport Bird Disturbance Mitigation Protocol, is required. The applicant has indicated a willingness to provide mitigation in accordance with the Protocol such that the proposal would comply with Policies LP42 and LP44 of the Local Plan. Subject to a legal agreement to secure the delivery of the mitigation the scheme would accord with Policies LP42 and LP44 of the Local Plan.

15. There is no evidence of protected species being present within the site. In the interests of preserving the environment of over-wintering birds, a condition will be imposed to restrict the use of percussive piling, or works involving the use of heavy machinery, that result in a noise level exceeding 69bdA being audible when measured from the nearest point of the Portsmouth Harbour Special Protection Area during the over-wintering bird period (October - March inclusive), unless the existing noise level at the nearest point of the receptor site already exceeds 69dbA. If the resultant noise level would exceed the existing noise levels when measured from Portsmouth Harbour SPA, no works would be permitted during the overwintering bird period. Subject to this condition, the proposed development would preserve the environment for the over-wintering bird population and comply with Policy LP44 of the Local Plan. The applicant has indicated that two swift boxes would be installed on the building and that new planting at the site would comprise a 70:30 ratio of native to non-native species. Details of the swift boxes and landscaping, together with their implementation and retention could be controlled by condition. Subject to these conditions, the proposed development would help to enhance the ecological value of the site, in accordance with the aims and objectives of the NPPF.

16. Paragraph 7.38 of the Local Plan advises that, as the waterfront is located within Flood Zones 2 and 3 and is allocated for comprehensive mixed use development, it has been the subject of a Strategic Flood Risk Assessment. The Local Plan advises that the site offers significant regeneration benefits that are unrivalled anywhere else in the Borough. In accordance with the NPPF, a sequential test has, therefore, been undertaken where it has been demonstrated that there are no alternative sites in the Borough. On this basis, the principle of developing within the Flood Zone has been established as being acceptable, provided appropriate mitigation can be achieved. The Environment Agency has confirmed that, by setting all proposed living accommodation at a



level above 4.8m AOD, all residential units would remain free of flooding for the lifetime of the development. The walls enclosing the plant rooms and refuse stores within the semi-basement parking area would be built with enhanced flood protection walls, the details of which will be controlled by condition. In the interests of public safety, the applicant has indicated that emergency evacuation measures will be put in place in the event that a flood event should occur. A condition can control the precise details of the Evacuation Plan, which would be required to demonstrate the availability of safe access to higher ground. The condition would require the approved Evacuation Plan to be implemented in the event of a flooding event.

17. The development would provide a new surface water drainage system that will include provision of a storage volume to cater for run-off if the existing drainage system becomes tide locked. The Environment Agency has confirmed that this would provide an increased level of protection to the site and surrounding area. Subject to a condition to control this and the submission of details of how the flood defence wall will be delivered, maintained and operated over the lifetime of the development, the East Solent Coastal Partnership has confirmed that it considers the proposal to comply with the NPPF in respect of flooding and that the coastal defence proposals for this development are in line with the draft strategic policy recommendations. Subject to the submission and approval of the aforementioned measures, the proposed development would not increase the risk of flooding to people or property, or pollute controlled waters. The development, therefore, complies with the NPPF and Policy LP45 of the Gosport Borough Local Plan.

18. The developer has demonstrated that measures could be put in place to protect human health and controlled waters both during the construction phase and upon occupation. Any contamination would be subject to risk assessment and a series of mitigation measures could be agreed, depending on the type of any contamination identified and the receptor being affected. The necessary investigation and remediation measures, including implementation, would be secured by condition. Subject to this condition, the development complies with the NPPF and Policy LP47 of the Gosport Borough Local Plan.

19. In accordance with Policy LP24 of the Local Plan, the applicant would normally be required to enter into a planning obligation to secure the provision of affordable housing on site. This would equate to 20 flats being made available on the affordable housing market. Policy LP24 also states that "where it can be clearly demonstrated that the provision of 40% affordable housing is not economically viable the Council will seek to negotiate a percentage of affordable housing as close as possible to the target level having regard to a site specific economic viability assessment".

