

**A MEETING OF THE REGULATORY BOARD
WAS HELD ON 25 SEPTEMBER 2012**

The Mayor (Councillor Dickson) (ex-officio), Chairman of the P & O Board (Councillor Hook) (P); Councillors Ms Ballard (P), Beavis, Carter CR (P), Ms Diffey (P), Farr (P), Gill (P), Henshaw (P), Mrs Hook (P), Jessop (P), Langdon (P), Ronayne (P) and Wright (P).

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

24 APOLOGIES

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

25 DECLARATIONS OF INTEREST

- Councillor Gill advised that he was on the Governing body of St Vincent College and that he would remain in the room, but take no part in discussion or voting on the application.

26 MINUTES

RESOLVED: That the Minutes of the Regulatory Board meeting held on 10 July 2012 be approved and signed by the Chairman as a true and correct record.

27 DEPUTATIONS

Deputations had been received on the following applications:

- Tree Preservation Order G.123 – St Vincent College
- K18091 – 9 The Haven, Gosport

28 PUBLIC QUESTIONS

No public questions had been received.

PART II

29 TREE PRESERVATION ORDER G.123 – THREE HORSE CHESNUT TREES WITHIN THE GROUNDS OF ST VINCENT COLLEGE GOSPORT

Councillor Gill advised that he was on the Governing body of St Vincent College, remained in the room, but took no part in the voting.

Consideration was given to a report of the Borough Solicitor and the Deputy Chief Executive requesting that the Board consider whether to confirm, confirm with modifications, or not confirm Tree Preservation Order G.123 as modified where objection has been received.

Mr Jenkinson was invited to address the Board. He advised that the trees were located to the North of the site, between the buildings of sports complex and that the college were planning the redevelopment and improvement of that part of the site.

The college recognised that three trees had been removed from the TPO as they were diseased and felt that the TPO should not be confirmed in respect of the three remaining trees as they had outgrown their location and were confined between the buildings.

Mr Jenkinson advised the Board that the redevelopments planned for the College would upgrade the sports centre and the surrounding areas and that the trees made the area dark and unsafe. The trees were 50-60 years old and were now causing significant damage to the drainage pipes.

The Board were advised that St Vincent College had been awarded significant funding and grants for the improvements and that they wished to create a seating area with smaller, replacement trees that would be easier to maintain and more aesthetically pleasing.

The existing trees were imposing and pollarding them was no longer an option due to their age.

The process of application to remove trees subject to Tree Preservation Orders was clarified for the Board and Mr Jenkinson. Mr Jenkinson advised the Board that a number of the grants awarded had to be used within a certain timescale and that the college were keen to move forward with the work.

Members welcomed the improvements that were being undertaken by the college and accepted that the confirmation of the Tree Preservation Order would delay work. The proposal for replacement trees was welcomed.

It was stated that should the Tree Preservation Order be confirmed, a subsequent application would need to be made for consideration to be given to removing the trees. In answer to a Member's question, the Board were advised that this could take up to 5 weeks to be processed. Mr Jenkinson advised the Board that the planned timescale for completion of the work was 3-4 months.

Members acknowledged the intention of the college to replace the trees and recognised that the confirmation of the Tree Preservation Order would delay such work. The Board recognised that the removal of the trees was necessary in order to progress the development proposed by the college in the timescale the funding was available.

RESOLVED: That Tree Preservation Order G.123 not be confirmed.

29 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:

**30 K18091 - DEMOLITION OF GARAGE AND ERECTION OF PART SINGLE AND PART TWO STOREY SIDE/REAR EXTENSION (as amended by plans received 02.07.12 and 11.07.12 and amplified by letter received 26.07.12)
9 The Haven Gosport Hampshire PO12 2BD**

The Board were advised that following the publication of the agenda an additional letter of support had been received stating that the proposed extension was not double the existing footprint and was in keeping with the surrounding area.

Rose Smith was invited to address the Board. She advised that she was representing 17 local residents and distributed photographs to Members and the applicant.

Mrs Smith advised the Board that the residents were relieved that the proposal had been reduced in size following the original application but that the amended plans still gave cause for concern as they were approaching double the existing footprint. In addition, the Board were advised that the amended plans did not take into consideration the impact the proposal would have on light and outlook of neighbours and that a neighbouring property would look out onto a solid brick wall.

Concern was expressed that as the construction was not being undertaken by a professional building company the work would be prolonged leading to extensive obstructions and parking issues from the delivery and removal of goods. In addition, the traffic, noise and dust would have considerable impact on neighbours.

The Board was advised that the properties were 1930's Northcott style character properties.

It was accepted that the pitched roof to the proposal would help to minimise the mass but that as a whole the proposal was an overdevelopment and out of character.

