

**A MEETING OF THE REGULATORY BOARD  
WAS HELD ON 16 MARCH 2010**

The Mayor (Councillor Mrs Searle) (ex-officio), Chairman of the P & O Board (Councillor Hook) (ex-officio), Councillors Allen (P), Mrs Bailey (P), Ms Ballard (P), Carter (Chairman) (P), Dickson (P), Geddes (P), Hicks (P), Hylands (P), Miss West (P) and Wright (P).

**155 APOLOGIES**

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

**156 DECLARATIONS OF INTEREST**

- Councillor Geddes declared a personal and prejudicial interest in items K5744/22 and K5744/23
- Councillor Mrs Bailey declared a personal and prejudicial interest in item K6230/9

**157 MINUTES**

RESOLVED: That the Minutes of the Regulatory Board meeting held on 16 February 2010 be approved and signed by the Chairman as a true and correct record.

**158 DEPUTATIONS**

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

K2877/5 – The Wych Way Inn, 163 Wych Lane, Gosport  
K16416/24 – Granary and Bakery, Weevil Lane, Gosport

**159 PUBLIC QUESTIONS**

No public questions had been received.

**PART II**

**160 HISTORIC BUILDING GRANT OFFER- 17 PEEL ROAD, GOSPORT**

Members considered the report of the Director of Planning and Economic Development Services for an application for Grant Aid under Section 57 of the Planning (Listed Buildings and Conservation Areas) Act 1990 for replacement windows at 17 Peel Road Gosport.

RESOLVED: That an offer of £2309.58 (or 15% of the final cost whichever is the lesser sum) towards the cost of the replacement six timber windows at 17 Peel Road, Gosport be approved.

## **161 HISTORIC BUILDING GRANT – METHODIST CHURCH, STOKE ROAD**

Members considered the report of the Director of Planning and Economic Development Services for an application for Grant Aid under Section 57 of the Planning (Listed Buildings and Conservation Areas) Act 1990 by the Methodist Church, Stoke Road, Gosport.

RESOLVED: That an offer of £1839.58 (or 20% of the final cost, whichever is the lesser sum) towards the costs of repairing stonework on the main south window of the Methodist Church on Stoke Road be approved.

## **162 REPORTS OF THE DIRECTOR OF PLANNING AND ECONOMIC DEVELOPMENT SERVICES.**

The Director of Planning and Economic Development Services 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:

## **163 K5744/22 RETENTION OF EXISTING WORKS AND FURTHER WORKS FOR ALTERATIONS AND EXTENSIONS TO EXISTING HOTEL INCLUDING NEW KITCHEN EXTRACTION SYSTEM (AMENDMENT TO PLANNING CONSENT K5744/20) (LISTED BUILDING IN CONSERVATION AREA) 24 Crescent Road, Gosport, Hampshire PO12 2DH**

**Note: Councillor Geddes declared a personal and prejudicial Interest in this item, left the meeting room and took no part in the discussion or voting thereon.**

In answer to a Member's question it was clarified that there were inaccuracies in the drawings approved under the previous application as a result of mistakes in the original building survey. Amended plans had accordingly been submitted and now reflected the correct dimension of the site.

RESOLVED: That application K5744/22 – 24 Crescent Road, Gosport be approved subject to a section 106 agreement relating to the payment of a sum towards the funding of a Traffic Regulation Order and subject to the conditions set out in the report of the Director of Planning and Economic Development Services, 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. There is an identified need for additional hotel accommodation in the Borough and the extension and kitchen extraction system is of an appropriate design, and will not have any detrimental impact on this Listed Building or its setting or the amenities of nearby

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/DP3, R/BH1, R/BH3, R/CF11, R/T4, R/T11 and R/ENV10 of the Gosport Borough Local Plan Review.