20. The application was accompanied by an Affordable Housing Viability Report which sought to demonstrate that the development could not provide any affordable housing without rendering the scheme financially unviable. The submitted Viability Report has been critically reviewed by the District Valuer (DVS) to establish its robustness. Whilst the DVS generally agreed that most of the costs and values set out were reasonable, they did conclude that there was a lack of evidence to support some of the build costs.

21. The applicant has subsequently agreed to provide a financial contribution of £250,000 towards the off-site provision of affordable housing (in lieu of on-site provision). Whilst this would not equate to a fully policy compliant contribution, it is the maximum that can be secured without the development becoming financially unviable. The applicant has also agreed that if the development is not developed in accordance with an agreed timescale the viability of the development will be reviewed and if the financial position has improved an additional contribution towards the off-site provision of affordable housing would be provided. Accordingly the proposal would be in accordance with Policy LP24 of the Local Plan.

### **RECOMMENDATION: Grant Permission**

Subject to Section 106 agreement relating to

1. The payment of a financial contribution of £21,989.00 towards the work of the Solent Recreational Disturbance Mitigation Partnership;

2. The payment of a financial contribution of £250,000.00 towards the off-site provision of affordable housing;
3. A re-evaluation of the financial viability appraisal if construction has not reached 'core and shell' completion within a specified period; and,
4. The provision and implementation of an employment and skills plan.

**and 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: 13.1980.150 Rev.P6; 13.1980.151 Rev.P5; 13.1980.152 Rev.P4; 13.1980.153 Rev.P6; 13.1980.154 Rev.P6; 13.1980.155 Rev.P3; 13.1980.156 Rev.P2; 13.1980.157 Rev.P2; 13.1980.160 Rev.P5; 13.1980.161 Rev.P6; 13.1980.162 Rev.P3.

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) No development above slab level shall take place until details, including samples, of all external facing materials, including to the roof and the glazing, balustrades and hand rails to the balconies, have been submitted to and approved, in writing, by the Local Planning Authority.

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

Reason - To ensure the appearance of the development is satisfactory and to comply with Policy LP10 of the Gosport Borough Local Plan.

4. a) No development shall take place until details of the flood defence wall, including sections and elevation plans and details of how the flood defences will be delivered, managed and operated over the lifetime of the development have been submitted to and approved, in writing, by the Local Planning Authority.

b) The flood wall shall be provided, in accordance with the approved details before the development hereby approved is first occupied.

c) The flood wall shall thereafter be retained in accordance with the approved maintenance details.

Reason - In the interests of reducing the risk of flooding to people and property and future users in compliance with Policy LP45 of the Gosport Borough Local Plan 2011-2029.

5. a) No development shall take place until details of the windows and balcony doors, including the measures to protect prospective occupiers from unacceptable levels of noise, have been submitted to and approved, in writing, by the Local Planning Authority.

b) The windows and balcony doors shall be installed in accordance with the approved details and retained thereafter.

Reason - To protect the residential amenities of future occupiers and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

6. a) 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. These details shall include samples of all hard surfacing materials.

b) The approved hard surfacing shall be provided before the development hereby approved is first occupied and thereafter retained, unless otherwise agreed, in writing, by the Local Planning Authority.

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

7. No development above slab level shall take place until details of a soft landscaping scheme including the size/densities of tree/shrubs, the phasing of timing of planting, and provision for its

maintenance during the first five years from the date of planting, shall have been submitted to and approved, in writing by the Local Planning Authority.

Reason - In the interest of amenity and the appearance of the locality, and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

8. The landscaping scheme approved in accordance with Condition 7 shall be completed within six months from the completion of the building shell, or within the next available planting season, and any trees or plants which die are removed or become seriously damaged or diseased during the first five years, shall be replaced with others of identical species (or as may otherwise be agreed in writing with the Local Planning Authority) during the next planting season.

