

**Subject to approval**

**A MEETING OF THE REGULATORY BOARD  
WAS HELD ON 10 APRIL 2012**

The Mayor (Councillor Carter CR) (ex-officio), Chairman of the P & O Board (Councillor Hook) (ex-officio), Councillors Allen (P), Mrs Bailey (P), Beavis (P), Geddes (P), Henshaw, Hylands (P), Langdon (P), Philpott (Chairman) (P), Ronayne (P), Scard (P), Smith (P) and Wright (P).

**94 APOLOGIES**

Apologies for inability to attend the meeting were received from the Mayor and Councillors Henshaw and Hook.

It was reported that, in accordance with Standing Orders, Councillor Mrs Hook had been nominated to replace Councillor Henshaw for this meeting.

**95 DECLARATIONS OF INTEREST**

There were none.

**96 MINUTES**

The minutes of the Board meeting held on 29 March 2012 were circulated to members at the meeting. Members were given time to read the minutes prior to their consideration of them as an accurate record of the meeting.

RESOLVED: That the Minutes of the Regulatory Board meeting held on 29 March 2012 be approved and signed by the Chairman as a true and correct record.

**97 DEPUTATIONS**

Deputations had been received on the following applications:

- K18023 – 166-170 Portsmouth Road, Lee-on-the-Solent
- K17568/1 – 23 Kennedy Crescent, Gosport

**98 PUBLIC QUESTIONS**

No public questions had been received.

**PART II**

**99 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:

**100 K18023 - CHANGE OF USE FROM RETAIL (USE CLASS A1 AND A2) TO 2NO. TWO BEDROOM APARTMENTS (USE CLASS C3) TOGETHER WITH REPLACEMENT OF GLAZING TO FRONT ELEVATION WITH 6NO. WINDOWS AND ASSOCIATED BIN AND CYCLE STORES  
166-170 Portsmouth Road Lee-On-The-Solent Hampshire PO13 9AE**

There were no updates to the report.

Councillor Allen advised that he knew Mr Mair from a long time ago but did not believe that this would affect his judgment.

As there were no updates to the report Mr Mair was invited to present his deputation to the Board. He advised that he wished to speak against the application. He stated that he had lived in the area for 20 years and had an interest in the local community and in a business interest capacity and felt there was a need in this location for local shops. The previous shops (Post Office, Convenience Store and Pet Shop) had only closed due to the retirement of the owners.

The original planning permission in 2006 included shops and he and others had expected a small convenience store or post office to open. He had tried to obtain details of the shops but had been refused details or sight of the inside of the properties by the agents. He had tried to track down the current agents or owners of the properties as it was not obvious who owned them. The site had not been actively marketed for shops and the agents had indicated on the phone and in writing that the shops had already been sold on the basis that they would be turned into flats.

The site appeared unattractive with no facilities, un-plastered walls and evidence of internal damage through water leaks. The entrance to the originally integrated flats had also been bricked up.

He was surprised that there had been no objection from the Local Highway Authority on parking grounds as there was no dedicated parking on any private forecourt at the front. There is only a limited-time parking bay and 8 spaces at the back for the 8 existing flats. Whereas 10 flats would require 10 spaces.

The feeling locally was to have shops on this site evidenced by the significant number of letters and objections raised and he encouraged Board members to refuse this application. He wanted to encourage the owner and agent to have constructive dialogue with a view to putting shops into use for the benefit of the local community.

A councillor advised that he used to live near to the application site and, at one time, the parade of shops, together with the public house opposite, made a positive contribution to the locality and provided an important local facility.

A councillor queried how this proposal compared with a previous, similar

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application at a shop located outside of a Neighbourhood Centre and was advised that as this site was within the Neighbourhood Centre the shopping function was afforded greater protection under the relevant policies.

A councillor questioned if it was known who the current owners were. It was not on record, only the applicant PMC Construction.

A councillor questioned if there were any representatives from the applicant or owner in the chamber. There were not.

**RESOLVED:** That application K18023 - 166-170 Portsmouth Road, Lee-On-The-Solent, be refused for the following reasons:

- i The loss of the retail uses and associated window display and their replacement with the proposed residential use and associated physical works would reduce the services available to the local community, harm the retail function of the Centre and interrupt the continuity of the shopping frontage to the detriment of the vitality and viability of the Portsmouth Road Neighbourhood Centre, contrary to Policies R/S5 and R/S6 of the Gosport Borough Local Plan Review.
- ii The proposal does not make adequate provision for outdoor playing space or transport infrastructure improvements, or the payment of commuted sums in lieu of such provision, contrary to Policies R/OS8, R/DP3 and R/T4 of the Gosport Borough Local Plan Review.

