

**A MEETING OF THE REGULATORY BOARD
WAS HELD ON 11 NOVEMBER 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).

100 APOLOGIES

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

101 DECLARATIONS OF INTEREST

- Councillor Allen declared a Personal interest in item 6/01 (Gosport War Memorial Hospital, Bury Road, Gosport) and remained in the meeting;
- Councillors Carr, Carter and Mrs Searle declared Personal and Prejudicial interests in item 6/03 (60 St Mary's Avenue, Gosport).

102 MINUTES

RESOLVED: That the Minutes of the Regulatory Board meeting held on 7 October 2008 be approved and signed by the Chairman as a true and correct record.

103 DEPUTATIONS

It was reported that deputations had been received on applications:

- K7022/20 – Gosport War Memorial Hospital
- K17549 – 2 Osborne Road, Lee-On-The-Solent

104 PUBLIC QUESTIONS

No public questions had been received.

PART II

105 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:

**106 K7022/20 - ERECTION OF TWO STOREY DETACHED GP SURGERY
(CONSERVATION AREA)
Gosport War Memorial Hospital Bury Road Gosport Hampshire PO12 3PW**

The officer advised that a site visit had taken place that morning, attended by Councillors Allen, Carr, Carter, Dickson, Forder and Miss West and by managers from the PCT. Members looked at the current staff car park which was the site of the proposed new GP surgery and the proposed parking area to the north. They also looked at the existing arrangements for staff and visitor parking to the northwest of the hospital and at the number of people waiting to attend the phlebotomy clinic.

The officer further advised that an amended Travel Plan had been received that day which incorporated the revised Action Plan which had been circulated to Members the previous week and which had been the subject of a briefing session by the Development Services Manager the previous evening. The revised Action Plan had been drafted so that target dates for actions to be completed were more consistent and it had been worded to ensure the Plan was enforceable. The revised Plan also showed that there would be 12 shared user parking spaces and not 10 as indicated in the Plan circulated the previous week. It was reported that the contribution of £5,000 towards a Traffic Regulation Order would be provided in the form of a bond that could be implemented at the discretion of the Council. It was also confirmed that the Site Manager was the current Travel Plan Co-ordinator but this role may be delegated to a member of site staff under his direction.

Ms Hebden, Director of Capital Planning, Hampshire NHS PCT, was invited to address the Board. She advised that 24 car parking places were currently closed to form a compound for use by the contractors. At present there were 168 parking spaces, 102 being for staff. 12 spaces would be lost on the site of the new GP surgery but new spaces would be created bringing the total car parking spaces to 190, including the 12 shared user spaces and 14 short stay spaces for dropping off and collecting patients. She emphasised the importance of sustainable and co-ordinating travel planning to the PCT which was being lead at Director level. There were 19 Actions in the Plan which is a living document, tailored to local needs and informed by surveys. There would be on site enforcement of parking regulations and an effort to reduce staff parking. However, many staff had to use their car during the day in order to carry out their duties and provision had to be made for them.

Ms Hebden advised that the Phlebotomy Clinic accounted for 42% of current visits to the War Memorial Hospital and in future blood tests would be carried out at the point of need. Patients requiring regular blood tests would attend their own GP surgeries and it was hoped this would reduce travel time and distance.

Ms Hebden concluded by stating that the construction of the new GP surgery was an important development for the provision of services to local people.

A Member stated that he had observed a contractor parking in Fairthorne Gardens and asked what provision had been made for contractor parking when construction of the new surgery began. Ms Hebden advised that it was made part of the contract with building contractors that they could not park on hospital spaces as this would impact on staff and patients. Contractors would usually make arrangements to park nearby, for example at The Thorngate

Halls.

Members considered that the site visit had been very useful; enabling them to see what provision would be made for car parking. This visit, together with the receipt of the revised Travel Plan, had given them a better understanding of the proposed development at the War Memorial Hospital.

RESOLVED: That planning application K7022/20 – Gosport War Memorial Hospital, Bury Road, Gosport, Hampshire be approved subject to Section 106 Agreement relating to the payment of a commuted sum towards the provision of a Travel Plan and the cessation of a 'drop in' phlebotomy service and 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. It will preserve the character and appearance of the conservation area and will not adversely impact on traffic conditions in the locality or amenities of adjoining occupiers. Adequate provision is made for parking and access. As such it complies with Policies R/CF1, R/BH1, R/DP1, R/T2, R/T3, R/T10 and R/T11 of the Gosport Borough Local Plan Review.

