

**A MEETING OF THE REGULATORY BOARD
WAS HELD ON 19 APRIL 2011**

The Mayor (Councillor Allen) (ex-officio), Chairman of the P & O Board (Councillor Hook) (ex-officio); Councillors Ms Ballard (P), Carter CR (Chairman) (P), Edwards, Geddes (P) Henshaw, Hylands (P), Langdon (P), Ronayne (P), Scard (P), and Wright (P).

176 APOLOGIES

Apologies for inability to attend the meeting were received from the Mayor and Councillor Edwards.

177 DECLARATIONS OF INTEREST

Councillor Carter declared a Personal and Prejudicial interest in item K17914 – 14 Monroe Close.

Councillor Wright declared a Personal and Prejudicial interest in item K7898/17 – Northcott House.

178 MINUTES

RESOLVED: That the Minutes of the Regulatory Board meeting held on 15 March 2011 be approved and signed by the Chairman as a true and correct record.

179 DEPUTATIONS

Deputations had been received on application K17914 – 14 Monroe Close and K17880 Land At Rear of 90a – 92 Fareham Road.

180 PUBLIC QUESTIONS

No public questions had been received.

PART II

181 REPORT OF THE BOROUGH SOLICITOR

The Borough Solicitor 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:

182 K17914 - ERECTION OF SINGLE/TWO STOREY SIDE EXTENSION

**AND SINGLE STOREY FRONT & REAR ADDITIONS (as amended by
plan received 25.02.11)
14 Monroe Close Gosport Hampshire PO12 2RT**

Councillor Carter left the room and took no further part in the discussion or voting thereon. Councillor Geddes chaired the meeting for this item.

Members were advised that a late application to make a deputation had been received; Members agreed that Mrs Booker be allowed to address the Board.

Members had attended a site visit at 11am on the day of the meeting and viewed the application property and adjacent site, noting the relationship between the properties and between the existing and proposed windows.

Mrs Horne was invited to address the Board. She thanked the Board for allowing her to speak and advised that she spoke on behalf of a number of residents in Monroe Close in expressing concern regarding the effect the proposal would have on parking in the Close.

Mrs Horne acknowledged that other properties in the Close had been extended, but that these extensions had taken into consideration parking requirements. All of the extended properties had driveway space for two cars, whereas the proposal would only accommodate one car on the driveway and dwarf other properties in the area and that should the property be sold in future, any additional cars would take up all of the communal spaces.

Mrs Horne advised that she had not wished for an unpleasant situation to occur, but that she was concerned about the loss of privacy, light and about the size of the proposal.

Mrs Booker was invited to address the Board, she thanked the Board for allowing her to speak. She advised that the properties in Monroe Close had been constructed as 3 bedroom properties, not 2 bedrooms as indicated in the report and that parking provision would be inadequate should the proposed larger property, in future, be occupied by residents with additional cars.

Mrs Booker felt that the regulations had changed and that the proposed application would have been refused under previous guidelines. It was felt that there was no continuity of standards and that the property could later be turned into flats or a shared house.

In conclusion Mrs Booker advised that the demand on parking facilities, water, electric, drainage and other services meant that the proposed development was unacceptable.

Mrs Barrett was invited to address the Board. She thanked the Board for their time and advised that she would like to clarify a number of points raised at the previous meeting of the Regulatory Board.

Mrs Barrett had requested under the Freedom of Information Act the application

documents for an extension to the property at 16 Monroe Close. The plans for the proposal indicated that a room described by Mrs Horne as a living room, was described on the planning application as a second dining room.

The separation distances between 14 and 16 Monroe Close were accepted by the planning department and would not create issues surrounding outlook and loss of light. In addition, Mrs Barrett advised that the extension to 16 Monroe Close had led to the rear of 14 Monroe Close being overlooked and that this was to be expected as the properties were situated in an estate.

Mrs Barrett advised that the proposal would result in the property being no larger than 4 bedrooms as the existing third bedroom would be significantly reduced in size to accommodate the relocated staircase. On completion of the work, it would not be large enough to accommodate a bed.

The Board were advised that previous altercations surrounding parking issues were as a result of a large work van parking in the Close, blocking access to the driveways of properties.

Mrs Barrett advised the Board that she felt that neither the congestion created by the nearby Gomer Infant and Junior Schools or the mode of transport used by Mr and Mrs Barrett to commute to work was a consideration of the Regulatory Board.

Members advised that they had visited the site at 11am and felt that the proposal would not cause a detrimental impact on other residents with regard to sunlight.

In addition, Members felt that Monroe Close was more than adequately served by parking provision, in relation to many other areas of Gosport.

RESOLVED: That application K17914 – 14 Monroe Close, Gosport, be approved subject to the conditions in the report of the Borough Solicitor for the reasons below:

- 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 harm the appearance of the dwelling or streetscene, or be detrimental to the wider visual amenities of the locality, the amenities of the occupiers of neighbouring properties or highway and pedestrian safety. As such, the proposal complies with Policies R/DP1 and R/T11 of the Gosport Borough Local Plan Review.

