

A MEETING OF THE REGULATORY BOARD

WAS HELD ON 9 SEPTEMBER 2008

The Mayor (Councillor Kimber)(ex-officio), Chairman of Policy and Organisation Board (Councillor Smith)(ex-officio), Councillors Allen (P), Mrs Bailey (P), Carr (P), Carter (P), Dickson (P), Forder (P), Geddes (P), Hicks (Chairman) (P), Mrs Searle (P) and Miss West (P).

66 APOLOGIES

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

67 DECLARATIONS OF INTEREST

Councillor's Carr and Carter declared a personal and prejudicial interest in Agenda Item 6/1 – K17592, 60 St Mary's Avenue, Gosport.

68 MINUTES

RESOLVED: That the Minutes of the Regulatory Board meeting held on 12 August 2008 be approved and signed by the Chairman as a true and correct record.

69 DEPUTATIONS

It was reported that no deputations had been received.

70 PUBLIC QUESTIONS

It was reported that no public questions had been received.

PART II

71 REPORTS 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 the decisions be taken on each application for planning consent as detailed below:

**72 K17592 - DEMOLITION OF DETACHED GARAGE AND ERECTION OF REPLACEMENT SIDE GARAGE AND ERECTION OF 2 STOREY DWELLING WITH INTEGRAL GARAGE AND ASSOCIATED AMENITY SPACE
60 St Marys Avenue Gosport Hampshire PO12 2HX**

Councillor Carr declared a personal and prejudicial interest in this item but, as Members of the Public have the right to address the Board, he briefly stated that, in view of the planning issues outlined in the report, he felt that the Board should undertake a site visit.

Note: Councillor Carr left the meeting room before any discussion on the item began and took no part in the discussion or voting on this item. Councillor Carter also left the meeting room and took no part in the discussion or voting on this item.

Members were advised that the Section 106 Agreement relating to the provision of open space and transport improvements had not been completed. Should it not be completed by 15 September 2008 officers requested delegated authority to add an additional reason for refusal relating to this issue.

Members were further advised that the presence of badgers in the area had been omitted from the list of issues raised and that the Arboricultural Officer had confirmed no objection to this proposal. Two further letters of objection had been received but no new issues had been raised.

In answer to a Member's question, it was confirmed that there were badger sets in the vicinity of the proposed development site but none present within the site itself. Members expressed their support for the officers' recommendation on this proposal.

RESOLVED: That planning application K17592 – 60 St Mary's Avenue, Gosport, Hampshire be refused for the following reasons:

- i. The proposed development, by reason of its location and design, would result in an undesirable form of development, out of keeping with the established character of the locality, contrary to Policy R/DP1 of the Gosport Borough Local Plan Review.
- ii. The proposed dwelling, by reason of its height, siting and orientation would be detrimental to the amenities of the occupiers of the adjoining dwellings by reason of loss of light and outlook, contrary to Policy R/DP1 of the Gosport Borough Local Plan Review.
- iii. There is insufficient provision of on-site parking to meet the expected demand for the existing dwelling which will result in overspill parking in the surrounding road network to the detriment of the amenity of the area, contrary to Policy R/T11 of the Gosport Borough Local Plan Review.
- iv. In the event that the Section 106 Agreement is not completed by 15 September 2008, authority be delegated to the Head of Development Control to add an additional reason for refusal relating to this issue as follows:
Adequate provision has not been made for outdoor playing space or transport and

highway improvements, nor the payment of a commuted sum in lieu of the provision contrary to Policies R/OS8, R/DP3 and R/T3 of the Gosport Borough Local Plan Review.

- 73 K3815/2 - DEMOLITION OF FLAT ROOF SINGLE STOREY REAR WORKSHOP, CONVERSION OF EXISTING GROUND FLOOR SHOP AND FIRST FLOOR FLAT TO 1NO. 3 BEDROOMED DWELLING AND ERECTION OF TWO STOREY SIDE EXTENSION TO FORM 1NO. 3 BEDROOMED DWELLING WITH PARKING PROVISION AND ASSOCIATED AMENITY SPACE (as amended by plan received 19.08.2008)**
58 Southcroft Road Gosport Hampshire PO12 3LE

Members were advised that the inclusion of a detached double garage in the descriptive title to this Item in the report of the Development Services Manager be changed to parking provision.

