

**A MEETING OF THE REGULATORY BOARD
WAS HELD ON 5 APRIL 2016 AT 6PM
*Subject to approval***

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

107. APOLOGIES

An apology for inability to attend the meeting was received by the Mayor.

108. DECLARATIONS OF INTEREST

- Councillor Carter declared a personal interest in respect of item 1 of the grey pages of the report of the Borough Solicitor and Deputy Chief Executive.
- Councillor Hook declared a personal interest in respect of item 2 of the grey pages of the report of the Borough Solicitor and Deputy Chief Executive.
- Councillor Mrs Hook declared a personal interest in respect of item 2 of the grey pages of the report of the Borough Solicitor and Deputy Chief Executive.

109. DEPUTATIONS

A deputation had been received on the following item:

- Item 1 of the grey pages – 15/00643/FULL – 6 Queens Road, Lee-on-the-Solent

110. PUBLIC QUESTIONS

There were no public questions.

PART II

111. TREE PRESERVATION ORDER G.137 – TREES AT BRITANNIA WAY, GOSPORT

Consideration was given to the report of the Borough Solicitor and Deputy Chief Executive requesting the Board to consider whether to confirm, confirm with modifications, or not to confirm Tree Preservation Order G.137 where a representation had been received.

Members were advised that there were no updates.

A Member sought clarification as to whether the proposed Tree Preservation Order covered the whole site and asked if anyone wanted to carry out work on a particular tree, would planning permission be required? It was confirmed by the Head of Development Management that the proposal would protect all trees on the site and permission would be required to carry out any works to the trees with the exception of the procedure for dealing with any that were agreed to be dead, dying or dangerous. .

RESOLVED: That, in accordance with the Town and Country (Tree Preservation) (England) Regulations 2012, and despite a letter of representation, the Board confirm Tree Preservation No. G.137 relating to trees at Britannia Way, Gosport

- 112. 14/00576/FULL – DEMOLITION OF EXISTING DWELLING AND ERECTION OF REPLACEMENT THREE STOREY BUILDING COMPRISING 6NO. ONE BEDROOMED FLATS WITH ASSOCIATED PARKING AND AMENITY SPACE (CONSERVATION AREA) (as amplified by plan received 12.06.15 and ecological survey received 29.07.15)
116-118 Priory Road, Gosport**

Consideration was given to the report of the Borough Solicitor and Deputy Chief Executive requesting that consideration be given to planning application 14/00576/FULL, for the demolition of existing dwelling and erection of replacement three storey building comprising 6no, one bedroomed flats with associated parking and amenity space (Conservation Area) (as amplified by plan received 12.06.15 and ecological survey received 29.07.15).

Members were advised that there were no updates.

RESOLVED: That planning application 14/00576/FULL, be approved subject to the conditions set out in Appendix C of the report of the Borough Solicitor and Deputy Chief Executive.

- 113. 16/00071/HCC3 – COUNTY CONSULTATION – REGULATION 3 – EXTENSION TO EXISTING SCHOOL TO PROVIDE 2.NO ADDITIONAL CLASSROOMS AND SMALL GROUP ROOM
Leesland C OF E Controlled Junior School, Gordon Road, Gosport**

Consideration was given to the report of the Borough Solicitor & Deputy Chief Executive advising Members that a planning consultation had been received from Hampshire County Council regarding the erection of an extension together with internal alterations to Leesland Junior School to provide 4no. additional classrooms and a small group room.

Members were informed that Hampshire County Council was the applicant and Local Planning Authority for determining the planning application. Gosport Borough Council had been consulted as part of the application process as the proposal was located in the Borough.

Members were advised by the Head of Development Management that it was considered that insufficient information had been submitted regarding the proposed parking facilities and figures provided did not correspond within the submitted information.

Following discussions, Members recognised the requirement for additional classroom facilities for local children however, concerns were expressed with the lack of car parking facilities available and the current traffic problems experienced in the area.

It was therefore suggested that Gosport Borough Council raise an observation to Hampshire County Council regarding concerns in respect to parking spaces available for staff on the site.

RESOLVED: That Gosport Borough Council respond to Hampshire County Council to advise that insufficient information had been submitted to carry out an assessment of the likely impact of the proposal on parking conditions or the free flow of traffic within the surrounding highway network and raise an observation regarding the provision of adequate car parking spaces for staff on the site.

