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

78. APOLOGIES

Apologies for inability to attend the meeting were submitted on behalf of the Mayor and Councillor Hook.

79. DECLARATIONS OF INTEREST

- Councillor Carter declared a disclosable pecuniary interest in respect of item 6 of the agenda.

80. MINUTES

RESOLVED: That the Minutes of the Regulatory Board meeting held on 13 January 2015, be approved and signed by the Chairman as a true and correct record.

81. DEPUTATIONS

Deputations had been received on the following item:

- Item 3 of the grey pages– 14/00085/FULL – Land Adjacent to 114 Eastbourne Avenue, Gosport, PO12 4NY
- Item 4 of the grey pages – 14/00423/FULL – 149 Forton Road Gosport

82. PUBLIC QUESTIONS

No public questions had been received.

83. PLANNING APPLICATION 15/00009/FULL - CONSTRUCTION OF SECTION OF EAST-WEST ROAD TO INCLUDE PEDESTRIAN AND CYCLE PATHWAYS LAND AT DAEDALUS WATERFRONT, LEE-ON-THE-SOLENT, HAMPSHIRE, PO13 9YA (AS AMENDED BY PLANS RECEIVED 11.02.15); AND NEIGHBOURING AUTHORITY CONSULTATION: P/15/0014/FP- CONSTRUCTION OF A SIGNALISED JUNCTION AND FORMATION OF A NEW ACCESS ONTO STUBBINGTON ROAD, NEW ACCESS ARRANGEMENTS TO ROSS HOUSE AND ALL ASSOCIATED WORKS LAND AT STUBBINGTON LANE, DAEDALUS WATERFRONT, STUBBINGTON LANE, FAREHAM, HAMPSHIRE, PO13 9YA

Councillor Carter declared a disclosable pecuniary interest in respect of this item; he left the meeting room and took no part in the discussion or the voting thereon.

Consideration was given to a report of the Borough Solicitor and the Deputy Chief Executive advising members on concurrent planning applications that had been submitted to Gosport

Borough Council (GBC) and Fareham Borough Council (FBC) for the construction of a section of road across the Daedalus Enterprise Zone that would result in the connection of Broom Way and Stubbington Lane.

It was reported that the purpose of the report was to consider, firstly, whether to grant planning permission for the works within Gosport Borough (15/00009/FULL) and, secondly how to respond to, the neighbouring authority consultation (P/15/0014/FP) received from FBC regarding the proposed junction at Stubbington Lane.

Members were advised that since the publication of the report a further letter of objection had been received. The additional issues raised related to the harmful impact of the proposal to the seafront and minor roads due to increased traffic generation. It was reported that the issues raised were addressed in the Planning Officer's report.

Members were further advised that consultation responses from Hampshire County Council Ecology and Natural England has been received. Both responses raised no objection.

Members were advised that an additional condition was proposed to ensure that the recommendations included in the submitted ecological statement were implemented.

The additional condition proposed is as follows:

The development, hereby permitted, must be undertaken in accordance with the recommendations of the submitted Ecology Statement (Ref 11575 received 7 January 2015.)
It was advised there was an amendment to the recommendation at Paragraph 2.1 of the report as set out in the written update. The recommendation remained to grant permission.

In conclusion Members were advised that the recommendation at Paragraph 2.2 remained unchanged.

RESOLVED: That authority be delegated to the Head of Development Control to grant permission for application reference 15/00009/FULL including the additional condition as detailed above subject to the planning conditions set out in Appendix A and written confirmation that Fareham Borough Council have resolved to grant planning permission for the proposed junction at Stubbington Lane (FBC application no. P/15/0014/FP; and agree that the response at Paragraph 4.4 be sent to Fareham Borough Council in response to the neighbouring Authority consultation regarding the proposed junction at Stubbington Lane (FBC application no. P/15/0014/FP.

PART II

84. REPORT OF THE BOROUGH SOLICITOR & DEPUTY CHIEF EXECUTIVE

The Borough Solicitor & Deputy Chief Executive submitted a report on applications received for planning consent setting out the recommendation.

