

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

### **WAS HELD ON 14 AUGUST 2007**

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

It was reported that, in accordance with Standing Order 2.3.6., notice had been received that Councillors Carr and Burgess would replace Councillors Hicks and Taylor respectively for the duration of this meeting.

#### **58 APOLOGIES**

Apologies for inability to attend the meeting were received from Councillors Cully, Hicks and Taylor.

#### **59 DECLARATIONS OF INTEREST**

- Councillor Train declared a personal & prejudicial interest in item 6/01 (K16508/1 – Brodrick Hall)
- Councillor Gill declared a personal interest in item 6/01 (K16508/1 – Brodrick Hall)

#### **60 MINUTES**

RESOLVED: That the Minutes of the Regulatory Board meeting held on 17 July 2007 be approved and signed by the Chairman as a true and correct record.

#### **61 DEPUTATIONS**

It was reported that two deputations had been received on item 6/01 (K16508/1 – Brodrick Hall)

A request to address the Board had been received from a Ward Councillor on Item 6/01 (K16508/1 – Brodrick Hall)

#### **62 PUBLIC QUESTIONS**

No public questions had been received.

## **PART II**

### **63 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:

#### **64 K16508/1 – USE OF LAND FOR SITING OF TEMPORARY BUILDING TO ACCOMMODATE EDUCATIONAL FACILITY AND ASSOCIATED CAR PARKING (CONSERVATION AREA) Brodrick Hall Clayhall Road Gosport Hampshire PO12 2BY**

**Note: Councillor Train declared a personal and prejudicial interest in this item, left the room and took no part in any discussion or voting thereon. Councillor Gill declared a personal interest, stayed in the room and did not vote as he was an ex-officio Member.**

Members were advised that there had been an additional 84 letters of objection, bringing the total number of objections to 251, and an additional 40 letters of support, which brought the total number of supporting letters to 60. No additional planning issues were raised.

Mr Streatfield-James addressed the Board on behalf of the Anglesey Conservation Group. Mr Streatfield-James applauded the efforts of the Beacon Foundation and explained that everybody was fully behind the Enterprise Academy initiative. The only concern was that of the appropriateness of the Brodrick Hall site for the academy. Mr Streatfield-James disagreed that the Marycourt field would be an ideal place at which to relocate the lost community facilities and believed that having cars and trailers on this field would extend the urban sprawl and churn up the ground, much to the detriment of the 6-8 year olds and pre-school children who used the field to practice sports. Further to this, it was feared that if the academy was successful it would wish to expand, at which point Members would be faced with an application to allow permanent buildings to extend onto Marycourt field.

Mr Streatfield-James stated that the dire condition of the Hall portrayed in the application was erroneous and misleading. The building would in fact inhibit the profitable use of the Hall and preclude the siting of marquees for weddings and other events which would precipitate the running down of the Hall, adding that the Beacon Foundation and school were not prepared to put any money into the Hall itself. Mr Streatfield-James raised several further issues, such as the belief that there would soon be a requirement for a security fence similar to the one around the nearby Scout area which would be further detrimental to the character of the area; and that to waive all the conservation rules to facilitate this building would set dangerous and unmanageable precedents for the future, particularly regarding Stokesmead field. Officers had concluded that there were other more appropriate sites, and Mr Streatfield-James urged Members to support the Officers recommendations.

Mrs Upperton was invited to address the Board as the spokesperson on behalf of a second deputation against the proposal. Mrs Upperton was representing the Gosport Society and wished to make it clear that the Society believed that any erection of a building on this site would have a negative impact on the lake; and a natural gem of the town would be lost as a result. Mrs Upperton questioned why the applicant had made no effort to upgrade the road and believed that the site in question should remain a peaceful location, fearing that the temporary building would soon become a permanent fixture. She hoped that the application would be refused and that the Council would subsequently look into ways of preserving the area for the future.

