

## **A MEETING OF THE REGULATORY BOARD**

### **WAS HELD ON 11 SEPTEMBER 2007**

The Mayor (Councillor Gill) (ex-officio), Chairman of the Policy and Organisation Board (Councillor Cully) (ex-officio), Councillors Allen (P), Carter (P), Chegwyn (P), Davis (P), Foster (P), Hicks (P), Smith, Taylor (P), Train (P) and Ward (P).

It was reported that, in accordance with Standing Order 2.3.6., notice had been received that Councillor Carr would replace Councillor Smith for the duration of this meeting.

#### **72 APOLOGIES**

Apologies for inability to attend the meeting were received from the Mayor, Councillor Cully and Councillor Smith.

#### **73 DECLARATIONS OF INTEREST**

- Councillor Taylor declared a personal and prejudicial interest in Item 6/02 (K17348 – 77a Clayhall Road, Gosport)

#### **74 MINUTES**

RESOLVED: That the Minutes of the Regulatory Board meeting held on 14 August 2007 be approved and signed by the Chairman as a true and correct record.

#### **75 DEPUTATIONS**

It was reported that deputations had been received on the following applications:-

- Item 6/01 – K4528/2 – 27 Clifton Street, Gosport
- Item 6/06 – K9878/2 – 42 Charlesbury Avenue, Gosport

#### **76 PUBLIC QUESTIONS**

No public questions had been received.

## **PART II**

### **77 REPORT OF THE DEVELOPMENT SERVICES MANAGER**

The Development Services Manager submitted a report on applications received for planning consent setting out the recommendation in each case (a copy of which is attached in the Minute Book as Appendix 'A').

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

#### **78 K4528/2 - EXTENSIONS TO EXISTING DWELLING AND CONVERSION TO FORM 5NO. 1 BEDROOMED FLATS (as amended by plans received 30.07.07) 27 Clifton Street Gosport Hampshire PO12 3AD**

Members were advised that 2 additional letters of objection had been received which raised the following issues: residents were not informed of the amended plans and therefore did not have adequate time to prepare a deputation request. Officers explained that the amendment was to provide 2 additional car parking spaces which in the context of the objections received, and maximum parking standards, did not materially alter the proposal. Objectors had been advised of the process for making a deputation at the time their letters were first acknowledged. One letter of objection referred to the disturbance from existing occupiers of the application property, but this was not material to the current application. The other letter sought clarification of the Open Space requirement and Members were reminded of the requirements under Policy R/OS8.

Mr Pilcher was invited to address the Board as the spokesperson on behalf of a deputation against the proposal. There were several issues of concern raised by Mr Pilcher, namely; the inadequate car parking provision; the limited access for emergency vehicles; the limited amount of amenity space available for residents; the unsatisfactory appearance of the proposed development in that the design would be out-of-keeping with surrounding Victorian buildings; that to justify the height of the proposal with comparison to Claudia Court was unreasonable; that the view of neighbours would be impeded, and; that the amenities of neighbouring residents would be needlessly affected by an oversized development.

Mr Ellis was invited to address the Board in support of the application. Mr Ellis regarded the current character of buildings in the area as being a hotchpotch of different designs. The idea behind the proposal was to replace out of character elements of the building and to leave a uniform and sympathetic design in place. He challenged the notion that the parking provision would be a concern and felt that resident's views would be improved by the development. He further contended that there would be no loss of light or amenities to neighbours, and that the spacing between the development and existing buildings was in accordance with the Gosport Borough Local Plan Review.

In response to questioning from Members, Mr Ellis explained that the decision to build one-bedroom flats was in response to demographic evidence which showed a need for this type of development in the Borough. He added that concern over the appearance of the

proposal was a matter of subjective judgement.

Members were concerned that too many one-bedroom flats were being crammed onto the site, and also believed the design of the building to be out-of-keeping and unacceptable. It was moved that the application should be refused as the proposal would not provide a mix of dwelling sizes and types to reflect the needs of those seeking houses in the Borough, and that the proposed development would result in an unacceptable change to the established pattern of residential development in the area, contrary to Policies R/H4 and R/H7 of the Gosport Borough Local Plan Review. A vote was taken and the proposal to refuse the application was approved.

