

**A MEETING OF THE REGULATORY BOARD
WAS HELD ON 10th DECEMBER 2013**

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

It was reported that in accordance with Standing Order 2.3.4, Councillor Hook would be replacing Councillor Hazel from the Regulatory Board with immediate effect.

It was reported that in accordance with Standing Order 2.3.6, Councillor Hylands had been nominated to replace Councillor Mrs Ballard for this meeting.

52 APOLOGIES

Apologies for inability to attend the meeting were received from The Mayor, Councillor Mrs Ballard and Councillor Hazel.

53 DECLARATIONS OF INTEREST

There were none.

54 MINUTES

RESOLVED: That the Minutes of the Regulatory Board meeting held on 4th November 2013 be approved and signed by the Chairman as a true and correct record.

The Borough Solicitor and Deputy Chief Executive advised the Board that in respect of planning application 13/00406/FULL – Site of Former Recreation Centre, Davenport Close (Minute No. 48) since the November meeting the applicant had advised that they were not able to enter into a planning obligation to secure more than 40 % affordable housing on site as set out in the report to the November Board which also waived the requirement for financial contribution towards Open Space based on a significantly higher provision of affordable housing. As the funding for the scheme required the Section 106 agreement to be completed urgently the Chief Executive had used his delegated authority to vary the terms of the Section 106 agreement to secure the provision of 40 % affordable housing on site and a financial contribution to Open Space with a proviso that if the affordable housing provided did reach the level set out in the report to November Board the Open Space payment would be repaid by the Council.

55 DEPUTATIONS

Deputations had been received on the following applications:

- Item 1 - 13/00229/FULL – Pooles Peugeot, Camp Road, Gosport
- Item 2 13/00411/OUT – 154 Fareham Road, Gosport

56 PUBLIC QUESTIONS

No public questions had been received.

PART II

57 REPORT OF THE BOROUGH SOLICITOR

The Borough Solicitor submitted a report on applications received for planning consent setting out the recommendation in each case.

RESOLVED: That the decisions be taken on each application for planning consent as detailed below:

**58 13/00231/FULL – DEMOLITION OF EXISTING CAR SALES GARAGE AND ERECTION OF 6 NO. TWO BEDROOM HOUSES, 6 NO. THREE BEDROOM HOUSES AND BLOCK OF 2 NO. ONE BEDROOM FLATS AND 3 NO. TWO BEDROOM FLATS WITH ASSOCIATED ACCESS, CAR PARKING, CYCLE AND REFUSE STORES (AS AMENDED BY PLANS RECEIVED 17.09.13 AND 01.10.13 AND AMPLIFIED BY INFORMATION RECEIVED 27.09.13, 01.10.13 AND 08.11.13)
 POOLES PEUGEOT CAMP ROAD, GOSPORT, HAMPSHIRE**

Consideration was given to the report of the Borough Solicitor and Deputy Chief Executive requesting that consideration be given to planning application 13/00231/FULL.

The Board were advised that since the publication of the report, Natural England had issued a notification that they had been advised that there may be protected species on the application site. As a result of the notification, further consultation had been undertaken with HCC Ecology who advised that they remain content that protected species have been properly considered in the information supporting the application and they do not raise any concern.

Mrs Lacey was invited to address Board whereby she advised that she lived at 9 Tarius Close which was an adjoining property to the application site. Mrs Lacey advised Members that the reason for the late deputation was due to an incorrect telephone number being printed on the notification letter that she had received.

Mrs Lacey confirmed that residents of the surrounding area were not opposed to the application in principle but felt that the proposed housing would be too large and overbearing for the area and that neighbouring properties would experience loss of privacy, overshadowing and increased noise disturbances. Concerns were also raised regarding the close proximity of the refuse store and bike shed to the nearby petrol station.

Mr Mike Willenbruch, from PDP Architecture agent for First Wessex was invited to address the Board whereby he advised Members that the proposed scheme had evolved in the last 18 months and that consultation with the planning department and the redesigning of plots 13-17 had taken place to address concerns raised by residents.