**101            K16713/13 - USE OF PREMISES AS A GYMNASIUM AND OFFICES  
(USE CLASSES D2 AND B1) (LISTED BUILDING IN A  
CONSERVATION AREA) (as amended by plan received 10.01.12)  
Unit 6A Block F1 Royal Clarence Yard Weevil Lane Gosport  
Hampshire**

There were no updates to the report.

A councillor questioned that if this facility is only available to Clarence Yard residents how would it be made commercially viable; would a move be made to accept clients from outside as he felt there was a need to put in changing rooms and other facilities for the gym. Members were advised that proposed condition 4 restricted the facility to residents only. Environmental Health had been consulted and they were satisfied with the provision of no changing rooms as the gym was for residents only. Members were advised that if the applicant wished to open the gym to members of the public, it would be necessary to apply to vary the planning condition and through consultations with the Council's Environmental Health department, the Local Planning Authority would assess whether there was a requirement to provide changing facilities.

A councillor asked if there were employment opportunities aligned to this application. Members were advised that the applicant had not indicated if additional jobs would be provided. It was acknowledged that resident's service charges were not a matter

for the Board.

A councillor asked what constituted a resident of Royal Clarence Yard. Members were advised that it was any person(s) who resided within the blue line, as shown on the submitted plans.

RESOLVED: That application K16713/13 – Unit 6A, Block F1, Royal Clarence Yard, Weevil Lane, Gosport, be approved subject to the conditions set out in the report of the Borough Solicitor, 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 land use terms. The proposal will help to contribute to the vitality and viability of the waterfront and will assist in the on-going regeneration of the Royal Clarence Yard re-development site. The development does not harm the historic or architectural character of the adjacent Listed Buildings, or their setting, and preserves the character and appearance of the Royal Clarence Yard Conservation Area. It does not harm the amenity, access, or servicing arrangements of adjacent occupiers, will not increase traffic congestion in the locality and will not harm the interests of highway and pedestrian safety or nature conservation. The development will not increase the risk of flooding to people of property. Adequate facilities are available for car and bicycle parking and refuse storage. It, therefore, complies with the National Planning Policy Framework and Policies R/DP1, R/DP3, R/BH1, R/BH3, R/S1, R/S8, R/CF8, R/ENV10, R/OS11, R/OS12, R/OS13, R/T4 and R/T11 of the Gosport Borough Local Plan Review.

**102                    K17568/1 - RETENTION OF AND FURTHER WORKS FOR THE  
ERECTION OF SINGLE STOREY FRONT AND SIDE EXTENSION  
AND TWO STOREY SIDE EXTENSION TO INCLUDE INTEGRAL  
GARAGE  
23 Kennedy Crescent Gosport Hampshire PO12 2NL**

Members were advised that Mr Bartlett had indicated that he may attend to present a deputation although it had been later learned that he may not attend. Mr Bartlett was not in attendance at the meeting.

The applicant's agent had indicated that he did not wish to attend the meeting.

The Planning Officer accordingly updated the meeting regarding the reference to east and west within the first paragraph of the officer report.

A councillor noted that there were no letters of objection to this application although the Planning Officer did advise that there was one letter of observation. Members felt this to be an acceptable application at this location and supported the officer's recommendation.

RESOLVED: That application K17568/1 – 23 Kennedy Crescent, Gosport, be

approved subject to the conditions set out in the report of the Borough Solicitor, 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 is of an appropriate design and will not have a harmful impact on the street scene, the amenities of adjoining residents or highway safety. As such the proposal complies with Policies R/DP1 and R/T11 of the Gosport Borough Local Plan Review.

### **103 ANY OTHER ITEMS**

The Chairman advised that as this was the last meeting of the Board in this Municipal Year he would like to thank the Planning Officers on behalf of the Board for their hard work throughout the year. It had been a difficult year with complex applications and he was grateful to the Planning Officers for the quality of their reports and presentations, which had been of the usual high standard.

The Chairman also thanked the Borough Solicitor and Democratic Services Officer for their hard work during this last year. In conclusion he thanked the members of the Board for their contributions and the quality of the debate which had been noted by him as Chairman and also by those members of the public who had attended meetings.

The meeting commenced at 6.00pm and concluded at 6.40pm.

CHAIRMAN