RESOLVED: That planning application K4528/2 – 27 Clifton Street, Gosport,

1 be refused for the following reasons:

- i. The proposed development does not provide a mix of dwelling sizes and types to reflect the needs of those seeking housing in the Borough and is therefore contrary to Policy R/H4 of the Gosport Borough Local Plan Review.
- ii. The proposed development will result in an unacceptable change to the established pattern of residential development in the area which is predominantly single dwelling houses and as such is contrary to Policy R/H7 of the Gosport Borough Local Plan Review

2 authority be delegated to the Borough Solicitor to negotiate and enter into a Section 106 Agreement relating to the payment of a commuted sum towards the provision and/or improvement of outdoor playing space as without this agreement an additional ground for refusal would be raised.

**79 K17348 - RESIDENTIAL REDEVELOPMENT BY THE ERECTION OF FOUR AGED PERSON BUNGALOWS, (2NO. 2 BEDROOM AND 2NO. 1 BEDROOM) (as amended by plans received 15.08.07) 77A Clayhall Road Gosport Hampshire PO12 2AH**

RESOLVED: That planning application K17348 – 77A Clayhall Road, Gosport be approved subject to the payment of a commuted sum towards the provision and/or improvement of outdoor playing space and subject to the conditions set out in the report of the Development Services Manager, for the following reason:

- i That having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the proposal is at an acceptable density and will provide accommodation for the elderly within an accessible location. There will be no adverse effect on the character and appearance of the area, the amenities of occupiers of adjoining properties, or highway safety. Adequate provision is made for open space, car parking, cycle and refuse storage. As such the development complies with Policies R/DP1, R/DP8, R/H4, R/H8, R/T11 and R/OS8 of the Gosport Borough Local Plan Review.

**80 K6127/2 – CHANGE OF USE AND CONVERSION TO 1no. THREE BEDROOM AND 2no. TWO BEDROOM FLATS, CARPORT, CYCLE AND REFUSE STORES (CONSERVATION AREA) (as amended by plans received 20.07.07)  
The White Swan 36 Forton Road Gosport Hampshire PO12 4TH**

Officers clarified which features of the building were to be retained. Members expressed their disappointment that the original pub doors would not be retained as an access way to the development.

RESOLVED: That application K6127/2 – The White Swan, 36 Forton Road, Gosport be approved subject to the payment of a commuted sum towards the provision and/or improvement of outdoor playing space and subject to the conditions set out in the report of the Development Services Manager, for the following reason:

- i. That having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the proposal is at an acceptable density and will assist in providing a variety of residential accommodation to meet the housing needs of the Borough within an accessible location. Due to the appropriate design of the proposal it will enhance the character and appearance of the Conservation area and will not have a detrimental impact on the amenities of neighbouring or prospective occupiers. Adequate provision is made for open space, car parking and cycle and refuse storage. As such the development complies with Policies R/DP1, R/DP7, R/BH1, R/H4, R/H7, R/T11 and R/OS8 of the Gosport Borough Local Plan Review.

**81 K10014/5 – CHANGE OF USE FROM RETAIL SHOP (CLASS A1) TO ESTATE AGENTS OFFICE (CLASS A2)  
181 High Street Lee-On-The-Solent Hampshire PO13 9BX**

An additional letter of objection had been received in which no new issues were raised. Members also noted that a letter had been received from the agent expressing concern at the number of objections to the proposed change of use and questioning whether they were from competitors.

RESOLVED: That planning application K10014/5 – 181 High Street, Lee-On-The-Solent be approved subject to the conditions set out in the report of the Development Services Manager, for the following reason:

- i That having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, it is considered that the proposed Class A2 office use would not be harmful to the retail function of Lee-on-the-Solent District Centre or the amenities of any nearby occupiers, or traffic or parking conditions in the locality. As such, the development complies with Policies R/DP1 and R/S3 of the Gosport Borough Local Plan Review.