Reverend Goodyer was invited to address the Board in support of the application. Reverend Goodyer felt that where objections did have validity, they were outweighed by the potential for good that could come from the Academy being located at this site. Reverend Goodyer was convinced that to refuse the application would be to miss an opportunity that would be to the greater good of Alverstoke and Gosport. He thanked planning officers for their help during the process, and for their openness in advising that issues of building in the urban gap and conservation area would need to be overcome. He was confident that reasons 4 & 5 for refusal, relating to the inadequate provision of cycle parking facilities and an inadequate flood risk assessment, could be satisfactorily addressed.

Reverend Goodyer stated that there were mitigating factors for why this development should be allowed outside of the urban boundary. The Church wanted the site to be used for the greater good of the community, and the educational authority also felt that it was an appropriate site. He expressed that the Borough could not afford to miss the opportunity to forge a partnership between the Church, Gosport Secondary Schools and local businesses, which would help re-engage teenagers into education. Reverend Goodyer believed that the establishment would provide longer-term security for the sustainability of the site for community activities. He stated that the use of the open site for kayaking would not be affected as the Marycourt field was available further along the coast line and that the numbers of those who would benefit from the facilities at Brodrick would be increased by the Academy. Reverend Goodyer felt that reason 3 for refusal was a matter of subjective assessment and that considerable effort had been made to minimise any visual consequences. He explained that the applicants had not chosen the cheapest option in the hope that they would be able to overcome the conservation area issue.

Councillor Edgar was invited to address the Board as a Ward and County Councillor in the Anglesey and Alverstoke area. Councillor Edgar felt that this was a unique location of natural beauty and that although the principle of the Academy was an excellent idea which would help Bay House enormously; this was simply the wrong location on which to site it. Councillor Edgar stated that the planning details were well made in the Officers recommendation and should be supported; and he was unhappy that local residents had been referred to as NIMBYs. Although the County Council were prepared to invest £200k in the scheme, they had not supported this site as a location for the Academy. Councillor Edgar also added that having spent many years fighting for the survival of Stokesmead Green it would not be advisable to suddenly allow a development on this site as it would set a precedent for development on Stokesmead field in the future.

Although Members reiterated their support for the Academy scheme, the site and design of

the building were felt by all Members to be inappropriate. Some Members referred to sections of the Local Plan and it was questioned why the applicants had not accepted the advice of the planning department and Local Plan at an earlier stage. It was agreed that a dangerous precedent would be set by siting the Academy here and that there were alternative more suitable locations available.

RESOLVED: That planning application K16508/1 – Brodrick Hall, Clayhall Road, Gosport be refused for the following reasons

- i. The proposal is not an appropriate recreational use, or essential to the operational requirements of the Ministry of Defence, public and other essential services. As such, the proposal is contrary to Policy R/OS1 of the Gosport Borough Local Plan Review.
- ii. The proposal would have a detrimental impact on the existing community/recreational facilities at the site, contrary to Policies R/CF2 and R/OS4 of the Gosport Borough Local Plan Review.
- iii. Given the prominence of the building across Stoke Lake and the poor quality of design the proposal will detract from the landmark value of Brodrick Hall and will not preserve or enhance the character or appearance or setting of the Anglesey Conservation Area. The proposal will also diminish the Urban Gap visually and physically and be detrimental to the appearance of the Coastal Zone. As such, the proposal is contrary to Policies R/BH1, R/CH1 and R/OS3 of the Gosport Borough Local Plan Review.
- iv. Inadequate provision has been made for long term and short term cycle parking facilities contrary to Policy R/T11 of the Gosport Borough Local Plan Review.
- v. The site is within an area of medium risk of flooding (Flood Zone 2). Insufficient information has been submitted in the form of a Flood Risk Assessment to fully consider the implications of the development for flooding, contrary to Policies R/ENV1 and R/CH1 of the Gosport Borough Local Plan Review.