Reason - In the interest of amenity and the appearance of the locality, and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

9. a) No development shall take place, including demolition, until a detailed Construction Environmental Management Plan (CEMP) for the development has been submitted to and approved, in writing, by the Local Planning Authority. The CEMP shall contain details of:

- (i) the location of the site compound and any buildings within it;
- (ii) the location of any moveable structures, plant, or machinery required temporarily in connection with the development
- (iii) the means of enclosure of the site compound;
- (iv) the provisions to be made for the parking of contractors, site operatives, employees and visitors vehicles;
- (v) access to the site for demolition and construction vehicles;
- (vi) the provision for wheel washing facilities;
- (vii) a scheme for recycling/disposing of waste and spoil resulting from demolition and construction works;
- (viii) the method and timing of any piling required;
- (ix) measures to control the emission of dust and dirt from the site during construction;
- (x) measures to prevent adverse impacts to surface water and ground water;
- (xi) working hours and the timings of deliveries of materials and equipment.

b) The development shall be carried out in accordance with the approved CEMP unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure the environment is protected and that the demolition and construction works on site do not impact surrounding properties and/or adjacent occupiers and to comply with Policies LP10, LP22, LP23, LP39 and LP46 of the Gosport Borough Local Plan 2011-2029.

10. a) No development shall take place until plans and particulars showing the detailed proposals for the provision to be made to enhance the biodiversity interests of the site, including swift boxes, and a timetable for that provision have been submitted to and approved, in writing, by the Local Planning Authority:

b) The development shall be carried out in accordance with the approved details and timetable for provision.

Reason - To comply with the National Planning Policy Framework and Policies LP38 and LP43 of the Gosport Borough Local Plan 2011-2029.

11. a) No development, other than demolition, shall take place until details of any surface water drainage scheme, based on sustainable drainage principles, and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include details of the following:

- (i) information about the design relating to storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- (ii) a timetable for the implementation of the surface water drainage scheme;
- (iii) a management plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable urban drainage scheme throughout its lifetime.

b) The surface water drainage scheme shall be carried out, managed and retained in accordance with the approved details.

Reason - To prevent the increased risk of flooding, to protect water quality, habitat and amenity, and ensure future maintenance of the surface water drainage system, and to comply with Policies LP39 and LP41 of the Gosport Borough Local Plan 2011-2029.

12. a) No development shall take place until a scheme for the disposal of foul water have been submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include details of the following:

(i) a timetable for the implementation of the foul water disposal scheme;

(ii) a management plan for the lifetime of the development.

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

Reason - To ensure that there is adequate provision for foul drainage from the site and to comply with Policy LP39 of the Gosport Borough Local Plan 2011-2029.

13. a) No development shall take place until details of all external lighting for the site, including within the semi-basement car park, have been submitted to and approved, in writing, by the Local Planning Authority. These details shall include:

(i) a layout plan with beam orientation;

(ii) the design of all lighting, including luminaire type, mounting height, aiming angles and luminaire profiles;

(iii) a light scatter diagram with relevant contours.

b) The approved lighting shall be provided before the development hereby approved is first occupied and shall be retained thereafter, unless otherwise agreed, in writing, by the Local Planning Authority.

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

14. Internal floor levels for any residential floorspace shall not be less than 4.8 metres above ordnance datum (AOD).

Reason - In the interests of reducing the risk of flooding to people and property and future users in compliance with Policy LP45 of the Gosport Borough Local Plan 2011-2029.

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

b) The Flood Management Plan shall be implemented in accordance with the approved details.

Reason - In the interests of safety, and to comply with Policy LP45 of the Gosport Borough Local Plan 2011-2029.

16. a) Development shall not commence until details of the flood proofing measures to the stairwells, refuse and plant stores within the semi-basement car park have been submitted to and approved, in writing, by the Local Planning Authority.

b) The flood proofing measures shall be provided in accordance with the approved details before occupation of the first residential unit and shall be retained thereafter, unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - In the interests of reducing the risk of flooding to people and property and future users in compliance with Policy LP45 of the Gosport Borough Local Plan 2011-2029.

17. a) No development above slab level shall take place until full details of the boundary treatments, the flood defence brick/gabion wall, retaining walls, timber fencing and metal railing, as referenced on approved plan 13.1980.100 Rev P1, have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include:

(i) elevation drawings showing the height and design of the boundary treatment

(ii) sample materials and/or manufacturer specifications of the materials to be used in the construction of the boundary treatment

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

Reason - In the interests of the visual amenity of the locality and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

18. The development hereby permitted shall not be occupied until the access and parking areas have been provided in accordance with the approved plans. The access and parking areas shall be retained in accordance with the approved details thereafter unless otherwise agreed, in writing, by the Local Planning Authority.