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

85. 14/00619/FULL – ERECTION OF SINGLE STOREY DAY NURSERY BUILDING AND ERECTION OF ACOUSTIC FENCE (as amplified by plan received 30.01.15 and emails received 02.02.15, 06/02.15 and 11.02.15) LEESLAND C OF E CONTROLLED JUNIOR SCHOOL, GOSPORT

It was reported that this item had been withdrawn from the agenda.

86. 14/00550/FULL – DEMOLITION OF EXISTING BUILDING AND ERECTION OF A FOUR STOREY BUILDING TO PROVIDE 7 NO. ONE BEDROOM FLATS AND 1 NO. THREE BEDROOM FLAT, WITH ASSOCIATED ACCESS, CAR PARKING, REFUSE AND CYCLE STORAGE LAND TO THE NORTH OF HARBOUR ROAD, MUMBY ROAD, GOSPORT, PO12 1AQ

Consideration was given to the report of the Borough Solicitor and the Deputy Chief Executive requesting that consideration be given to planning application 14/00550/FULL.

Members were advised that there were no updates.

RESOLVED: That planning application 14/00550/FULL – Land to the North of Harbour Road, Mumby Road, be approved subject to the payment of a commuted sum towards outdoor playing space; the payment of a commuted sum towards measures to mitigate the impact on increased recreational activity on Special Protection Areas; the payment of a commuted sum towards educational facilities; the provision of affordable housing at the site or the payment of a commuted sum in lieu of that provision, subject to viability; the payment of a commuted sum towards the funding of a Traffic Regulation Order and subject to the conditions of the report of the Borough Solicitor and Deputy Chief Executive.

87. 14/00085/FULL – ERECTION OF 1 NO. THREE BEDROOMED DWELLING (as amended by plan received 30.09.14) LAND ADJACENT TO 114 EASTBOURNE AVENUE GOSPORT HAMPSHIRE PO12 4NY

Consideration was given to the report of the Borough Solicitor and the Deputy Chief Executive requesting that consideration be given to planning application 14/00085/FULL.

Mrs Twyman was invited to address the Board.

Members were advised that there were no updates.

Mrs Twyman advised the Board that most of the properties in the Elson area looked similar in style with bay windows and arch over the front door. She felt, that if the proposed new build dwelling was granted permission, then it would be out of keeping with the character of the surrounding area.

Mrs Twyman also expressed concerns with regard to the current traffic congestion along Eastbourne Avenue and Torquay Avenue. The proposal would result in additional pressure.

In answer to a Members question, the Case Officer confirmed that the area at the side of the existing dwelling currently formed part of the amenity space of the property.

Members felt that the proposed dwelling would not have a significant impact on surrounding residents or the character of the area and recognised the importance of providing extra housing in Gosport.

RESOLVED: That planning application 14/00085/FULL – Land adjacent to 114 Eastbourne Avenue, be approved subject to the payment of a commuted sum towards the provision and /or improvement of outdoor playing space; the payment of a commuted sum towards measures to mitigate the impact of increased recreational activity on Special Protection Areas; the payment of a commuted sum towards the provision of transport infrastructure and subject to the conditions of the report of the Borough Solicitor and Deputy Chief Executive.

88. 14/00423/FULL – CONTINUED USE OF GROUND FLOOR AS MASSAGE TREATMENT ROOM (SUI GENERIS) 149 FORTON ROAD GOSPORT HAMPSHIRE PO12 3HB

Consideration was given to the report of the Borough Solicitor and the Deputy Chief Executive requesting that consideration be given to planning application 14/00423/FULL.

Mr Alex Lewis was invited to address the Board.

Members were advised that there were no updates.

Mr Lewis advised that he was representing the applicant and that most typical A1 use class trade was now found to be online because of the convenience. Mr Lewis felt that the application would moderately enhance the area.

Mr Lewis advised the Board that he had consulted other local business people to see if they were interested in taking on a lease for the unit and that this had only generated interest from businesses that wanted to run late night off-licences. He felt that, as there was already a Tesco Express, McColl's, Lidl and other establishments selling alcohol in close proximity, ,the provision of similar establishments would be undesirable and unethical

Members sought clarification from Mr Lewis as to whether the staff employed at the massage treatment room had the relevant qualifications.

In response to a Members question Officers advised that the shop unit had been unoccupied for 6 months prior to opening as a massage treatment room.