- 114. REPORTS 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 decision be taken on each application for planning consent as detailed below:

**115. 15/00643/FULL – ERECTION OF TWO STOREY SIDE EXTENSION WITH CAR PORT, FRONT DORMER WINDOW WITH BALCONY, SINGLE STOREY REAR EXTENSION AND INSTALLATION OF BALCONY TO FIRST FLOOR OF FRONT ELEVATION
6 Queens Road Lee-on-the-Solent**

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

Consideration was given to the report of the Borough Solicitor and Deputy Chief Executive requesting that consideration be given to planning application 15/00643/FULL.

Mr Piggott was invited to address the Board.

Members were advised that there were no updates.

Mr Piggott advised members that his objections to the proposed planning application were threefold and referred Members to Photographs 1, 2, and 3 that he had produced and which had been circulated.

Mr Piggott advised Members that Photograph 1 showed the properties as they were now. Photograph 2 was an outline of the proposed extension and Photograph 3 was a computer enhanced image illustrating how the proposed extension would look.

Mr Piggott advised Members that the dimensions of the proposed extension indicated that the foot print of the extension would exceed the foot print of the existing property by approximately 64% i.e. by nearly two thirds. Mr Piggott stated that the Local Planning Guidance LP10 required that the scale and massing of a proposed building be considered in relation to adjoining buildings with this requirement further amplified by the Design Guidance SPD document, under the heading neighbouring development and in the SPD under massing. Therefore Mr Piggott believed that the physical dimensions of the proposed extension were at a variance with the guidelines and would therefore have a detrimental effect on the neighbouring property No.4 Queens Road by virtue of its overbearing nature and massing.

Mr Piggott's second objection was that the Design Guidance SPD residential privacy/separation distances stated that spacing between dwellings should allow for satisfactory space around the building and showed this space diagrammatically as being 1 Metre. Mr Piggott advised that the current plan only allowed 0.2 Metres between the boundary and the extension and that it should be noted that the spacing between No.4 Queens Road and the boundary was 1.2 Metres which meant that the distance between the extension and No4 would be 1.4 Metres and not 1.7 Meters as stated in the Case Officer's report.

Thirdly, Members were advised by Mr Piggott that the Design Guidance SPD document daylight and sunlight stated that the relative heights and separation of buildings should be adjusted to ensure that the windows of a neighbouring property enjoy reasonable day lighting. Mr Piggott referred Members to Photograph 2 & 3 which he felt gave an indication of the suns required elevation to give adequate light to No.4 with and without the extension and advised that the sun would need to be at an elevation of approximately 63 degrees to afford adequate light to No.4's glazed front door and glazed window to stairs and landing without the extension and that the sun would need to be at an elevation of 82 degrees to offer the same degree of adequate light were the extension to be in place. It was therefore contended that there would be an overshadowing and daylight/sunlight issue if the extension was built.

Before closing, Mr Piggott wished to make two further comments with respect to the Case Officers Report, these were:

- The Planning Officer states “that there is no uniform roof design in Queens Road and other examples are evident in the street scene” Mr Piggott advised Members that whilst this was true, it should be pointed out that there were no properties in Queens Road with balconies in their roof, nor were there any other properties, with what he considered to be an intrusive balcony as an appendage to their front first floor elevation supported by a galvanised pole, all of which extended beyond the properties own building line.
- The Planning Officer further states “there are no uniform distances between properties in Queens Road”. Mr Piggott advised Members that this was also true, but there are no other properties that would have a small gap between them as No.6 and No.4 would have if the planning was granted. It was also noted that there was no other property in Queens Road that filled the full width of its building plot. Mr Piggott advised that these points further made the planned extension out of character with the rest of the street scene.

In conclusion, Mr Piggott believed there to be an issue of overbearing and massing, separation distance and also of shadowing and loss of daylight and sunlight.

Mr Piggott went on further to advise that he did not wish for this planning application to set an undesirable precedent for further overbearing buildings in Queens Road.

Mr Piggott requested that the Board make a site visit to see for themselves the impact that the proposed planning application would have not only on the neighbouring property No.4 Queens Road but also on the street scene.

The Agent Mr Ayles advised the Board that he would not be speaking on the application.

Members sought clarification and discussed the separation distance between No.4 and No.6 Queens Road, the weight to be given to the Supplementary Planning Document, the pattern of development along Queens Road and the concerns of the neighbouring resident.

RESOLVED: That planning application 15/00643/FULL be approved subject to the conditions of the report of the Borough Solicitor and Deputy Chief Executive.