**107 K17549 - DEMOLITION OF FIVE BEDROOMED RESIDENTIAL DWELLING AND
ERECTION OF 2 1/2 STOREY BUILDING CONTAINING 5no. TWO BEDROOMED
FLATS (as amended by Design and Access Statement and plans received
15.08.08)
2 Osborne Road Lee-On-The-Solent Hampshire PO13 9LS**

Members were informed that two additional letters of representation had been received. One letter raised no new issues. The second one requested deferral of consideration of this application until the writer had received satisfactory documentation indicating that the service road between properties fronting Marine Parade and Montserrat Road had been adopted and until consideration had been given to extending the Marine Parade Area of Special Character to include Montserrat Road.

The officer advised that the status of the service road was not material to the determination of the application. Nevertheless, the Borough Council records indicated that it was a publicly adopted highway. Should a resident believe this not to be the case, it would be a private matter between that resident and the applicant. As regards the Supplementary Planning Guidance on Marine Parade, this was adopted to preserve the special character of that area of the sea front. The character of Montserrat Road was entirely different. However, the impact of the proposal on the character of the area surrounding the application site had been considered as stated in the report of the development Services Manager. It would not be appropriate for the Board to consider the adoption of a new policy nor to defer a decision on this application for the reasons requested by the objector.

The officer further advised that clarification had been sought concerning the legality of the new dropped kerb to the Montserrat Road frontage of 2 Osborne Road. Planning permission had not been required for this dropped kerb as it was not onto a classified road. It had been

installed at the discretion of Hampshire County Council Highways Department, the authority responsible for the maintenance and safety of the road network.

Members were informed that, to address concerns over highway safety, an additional condition had been proposed stating that the perimeter boundary of the property was to be maintained at a height of 600mm to ensure good visibility for vehicles entering and exiting the property.

Mr Jock Thompson was invited to address the Board. He outlined the objections he and his fellow residents had to the proposed development, a full printed copy of which are inserted in the Minute Book at Appendix 'B'. In answer to a question from Mr Thompson concerning the site line shown on the plans for the proposed redevelopment, the officer advised that the concept of a building line was no longer prevalent within a planning context but that the proposal had been considered in the context of the surrounding area as a whole.

Mrs Poynter, the applicant, was invited to address the Board. She explained that her family had lived in Lee on the Solent for 8 years. When the decision had been made to redevelop the property at 2 Osborne Road they had liaised closely with the Council's planning officers and with their neighbours, in an effort to achieve an acceptable design for the proposed new building. She quoted from a letter she had received from the Lee Residents Association which acknowledged the efforts they had made to incorporate the comments of local people into the plans being drawn up. She stated that obscured glass would be used in the bathroom windows and there would now be one window instead of two overlooking their neighbours at 21 Montserrat Road. She considered that the highway visibility would be improved by the removal of the existing perimeter wall.

In answer to a Member's question, Mrs Poynter advised that she did not know the reason for the architect including a flat roof in the design but the gables had been designed in such a way that the building would not appear to have a flat roof when viewed from ground level.

Councillor Beavis, Ward Councillor, was invited to address the Board. He expressed concern that the development was out of keeping with the character of Montserrat Road which mainly constituted pre-war buildings. He considered that allowing this development would create a precedent which would lead to the destruction of other large houses in the area and the building of more blocks of flats.

Members discussed the merits of the design of the building in the context of Osborne and Montserrat Roads and the impact on highway safety. They were of the opinion that the proposal was of an acceptable design and would enhance the character of the area. They also noted that the Highway Authority had installed the dropped kerb and, subject to the perimeter boundary being no more than 600mm, were satisfied with the safety of vehicles entering and exiting the site, as indicated in the report of the Development Services Manager.

RESOLVED: That planning application K17549 – 2 Osborne Road, Lee-on-the-Solent, 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 and subject to the conditions set out in the report of the Development Services Manager and the additional condition concerning the maintenance of the height of the perimeter wall at 600mm, 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 of five flats 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 scale and design of the building is acceptable and will sit well within the overall street scene. The proposal will improve the appearance of the area and 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. In addition the development has been designed giving due consideration to energy efficiency with the incorporation of renewable energy features. As such the development complies with Policies R/DP1, R/DP3, R/H4, R/T4, R/T11, R/OS8, R/ENV14 and R/ENV15 of the Gosport Borough Local Plan Review.

Additional Condition

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), no walls, fences or other means of enclosure, other than the 600mm high perimeter wall shown on the plans hereby approved, shall be erected along the site boundaries to Osborne Road and Montserrat Road without the prior consent in writing of the Local Planning Authority.

Reason – In the interests of highway safety and the visual amenities of the area, and to comply with Policies R/DP1 and R/T11 of the Gosport Borough Local Plan Review.