The site had been left empty for over 3 years and that the proposed redevelopment would see soft landscaping, planted flower beds, lawns and ornamental trees. Mr Willenbruch further added that the site was not a wildlife oasis and that badgers do not live on the site.

With regards to the proximity of the petrol station located nearby, Members were advised that the proposed development was 2 metres from the boundary of the garage.

Addressing the concerns regarding crime prevention, Members were advised that the bin and bike storage would be within a secure area with locked gates. It was confirmed that boundary treatment would be used to act as a deterrent for potential antisocial behaviour.

Further to a question by a Member in relation to a disabled bay, it was confirmed that consultation with HCC regarding the relocation was taking place and that this would be convenient to the user in line with Local Highway Authority requirements.

RESOLVED: That application 13/00231/FULL – Pooles Peugeot, Camp Road be approved subject to Section 106 agreement relating to the provision of 40% affordable housing; the payment of a commuted sum towards the provision and/or improvement of outdoor playing space and the impact of recreational disturbance and subject to the conditions in the report of the Borough Solicitor and Deputy Chief Executive.

59

**13/00411/OUT – OUTLINE APPLICATION – ERECTION OF DRIVE-THROUGH RESTAURANT (CLASS A3/A5) AND DRIVE-THROUGH COFFEE SHOP (CLASS A3/A5) WITH ASSOCIATED ACCESS AND CAR PARKING (AS AMPLIFIED BY EMAIL RECEIVED 27.09.13. LETTER AND TECHNICAL NOTE RECEIVED 5.11.13 AND SUPPORTING DOCUMENTATION RECEIVED 7.11.13)
154 FAREHAM ROAD, GOSPORT, HAMPSHIRE**

Consideration was given to the report of the Borough Solicitor and Deputy Chief Executive requesting that consideration be given to planning application 13/00411/OUT.

Members were advised with reference to condition 8 of the Officer Report, which required the developer to submit details of the provisions made to enhance the biodiversity interests of the site, the applicant has proposed that 3 no. bird boxes will be provided on the site.

It was further advised that the provision of 3 no. bird boxes would enhance the biodiversity interests of the site. The proposed provision is proportionate to the scale of the development proposed and accords with the aims and objectives of the National Planning Policy Framework. In order to control the design and the siting of the bird boxes and their provision and retention it is, therefore, proposed to amend the wording of the condition 8 to read:

- Before development begins plans and particulars showing the detailed proposals for all of the following aspects of the development shall be submitted to and approved, in writing by the Local Planning Authority:
 - a) finished levels in relation to existing levels;
 - b) the provision to be made for the renewable energy sources (if any) including a timetable for that provision;
 - c) the design and siting of the 3 no. proposed bird boxes
 - d) the development shall be carried out in accordance with the approved details and timetable for provision and retention

Mr Graham Lloyd was invited to address the Board whereby he advised that he was a nearby resident to the site of 154 Fareham Road. Mr Lloyd advised that his main concern was the increased traffic that the development may cause on Lederle Lane, the queues of traffic turning right on to Lederle Lane and traffic wanting to travel north on the A32.

Mr Lloyd further advised that the development if granted would, result in noise pollution, anti-social behaviour and potential increase in crime rate to the area.

Mr Neil Holmes was invited to address the Board whereby he advised he was representing the applicant Oceanic Estates. Members were advised that the proposed plans would generate an additional 50 employment opportunities and enhance the area.

Further to concerns raised in relation to the potential congestion of the A32, it was confirmed that traffic assessments had been undertaken over a 3 day period to determine trips generated and it was advised that recordings had shown that the potential traffic generated would be below that generated by the former Cyanamid Offices.

It was advised that the Scoot System in place gave priority to the A32 traffic at all times and that there would be no change of sequence to the lights however this would be constantly reviewed to meet specific demands.

It was confirmed that access to the site was proposed via Lederle Lane and Barwell Lane, however, it was noted that Barwell Lane operated as a one way system. Members were further advised that Barwell and Lederle Lane were private roads and that the applicant would need to secure the right to use these roads. .

Members were advised that the site is located beyond a row of trees which are formally protected by a Tree Preservation Order. It was confirmed that no trees were proposed to be removed and that suitable tree protection would be in place during construction of the site.