183 K17880 - ERECTION OF 20 BED CARE HOME AND ASSOCIATED ACCESS, CAR PARKING, CYCLE STORAGE AND LANDSCAPING (as amplified by additional information received 24.11.10, 03.12.10, 17.12.10 and 14.03.11)
Land At Rear Of 90a - 92 Fareham Road Gosport Hampshire PO13 0AG

Mr Lamburn was invited to address the Board. He advised that he was representing the applicant and was speaking in support of the proposal.

He advised that he felt the application was compliant with Gosport Borough Council's guidelines and policies. He felt the Planning Officer's report had not considered the additional supporting information that had been provided.

He advised the Board that he felt the proposal was not contradicting policy PPS3 as access to the site was solely from Bedenham Lane. He felt that the proposal would not be out of keeping with the local area as within close proximity there were a variety of different buildings, flats, houses, bungalows, a petrol station and a convenience store.

The Board were advised that the proposed scheme was discreet and sympathetic to the surrounding areas. He advised that research had been undertaken through the Alzheimer's Society and the Joseph Rowntree Foundation which showed a need for care places in the Borough, that the demand for places would increase in coming years and that those needing care should have options available to them. Mr Lamburn also advised the Board that no alternative land for use to develop a care home had been identified by the Planning Department.

Mr Lamburn concluded by advising that he felt the site was suitable for a care home development, that the applicant had agreed to enter into the relevant legal documents for the completion of a transport contribution, that there was an immediate demand for care spaces and that the proposal would create employment within the Borough.

Members sought clarification with regard to a letter of representation received and were advised that in principle the letter had not objected to the proposal, but had subsequently identified concerns regarding elements of the development.

Members acknowledged that access to the proposed development would be from Bedenham Lane rather than directly from the A32 and felt that the proposal would not be intrusive.

Members also questioned whether the need for additional beds in the Borough was a planning consideration, or a commercial risk undertaken by the applicant. Members recognised that it was anticipated that the population would live longer and that this would result in more people needing care and that good quality care facilities were important.

Members queried whether sufficient parking for the site had been provided, but recognised that the proposed site had excellent transport links.

It was proposed that a site visit be undertaken, Members voted on this and the proposal was not carried.

Members felt that the proposal was acceptable and resolved to approve the application, delegating authority to the Borough Solicitor to apply appropriate

conditions to the planning permission, and complete the section 106 agreement in relation to the payment of a commuted sum towards transport infrastructure, services and facilities.

RESOLVED: That application K17880 – Land to the rear of 90a - 92 Fareham Road, be approved;

- a) subject to the payment of a commuted sum towards transport infrastructure, services and facilities, and
- b) that authority be delegated to the Borough Solicitor to enter into a Section 106 agreement and apply appropriate conditions,

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, by reason of its design, siting and orientation will not result in an undesirable form of backland development, is not out of keeping with the established pattern of development in the locality, and is not detrimental to the character of the area and the established building hierarchy. As such, the proposal complies with Planning Policy Statement 3 (PPS3) and Policy R/DP1 of the Gosport Borough Local Plan Review.

**184 K9941/2 - ERECTION OF PART TWO STOREY AND PART FIRST FLOOR SIDE EXTENSION (as amplified by letter received 21.02.11 and amended by plan received 24.03.11)
18 Beech Grove Gosport Hampshire PO12 2EJ**

RESOLVED: That Regulation application K9941/2 – 18 Beech Grove, Gosport be approved subject to the conditions in the report of the Borough Solicitor for the reasons below:

- 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 harm the appearance of the streetscene, the wider visual amenity of the locality, the amenities of neighbouring occupiers, the health and amenity value of the adjacent protected trees or highway and pedestrian safety. It therefore complies with Policies R/DP1 and R/T11 of the Gosport Borough Local Plan Review 2006.

**185 K17931 - REGULATION 3 - PROVISION OF LANDSCAPED GARDEN INCORPORATING STREET FURNITURE AND ORNAMENTAL ART WORK
Land At Junction Of Grove Road & Sealark Road Gosport Hampshire**

Members were advised that a response had now been received from the

Community Safety Team who did not object to the proposal. It was recognised that pedestrians would be following the existing line to walk through that site and that there would be no significant increase in anti-social behaviour as a result of the proposal.

The Board were advised that Groundwork Solent would maintain the garden.

RESOLVED: That Regulation 3 application K17931 – Land At Junction of Grove Road and Sealark Road, Gosport, be approved subject to the conditions in the report of the Borough Solicitor for the reasons below:

- 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. It is acceptable in design terms, would enhance the appearance of the area, and would not have a harmful impact on the amenities of the occupiers of the neighbouring properties or highway and pedestrian safety, or protected species and, as such, complies with Policies R/DP1, R/T11 and R/OS13 of the Gosport Borough Local Plan Review.

186 K15802/1 - REGULATION 3 - ERECTION OF 6NO. 8 METRE HIGH (TIMER CONTROLLED) LIGHTING COLUMNS TO MULTI USE GAMES AREA

Bridgemary Park Cunningham Drive Gosport Hampshire

Members were advised that a response had been received from the Community Safety Team welcoming the proposal as young people in the area had requested that the facility be available to them after dark. It was anticipated that the additional lighting would reduce the level of anti-social behaviour at the nearby Gregson Avenue shops.