**82 K3775/8 – CHANGE OF USE FROM GROUND FLOOR WORKSHOP AND GARAGE AND STORE WITH FLAT OVER TO GROUND FLOOR WORKSHOP AND GARAGE AND STORE WITH OFFICE AND ANCILLARY STORAGE OVER 23-25 Park Street Gosport**

RESOLVED: That planning application K3775/8 – 23-25 Park Street, Gosport be approved subject to the conditions set out in the report of the Development Services Manager, for the following reason

- i That the proposed use will not be harmful to the setting of the adjacent Listed Buildings in Halliday Close or have a detrimental impact on the occupiers of those residential properties, or parking/traffic conditions in the locality. Moreover the proposal will increase the amount of employment floorspace within an Existing Employment Area. As such, the development complies with Policies R/BH3, R/DP1, R/ENV10, R/T11 and R/EMP3 of the Gosport Borough Local Plan Review.

**83 K9878/2 – CONVERSION OF EXISTING DWELLING TO CREATE TWO SELF CONTAINED FLATS (1 No. ONE BEDROOM AND 1 No. TWO BEDROOM) (as amended by plans received 18.07.07)  
42 Charlesbury Avenue Gosport Hampshire PO12 3TG**

Mr Ripper was invited to address the Board on behalf of a deputation against the application. He explained that he was representing his mother who lived next door and harboured no ill feeling towards the applicants. He believed that a precedent would be set in the area by allowing the house to be converted into two self contained flats. Other issues raised by Mr Ripper included: the positioning of the entrance door on the drive of no. 40; the increase in pedestrian traffic outside of no. 40; and, the impact on car parking. Mr Ripper suggested that a screen should be provided to shield no. 40 from pedestrian intrusion should the proposal be approved.

Mr Tutton, the agent for the proposal, was invited to address the Board in support of the application. Mr Tutton began by stating that the site was at an accessible location and close to a shopping centre. He referred to central and local planning policies to support his belief that the proposal was in line with the requirements of the Borough in terms of it being a suitable mix of residential units for the location. He stated that demographic data showed there to be an increase in demand for such flats. Minimal external works were needed, and as the boundary hedge that had been removed the applicant was willing to erect a 1.8m high fence.

In answer to a Member's question, Mr Tutton stated that it would be the applicant's preference to install a screen, as suggested by Mr Ripper, rather than to change the siting of the entrance close to the driveway at no.40. Members felt that Mr Ripper had valid concerns which would need to be examined further and therefore it was moved that the decision should be deferred in order to hold a site visit. A vote was taken and the proposal to defer the decision pending a site visit was approved.

RESOLVED: That planning application K9878/2 – 42 Charlesbury Avenue, Gosport be deferred for a site visit.

**84 K14618/3 – SINGLE STOREY EXTENSION TO COMMUNITY CENTRE (as amended by plans and supplementary Access Statement received 31.08.07)  
Nimrod Community Centre Nimrod Drive Gosport PO13 8BE**

Members considered the application to be an excellent proposal and exactly what was needed in that area.

RESOLVED: That planning application K14618/3 – Nimrod Community Centre, Nimrod Drive, Gosport be approved subject to the conditions set out in the report of the Development Services Manager, for the following reason.

- i. That having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the development as proposed is of an appropriate design and will support community facilities in the locality. It will not have a detrimental impact on the character and appearance of the area or amenity of adjacent occupiers and adequate provision is made for access to all users. As such the proposal complies with Policies R/DP1, R/DP6, R/DP8, R/CF1, R/T10, R/T11 and R/EMP6 of the Gosport Borough Local Plan Review.

**85 PRINCIPAL PLANNING OFFICER**

Members extended their deepest thanks to Mr Newrick Martin, formerly Principal Planning Officer, who had left the Council after 34 years of service.

The meeting commenced at 6pm and concluded at 6.46pm

CHAIRMAN