**164 K5744/23 LISTED BUILDING APPLICATION - RETENTION OF EXISTING WORKS AND FURTHER WORKS FOR ALTERATIONS AND EXTENSION TO EXISTING HOTEL INCLUDING NEW KITCHEN EXTRACTION SYSTEM (AMENDMENT TO LISTED BUILDING CONSENT K5744/21) (CONSERVATION AREA)  
24 Crescent Road, Gosport, Hampshire, PO12 2DH**

**Note: Councillor Geddes declared a personal and prejudicial Interest in this item, left the meeting room and took no part in the discussion or voting thereon.**

RESOLVED: That Listed Building application K5744/23 –24 Crescent Road, Gosport, be approved subject to the conditions set out in the report of the Director of Planning and Economic Development Services 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 does not have any detrimental impact on this Listed Building or its setting. As such the development complies with Policy R/BH3 of the Gosport Borough Local Plan Review.

**165 K2877/5 – ERECTION OF REPLACEMENT SINGLE STOREY SIDE/REAR EXTENSION; INSTALLATION OF ATM; AND EXTERNAL ALTERATIONS AND REPLACEMENT OF WINDOWS AND DOORS  
Wych Way Inn, 163 Wych Lane, Gosport, Hampshire, PO13 0NW**

Mr Newbury was invited to address the Board. He advised that he was concerned that the site was to be used as a convenience store; the site was situated on a double T-junction at which a fatality had recently occurred.

He advised that the site and the surrounding roads were particularly busy and that the congestion increased when children were arriving at and leaving from school.

Mr Newbury advised that he was concerned that the car park was not adequate for the site and that a convenience store would lead to an increase in parking on the highway.

Concern was expressed that the change of use would increase the number of delivery lorries, causing congestion on the highway and disturbance to local residents.

Mr Newbury advised the Board that at other convenience facilities local to the site local residents were often protected from vehicle movement to and from the site by screens.

The Board were advised that local residents felt that the facility was not needed in the area as there was a family run local shop near-by.

Jeanette Hope was invited to address the Board. She advised that she was the proprietor of Bridge News and that planning permission had been granted for an extension to her shop.

She advised that Bridge News provided a personal service to local residents and was frustrated that national chains were damaging local economies. The Board were advised that local residents supported the extension of Bridge News and that the opening of the convenience store would lead to job losses at smaller businesses in the local area.

It was reiterated that the site was on a double T-junction and that the increase in traffic to the site would add to the congestion making the junction even more dangerous. The Board were advised that the majority of journeys to the site, when it had been a Public House, were by foot.

Mr Collett, the agent for the application, was invited to address the Board. He advised that the application was for a replacement single storey side extension, replacement windows and doors and the installation of an ATM. An application for change of use application was not required as the change was 'permitted development' as acknowledged in the report of the Director of Planning and Economic Development Services.

The Board were advised that the application was to erect a replacement extension to improve the appearance of the building and that the design met the requirements of the Local Plan Review.

The Board were advised that the positioning of the ATM had been revised to address the concerns of the Local Highway Authority and the repositioning would encourage people to park in the designated area to use the ATM.

Mr Collett advised that the proposals would improve the appearance of the site and that the amenity of residents would not be affected.

In answer to a Member's question, Mr Collett advised that an assessment on the viability of a convenience store and any affect on local businesses had been undertaken by his client and that he was not aware of the content to advise the Board. He reiterated that the viability assessment was not a planning consideration.

Mr Collett advised that the Public House had previously operated with the existing car parking facilities and reiterated that the change of use to a convenience store was 'permitted development'.

In answer to a Member's question, Mr Collett advised that deliveries to the site would be made using the existing dropped kerb on Brewers Lane. Members expressed concern that the delivery lorries would be larger than those used previously for the Public House and that the size of the lorries would affect visibility, making the junction dangerous.

Councillor Philpott, Ward Councillor for Peel Common, was invited to address the Board. He advised that he was speaking on behalf of the residents and requested that the application be considered in the context of the decision of the planning inspectorate to grant permission, on appeal, for the construction of a Skills Centre on the Bridgemary School playing field.

Councillor Philpott acknowledged that the change of use to a convenience store was not for the consideration of the Board, but expressed concern that it would increase the volume of traffic to a junction that had been recognised as dangerous, as it now had two crossing patrols.

