

**A MEETING OF THE REGULATORY BOARD
WAS HELD ON 12 JANUARY 2022**

Councillors Mrs Hook, Casey, Mrs Batty, Earle, Hammond, Miss Kelly and Murphy

97. APOLOGIES FOR NON-ATTENDANCE

There were none.

98. DECLARATIONS OF INTEREST

Councillor Casey declared a personal, non-pecuniary interest in the following applications

- 21/00530/LBA
- 21/00549/FULL

99. MINUTES OF THE MEETING HELD ON 1 DECEMBER 2021

RESOLVED: That the minutes of the meeting held on 1st December 2021 be approved as a true and correct record.

100. DEPUTATIONS - STANDING ORDER 3.4

Deputations were received on the following items

- 21/00136/FULL
- 21/00518/FULL

101. PUBLIC QUESTIONS - STANDING ORDER 3.5

There were none.

102. REPORT OF THE DEVELOPMENT MANAGER

**21/00530/LBA - LISTED BUILDING APPLICATION - INSTALLATION OF UNDERFLOOR HEATING SYSTEM TO THE LINK CORRIDOR AND AIR SOURCE HEAT PUMP (amplified by plans received 02.11.2021) (description amended 03.12.2021)
No 2 Battery Stokes Bay Road Gosport Hampshire**

Consideration was given to a report of the Development Manager requesting that consideration be given to application 21/00530/LBA.

RESOLVED: That application 21/00530/LBA be approved, subject to the conditions in the report of the Development Manager.

**21/00549/FULL - REPLACEMENT OF EXISTING EXHIBIT TO SOUTH OF NO.2 BATTERY (LISTED BUILDING)
No 2 Battery Stokes Bay Road Gosport Hampshire**

Consideration was given to a report of the Development Manager requesting that consideration be given to application 21/00549/FULL.

In answer to a Member's question the Board was advised that it was believed the bell was being relocated from the Far East as modernisation of practices meant it was no longer required.

RESOLVED: That application 21/00549/FULL be approved subject to the conditions in the report of the Development Manager.

21/00136/FULL - DEMOLITION OF EXISTING BUILDING AND ERECTION OF SINGLE STOREY BUILDING AND EXTERNAL DECK TO FORM RESTAURANT (as amended by plans received 27.07.2021)

Haslar Marina Haslar Road Gosport Hampshire PO12 1NU

Consideration was given to a report of the Development Manager detailing application 21/00136/FULL.

The Board was advised that there was no update to report but advised that it may be useful to provide some context for the application.

The Board was advised that both applications relating to Haslar Marina were separate and stand alone and if the Board was to approve both then it would be for the applicant to decide which of the applications, if any, they wished to implement.

Mr Lay was invited to address the Board. He advised the Board that he was the happy to answer any questions on the proposal. He advised that he was the Managing Director of Coastline the bars and hospitality element of Boatfolk which had been established to ensure that the quality of the food and beverage and accommodation on the marina sites.

The Covid-19 pandemic had presented additional challenges and had meant that it had taken longer to progress than intended, but that it had also presented the opportunity for additional consideration to be given to the potential proposals and the approval of both would allow for the merits of them to be considered as the pandemic progressed.

The Board was advised that the proposal was not to open a boozier style pub, and that the aim was to provide quality food and drink. The facility would it would be food led with the split estimated to be 65% food and 35% wet with the aim for people to enjoy a drink while dining.

A similar facility had recently been opened in Cardiff and was popular with Marina users and local residents with a loyal local following.

The Board was advised that the proposal would create the equivalent of 20FTE jobs and would be very popular with students seeking seasonal work. In addition there would be a requirement for skilled workers such as chefs and front of house staff.

In answer to a Members question the Board was advised that the proposal had the kitchen and toilets located as per the plans as the design made best use of the space available. The kitchen would be fitted with high level extraction facilities as required by Environmental Health and that it was normal to spend significant money on the correct system.

The proposal would make the most of the vista.

Councillor Mrs Cully was invited to address the Board as Ward Councillor. She advised that residents had approached her with several concerns about the impact the proposal would have on their amenity.

The change of use from an office to restaurant would change the hours that the site was used which would be detrimental to neighbouring homes. This included the disposal of waste and the delivery of stock.

There would be an impact on the road and footpaths and those making deliveries to the site were already ignoring the double yellow lines in place and blocking the entrance to Rampart Row. The Millennium walk way was used by a number of pedestrians and cyclists and this was a danger to them.