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

19. a) No development relating to the car parking area hereby approved shall take place until section drawings at a scale of 1:20 showing the gradient of the access into/out of the semi-basement parking area have been submitted to and approved, in writing, by the Local Planning Authority.

b) The development shall not be brought into use until the access has been provided in accordance with the approved details and the access shall be retained for vehicular entry/egress at all times.

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

20. The development hereby permitted shall not be occupied until the existing accesses to the site have been closed in accordance with a detailed scheme submitted to and approved, in writing, by the Local Planning Authority.

Reason - In the interests of highway safety, and to comply with Policies LP10, LP22 and LP23 of the Gosport Borough Local Plan 2011-2029.

21. a) No development shall take place until details of any measures necessary to prevent on street parking adjacent to the vehicular access have been submitted to and approved, in writing, by the Local Planning Authority.

b) The measures shall be provided in accordance with the approved details before the development hereby approved is first occupied.

Reason - In the interests of highway safety and to comply with Policies LP10, LP22 and LP23 of the Gosport Borough Local Plan 2011-2029.

22. a) The development hereby permitted shall not be occupied until details of the cycle parking facilities for each respective unit have been submitted to and approved, in writing, by the Local Planning Authority.

b) The approved cycle parking facilities for each unit shall be provided in accordance with the approved facilities before that unit is first occupied and thereafter retained.

Reason - To ensure adequate bicycle parking facilities are provided and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

23. a) The development hereby permitted shall not be occupied until facilities for the storage and removal of refuse have been provided in accordance with the details shown on approved plan 13.1980.101 Rev P1.

b) The approved facilities shall be retained and kept available for these purposes at all times.

Reason - In order to protect the amenities of the area, and to comply with Policies LP10, LP22 and LP23 of the Gosport Borough Local Plan 2011-2029.

24. a) No development above slab level shall take place until details of the entrance steps and platform lift, including elevation drawings, as shown on approved plan 13.1980.100 Rev P1, have been submitted to and approved, in writing, by the Local Planning Authority. b) The entrance steps and platform lift shall be provided in accordance with the approved details before the building is first brought into use and shall be retained thereafter unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - In the interests of pedestrian and disabled access and the visual amenity of the locality and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

25. No percussive piling or works involving the use of heavy machinery that results in a noise level exceeding 69bdA being audible when measured from the nearest point of the Portsmouth Harbour Special Protection Area (SPA) shall be permitted to take place during the overwintering period

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(October - March inclusive), unless the existing noise level at the nearest point of the Portsmouth Harbour Special Protection Area (SPA) already exceeds 69dbA, in which case, no works shall be undertaken during the specified period if the resultant noise level would exceed the existing noise level when measured from the sensitive receptor site.

Reason - To preserve the environment for the over-wintering bird population and to comply with Policies LP10, LP42, LP43 and LP44 of the Gosport Borough Local Plan 2011-2029.



**ITEM NUMBER: 08.**  
**APPLICATION NUMBER: 18/00082/FULL**  
**APPLICANT: Mrs Katherine Ackroyd Bayside Cabin Ltd**  
**DATE REGISTERED: 06.03.2018**

**ERECTION OF EXTENSION TO CAFE (DEPARTURE FROM LOCAL PLAN)**  
**Bayside Cabin Stokes Bay Road Gosport Hampshire PO12 2QT**

***The Site and the proposal***

1. The application site is located on the south western side of Stokes Bay Road and contains a part single, part two storey café, currently operating as the Bayside Cabin. The application site is owned by Gosport Borough Council but leased and operated by a third party. The site is located outside of the Urban Area Boundary and within the Settlement Gap as defined by the Policies Map of the Gosport Borough Local Plan, 2011-2029 (GBLP). The area to the south is protected as Existing Open Space under the GBLP and is also an area of vegetated shingle habitat with potential to support protected and notable species. The site is immediately adjacent to the Browndown SSSI. To the north of the site is the Grade II\* Listed No 2 Battery which is currently used as a museum. To the east is the No 2 Battery West Car Park and to the west is the River Alver. The nearest residential properties are within the Stokes Bay Home Park to the north, some 40m away, on the opposite side of No 2 Battery.