Following debate, Members felt that the proposed Sui Generis use was not suitable in this particular location. It was considered that the shop would generate a low footfall and would not contribute to the vitality of the Neighbourhood Shopping Centre.

RESOLVED: That planning application 14/00423/FULL – 149 Forton Road, be refused for the following reason(s):-

1. The proposal has resulted in an inappropriate use in a designated Neighbourhood Shopping Centre, as designated by the Gosport Borough Local Plan Review and the Gosport Borough Local Plan 2011-2029 (Publication version). The use generates a limited footfall and limited comings/goings, harming the core, retail function of the centre, and likely to result in a reduction to its vitality and viability. The Sui Generis use is unacceptable in this location and is contrary to the National Planning Policy Framework, Policies R/DP1, R/S4 and R/S5 of the Gosport Borough Local Plan Review and Policy LP1, LP27 and LP28 of the Gosport Borough Local Plan 2011 – 2029 (Publication Version).

89. 15/00035/GR3- REGULATION 3 – DEMOLITION OF 12 NO. BUNGALOWS AND ERECTION OF 16 NO. HOUSES WITH ASSOCIATED ACCESS, LANDSCAPING, REFUSE AND CCE STORAGE FACILITIES AND CAR PARKING AND HIGHWAY WORKS (as amended by plan received 28.01.15)
LAND AT ST VINCENT ROAD GOSPORT HAMPSHIRE

Consideration was given to the report of the Borough Solicitor and the Deputy Chief Executive requesting that consideration be given to planning application 15/00035/GR3.

Members were advised that since the publication of the report an amended ecology report had been received which assessed the ecological importance of the plant species (mossy stonecrop and common cudweed) identified within a letter of representation.

The Planning Officer advised the Board that the amended Ecology report included additional mitigation recommendations to ensure the notable plant species on the site were retained. It was further advised that Condition 10 of the report required details of the measures to enhance the biodiversity interests of the site to be submitted to the Local Planning Authority, therefore, the retention of these protected species would be controlled by the Local Planning Authority.

It was reported that the Housing Services Manager had also confirmed that the previously submitted comments from Housing covered both Operational and Strategic sections of the Council.

A consultation response received from the Local Highway Authority raised no objection to the proposal, subject to the securing of traffic management measures to secure safe access of the site and satisfactory parking, the stopping up of redundant vehicular accesses and the provision of the on-street parking spaces.

The Planning Officer advised that it was proposed to secure the traffic measures by an additional Condition 19 as follows:

No development above slab level shall take place until details of the traffic management measures to be undertaken on the public highway, including on street parking, have been submitted to and approved, in writing, by the Local Planning Authority.

It was noted that Paragraph 7 on pages 44 and 47 of the report should refer to 18 additional spaces as 4 of the existing spaces to the rear of Block D were being reprovided and were not new. There were also 21 spaces available for existing residents and visitors not 19 as stated in paragraph 7 on page 44 of the report.

The Board were advised that the recommendation be amended to grant permission subject to the conditions in the report and additional Condition 19 as set out above.

Members welcomed the proposed re-development of council houses and unanimously supported the application.

RESOLVED: That planning application 15/00035/GR3 – Regulation 3 – land at St Vincent Road, be approved subject to the additional condition 19 as set out above and subject to the conditions of the report of the Borough Solicitor and Deputy Chief Executive

90. ANY OTHER BUSINESS

Members were advised of the Planning Inspectorate's decision regarding the Planning Appeal relating to the Former Cordite Magazine, Britannia Way, Gosport.

The Inspector shared the view of the Council that the building should be considered as a non-designated heritage asset and advised that the proposed alterations would not respect the original character of the building or its historic use. He also supported the view that insufficient information had been submitted to assess the impacts of the proposal on protected species. The Inspector supported the requirements for planning obligations. The Inspector was satisfied that the Council had successfully justified in its appeal statement its reasons for requiring contributions, however, the appellants had not provided a signed and dated S106 planning obligation requiring them to pay any such contributions on commencement of development and it was unclear how such contributions would be provided to the Council.

The planning Inspector concluded that the proposal would not result in sustainable development in accordance with the NPPF and the appeal should therefore be dismissed.

The meeting concluded at 18:40 PM

CHAIRMAN