**65 K17332 – PROPOSED CONVERSION/EXTENSION OF THE UPPER FLOORS AND LAND TO THE REAR TO FORM 13NO. UNITS OF RESIDENTIAL ACCOMMODATION INCLUDING BIN AND CYCLE STORES (LISTED BUILDING IN CONSERVATION AREA) (as amended by plans, Design and Access Statement and Structural Engineers' report received 30.05.07 and 31.05.07)  
91-93 High Street Gosport PO12 1DS**

RESOLVED: That planning application K17332 – 91-93 High Street, Gosport be approved subject to the provision of a Section 106 Agreement relating 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 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations the development is acceptable in this

location. It is of an appropriate design, and will not have any detrimental impact on this Listed Building or its setting or the amenities of nearby or prospective residents or traffic/parking conditions in the locality, and will enhance the character and appearance of the Conservation Area. As such the development complies with Policies R/DP1, R/DP7, R/BH1, R/BH3, R/BH4, R/BH8, R/H4, R/S3, R/S6, R/S7, R/T11, R/ENV1, R/ENV4 and R/OS8 of the Gosport Borough Local Plan Review.

- 66 K17332/1 – LISTED BUILDING APPLICATION - PROPOSED CONVERSION/EXTENSION OF THE UPPER FLOORS AND LAND TO THE REAR TO FORM 13NO. UNITS OF RESIDENTIAL ACCOMMODATION AND PARTIAL DEMOLITION OF OUT BUILDINGS (CONSERVATION AREA) (as amended by plans, Design and Access Statement and Structural Engineers' report received 30.05.07 and 31.05.07)**  
**91-93 High Street Gosport Hampshire**

RESOLVED: That application K17332/1 – 91-93 High Street, 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 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations the development is acceptable in this location as it will ensure a long term viable use for these historically important buildings. It will not have any detrimental impact on this Listed Building or its setting. As such the development complies with Policies R/BH3 and R/BH4 of the Gosport Borough Local Plan Review.

- 67 K15275/1 – REGULATION 3 - INSTALLTION OF EXTERNAL INSULATION SYSTEM**  
**22-56 Landon Road Gosport**

RESOLVED: That planning application K15275/1 – 22-56 Landon Road, 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 will improve the appearance of the building and the visual amenities of the locality. As such, the proposal complies with Policies R/DP1 and R/DP7 of the Gosport Borough Local Plan Review.

- 68 K15276/1 – REGULATION 3 - INSTALLATION OF EXTERNAL INSULATION SYSTEM**  
**9-43 Tudor Close Gosport**

RESOLVED: That planning application K15276/1 – 9-43 Tudor Close, 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 will improve the appearance of the building and the visual amenities of the locality. As such, the proposal complies with Policies R/DP1 and R/DP7 of the Gosport Borough Local Plan Review.

**69 K11305/2 – CHANGE OF USE OF INTEGRAL GARAGE TO SHOP (CLASS A1)  
AND INSTALLATION OF SHOP FRONT  
43 Cambridge Road Gosport Hampshire PO12 3EE**

RESOLVED: That planning application K11305/2 – 43 Cambridge Road, 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 proposal for the establishment of a small business is acceptable in principle in terms of Policy R/H6 of the Gosport Borough Local Plan Review. Permitting the use as a shop for a temporary period will enable the impact on the amenities of nearby residences and traffic/parking conditions in the locality to be monitored and reviewed to ensure the proposal complies with Policies R/DP1, R/H6, R/ENV10 and R/T11 of the Gosport Borough Local Plan Review.

**70 K8102/3 – RETENTION OF SINGLE STOREY REAR EXTENSION WITH TILED  
PITCHED ROOF CONTAINING ROOF LIGHTS  
16 Welch Road Gosport Hampshire PO12 4PZ**

Members were advised that the neighbour of the applicant had been contacted and had confirmed that he had no objection to the proposal.

RESOLVED: That planning application K8102/3 – 16 Welch Road, 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 acceptable in this location and as such complies with Policies R/DP1 and R/DP7 of the Gosport Borough Local Plan Review.

**71 ANY OTHER BUSINESS**

There was no other business to discuss.

The meeting commenced at 6pm and concluded at 6.36pm

CHAIRMAN