RESOLVED: That planning application K3815/2 – 58 Southcroft Road, Gosport, Hampshire be approved subject to Section 106 Agreement relating to the payment of a commuted sum towards the provision and/or improvement of outdoor playing space and towards transport infrastructure, services and facilities 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 development is acceptable in this location. Due to its appropriate design, density and layout, the development will not have a detrimental impact on the visual amenity of the area or the amenities of neighbouring or prospective occupiers. Adequate provision is made for open space, cycle and refuse storage. As such, the development complies with Policies R/DP1, R/H4, R/S8, R/DP3, R/OS8, R/T4 and R/T11 of the Gosport Borough Local Plan Review.

- 74 K15067/2 - DEMOLITION OF BLOCK OF 3 GARAGES AND ERECTION OF 2 STOREY BUILDING INCLUDING 2NO. INTEGRAL GARAGES AND FRONT AND REAR DORMERS TO PROVIDE 1NO. 2 BEDROOM FIRST FLOOR FLAT WITH ASSOCIATED AMENITY SPACE**
Land To The Rear Of 118 - 120 High Street Lee-On-The-Solent Hampshire PO13 9DB

Members were advised that the applicant had confirmed a willingness to enter into a 106 Agreement which would address Reason for Refusal (v) listed in the report of the Development Services Manager.

RESOLVED: That planning application K15067/2 – Land to the rear of 118-120 High Street Lee on the Solent Hampshire be refused for the following reasons:

- i. The erection of a dwelling in this location is alien to the established pattern of development in the area and as such is detrimental to the character of the locality contrary to Policies R/DP1, R/H4 and R/H7 of the Gosport Borough Local Plan

Review.

- ii. The proposed amenity space will be significantly overlooked by the windows and external staircase in the rear elevations of the properties fronting the High Street which will be detrimental to the living conditions of future occupiers, contrary to Policy R/DP1 of the Gosport Borough Local Plan Review.
- iii. Due to the proximity of the new building to the existing buildings and the positioning of the windows on both the new and existing buildings the proposal would result in a loss of light, privacy and outlook to occupiers of adjacent properties contrary to Policy R/DP1 of the Gosport Borough Local Plan Review.
- iv. Due to the limited size of the proposed garages and the area to the front of the garages, there is insufficient on-site car parking which will result in vehicles overhanging and parking in the service road and overspill car parking in the surrounding road network to the detriment of local amenity and highway safety. The proposal therefore conflicts with Policies R/DP1 and R/T11 of the Gosport Borough Local Plan Review.

Authority is delegated to the Borough Solicitor to enter into a Section 106 to address v. below.

- v. Adequate provision has not been made for outdoor playing space or transport and highway improvements, nor the payment of a commuted sum in lieu of the provision, contrary to Policies R/OS8, R/DP3 and R/T4 of the Gosport Borough Local Plan Review.

**75 K7154/2 - ALTERATIONS AND CONVERSION OF EXISTING
GARAGE/WORKSHOP TO FORM 2NO. 2 BEDROOM DWELLINGS (as amplified
by letter dated 27.08.08 and amended by plans received 27.08.08)
172A Anns Hill Road Gosport Hampshire PO12 3RE**

Members were advised that the Section 106 Agreement had not been completed. Should it not be completed by 11 September 2008, officers requested delegated authority to refuse the application for non-compliance with Policies R/OS8, R/DP3 and R/T4 of the Gosport Borough Local Plan Review.

Members considered the proposal would improve the appearance of the area.

RESOLVED: That planning application K7154/2 – 172A Anns Hill Road, Gosport, Hampshire be approved subject to Section 106 Agreement relating to the payment of a commuted sum towards the provision and/or improvement of outdoor playing space and towards transport infrastructure, services and facilities 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 development of two dwellings in this existing residential area is appropriate and will assist in providing a variety of residential accommodation to meet the housing needs of the Borough. The minor external alterations to the building are acceptable within

the overall street scene and will improve the appearance of the area and the use will not have a detrimental impact on the amenities of neighbouring residents or prospective occupiers. Adequate provision is made for open space, transport infrastructure, car and cycle parking and refuse storage. As such the development complies with Policies R/DP1, R/DP3, R/DP7, R/H4, R/T4, R/T11 and R/OS8 of the Gosport Borough Local Plan Review.

In the event that the Section 106 Agreement is not completed by 11 September 2008, authority be delegated to the Head of Development Control to refuse the application for the following reason:

Adequate provision has not been made for outdoor playing space or transport and highway improvements, nor the payment of a commuted sum in lieu of the provision contrary to Policies R/OS8, R/DP3 and R/T4 of the Gosport Borough Local Plan Review.