2. Bayside Cabin was approved in 2003 and constructed in 2006. It is finished in red brick under a barn hipped, slate roof. The southern elevation has a curved single storey projection. Attached to the curved section is a single volume, glazed extension that has been constructed without planning permission. The main part of the extension is 12m long and 8m wide and has a pitched roof with an eaves height of 2.2m and an overall height of 3.2m. It is constructed in three bays and has sliding doors on the eastern, western and southern elevations with the northernmost bay on each side being clad in horizontal timber panels. The roof is retractable uPVC. It is linked to the main Bayside Cabin building via a 3.5m long and 2.8m high conservatory style structure. The site is bound by an approximately 1.2m high metal fence with a pair of gates on the southern boundary.

3. The application proposes the retention of the glazed extension and link, as built.

***Relevant Planning History***

K12255/2 - erection of single/two storey catering facility with first floor balcony, covered seating area and landscaping - permitted 01.07.03

***Relevant Policies***

Gosport Borough Local Plan, 2011 – 2029:

LP3

Spatial Strategy

LP10

Design

LP11

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

LP18

Tourism

LP23

Layout of Sites and Parking

LP29

Proposals for Retail and other Town Centre Uses outside of Centres

LP45

Flood Risk and Coastal Erosion



## National Planning Policy Framework (NPPF), March 2012

### **Consultations**

#### Eastern Solent Coastal Partnership

No objection in principle to this retrospective application, but are able to offer the following comments and advice:

The site is shown to currently lie within the Environment Agency's Flood Zone 1, and is therefore considered to be at low risk (<1:1000 year annual probability) of experiencing an extreme tidal flood event. However, by 2085 the site is predicted to lie wholly within Flood Zones 2 and 3, and may therefore be at risk of experiencing a 1:200 year (0.5% annual probability) extreme tidal flood event. For information, the present day 1:200 year extreme tidal flood level for the Gosport and Lee-on-the-Solent open coast is 3.1mAOD, increasing to a predicted 4.2mAOD by the year 2115 due to the effects of climate change.

Whilst no flood risk assessment (FRA) or details of the finished floor levels have been submitted in support of the application, the development is classed as 'less vulnerable', and appears to be somewhat temporary/semi-permanent and essentially adds a demountable cover to the existing terrace. Nevertheless, the ESCP do strongly advise that finished floor levels of this extension are set either no lower than those of the existing building or a minimum of 300mm above the external ground levels, in accordance with the Environment Agency's Flood Risk Standing Advice. It is recommended that this be secured by means of a planning condition.

Furthermore, the ESCP also recommend that all occupants of the building sign up to the Government's Flood Warning Service, and that a Flood Warning and Evacuation Plan be prepared in accordance with advice from the Environment Agency, to ensure adequate warning is received prior to any extreme tidal flood event.

#### HCC Ecology

No objection, on the basis that the secure fence at the boundary will be sufficient to prevent increased footfall. In terms of the footprint of the proposed works, this would be entirely within an area of hardstanding and no vegetation removal would be necessary. No significant concerns are

raised, although the southern boundary abuts a small but valuable area of vegetated shingle habitat (a Priority Habitat) and the site is immediately adjacent to Browndown SSSI. The only other potential impact would be increased noise disturbance although this is not considered to be significant: the existing site contains outdoor seating and therefore the addition of a roofed structure would help mitigate this.

Property Services

Property Services are the landlord for the premises. No objection.

Environmental Health

No objection.

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

Nil

### ***Principal Issues***

1. The main issues in this case are the acceptability of the proposal in land use terms and its impact on the visual amenity of the locality, the amenity and recreational value of the Settlement Gap, the amenities of the occupiers of neighbouring properties, highway and pedestrian safety, flood risk and nature conservation.

2. The application site is located outside of the Urban Area Boundary and within the Settlement Gap under Policy LP3 of the GBLP. Policy LP3: Spatial Strategy sets out the Council's planning strategy for delivering the homes and jobs the Borough needs over the plan period to 2029. The focus for delivering this planned development is within the Urban Area Boundary, making the most efficient use of brownfield land. The focus of development on brownfield land assists in safeguarding the finite resource of green open spaces (including the open coast) in one of the most built up areas in the South East.