Councillor Philpott advised the Board that he had a number of concerns in relation to the site and felt that it was unreasonable to suggest that the traffic levels would remain the same as they were when the Public House was in use.

In answer to a Member's question, officers advised that a traffic assessment was not required for this application.

Members acknowledged the concerns of the local residents and the opposition to a convenience store on the site. However, it was recognised that the application was for external alterations and that the change of use of the building was not for consideration with this application.

Members did, however, feel that a shop would generate a greater volume of traffic than the previous use of the site as a Public House.

It was proposed that the application be deferred pending a site visit. It was requested that the visit be timed to coincide with the arrival and departure of children to school.

Members questioned whether a traffic assessment could be requested in relation to the increase in journeys to the site as a result of the instillation of an ATM. Members were advised that a traffic assessment could not be required but additional traffic information could be requested.

Members agreed that the application be deferred for a site visit, the time of which would coincide with the arrival or departure of children to school.

RESOLVED: That application K2877/5 – The Wych Way Inn, Gosport, be deferred pending a site visit, the time of which would coincide with the arrival or departure of children to or from school.

**166 K6230/9 - RETENTION OF EXISTING WORKS AND FURTHER WORKS  
TO FACILITATE CHANGE OF USE OF PART OF EXISTING GROUND**

**AND FIRST FLOOR OFFICE AND STAFF AREA AND ERECTION OF TWO STOREY REAR EXTENSION TO FORM 2NO. ONE BEDROOM SELF CONTAINED FLATS (CONSERVATION AREA)  
89 Stoke Road, Gosport, Hampshire, PO12 1LR**

**Note: Councillor Mrs Bailey declared a personal and prejudicial Interest in this item, left the meeting room and took no part in the discussion or voting thereon.**

Members were advised that since the publication of the agenda a planning obligation had been secured in relation the previous application therefore a further obligation was not required for this application.

RESOLVED: That change of use application K6230/9- 89 Stoke Road, Gosport, be approved subject to the conditions set out in the report of the Director of Planning and Economic Development Services 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 development is acceptable in this location. Due to its appropriate design, density and layout, the development will preserve the character and appearance of the Stoke Road Conservation Area and will not have a detrimental impact on the visual amenity of the locality or the amenities and servicing arrangements of existing, neighbouring or prospective occupiers. Adequate provision is made for open space, cycle and refuse storage, and highway and infrastructure improvements. The development therefore complies with Policies R/DP1, RBH1, R/BH2, R/H4, R/S6, R/S7, R/T11, R/DP3, R/T4 and R/OS8 of the Gosport Borough Local Plan Review.

**167 K16416/24 - LISTED BUILDING APPLICATION - INTERNAL ALTERATIONS TO FACILITATE USE OF GROUND FLOOR AS RESTAURANT AND ERECTION OF 9NO. EXTERNAL EXTRACTION COWLS (LISTED BUILDING) (CONSERVATION AREA) (as amended by plans received 01.03.10 and amplified by plans and information received 5.3.10)  
Granary and Bakery, Weevil Lane, Gosport, PO12 1FX**

Members were advised that two additional letters of objection had been received. Two additional issues had been raised; concerns about the restaurant's music licence and the security of local residents.

In addition, an amended plan had been received deleting the external cowls as they were not required as part of the ventilation/filtration system.

It was requested that reference to the cowls be deleted from the application description and from condition 3a attached to the recommendation.

Erica Dawtrey was invited to address the Board. She advised that she was representing the views of a number of residents of the Granary and Bakery.

The residents welcomed the proposal for a high class facility, but were concerned about the day to day impact on their properties, particularly with regard to noise levels and smells.

The residents acknowledged that a number of their concerns were not for the consideration of the Regulatory Board.

Residents were concerned that the removal of the mezzanine floor would lead to increased levels of noise for those living in the first floor flats and requested that a condition be attached to the application that additional soundproofing be installed. Concern was expressed that a performance area would also lead to an increase in noise levels.

