

A MEETING OF THE REGULATORY BOARD

WAS HELD ON 21 MAY 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 (P), 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 Councillor Clinton would replace Councillor Taylor for the duration of this meeting.

5 APOLOGY

An apology for inability to attend the meeting was received from Councillor Taylor.

6 DECLARATIONS OF INTEREST

Councillor Carter declared a Personal & Prejudicial Interest in Item 9/1 (K14278/3 – Flower Buildings, Marine Parade East, Lee on the Solent) and Councillor Clinton declared a Personal & Prejudicial Interest in Item 9/6 (K17352 Privett Park, Privett Road, Gosport).

7 MINUTES

RESOLVED: That the Minutes of the Regulatory Board meetings held on 17 April and 17 May 2007 be approved and signed by the Chairman as true and correct records.

8 DEPUTATIONS

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

- Item 9/02 – K17173/1 North of Western Way Junction with Gomer Lane, Gosport.
- Item 9/04 – K3851/6 1 Prince Alfred Street, Gosport.

9 PUBLIC QUESTIONS

No public questions had been received.

PART II

10 K16420/6 – 32 FORTON ROAD GOSPORT

Consideration was given to a report of the Development Services Manager a copy of which is attached in the Minute Book as Appendix 'A') explaining that, following the Regulatory Board resolution on 17 April 2007 to refuse application K16420/6, amended plans had been submitted by the applicant. The report set out the changes to the scheme, considered the planning merits of the revised proposals and requested that the Board reconsider the application.

RESOLVED: That planning application K16420/6 – 32 Forton Road, Gosport, Hampshire be approved subject to a Section 106 agreement relating to affordable housing, the payment of a commuted sum towards the provision and/or improvement of outdoor playing space and a Traffic Regulation Order and subject to the conditions set out in the report of the Development Services Manager dated 17 April 2007, for the reason listed below.

- i. Having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the proposal would not adversely affect the character or visual amenities of the area, or the amenities of existing or prospective occupiers, or parking or highway safety conditions in the locality. The development also makes adequate provision for outdoor playing space and affordable housing. As such the development complies with Policies R/DP1, R/DP3, R/DP6, R/H5, R/OS8, R/T2, R/T3, R/T10, R/T11, R/CF6, R/ENV2, R/ENV5 and R/ENV10 of the Gosport Borough Local Plan Review.

11 DEVELOPMENT CONTROL PERFORMANCE 01.01.07 – 31.03.07

Members considered the report of the Development Services Manager (a copy of which is attached in the Minute Book as Appendix 'B') which set out the background to the Best Value Performance Indicators relating to speed of determining planning and other applications; performance against other government and local targets in relation to applications and appeals; and performance in resolving complaints related to possible breaches of planning control.

RESOLVED: That the Development Services Manager's report on Development Control Performance from 01.01.07 – 31.03.07 be noted.

12 OFFER OF HISTORIC BUILDINGS GRANT FOR 35 MILVIL ROAD, LEE ON THE SOLENT (ON LIST OF BUILDINGS OF HISTORIC INTEREST)

Consideration was given to a report of the Development Services Manager (a copy of which is attached in the Minute Book as Appendix 'C') setting out the background to the Historic Buildings Grant application to re-roof 35 Milvil Road and explaining the reasons behind the recommendation to approve the application.

RESOLVED: That the proposal to offer an Historic Buildings Grant be approved.

13 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 'D').

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

**14 K14278/3 - ERECTION OF SINGLE STOREY EXTENSION AND ALTERATIONS TO EXISTING BUILDING TO FORM NEW CAFE FACILITY WITH ASSOCIATED TEA GARDEN (CLASS A3) (ADJACENT TO CONSERVATION AREA)
Flower Buildings Marine Parade East Lee-On-The-Solent Hampshire**

Note: Councillor Carter declared a personal and prejudicial interest in this item, left the room and took no part in any discussion or voting thereon.

RESOLVED: That planning application K14278/3 – Flower Buildings, Marine Parade East, Lee-on-the-Solent be approved subject to a Section 106 agreement relating to the administration and implementation of a Traffic Regulation Order 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 proposed siting, design and external appearance of this development is acceptable in this location and the scheme would enhance the appearance of the adjacent Pier Street Conservation Area and as such complies with Policies R/DP1, R/CH1, R/CF10, R/T10 and R/T11 of the Gosport Borough Local Plan Review.

**15 K17173/1 - GPDO PART 24 CONSULTATION - ERECTION OF 12 METRE HIGH MONOPOLE TELECOMMUNICATIONS MAST, 3 ANTENNAE , 1x200mm DISH AERIAL AND 3 EQUIPMENT CABINETS
North Of Western Way Junction With Gomer Lane Gosport Hampshire**

Members were advised that, in addition to the 44 letters of objection, a letter of support had been received stating that the proposal would result in improved network coverage for the area.