3. Policy LP3 states that "...areas outside of the urban area will be safeguarded from development unless they are for appropriate recreational uses or development essential to the operational requirements of public and other essential services. Such exceptions will need to accord with Policy LP10: Design." It goes on to state that "...the character and function of the settlement gaps (as shown on the Policies Map) between Gosport/Fareham and Lee-on-the-Solent/Stubbington will be preserved." In the supporting text to Policy LP3, paragraph 6.39 of the GBLP is very clear that although there may be some instances where there will be a need for particular types of development to be located outside of the Urban Area Boundary, "...the need for such a proposal must be clearly demonstrated by the applicant and the reasons why the development cannot be located within the urban area and why the particular site outside of the Urban Area Boundary has been chosen. Such exceptions must be integrated into the surrounding environment in order to protect the open character of the urban fringe as well as its ecological and recreational value. Proposals that would diminish the function and the visual and physical character of the area will not be permitted."

4. In this instance it considered that the glazed extension is not an appropriate recreational use nor is it required for the operation of public and other essential services for the purposes of Policy LP3. The use of the land for seating associated with the Bayside Cabin is established but it has not been demonstrated that the erection of a large structure over this area is required. In design terms, the existing Bayside Cabin has a barn hipped roof that has been designed to reduce its visual impact and it, and the nearby public convenience building, have curved elements that reflect the appearance of the adjacent, Listed No 2 Battery. The glazed extension that has been erected is rectangular in shape and projects forward of the existing building by 15.5m and, as such, detracts

from the open character of Stokes Bay. Although the structure is largely glazed to the side elevations, its size, and form is such that is an incongruent addition to the existing building and has no regard to the design features of the adjacent structures. Overall, therefore, the development is of poor design that is not in keeping with the general recreational use of Stokes Bay and harmfully diminishes the function and the visual and physical character of the Settlement Gap with no justification provided, contrary to the aims and objectives of Policies LP3 and LP10 of the Gosport Borough Local Plan, 2011-2029.

5. The development is located a significant distance from the nearest residential properties. In light of this, and its position relative to the existing Bayside Cabin, the development is not harmful to the amenities of neighbouring occupiers. In this respect, the development, therefore, complies with Policy LP10 of the Gosport Borough Local Plan, 2011-2029.

6. The site is located adjacent to a large public car park and there are a number of other car parks and bus stops along Stokes Bay Road. Whilst it may encourage increased use throughout the year, the formalisation of the established seating by the erection of an extension of the Bayside Cabin has not, therefore, significantly increased the likelihood of a harmful impact on traffic conditions in the locality or result in harmful overspill parking in the local road network, to the detriment of highway and pedestrian safety, in accordance with Policy LP23 of the Gosport Borough Local Plan, 2011-2029.

7. The application site is located adjacent to an area of vegetated shingle habitat (a Priority Habitat) and the Browndown SSSI and is predicted to be within Flood Zones 2 and 3 by 2085. The site is bound by a robust metal fence and although there are gates on the southern side, the erection of the building on the site would not result in increased use of these gates. Measures to control the use of the gates and to control the height of the finished floor level together with the preparation of a Flood Warning and Evacuation Plan could be imposed if the development was considered acceptable in all other respects. In light of this, and as the site and surrounding area is already frequently used for recreational activities, including dog walking, the development has not resulted in harmful impacts on the interests of nature conservation or flood risk, in accordance with Policies LP43, LP44 and LP45 of the Gosport Borough Local Plan, 2011-2029.

### **RECOMMENDATION: Refuse**

For the following reason(s):-

1. The development, by virtue of its poor design is not in keeping with the general recreational use of Stokes Bay and harmfully diminishes the function and the visual and physical character of the Settlement Gap with no justification provided to clearly demonstrate why the particular site outside of the Urban Area Boundary has been chosen, contrary to the aims and objectives of Policies LP3 and LP10 of the Gosport Borough Local Plan, 2011-2029.

