

**A MEETING OF THE REGULATORY BOARD
WAS HELD ON 9 SEPTEMBER 2014 AT 6PM**
Subject to approval

Chairman of the P & O Board (Councillor Hook)(P), Councillors Allen (P), Bateman (P), Carter, Dickson, Ms Diffey (P), Farr (P), Hicks (P), Hazel, Mrs Hook (P), Jessop, Langdon (P), and Wright (P).

It was reported that in accordance with Standing Order 2.3.6, Councillors Hook, Mrs Forder, Ronayne and Scard had been nominated to replace Councillors Carter, Jessop, Dickson and Hazel for this meeting.

39. APOLOGIES

Apologies for inability to attend the meeting were submitted on behalf of the Mayor, Councillors Carter, Dickson, Hazel, and Jessop.

40. DECLARATIONS OF INTEREST

There were no declarations of interest.

41. MINUTES

RESOLVED: That the Minutes of the Regulatory Board meeting held on 5 August 2014, be approved and signed by the Chairman as a true and correct record.

42. DEPUTATIONS

Deputations had been received on the following applications:

- Item 1 - 14/00305/FULL – Royal Sailors Rest Grange Lane, Gosport

43. PUBLIC QUESTIONS

No public questions had been received.

PART II

**44. 14/00305/FULL – ERECTION OF 6 NO. THREE BEDROOM HOUSES
AND 7 NO. TWO BEDROOM HOUSES WITH ASSOCIATED ACCESS,
CAR PARKING AND LANDSCAPING (ADJACENT TO CONSERVATION
AREA)
ROYAL SAILORS REST, GRANGE LANE, GOSPORT**

Consideration was given to the report of the Borough Solicitor and the Deputy Chief Executive requesting that consideration be given to planning application 14/00305/FULL.

Officers updated the Board advising that further to the publication of the report, the applicant had submitted additional information to support their application.

The applicant had commented that the objection received from the local community group was not relevant as membership of the Crossley Community Centre provided a viable alternative community facility.

The applicant had also stated that the community group objecting to the current application were the last tenants of the Royal Sailors Rest, before its closure in November 2010, and that the tenancy was terminated at the community group's request. The building had remained vacant since that time.

The applicant stated that the representation from the community group indicated that only part of the site was required for community use.

It was noted the applicant had acquired the site through word of mouth and not a result of a successful marketing campaign.

The applicant had also submitted details of an alternative proposal for the site, including a doctor's surgery.

Officers advised that the issues relating to the availability of the Crossley Community Centre had been addressed within the report. The termination of the previous lease was not an indication of current need, and notwithstanding that the community group objecting to the current application had suggested that part of the development should provide a community hub, the current proposal did not make any provision.

The alternative proposal for the site, including a doctor's surgery, is a materially different proposal to the current application and would need to be considered as a separate application for planning permission. Officers had advised that they would be pleased to discuss an alternative proposal for the site which incorporated a doctor's surgery or any other community facility, with the applicant.

Officers advised that reason for refusal no. 1 had not been overcome and remained unchanged.

In respect of reason for refusal 2; the applicant had submitted an addendum to the Arboricultural Survey which sought to overcome that reason. The addendum stated that it was practical and economically possible to construct the proposal without harming trees and tree protection was proposed in accordance with British Standards. In addition, the applicant had submitted information from their Arboricultural consultant advising that they were of the opinion that, taking into account the specific characteristics of the Oak tree, with the use of a particular construction type and method, there would be no harm to the tree.

In response to the additional information, further consultation with the Council's Tree and Landscape Officer had been carried out. Officers had considered the Addendum and additional information, however, remained of the view that the assessment within the report was correct and reason for refusal no. 2 had not been overcome.

Officers concluded by updating the Board that a Unilateral Undertaking had been submitted seeking to address reasons for refusal nos. 3, 4 and 5; however, it was not sufficient to secure the measures required by those reasons and reasons for refusal nos. 3, 4 and 5 had not been overcome and were unchanged.

Mrs Pratt was invited to address the Board whereby she advised Members that she was the Operations Director for Aggie Weston's who helped serving sailors, marines and their families within the community.

Mrs Pratt felt that the proposed application did not provide adequate local community facilities and advised Members that St Mary's Church in Rowner was currently at full capacity highlighting a growing need for additional community group space.

Members were further advised by Mrs Pratt that the Royal Navy Crossley Community Centre was a member's only club which subsequently did not provide facilities for the whole of the local community.

Mr Robert Tutton was then invited to address the Board whereby he advised members that he was speaking on behalf of the applicants, Driftstone Developments Ltd.

Mr Tutton advised Members that the application site was currently vacant and that the application had drawn no opposition from local residents.

Mr Tutton outlined the proposal and reiterated the additional information that had been provided to Planning Officers.

Members were further advised by Mr Tutton that the trees to the north of the site were subject to Tree Preservation Orders and that no objection had been raised by the Applicant who were aware of the need to seek consent to carry out any works to the trees.

Further to a Members question, it was clarified that no formal application had been received from any community groups to use or develop the site.

In relation to a question concerning any contamination on the site, it was confirmed that planning conditions would be used to secure further investigations to establish the nature and extent of any contamination and require any necessary mitigation..

Following discussions, Members recognised the importance in protecting community facilities within the local area and felt that the current proposal did not fulfil the requirements of the Local Planning Policy. It was further felt that collaboration with Aggie Weston's to incorporate and deliver a scheme which included community space for local residents should be investigated.

RESOLVED: That application 14/00305/FULL – Royal Sailors Rest, Grange Lane, Gosport, be refused for the following reason(s):-

1. It has not been demonstrated that the site is no longer required to provide a community facility in the area to the detriment of the strategic aim to improve the quality of life of residents in the Borough and the delivery of a sustainable community with a reduced need to travel and the proposal is, therefore, unacceptable in principle and contrary to Policy R/CF2 of the Gosport Borough Local Plan Review, Policies LP3 and LP32 of the Gosport Borough Local Plan 2011 - 2029 (publication version 2014) and paragraph 156 of the NPPF.

2. The compaction of ground within the Root Protection Area of the Oak tree the subject of TPO G.134, combined with the proposed arrangement of the parking space and position of the dwelling on plot 1, would cause harm to the health to the tree and be likely to lead to its demise to the detriment of the character and appearance of the local environment and landscape and outward views from the Rowner Conservation Area contrary to Policy R/DP1 of the Gosport Borough Local Plan Review.

3. Adequate provision has not been made for outdoor playing space, nor the payment of a

commuted sum in lieu of the provision, contrary to the National Planning Policy Framework and Policy R/OS8 of the Gosport Borough Local Plan Review.

4. Adequate provision has not been made for Transport Infrastructure, Services and Facilities, nor the payment of a commuted sum in lieu of the provision, contrary to the National Planning Policy Framework and Policies R/T4 and R/DP3 of the Gosport Borough Local Plan Review.

5. Adequate provision has not been made for mitigation against the harmful impacts of recreational disturbance in the Portsmouth Harbour and Solent and Southampton Water SSSI/SPA/Ramsar sites detrimental to the protected and other species for which these areas are designated and contrary to the National Planning Policy Framework and Policies R/OS12 and R/OS13 of the Gosport Borough Local Plan Review.

45. ANY OTHER BUSINESS

There was no other business

The meeting concluded at 6.25pm