The parking issues caused delays at the traffic lights and a TRO would take a long time to implement. In addition, the existing double yellow lines were largely ignored so there was doubt that the TRO would achieve its purpose.

Concern was expressed about contamination on site and to the protected SSSI areas of the Harbour and Haslar Lake if debris entered the water. It was appreciated that the Section 106 agreement covered the implementation of the TRO but it was felt that additional protection should be given to the sluice gate as this could be impacted.

It was appreciated that the application had confirmed that the restaurant would be available for members of the public to use, however it was felt that the parking provision as a result would be an issue.

The bottom of the Walpole Road car park was currently being used as a Covid-19 test site so there was not as much parking available as alluded to.

Concern was also expressed that a hotel would be a large building and that there would be noise and smells late into the night from the kitchen. There had also been no confirmation of the use of the triangle patch of land.

In answer to a Members question the Board was advised that there was an existing permission granted in 2018 with a footprint of 168sqm and that the application for consideration was 333sqm inside and 140sqm on the deck.

In answer to a Member's question, the Board was advised that the process for the implementation of the TRO would commence once development was commenced with the funds being secured and passed to the County Council, as Highway Authority for progressing.

A public consultation would be undertaken as part of the implementation and any issues raised there could affect the timescale.

The Board sought confirmation as to whether there were any reassurances that could be given to residents to ensure that the TRO was in place before the construction commenced and it was confirmed that Members could consider adding an additional condition for

environmental protection and a construction plan that conditions things such as construction traffic.

It was proposed and seconded and agreed that there be an additional condition attached to the application with authority be delegated to the Development Manager to agree the following additional condition

- a) No development hereby permitted shall commence until a Construction and Traffic Management Plan, to include (but not be limited to) details of: a method statement for control of dust and emissions from construction and demolition; an assessment and method statement for the control of construction noise for the site specifying predicted noise levels, proposed target criteria, mitigation measures and monitoring protocols, the timing of deliveries; the provision to be made on site for contractor's parking, construction compound, site office facilities, construction traffic access, the turning and loading/off-loading of delivery vehicles within the confines of the site, wheel wash facilities, lorry routeing from the strategic road network and a programme of works, has been submitted to and approved, in writing, by the Local Planning Authority.
- b) The development shall be carried out in accordance with the approved Construction and Traffic Management Plan for as long as construction is taking place at the site.

RESOLVED: That application 21/00136/FULL be approved subject to the conditions in the report of the Development Manager and subject to the additional condition agreed by the Board.

**21/00518/FULL - CHANGE OF USE AND EXTENSIONS OF EXISTING SINGLE STOREY OFFICE BUILDING TO FORM A RESTAURANT
Haslar Marina Haslar Road Gosport Hampshire PO12 1NU**

Consideration was given to a report of the Development Manager detailing planning application 21/00518/FULL.

Mr Sheehan was invited to address the Board.

He advised that there had been no consultation by the applicant with the local residents regarding the proposal and that there was significant concern about parking issues the proposals would cause.

There had been issues with the parking when the restaurant had been located on the opposite side of the road, and that this would be made worse with the relocation as there was no dedicated car park close to the restaurant.

Mr Sheehan advised the Board that earlier in the day there had been construction vehicles on site that had bumped the kerbs, and crossed the private land at 'the hut' to reach the site. A tipper truck had also done the same, bumping the kerb and completely ignoring the double yellow lines.

He advised the Board that it was human nature to reach as close to the restaurant site as possible when using it and that those that were old or infirm would seek closer parking and potentially use the car park of Rampart Row. The restaurant had potentially 100 seats and this would produce a great demand for parking and there was no parking facility on site.

The Board was advised that the nearest parking was 100 metres away and that there was already congestion around the traffic lights as delivery drivers often parked on the incorrect side of the road causing tension, and this would be made worst by the proposal.

The Board was advised that the properties in Rampart Row had their lounge living space upstairs, there was already noise from the movement of tables and chairs which was disturbing and this to would be made worse. There would be people eating and drinking much later than the current office use of the site which would disturb local residents. The Board was advised that the 1.8m fences were protective of the bottom floor of the properties in Rampart Row, but not the upstairs living space.

The residents would be overlooked and would be able to see and hear the restaurant.

The Board was advised that the proposal, in comparison to the earlier, granted permission was 15m longer, included a pergola and would greatly infringed on the privacy.

There was concern over the use of the grassed area, as it had not been confirmed whether there would be access to it for people use. Concern was also expressed that the extended opening hours would cause further disruption as there would be deliveries, setting up and closing down before and after the facility was open, with noise from drinks bins disturbing residents.