Ms Neill was invited to address the Board and she thanked Members for the opportunity to speak to them. She stated that a previous proposal by the applicants had been refused in July 2006. The current application proposed the alteration of the footpath and the construction of a concrete bollard to prevent cyclists from crashing into the mast. In terms of highway safety, she considered this proposal to be worse than the previous one. There was concern over the safety of pupils attending Bay House School and a pupil had been knocked off a bicycle recently in this vicinity. The mast would also be closer to the windows of the nearby property. Ms Neill also questioned the ownership of the verge and queried whether permission had been obtained to construct the mast on this piece of land.

Councillor Jacobs, Ward Councillor, addressed the Board. He expressed concern over the health of pupils at Gomer School, stating that a local authority in Warwickshire had recently turned down a mast application on grounds of safety and that Members should err on the side of caution. He also considered the equipment cabinets would result in the roadside being cluttered as there was already a bus shelter and litter bin nearby. Although the mast was to be sited nearer to the existing trees, if these were removed in the future the mast would be exposed.

Councillor Gill, Ward Councillor, addressed the Board. He stated that he fully supported the comments of other speakers. He had received numerous letters on the subject of phone masts and he considered the siting and appearance of this proposal unacceptable in accordance with the Local Plan.

Councillor Clinton, Ward Councillor, addressed the Board. He said that he fully supported the recommendation in the report and considered the submission of an amended application for this site disregarded the feelings of those involved. He further advised that Councillor Edgar, Ward Councillor, had also wished to address the Board but had been delayed at another meeting.

Members were in agreement that the proposal for a telecommunications mast on this site was not appropriate.

RESOLVED: That planning application K17173/1 – North of Western Way Junction with Gomer Lane, Gosport be refused for the following reasons:

- i The proposed installation, by reason of the height of the mast and the exposed position of the mast and cabinets, would be an intrusive feature in the street scene detrimental to the visual amenities of the area, contrary to Policies R/DP1 and R/ENV13 of the Gosport Local Plan Review.
- ii The siting of the mast and cabinets would have an unacceptable environmental impact on the street scene within Gomer Lane given the potential availability of more suitable alternative locations in the vicinity, contrary to Policy R/ENV13 of the Gosport Borough Local Plan Review.

16 K17345 - GPDO PART 24 CONSULTATION - ERECTION OF 11.7 METRE HIGH MONOPOLE TELECOMMUNICATIONS MAST, 3 SHROUDED ANTENNA AND EQUIPMENT CABINETS
Highway Verge Broom Way Lee-On-The-Solent

Members were advised that Hampshire Constabulary, as an operator on the Daedalus Airfield, raised no objection to this proposed development. There had been one further letter of objection expressing concern at the close proximity of the proposed mast to adjacent dwellings.

Councillor Burgess, Ward Councillor, was invited to address the Board. He objected to the siting and appearance of the mast and cabinets and the impact on the adjacent footpath. The mast would be 2 metres higher than the street lights and the cowl was twice the diameter of the pole. The equipment cabinets would be sited up against the allotments perimeter fence which would prevent access to the fence for maintenance purposes.

Concern was raised that the siting and appearance of the mast and equipment cabinets would have a detrimental impact on the area and on the use of the adjacent footpath. A motion to refuse the application on the grounds of its appearance and proximity to the footpath was proposed and seconded, following which a vote was taken on the motion to

refuse and the application was refused.

RESOLVED: That application K17346 – Highway Verge, Broom Way, Lee on the Solent be refused for the following reasons:

- i The proposed installation, by reason of the height and circumference of the mast and antenna shroud and the exposed position of the mast and cabinets, would be an intrusive feature in the street scene detrimental to the visual amenities of the area, contrary to Policies R/DP1 and R/ENV13 of the Gosport Borough Local Plan Review.
- ii The proposed installation, by reason of the siting of the mast within the highway verge, would be prejudicial to the future implementation of a cycleway, contrary to Policy R/T9 of the Gosport Borough Local Plan Review.

17 K3851/6 - DEMOLITION OF EXISTING BUILDING AND ERECTION OF 4NO. DWELLINGS WITH CYCLE STORE AND CAR PARKING (as amended by plans received 30.4.07)

1 Prince Alfred Street Gosport Hampshire PO12 1QH

Mr Jeffs was invited to address the Board. He explained that he was the owner of No 3 Prince Alfred Street and was concerned that he would share a party wall with the proposed development. The plans indicated that there would be WCs on the ground and first floors of the proposed dwellings adjacent to the party wall and resulting noise may impact on his quality of life. He supported in principle the redevelopment of the site but favoured a building separate to his own unless adequate sound insulation could be ensured and the development complied with the provisions of the Party Wall Act. Mr Jeffs also expressed concern at the siting of the proposed Cycle Store.

Mr Wilson was invited to address the Board. He advised that he lived in Stone Lane, adjacent to the development site and was of the opinion that inadequate car parking spaces were included in the proposal. The site was close to Haselworth County Primary School and the nearby car parks were filled with cars at the start and end of each school day. The car parks were busy at most times of the day and night and there was no room for more residents' cars and those belonging to their visitors.