**116. 15/00609/FULL - PART DEMOLITION OF TWO STOREY REAR ADDITION, INTERNAL AND EXTERNAL ALTERATIONS AND ERECTION OF REAR AND SECOND FLOOR EXTENSIONS AND PARTIAL CHANGE OF USE OF GROUND FLOOR TO FORM 6 NO. FLATS (CONSERVATION AREA) (as amended by plans received 09.02.16 and 14.03.16)
20-24 High Street Gosport**

Councillors Hook and Mrs Hook declared a personal interest in respect of this item.

Consideration was given to the report of the Borough Solicitor and Deputy Chief Executive requesting that consideration be given to planning application 15/00609/FULL.

Members were advised that there were no updates.

RESOLVED: That planning application 15/00609/FULL be approved subject to the conditions of the report of the Borough Solicitor and Deputy Chief Executive.

**117. 15/00629/FULL – RENTENTION OF SINGLE STOREY SIDE EXTENSION
28 Brockhurst Road Gosport**

Consideration was given to the report of the Borough Solicitor and Deputy Chief Executive requesting that consideration be given to planning application 15/00629/FULL.

Members were advised that there were no updates.

RESOLVED That planning application 15/00629/Full be approved.

**118. 16/00076/FULL – ERECTION OF FOUR-STOREY EXTENSION TO EXISTING HOTEL AND PROVISION OF ADDITIONAL CAR PARKING AND CYCLE STORAGE
Premier Inn Gosport Leisure Park Forest Way Gosport**

Consideration was given to the report of the Borough Solicitor and Deputy Chief Executive requesting that consideration be given to planning application 16/00076/FULL.

Members were advised that there were no updates.

RESOLVED: That planning application 16/00076/FULL be approved subject to the conditions of the report of the Borough Solicitor and Deputy Chief Executive.

119. ANY OTHER BUSINESS

**FAREHAM BOROUGH COUNCIL CONSULTATION – ERECTION OF A 25 METRE HIGH RADAR TOWER, RADAR EQUIPMENT CABIN WITHIN A SECURE FENCED COMPOUND AND ASSOCIATED DEVELOPMENT
DAEDALUS, LEE-ON-THE-SEOLENT**

The Chairman advised the Board that she had an item under Any Other Business for tonight's meeting. On 24th March 2016 (the day the Regulatory Board Agenda was issued, Fareham Borough Council consulted Gosport Borough Council on an application they had received for the erection of a 25 Metre high radar tower, radar equipment cabin within a secure fenced compound and associated development at Daedalus. Fareham Borough Council have asked for Gosport Borough Council's response by 14th April and as Chairman, had determined that by reasons of the special circumstances set out, that this matter should be considered as a matter of urgency, by the Regulatory Board at this meeting. The report was therefore circulated to Members of the Board for consideration.

Consideration was given to the report of the Borough Solicitor and Deputy Chief Executive advising Members that an application had been received by Fareham Borough Council from the National Air Traffic Control Centre (NATS) for the construction of a radar facility at Daedalus airfield. The Radar would be located immediately adjacent to the boundary with Gosport Borough Council. Fareham Borough Council would determine the planning application as the local planning authority and had consulted Gosport Borough Council.

Members were advised that the purpose of the report was to consider the Council's consultation response to Fareham Borough Council.

Following discussions, Members raised concerns about the impact on businesses within the Enterprise Zone and whether the proposals would deter future businesses. They also discussed and concluded that it was important to ensure nearby residential properties were not harmfully affected by the works being carried out.

RESOLVED: That delegated authority be given to the Head of Development Management to suggest to Fareham Borough Council that should they grant planning permission for the proposal a condition/s should be imposed to minimise the effect of the proposed works on nearby residents and that the comments set out at Paragraphs 3.2 and 3.3 of the report of the Borough Solicitor and Deputy Chief Executive be sent to Fareham Borough Council

Planning Appeals

Members were advised that an appeal at 11 Brockhurst Road had been submitted to the Planning Inspectorate for consideration.

Members were advised that the Planning Inspector had allowed the appeal against the Council's refusal of 149 Forton Road and therefore, the continued use of the ground floor as a massage treatment room (sui generis) could continue. The Planning Inspector noted concerns however, and was of the view that the use offered a service to members of the public. A condition was imposed by the Inspector requiring the shop window display to be maintained.

The Chairman thanked Members and Officers for their help and support during the Municipal Year.

Thanks were given to the Chairman for her work during the past Municipal Year which was unanimously endorsed by members.

Members conveyed their thanks and best wishes to the Deputy Head of Development Management David Cranmer as this was his last meeting.

Thanks was also given to Councillor Langdon as a long serving Member of the Board, in light of his retirement at the next election.

The meeting concluded at 18:48

CHAIRMAN