Members felt that there was sufficient distance between the proposed site and the neighbouring bungalows and that a 7.30pm switch off time would be acceptable.

RESOLVED: That Regulation 3 application K15802/1 - Bridgemary Park, Cunningham Drive, Gosport, be approved subject to the conditions in the report of the Borough Solicitor for the reasons below:

- 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 floodlighting is acceptable in this location and would not result in a detrimental impact on the surrounding properties and as such complies with Policies R/DP1, R/CF1, R/ENV10 and R/ENV11 of the Gosport Borough Local Plan Review.

187 K13788/9 - CONVERSION OF PART OF GROUND FLOOR TO SHOP USE (CLASS A1) AND PARTIAL CHANGE OF USE FROM PUBLIC HOUSE (CLASS A4) TO CARE HOME FOR YOUNG ADULTS WITH

LEARNING DIFFICULTIES (CLASS C2) (LISTED BUILDING IN CONSERVATION AREA)
The Royal Arms 37 Stoke Road Gosport Hampshire PO12 1LS

Members acknowledged that this was a good opportunity to bring a derelict building back into use for a purpose that would be beneficial to society. It was recognised as an important building in Stoke Road and the retention of the frontage was welcomed.

RESOLVED: That application K13788/9 – The Royal Arms, 37 Stoke Road, Gosport, be approved subject to the conditions in the report of the Borough Solicitor for the reasons below:

- 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. The shop use will improve the vitality of the centre. The proposal is at an acceptable density and will assist in providing a variety of residential accommodation to meet the housing needs of the Borough within an accessible location. It will ensure the retention of this Listed Building and have no detrimental impact on its historic character or architectural features or its setting. The new boundary treatment will enhance the setting of the Listed Building. The development will enhance the appearance of the Stoke Road Conservation Area. The proposal will not have a detrimental impact on the amenities of neighbouring or prospective occupiers or highway safety. The development will not have an adverse impact on the interests of nature conservation. Adequate provision is made for servicing and cycle and refuse storage. As such the development complies with Policies R/DP1, R/DP3, R/H4, R/BH1, R/BH3, R/BH8, R/S3, R/S6, R/S7, R/T4, R/T11, R/OS8 and R/OS13 of the Gosport Borough Local Plan Review.

188 K13788/10 - LISTED BUILDING APPLICATION - CONVERSION OF PART OF GROUND FLOOR TO SHOP USE (CLASS A1) AND INTERNAL ALTERATIONS TO FACILITATE PARTIAL CHANGE OF USE FROM PUBLIC HOUSE (CLASS A4) TO CARE HOME FOR YOUNG ADULTS WITH LEARNING DIFFICULTIES (CLASS C2) AND PART DEMOLITION OF REAR BOUNDARY WALL (CONSERVATION AREA)

The Royal Arms 37 Stoke Road Gosport Hampshire PO12 1LS

RESOLVED: That listed building application K13788/10 – The Royal Arms, 37 Stoke Road, Gosport, be approved subject to the conditions in the report of the Borough Solicitor for the reasons below:

- 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 the architectural character and appearance of this Listed Building or its setting. As such the development

complies with Policy R/BH3 of the Gosport Borough Local Plan Review.

189 K7898/17 - ERECTION OF REPLACEMENT CONSERVATORY AND 2NO. EXTERNAL ACCESS RAMPS (as amended by plans received 31.03.11)

Northcott House Northcott Close Gosport Hampshire PO12 2PP

Councillor Wright left the room and took no further part in the discussion or voting thereon.

Resolved: That application K7898/17 – Northcott House, Northcott Close. Gosport, be approved subject to the conditions in the report of the Borough Solicitor for the reasons below:

- 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 of an appropriate design and will not have any detrimental impact on the visual amenity of the locality or the amenities of adjoining residents and will provide safer access for all. As such the proposal complies with Policy R/DP1 of the Gosport Borough Local Plan Review.

190 ANY OTHER ITEMS

Members were advised that the outcomes of an appeal to the planning inspectorate had been received.

The appeal at 5 Flower Buildings, Marine Parade East had been allowed.

The Inspector's assessment was that the west facing elevation of the appeal building was a distinctive element in the view when approaching along Marine Parade from that direction. The eastern roof face, had less impact on the street scene, largely because it was seen in the context of more recent extensions and outbuildings.

Given that the proposal would leave the western roof face unbroken, the inspector did not consider that the changes to the south and east faces would harm the building's modified character or would fail to preserve either the character or appearance of the Conservation Area. As such the Inspector did not consider that the proposal conflicted with the objectives of saved policies R/DP1 and R/BH1 of the Gosport Borough Local Plan Review.

Members recognised the importance of upholding the condition ensuring that the flat could only be occupied by the manager or other employee of the existing ground floor amusement arcade.

The meeting commenced at 6.00pm and concluded at 6.56pm.

Regulatory Board
19 April 2011

CHAIRMAN