The Board were advised that the windows of the flats were waterside and that opening them would expose residents to noise from the restaurant below.

It was acknowledge that the external cowls had been deleted from the plans, concern was expressed, however, that cooking smells would travel through the flats.

Concern was expressed as to the positioning of a designated smoking area, as residents did not want cigarette smoke to enter their flats through open windows.

The Board were advised that the provision of car parking was also a concern, as it was currently not controlled. 20 spaces were available in the North Meadow area. It was acknowledged that this was not sufficient and that visitors to the restaurant would need to park in Cooperage Green. Concern was expressed that in adverse weather, diners would not be prepared to park a five minute walk away and would consequently park in the area designated for residents.

The development was welcomed, however, it was requested that consideration be given to the amenity of local residents.

Members acknowledged the concerns of local residents but recognised that a number of these concerns were for the consideration of the Licensing Board, Building Control and Environmental Health Services.

Members were advised that in relation to the concerns regarding lighting and the provision for parking on the site, officers were actively engaged with Berkley Homes and residents to discuss proposals for new lighting and a new car park strategy for the site.

Members welcomed that the application was for the opening of a new restaurant in the current economic climate.

**RESOLVED:** That listed building application K16416/24 –Granary and Bakery, Weevil Lane, Gosport, be approved subject to the conditions set out in the report of the Director of Planning and Economic Development Services 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 alterations are acceptable and will not have a detrimental impact on the historic or architectural character of this Listed Building or its setting. As such the development complies with Policy R/BH3 of the Gosport Borough Local Plan Review.

**168 K5112/5 – ALTERATION TO EXISTING GROUND FLOOR RETAIL STORE TO PROVIDE SELF CONTAINED ONE BEDROOM FLAT  
97 Palmyra Road, Gosport, Hampshire, PO12 4EE**

Members were advised that an amended plan had been received showing cycle parking provision on land within the control of the applicant.

RESOLVED: That change of use application K5112/5 – 97 Palmyra Road, Gosport, be approved subject to a section 106 agreement relating to the payment of a commuted sum towards the provision and/or improvement of outdoor playing space and the payment of a commuted sum towards transport infrastructure, services and facilities and subject to the conditions set out in the report of the Director of Planning and Economic Development Services 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. It will not compromise the retail function of the shopping centre and will not have any detrimental impact on the amenities of the area, adjoining and prospective residents or highway safety. As such the proposal complies with Policies R/DP1, R/DP3, R/H4, R/S6, R/T4, R/T11 and R/OS8 of the Gosport Borough Local Plan Review.

**169 K17753 - USE OF LAND FOR SITING OF TWO STOREY MARKETING SUITE WITH ASSOCIATED LANDSCAPING AND PARKING (as amended by letters and plan received 22.1.10 and plan received 2.3.10)  
Land at Junction of Howe Road and Grange Road, Gosport**

Members were advised that comments had been received from Environmental Health.

Records indicated the presence of an old gravel pit under the northern part of the site, but there were no details of the materials used to backfill it. Therefore a precautionary approach should be adopted and a gas proof membrane should be installed under the building to prevent any build up of gases inside.

An additional condition 11 was proposed to be attached to the recommendation requiring that:

The temporary building hereby approved shall not be erected on the site until an appropriate gas proof membrane has been installed underneath the footprint of



the building in accordance with a detailed scheme to be submitted to and approved, in writing, by the Local Planning Authority.

RESOLVED: That Use of land application K17753 – land At junction of Howe Road and Grange Road Gosport, be granted temporary consent subject to the conditions set out in the report of the Director of Planning and Economic Development Services 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. Given its temporary nature, it will not diminish the Strategic Gap physically or visually, or have a detrimental impact on the existing open space or the visual appearance of the area, or residential amenity or highway safety conditions in the locality or the interests of biodiversity or archaeology. The proposal will not increase the potential risk to human health from land contamination and incorporates appropriate cycle parking, drainage and crime prevention measures. As such the development complies with Policies R/DP1, R/OS1, R/OS2, R/OS4, R/BH8, R/T11, R/OS12, R/OS13 and R/ENV5 of the Gosport Borough Local Plan.
- ii That additional condition 11 be added:

That the temporary building hereby approved shall not be erected on the site until an appropriate gas proof membrane has been installed underneath the footprint of the building in accordance with a detailed scheme to be submitted to and approved, in writing, by the Local Planning Authority.