**ITEM NUMBER: 09.**  
**APPLICATION NUMBER: 18/00110/FULL**  
**APPLICANT: Mr & Mrs Bright**  
**DATE REGISTERED: 13.03.2018**

**ERECTION OF A PART SINGLE / PART TWO STOREY REAR EXTENSION**  
**37 St Marys Avenue Gosport Hampshire PO12 2HU**

***The Site and the proposal***

1. The application site is located on the northern side of St Marys Avenue. The property is a two storey detached dwelling constructed of red brick and uPVC glazed windows. At the front of the property is a driveway which leads to a garage with adjoining car port and a garden which is enclosed by a small wall and gates. The garage and car port are located on the western side of the property. The main side elevations of the property are separated from number 35 St Marys Avenue to the west by approximately 7m and from number 39 to the east by approximately 2.5m. At the rear of the property is an approximately 28m long garden with a small shed. St Marys Avenue consists of mostly detached and semi-detached two storey dwellings all of similar sizes with similar sized gardens.
2. The two adjacent properties to the east and west of the property are both two storey dwellings which are of similar size and style to the application property. A number of properties on St Marys Avenue have been extended in the past.
3. The proposal is for a part single/part two storey rear extension. The two storey element will be 2m deep, 6.9m wide with an eaves height of 5.5m and the maximum height will be no higher than the existing property. The single storey element of the extension would protrude from the rear elevation of the two storey element by an additional 2m and would be the same width. It would have an eaves height of 2.5m and a maximum height of 3.5m. The roof would be pitched to match the existing roof on the property and the proposal would be finished in matching materials. There would be windows in the rear elevation; 5 on the first floor, 3 roof lights in the single storey element and bi-fold doors. There would also be a new window in the existing western elevation to serve a bathroom which would be obscure glazed. The proposal would allow for additional living space and there would be no increase in the number of bedrooms.

***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***

7 letters of objection

Issues raised:-

- loss of light
- overbearing
- loss of amenity
- out of character

**Principal Issues**

1. 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 occupiers of adjacent properties.
2. The proposed extension would be visually subservient and in keeping in relation to the design, proportions and finish of the application property and the surrounding buildings. It would be simple in form and the roof height will not be higher than the existing property. The properties on this side of the road have reasonably sized rear gardens and it is not considered that the proposed rear extension would be overbearing in size or out of character with the residential nature of its surroundings. It would therefore comply with this aspect of Policy LP10 of the Gosport Borough Local Plan 2011-2029.
3. The properties are north facing and the extension would be set away from the shared boundaries on either side and of limited depth at two storey level element relative to the rear elevations of the existing adjoining properties therefore any additional shadowing or loss of outlook would be minimal with only a marginal loss of light to 39 St Marys Avenue in the afternoon. The proposed windows in the first floor would overlook the application property's garden as is the case with the existing first floor rear facing windows therefore there would not be a significant increase over and above the current amount of overlooking and there would be less overlooking of the areas of garden immediately adjacent to the adjoining properties. The additional window in the western side elevation would be obscure glazed to retain privacy of the occupants of number 35 St Marys Avenue. The proposal would therefore comply with this aspect of 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:

Sheet 1 of 3, Sheet 2 of 3

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

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

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

4. The first floor window in the western elevation positioned to service the bathroom, as shown on approved plan 1 of 3, shall be non-opening to a height of 1.7m above finished floor level and installed with obscure glass (minimum of level 3). It shall be retained in that condition thereafter.

Reason - To preserve the amenity of the neighbouring property, 35 St Marys Avenue, and to comply with Policy LP10 of the Gosport Borough Local Plan, 2011 - 2029.

**ITEM NUMBER: 10.**  
**APPLICATION NUMBER: 18/00127/FULL**  
**APPLICANT: Mr & Mrs P Crosswell**  
**DATE REGISTERED: 20.03.2018**

**ERECTION OF TWO STOREY SIDE/REAR EXTENSION WITH UNDERCROFT PARKING  
AND REAR DORMER**  
**26 Woodstock Road Gosport Hampshire PO12 1RS**

***The Site and the proposal***

1. The application site is located on the eastern side of Woodstock Road. The property is a two storey semi-detached dwellinghouse constructed of red brick and uPVC windows and has a pitched roof. To the front of the property is a small brick wall and to the north is a driveway which leads down to a garage. On the rear elevation of the property is a cat slide roof and at the rear of the property is a garden which is approximately 18m long. The north side elevation is 3m from the shared boundary with number 28 Woodstock Road and number 28 is set away from the boundary by approximately a further 2m. Woodstock Road consists of mostly semi-detached and terraced two storey dwellings all of similar styles with similar sized gardens.