Mr Sheehan offered to pass around some photographs he had taken, but he had not provided copies as per the Council's deputation procedure. It was suggested that they be passed around or that they be placed on a table for Members of the Board to view, however it was not appropriate to encourage movement around the Council Chamber with the ongoing pandemic.

It was suggested that the photographs be photocopied, however this was also not in line with the Council's deputation procedure as the depute was required to provide the copies.

Mr Lay was invited to address the Board.

He advised that the vehicles that had attended the site were permitted to do so as planning permission for a different application had already been granted. This, and the consideration of the two further applications at the meeting had ensured that development of some form would go ahead and therefore important preparatory work was being undertaken.

This was particularly important to undertake promptly to ensure that it was completed prior to the nesting season to mitigate the impact on wildlife.

There was no construction work being undertaken on the ground, but investigation works were being carried out.

In addition, the relocation of the Office to the previous restaurant site had allowed for deliveries to be undertaken directly to the office, this allowed them to be more controlled and as a result caused less disruption.

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Mr Lay advised that he was experienced in the management of restaurants and that he was aware there would be challenges. He advised the Board that there was no plans to use the green and that access to it had been removed. It had previously been used by the outgoing tenants of Trinity's to provide more space to be Covid-19 compliant. As the pandemic had continued longer than expected it had caused the area to be used for a much greater period.

Mr Lay advised that he was not a supporter of smoking and that the smoking area would be away from the residents towards the bridge.

Mr Lay advised that at the existing facility in Cardiff there was a restriction on the emptying of bottles after 9.30pm and that he was happy for this to be the same on this site.

In answer to a Member's question, the Board was advised that there was sufficient parking for all vehicles at the marina car park. Additional spaces had been added and there to increase capacity. There was quality, free parking for patrons.

Those delivering were told to deliver to the office to prevent disturbance to residents and the main store would be located close to the office with supplies handballed across.

The first proposal was larger, with approximately 180 covers, the second proposal smaller with 87. These were individual seats and would not be occupied all the time.

A decision was yet to be made as to which of the schemes would be implemented.

A Member questioned what measures were in place to ensure that patrons use the Marina car park. The Board was advised that signage was clear and that the car park was the most convenient and the most suitable car park as it was the nearest to the site. In addition, there was also separate berth parking.

A Members acknowledged that some of the issues identified by the applicant were not planning considerations of the Board.

Councillor Mrs Cully was invited to address the Board as Ward Councillor. She advised that she was disappointed that the photographs could not be shared to the Board.

The vehicles on site were utilising the private access of the land owned by the shed. This was an historic building used to store torpedoes in the war.

There is no parking provision on the east side of Haslar Road and both the digger and dump truck had crossed the access to get to the entrance gate of the restaurant site.

Concern was expressed that crossing supplies from sites would cause disruption to the traffic flow and the concern about lack of communications from Boatfolk to those in Rampart Row was disappointing.

The previous tenant of Trinity's had been courteous and communicative to residents and had been good neighbours. Concern was expressed about the proposal for a hotel, as it was felt that the hotel in the High Street should be utilised as well as the other dining options. Concern was express those using the hotel would stay out on deck longer and cause more disturbance.

The Board was advised that people were making deliveries to the office by stopping on double yellow lines and not using the car park.

Additional concern was expressed that the noise and fumes from the development would cause disturbance to the residents and also requested that consideration be given to the application being subject to additional conditions to ensure that there was not continual disturbance at the building phase.

It was felt that the noise vibrations from the work should be mitigated and that the time limit on the emptying of bottle bins should be earlier than 9.30pm. In addition concern was expressed about the extractor fan noise and smells.

Concern was expressed that there was no local parking to the site and that people would use the car park of Rampart Row to get closer to the site. In addition, information was sought as to how rubbish removal would be undertaken when there was no vehicular access to the site.

The Board was advised that the facility's use as a pub to berth holders and residents presented security concerns and that questioned how access to the pontoon would be managed.

Councillor Mrs Cully reiterated concern that the amenity of the residents would be compromised as the living quarters were located on the first floor and reiterated the need to condition the building work.

It was clarified to the Board that there was no hotel planned as part of the application under consideration and that this was part of a separate planning application that was still under consideration.

It was proposed and seconded to include the same amendment agreed on the first application considered.

RESOLVED: That application 21/00518/FULL be approved subject to the additional condition and the conditions in the report of the Development Manager.

103. ANY OTHER ITEMS

There were none.

CHAIRMAN

Concluded at 6.58 pm