76 K16756/2 - DEMOLITION OF EXISTING BUILDING AND ERECTION OF BUILDERS MERCHANTS (SUI GENERIS) WITH ASSOCIATED EXTERNAL STORAGE, ACCESS, CAR PARKING AND LANDSCAPING (REVISED APPLICATION)
154 (site A) Fareham Road Gosport Hampshire PO13 OAS

Members were advised that the proposed building would be 7 metres high to the eaves and not 14 metres as stated in the report of the Head of Development Control.

Members welcomed the employment opportunities and facilities for local residents offered by the development.

RESOLVED: That planning application K16756/2 – 154 (site A) Fareham Road, Gosport, Hampshire be approved subject to Section 106 Agreement relating to an Operator Statement regarding the proportion of sales to the general public and an offer to safeguard land should the Highway Authority propose to widen the A32, 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 considerations, the use and design are appropriate in this location and the limited sale to the public will not have an adverse impact on the retail function of the designated shopping centres within the Borough. Measures to restrict access and egress will mitigate against any impact on highway safety and a travel plan will discourage reliance on the private car. Adequate provision is made for car and cycle storage. As such the proposal complies with Policies R/DP1, R/CH1, R/T2, R/T3, R/T10, R/T11, R/EMP3, R/EMP5, R/EMP7, R/S1 and R/S2 of the Gosport Borough Local Plan Review.

77 K17440/1 - CONSTRUCTION OF 3 STOREY 32 BEDROOM NURSING HOME WITH ANCILLARY ACCOMMODATION
Land Adjacent To Huhtamaki Rowner Road Gosport Hampshire PO13 0PR

Members were advised that no adverse comments had been received as a result of statutory consultations.

In answer to a Member's question it was confirmed that the proposal would generate less traffic movements than those anticipated had the site been developed for office use.

Members were pleased to see additional accommodation of this kind being provided in a suitable location.

RESOLVED: That planning application K17440/1 – Land Adjacent to Huhtamaki, Rowner Road, Gosport, Hampshire be approved subject to the conditions set out in the report of the Development Services Manager, for the following reasons:

- 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 will not be detrimental to the character and appearance of the street scene or amenities of adjoining occupiers. The proposed landscaping will encourage biodiversity and the design incorporates energy efficiency features. Measures have been put in place to ensure the safety and convenience of pedestrians and encourage other methods of transport than the private car. As such the proposal complies with Policies R/CF4, R/DP1, R/DP6, R/T3, R/T4, R/T5, R/T10, R/T11, R/ENV14, R/OS14, R/EMP6 and R/H8 of the Gosport Borough Local Plan Review.

78 K17562 - ERECTION OF TWO STOREY REAR EXTENSION AND SINGLE STOREY SIDE PORCH EXTENSION (as amended by plans received 13.08.08 and 18.08.08)
39 The Drive Gosport Hampshire PO13 0QB

Members were advised that the words “ground floor” be deleted from the penultimate sentence of the first paragraph in the report of the Development Services Manager.

RESOLVED: That planning application K17562 – 39 The Drive, Gosport, Hampshire be approved subject to the conditions set out in the report of the Development Services Manager, for the following reasons:

- 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 and siting will not have a detrimental impact on the amenities of the neighbouring properties or the visual amenities of the area. As such, the development complies with Policies R/DP1 and R/DP7 of the Gosport Borough Local Plan Review.

79 K11228/1 - ERECTION OF PITCHED ROOF OVER EXISTING FLAT ROOF OF MAIN DWELLING HOUSE
22 Oakdene Gosport Hampshire PO13 0DB

Members were advised that the application property was the southern half of the semi detached dwelling and not the northern half as stated in the report of the Development Services Manager.

In answer to a Member's question, it was confirmed that the proposed window in the gable was to overcome problems with damp and that the roof space would not provide living accommodation.

Members agreed the appearance of the dwelling and the area would be improved by the proposal.

RESOLVED: That planning application K11228/1 – 22 Oakdene, Gosport, Hampshire be approved subject to the conditions set out in the report of the Development Services Manager, for the following reasons:

- 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 and orientation, will not have a detrimental impact on the neighbouring properties or the visual amenity of the area. As such, it complies with Policies R/DP1 and R/DP7 of the Gosport Borough Local Plan Review.

80 ANY OTHER ITEMS

The Chairman advised that a representative from the Mobile Operators Association was to give a presentation on mobile phone applications on Tuesday, 9 December at 4.30 pm in the Council Chamber.

Officers confirmed that a copy of the presentation would be sent prior to the event to ensure that the information given was impartial. The presentation would take approximately 20 minutes, following which there would be an opportunity for Members to ask questions.

The meeting commenced at 6.00pm and concluded at 6.25pm.

CHAIRMAN