Concern was also expressed about possible disturbance to the occupiers of nearby residential properties.

A proposal for a site visit was made to assess the impacts of the application. The proposal was subsequently lost.

RESOLVED: That application 13/00411/OUT –154 Fareham Road be approved subject to the to the conditions in the report of the Borough Solicitor and Deputy Chief Executive and the amendment of Condition 8 of the report to read:

- Before development begins plans and particulars showing the detailed proposals for all of the following aspects of the development shall be submitted to and approved, in writing by the Local Planning Authority:
 - a) finished levels in relation to existing levels;
 - b) the provision to be made for the renewable energy sources (if any) including a timetable for that provision;
 - c) the design and siting of the 3 no. proposed bird boxes
 - d) the development shall be carried out in accordance with the approved details and timetable for provision and retention

**60 13/00311/FULL – DEMOLITION OF EXISTING HALL AND ERECTION OF 3 NO. TWO BEDROOM BUNGALOWS AND 6 NO. THREE BEDROOM, CHALET BUNGALOWS WITH ASSOCIATED ACCESS, CAR PARKING AND AMENITY SPACE (AS AMENDED BY PLANS, DESIGN AND ACCESS STATEMENT AND PHASE 2 ECOLOGICAL SURVERY RECEIVED 4.10.13)
MIDDLECROFT GOSPEL HALL, MIDDLECROFT LANE, GOSPORT**

Consideration was given to the report of the Borough Solicitor and Deputy Chief Executive requesting that consideration be given to planning application 13/00311/FULL.

Members were advised that there were no updates.

Further to a question from a Member, it was confirmed that although a number of conditions were imposed on the application, this was normal practice and to secure further details of elements of the scheme at various stages of the development.

It was noted that the amended application had addressed previous concerns from neighbouring properties and that it was now considered appropriate in design terms and will enhance the area.

RESOLVED: That application 13/00311/FULL –Middlecroft Gospel Hall, Middlecroft Lane, be approved subject to Section 106 agreement relation to the payment of a commuted sum towards the provision and/or improvement of outdoor playing space and the impact of recreational disturbance; the payment of a commuted sum towards transport infrastructure, services and facilities and subject to the conditions in the report of the Borough Solicitor and Deputy Chief Executive.

**61 13/00207/FULL – RETENTION OF USE OF LAND AND BUILDING AS ENTERPRISE ACADEMY TOGETHER WITH ENTRANCE FROM MILITARY ROAD, ASSOCIATED PARKING AND FENCING
BAY HOUSE ENTERPRISE ACADEMY, MILITARY ROAD, GOSPORT**

Consideration was given to the report of the Borough Solicitor and Deputy Chief Executive requesting that consideration be given to planning application 13/00207/FULL.

Members were advised that there were no updates.

RESOLVED: That application 13/00207/FULL – Bay House Enterprise Academy, Military Road, be approved subject to the conditions in the report of the Borough Solicitor and the Deputy Chief Executive.

**62 13/00298/FULL – CHANGE OF USE OF LAND FOR SITING OF AND
EXTENSION TO BUILDING TO ACCOMMODATE EDUCATIONAL
FACILITY AND ASSOCIATED ACCESS, PARKING, BOUNDARY
TREATMENT AND LANDSCAPING (AS AMPLIFIED BY INFORMATION
RECEIVED 30.08.13)
BAY HOUSE ENTERPRISE ACADEMY, MILITARY ROAD, GOSPORT**

Consideration was given to the report of the Borough Solicitor and Deputy Chief Executive requesting that consideration be given to planning application 13/00298/FULL

Members were advised that there were no updates.

It was noted that the proposed facility was sited on the south side of the playing field and was approximately 160 Metres away from any residential property.

RESOLVED: That application 13/00298/FULL – Bay House Enterprise Academy, Military Road, be approved subject to the conditions in the report of the Borough Solicitor and the Deputy Chief Executive.

63 ANY OTHER BUSINESS

There was no other business

The meeting concluded at: 7.30

CHAIRMAN