108 K17592/1 - DEMOLITION OF DETACHED GARAGE AND ERECTION OF TWO STOREY DWELLING WITH INTEGRAL GARAGE AND ASSOCIATED AMENITY SPACE
60 St Marys Avenue Gosport Hampshire PO12 2HX

Note: Councillors Carr, Carter and Mrs Searle declared Personal and Prejudicial Interests in this item, left the room and took no part in the discussion and voting thereon.

The officer advised that 11 additional letters of objection had been received which raised the following issues in addition to those referred to in the report of the Development Services Manager:

- appearance in the street scene; views; uncharacteristic form of development due to set back, larger footprints and dormers;
- housing allocation met without the need for loss of gardens which reduced the mix of house types and wildlife habitats including badger runs;
- impact on light, privacy and outlook of adjacent dwelling made worse by resiting;
- increased noise;
- insufficient parking and manoeuvring space; potential for garage to be added later to No 60; car parking survey not a true reflection but did show proximity of cars parked close to junction; overspill parking would block accesses and exacerbate existing

problems;

- detrimental impact on highway safety due to proximity to bend; road was used extensively by learner drivers;
- no garaging facility for No 60 or facilities for storage of bins, bicycles or gardening equipment;
- commercial use of property would exacerbate existing commercialisation within the road from properties being used for businesses with the attendant increase in visitors and vehicles;
- reduction in value of properties;
- the creation of a precedent;
- contrary to Policies R/DP1, R/T11 and R/H4.

The officer advised that most of these issues had been addressed in the report of the Development Services Manager. The use of the road by learner drivers and the impact on property prices were not planning considerations and there was no evidence of badgers on site. The housing allocation was likely to be met but all applications had to be considered on their own merits and therefore the creation of a precedent was not an issue. Any excessive noise issues during the construction phase would be addressed by Environmental Health legislation. The owners of No 60 would need to apply for planning permission to construct a new garage and this would be considered on its own merits. The office was not proposed as a commercial business and appropriate action could be taken if it was used as such.

It was confirmed that the Streetscene Parks and Horticulture Section had confirmed that there were no trees on the site that merited a Tree Preservation Order.

In answer to a Member's question, the officer advised that the amended plans had not addressed concerns regarding the appropriateness of this development.

RESOLVED: That application K17592/1 – 60 St Marys Avenue, Gosport, Hampshire be refused for the following reasons:-

- i That 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 That 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.

**109 K10500/1 - ERECTION OF 4NO. ONE BEDROOM HOUSES ON LAND ADJACENT TO 80 PALMYRA ROAD (as amplified by letter dated 28.10.08 and amended by plans received 29.10.08)
80 Palmyra Road Gosport Hampshire PO12 4EH**

A Member expressed concern that the character of the area was changing and there was a lack of parking spaces. He felt that the proposed access to parking spaces off the service road to the rear of the development would be hazardous as there was no street lighting. He also drew attention to the fact that the bin collection would be from the front of the building in Palmyra Road so all bins would need to be moved from the rear to the front for collection.

Members considered that the design of the proposed building was acceptable, giving the appearance of two semi detached properties which was in keeping with the mixed character of the area. It was noted that access to parking spaces off service roads was a general feature of properties in Gosport.

RESOLVED: That planning application K10500/1 – 80 Palmyra Road, Gosport be approved, subject to 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 four additional 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 detailed design of the proposed dwellings within the overall street scene is appropriate and acceptable. The proposal will improve the appearance of the area and 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/H4, R/T4, R/T11 and R/OS8 of the Gosport Borough Local Plan Review.

**110 K17541/1 - RETENTION OF EXISTING WORKS AND FURTHER WORKS TO ERECT A SINGLE STOREY REAR EXTENSION AND ROOF ALTERATIONS INCLUDING FIRST FLOOR JULIETTE BALCONY IN REAR ELEVATION (ALTERATION TO APPLICATION K.17541)
16 Lulworth Road Lee-On-The-Solent Hampshire PO13 9HU**

RESOLVED: That planning application K17541/1 – 16 Lulworth Road, Lee-on-the-Solent, Hampshire be refused, for the following reason:

- i That the proposed double juliette balcony doors would allow an unacceptable level of overlooking of the private rear gardens of 14 and 18 Lulworth Road to the detriment of the amenities of the occupiers of these dwellings, contrary to Policies R/DP1 and R/DP7 of the Gosport Borough Local Plan Review.

111 ANY OTHER BUSINESS

Members were informed that the hearing of the appeal for the concrete mixing plant in Lederle Lane had been scheduled for 6 January 2009.

The meeting commenced at 6.00pm and concluded at 7.16pm

CHAIRMAN