**170 KA1408 - ERECTION AND DISPLAY OF 1NO. ADVERTISEMENT BOARD AND 9NO. FLAGS**  
**Land at Junction of Howe Road and Grange Road, Gosport**

RESOLVED: That application KA1408 – land at junction of Howe Road and Grange Road, Gosport be approved subject to the conditions set out in the report of the Director of Planning and Economic Development Services for the following reason:

That having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004, Section 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and all other material considerations, the proposal will not have a detrimental impact on amenity or public safety and as such complies with Policy R/DP9 of the Gosport Borough Local Plan Review

**171 K15583/2 - ERECTION OF TWO STOREY SIDE EXTENSION TO FORM 1NO. THREE BEDROOM DWELLING WITH ASSOCIATED AMENITY SPACE AND PARKING**  
**1 Homer Close, Gosport, Hampshire, PO13 9TJ**

Members were updated that amended plans had been received detailing the

proposed scheme in relation to the plans submitted for the previous application that was dismissed at appeal.

In answer to a Member's question, it was confirmed that there had been no response to the public advertisement.

Members welcomed that the applicant had taken into account the comments of the Inspector in relation to the previous application.

**RESOLVED :** That application K15583/2 –1 Homer Close, Gosport be approved subject to 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 a section 106 agreement relating to the payment of a commuted sum towards transport infrastructure, services and facilities and subject to the conditions set out in the report of the Director of Planning and Economic Development Services for the following reason:

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 is of an appropriate design and due to its siting and orientation will not have a detrimental impact on the character of the area, the visual amenity of the locality, the amenities of existing or prospective residents or highway safety. Adequate provision is made for access, car parking, cycle parking, refuse storage, open space and highway and infrastructure improvements. As such, the proposal complies with Policies R/DP1, R/H4, R/T11, R/OS8, R/DP3 and R/T4 of the Gosport Borough Local Plan Review.

**172 K17777 - REGULATION 3 - CONSTRUCTION OF A PUBLIC PLAY AREA COMPRISING PLAY EQUIPMENT IN NATURAL MATERIALS  
Land to the West of Grange Road, Gosport**

An updated report was distributed to the Board (attached in the Minute Book as appendix 'B').

The proposal to install the play equipment to the area was welcomed. Members expressed concern that no additional car parking provision was required as it was felt the proposal would increase traffic to an already congested area. Members identified that the Hampshire County Council Household Waste Recycling Centre generated a large volume of traffic and that the small parking area on Grange Road was unsuitable for the BMX track, with cars often over-spilling on to Grange Road.

In answer to a Member's question, the Board were advised that a traffic assessment was not required for this application.

Members were advised that the consideration of parking provision was included in the Masterplan for the Alver Valley site and would be progressed as additional plans for new, significant developments, for example, the golf driving range, were submitted. This proposal does not present an additional demand to the highway

network as it is an existing facility.

The Board were informed that Leisure and Cultural Services would be advised of the concerns of the Regulatory Board in relation to parking issues at the site of the proposed development.

RESOLVED: That application K17777 – Land to the West of Grange Road be approved subject to the response to the public consultation and subject to the conditions set out in the report of the Director of Planning and Economic Development Services and that authority is delegated to the Head of Development Control to determine the application after the date for the Public Consultation has expired.

- 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 is consistent with the open space function of the Alver Valley, will not have any detrimental impact on the character and appearance of the area, nature conservation designations, or protected species, or highway safety conditions in the locality. As such the proposal complies with Policies R/DP1, R/OS1, R/OS4, R/OS6, R/OS13 and R/T2 of the Gosport Borough Local Plan Review.

The meeting commenced at 6.00pm and concluded at 7.00 pm

CHAIRMAN