2. The property to the north, number 28, and property to the south, number 24 are both two storey dwellings which are of similar size to the application property. Number 28 has 2 windows in the ground floor southern elevation. A number of properties on Woodstock Road have been extended in the past.

3. The existing garage is to be demolished and in place would be a two storey side and rear extension with undercroft parking. The proposed extension is 4m wide, and would have an eaves height of 5.4m and a maximum height of 8.5m. It would be set back from the front elevation of the existing dwelling by 1.2m and away from the highway by 4m. A dormer at first floor level is also proposed on the rear elevation which would be 7.5m in length, have a height of 1.7m and depth of 2.5m. The extension would be built up against the shared boundary with number 28. It would create an additional bedroom on the first floor and room for 2 parking spaces and a workshop with a toilet on the ground floor. There would be a walkway in the middle of the ground floor which would create access from the undercroft parking through to the rear of the property.

***Relevant Planning History***

Nil

***Relevant Policies***

Gosport Borough Local Plan, 2011 – 2029:

LP10

Design

LP23

Layout of Sites and Parking

Supplementary Planning Documents:

Gosport Borough Council 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***

1 letter of objection

Issues raised:

- loss of light
- overlooking
- overbearing

## ***Principal Issues***

1. The main issues for consideration are the appropriateness of the design of the proposal, the impact it will have on the visual amenity of the locality and the impact upon the amenities of the occupiers of the neighbouring dwellings and highway and pedestrian safety.

2. The proposal would be in keeping with the application property in terms of materials and design. It would be of similar height of the application property but as it is slightly set back would ensure its subservient relationship. The addition of the proposal to the side elevation and the erection of the dormer on the rear elevation would not be overbearing or significantly impact on the appearance of Woodstock Road as the overall character would be retained. It is therefore considered that the proposal will comply with policy LP10 of the Gosport Borough Local Plan 2011-2029.

3. Due to the location of the proposal, the relationship between it and the surrounding properties and the built up residential nature of the local area, it is not considered that the proposal would significantly reduce the outlook for the occupants of the adjacent property to the north. Although the proposal would extend closer to number 28 Woodstock Road the reduction of outlook would be minor given the separation of 3m to the boundary. The overall height of the extension and dormer would not harm the amenity of the occupants of the properties adjacent to the application property in terms of loss to light as the proposal is no higher than the existing dwelling and the space is retained between the dwellings. Therefore any loss of light for the occupants of the adjacent dwelling, or overshadowing of the adjacent properties, would not be to such an extent as to harm the amenity of those occupants. The first floor window in the northern elevation which would face towards number 28 Woodstock Road would be obscure glazed and non-opening to a height of 1.7m above finished floor level to retain the privacy of both properties and a condition suggested to this affect. Therefore the proposal would comply with this aspect of policy LP10 of the Gosport Borough Local Plan 2011-2029.

4. The development would result in the loss of the garage and increase the number of bedrooms from 2 to 3. The Gosport Borough Parking SPD recommends that 2 parking spaces are required for a three bedroomed dwelling. The existing property currently has room for 2 parking spaces and the proposal would retain the 2 off road parking spaces in the form of the driveway and undercroft. A condition has been put on the decision to ensure these spaces are retained. The proposal therefore complies with Policy LP23 of the Gosport Borough Local Plan 2011-2029 and the Parking SPD.

## **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:

Drg No. 210218PL2

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

3. The first floor window in the northern elevation of the side extension hereby approved shall be non-opening to a height of 1.7m above finished floor level and glazed with obscure glass (minimum of level 3) and shall be retained in that condition thereafter.

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

4. The two storey extension hereby permitted shall not be occupied until the undercroft parking area has been made available. The space shall thereafter be retained for vehicle parking at all times.

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