The Board was advised that 6 of the houses in the road had not been approached by the applicant and that the houses that had been approached did not support the proposal.

Mrs Smith concluded by advising the Board that the residents understood the need for the applicants to extend their property, but felt that a rear extension would be more appropriate.

In answer to a Member's question, the Board were advised that whilst the time for

commencement of an approved development was controlled by condition the possible length of construction time for a proposal was not a material planning consideration.

Alison Mansfield was invited to address the Board. She advised that she was representing Mr and Mrs Mansfield, the applicants, as they were unable to attend due to a pre-booked holiday.

The Board was advised that the property held sentimental value to Mrs Mansfield as it belonged to her great-aunt and that they had purchased it in the hope that they could restore and improve the property.

The property currently comprised 2 bedrooms and a downstairs bathroom and therefore an extension was necessary.

Mrs Mansfield advised the Board that the applicants had responded to objectors with a letter of amplification and that it was often difficult to relate plans on paper to a finished development. The Board was advised that the proposal would be 0.9 metres from the adjoining property, but that the adjoining property also had an extension.

Mrs Mansfield advised that the fears about the loss of light to adjoining property were unfounded and that the side extension would be set back, would not be obvious in the street scene and that views from neighbouring properties would not be compromised.

Mrs Mansfield reinforced that the work would be carried out by the applicant, that there would not be contractors and that the works would be carried out at reasonable time with consideration given to neighbours.

Mrs Mansfield advised the Board that she felt the concerns surrounding the application had been blown out of proportion and that the applicant had tried to address the fears of neighbours. The Board was advised that the applicants liked residing in The Haven and the style of the property; they had already significantly improved the garden and were now looking to make pleasant improvements to the property.

Mrs Mansfield concluded by advising the Board that the proposals were not a grand design, as suggested, but extensions to make a family home.

Councillor Forder, ward Councillor for Anglesey was invited to address the Board. He advised that he was aware of the concern the application had generated in the neighbourhood. He advised the Board that he had sympathy for the objectors and did not generally support the increase in infill development and extensions.

He advised he had two concerns; firstly that The Haven is a 1930's cul de sac and that the properties were neither large, nor small but that some of the gardens were very small. He stated that some of the properties had views over the creek and Gosport Park and accepted that some of the properties also had existing one and two storey extensions. His concern with the proposal was that it would increase the size of the property by 85 %. While this was not double the size of the existing

property, it was very large and would therefore have an impact on the character and visual amenity of the surrounding area.

His second concern was the impact the proposal would have on the residents at number 10 The Haven. He feared that the extension would have a major impact on the neighbouring property at number 10 The Haven and was concerned at how far the proposal would extend along the fence line. He was concerned that the owners of number 10 The Haven would suffer a major incursion to the view and light they had enjoyed to the rear of their property for a number of years.

Councillor Forder advised that the paper documents did not provide clear insight into impacts the proposal may have on neighbouring properties and requested that Members of the Board consider a site visit before making a decision.

A Member sought clarification from Councillor Forder that it was an extension to an existing property on the site that was being proposed and that it was not an infill development and that the condition of the existing property was poor. Councillor Forder confirmed that there was an existing property on the site and that although he was not aware of the history of the property, it could benefit from improvement.

It was also clarified that the photograph provided by the objector was representative of the proposed 0.9 metre distance.

It was proposed and agreed that the item be deferred to allow Members of the Regulatory Board to make a site visit.

RESOLVED: That application K18091 – 9 The Haven be deferred for a site visit.

**31 K18099- ERECTION OF SINGLE AND TWO STOREY REAR EXTENSIONS
(as amended by plans received 23.07.12 and 7.09.12)
26 Highcliffe Road Gosport Hampshire PO12 3RD**

The Board were advised that since the publication of the agenda an additional letter of representation had been received reiterating concerns previously highlighted.

In addition, the publicity period on the application was still running therefore the recommendation was amended to be subject to the conditions in the report of the Borough Solicitor and Deputy Chief Executive and the expiration of the publicity period.

A Member sought clarification as to the implications of the Party Wall Act to the planning application. It was confirmed that it was not a material planning consideration and its requirements were separate to any grant of planning permission. The applicants would need to make separate arrangements to address this.

RESOLVED: That application K18099 – 26 Highcliffe Road, Gosport, be approved subject to the expiry of the publicity period and that authority be delegated to the Head of Development Control to determine the application at the end of this period and also 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 acceptable in design terms and will not have a harmful impact on the visual amenity of the area or the occupiers of the neighbouring properties and, as such, complies with Policy R/DP1 of the Gosport Borough Local Plan Review.

The meeting commenced at 6.00pm and concluded at 6.42pm.

CHAIRMAN