Mr Ayles, Agent for the developers, was invited to address the Board. He advised that the current proposal had been drawn up in consultation with Council officers. Any disturbance to neighbours during the demolition process was a matter for Health and Safety legislation. Building Regulations and the Party Wall Act would provide protection during and after construction of the new dwellings. The applicant had entered into dialogue with the neighbours over noise issues during the demolition and construction processes and this would be maintained. The dwellings would provide affordable homes that were needed in the area and complied with local and government policy.

In answer to Members' questions, Mr Ayles confirmed that only two car parking spaces were included in the proposal but that the site was surrounded on three sides by public car parks. He also explained the positioning of the party wall and confirmed that insulation issues would be resolved in accordance with Building Regulations.

Members agreed that the reduction from five to four dwellings did not amount to a material difference in terms of town cramming and that the proposal was inappropriate in scale and density.

RESOLVED: That planning application K3851/6 – 1 Prince Alfred Street, Gosport be refused for the following reason:

- i That having regard to the limited size of the site and its relationship to No. 3 Prince Alfred Street, the development by reason of its scale and density would be out of keeping with the established pattern of development in the area and would result in town cramming and a poor quality of environment for existing and proposed residents, contrary to Policies R/DP1 and R/H4 of the Gosport Borough Local Plan Review.

**18 K6686/26 - ERECTION OF THREE STOREY SIXTH FORM BUILDING TO ACCOMMODATE 4NO.CLASSROOMS AND GROUND FLOOR WORKSHOP AND DISPLAY AREA WITH EXTERNAL AMENITY SPACE, CYCLE STORAGE FACILITIES AND AMENDED CAR PARKING LAYOUT (ADJACENT LISTED BUILDING) (as amended by email dated 2.5.07 and plans received 8.5.07)
Bay House School & Sixth Form Gomer Lane Gosport Hampshire PO12 2QP**

In response to Members' concerns over car parking in the roads adjacent to Bay House School, officers advised that additional car parking spaces were being provided in the play area and that the School had adopted a Travel Plan in an effort to educate pupils and staff about the use of bicycles or walking to school. The School had also consented to enter into a 106 agreement for the provision of a dedicated bus service.

RESOLVED: That planning application K6686/26 – Bay House School & Sixth Form, Gomer Lane, Gosport be approved subject to a 106 agreement relating to the provision of a dedicated bus service 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 proposed use will improve education provision at the school and will not harm the character or setting of the Listed Buildings in the locality, or Stanley Park, or the character or visual amenities of the area, or the amenities of neighbouring residents, or parking provision in the locality or the interests of nature conservation. As such, the development complies with Policies R/DP1, R/DP3, R/DP6, R/BH3, R/BH7, R/T2, R/T3, R/T4, R/T10, R/T11, R/ENV14 and R/ENV15 of the Gosport Borough Local Plan Review.

**19 K17352 - REGULATIONS 3 - ERECTION OF REPLACEMENT SINGLE STOREY BUILDING TO ACCOMMODATE CHANGING ROOMS AND CLUBHOUSE WITH NEW CRICKET PRACTICE FACILITIES, CAR PARKING AND LANDSCAPE PLANTING (as amended by plans received 2.5.07)
Privett Park Privett Road Gosport Hampshire PO12 1EB**

Note: Councillor Clinton declared a personal and prejudicial interest in this item, left

the room and took no part in any discussion or voting thereon.

RESOLVED: That planning application K17352 – Privett Park, Privett 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 would improve sports facilities for local residents and would not be harmful to the character or visual amenities of the area, or the amenities of neighbouring occupiers, or parking provision in the locality. As such, the development complies with Policies R/DP1, R/DP6, R/OS4, R/OS5, R/T11 and R/ENV14 of the Gosport Borough Local Plan Review.

**20 K3045/13 – ALTERATION TO EXISTING ENTRANCE PORCH TO PROVIDE ADDITIONAL SEMI ENCLOSED ACCOMMODATION
The Wyvern Common Barn Lane Lee-On-The-Solent Hampshire PO13 9DS**

An additional letter had been received from the objector expressing concern that the area would be used as a smoking shelter with resulting noise.

RESOLVED: That planning application K3045/13 – The Wyvern, Common Barn Lane, 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, the development as proposed by reason of its design, siting, orientation and existing use, will not have a detrimental impact on the amenities of neighbouring residents or the operation and level of car parking provision. As such, the proposal complies with Policies R/DP1, R/DP7 and R/T11 of the Gosport Borough Local Plan Review.

**21 K16559/1 - ERECTION OF 2 SIDE DORMER WINDOWS
12 Cheltenham Crescent Lee-On-The-Solent Hampshire PO13 9HH**

RESOLVED: That planning application K16559/1 – 12 Cheltenham Crescent, 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, the development as proposed by reason of its location, design and orientation, would not have a detrimental impact on the neighbouring properties or the visual amenities of the area. As such, the proposal complies with Policies R/DP1 and R/DP7 of the Gosport Borough Local Plan Review.

22 ANY OTHER BUSINESS

There was no other business to discuss.

The meeting commenced at 6.00 pm and concluded at 6.55 pm

Chairman