

**A MEETING OF THE REGULATORY BOARD  
WAS HELD ON 2 NOVEMBER 2021**

Councillors Mrs Hook, Casey, Mrs Batty, Earle, Foster-Reed, Hammond and Murphy

**84. APOLOGIES FOR NON-ATTENDANCE**

There were none.

**85. DECLARATIONS OF INTEREST**

Councillor Mrs Hook advised that she had a personal interest in item 2, as her husband was an unpaid director of the Thorngate Trust and that she would be leaving the room and take no part in the discussion or voting.

**86. DEPUTATIONS - STANDING ORDER 3.4**

Deputations were received on the following grey sheet items:

Item 1 – 20/00473/ OUT – Gosport Marina

Item 2 – 21/00143/FULL – Land adjacent to Grove Road and Sealark Road.

**87. PUBLIC QUESTIONS - STANDING ORDER 3.5**

There were none

**88. REPORT OF THE DEVELOPMENT MANAGER**

**20/00473/OUT HYBRID PLANNING APPLICATION COMPRISING FULL APPLICATION FOR (I) PART DEMOLITION, EXTENSION AND REFURBISHMENT OF STS DEFENCE BUILDING; (II) DEMOLITION OF EXISTING CAFE AND MARINA TRADE CENTRE AND ERECTION OF A TWO STOREY MARINA FACILITIES BUILDING; (III) RELOCATED BOAT STORAGE DRY STACK; (IV) RECONFIGURATION OF EXISTING CAR PARK, HARD AND SOFT LANDSCAPING AND BOUNDARY TREATMENTS; AND (V) OUTLINE APPLICATION FOR UP TO 70 RESIDENTIAL UNITS WITH ASSOCIATED CAR PARKING (WITH ALL MATTERS OTHER THAN ACCESS RESERVED) (as amended by plans and documents received 13 May 2021 and additional amendments and documentation received 23 August 2021)**

**Gosport Marina Mumby Road Gosport Hampshire PO12 1AH**

The Planning Officer advised that there was an update in that following discussions with the applicant in order to agree pre commencement conditions as required by National Planning Guidance, changes to the conditions had been recommended. These changes

accommodate the applicants anticipated phasing of works and remove a duplicated condition.

Mr Cardy was invited to address the Board.

He advised that wanted to tell the Board of the impact the proposal would have on the residents of the Quarterdeck and was representing them.

He advised the Board that the Quarterdeck was located on the Marina site, but was freehold and that the existing Boathouse café was well used by residents. Many of the residents had boats and were welcoming of the development of the Marina.

The main objection was to the proposal of a three storey building that was too close to the Quarterdeck and that the design drawings only showed the applicants perception of the view of the proposed building, and not the proposal in relation to the existing Quarterdeck building.

He advised the Board that the proposed replacement for the Boathouse was three times the size and therefore had the potential for three times as many customers on site, meaning it would be busier and there would be an increase in demand on car parking spaces.

He advised the Board that if the proposal had been in a more traditional residential area, the proposal would need to be located 21m away from the existing property and would not be so high and suggested that the proposed facility be moved further away along the east west shoreline to illuminate the close proximity to the Quarterdeck.

Mr Cardy advised the Board that the applicant had made incorrect statements on their application a number of times and that this could be seen as the application had been corrected upon resubmission and that the applicant had not discussed the proposal with residents. Errors included compass direction and the incorrect labelling of local water and felt that these showed that the applicant did not understand the site.

He advised the Board that mistakes made in the construction of Charles House, both at initial construction in 2000 and the additional storeys in 2002 that had led to a cramped residential property had not been learnt from and that the proposal did not need to be located in such close proximity to the Quarterdeck and that the amenity of the residents should be protected, and a site visit undertaken to see the impact of the proposal first hand.

He advised that placing a building of the proposed size so close to the residential block would damage amenity and set an unhelpful precedent in the Borough.

Peter Bradshaw was invited to address the Board. He advised that he was the Chief Executive of Premier Marinas and was responsible for the application and the masterplan for the site.

He advised that the site needed regeneration as it was 40 years old and that there were a number of structural challenges on the site.

He advised the Board that the current marina facilities were located too far away from the water's edge and that the development of the masterplan of the site had taken sometime and was fragmented as a result of the staggered acquisition of areas of the site.

The Board was advised that the regeneration was now required as a main tenant had approached the owners of the Marina and advised that that if the facilities were not improved they would have to relocate from the Marina and leave the Borough. It was essential that the facilities were closer to the waterside.

Mr Bradshaw advised the Board that the building of concern had been moved once and the location of the staircase had been moved and additional screening proposed to reduce the impact. An agreement had also been reached to condition the hours that the outside area could be used.

The building could not be located any further west as it would impact on the boat yard and the lifting to the dry stack.

He concluded by advising that the proposal was essential for the future of Gosport Marina and that it would be a significant investment to it.

Jonathan Hogan was invited to address the Board. He advised that he was a director of CBRE the planning agent for the application.

He advised the Board that it was a complex application that included residential, leisure, community and retail use. He advised it would be a vibrant development within the Borough the design would improve the site.

The Board was advised that the proposal had been submitted originally in December 2020 and that supplementary information had been provided, engagement with local residents had taken place leading to the creation a viable configuration of the site. The proposal was a positive step for residents and users of the site.

He advised that discussions had taken place with local residents and the facilities had been moved west from the original plans to increase the distance from the Quarterdeck, had agreed to restrictions on hours and had increased the screening to 1.7m.

He advised the building was high quality, 2 storey with pitch gable ends and would be a quality addition to the waterfront, linking with the millennium promenade.

He concluded by requesting that the application be approved to allow the site to be developed, at significant investment to enhance residential, employment and leisure opportunities in the Borough.

In answer to a Member's question, it was clarified that the positioning of the proposed staircase shown in picture 1 of Mr Cardy's deputation had been moved. It was now located on the frontage and the end of the building located closest to the residential development would not be accessible by pedestrians. In addition, the privacy screens had been increased in size to further protect the amenity of residents.

The Board was advised that no.3 drawing was to scale.

The applicant confirmed that the proposed siting of the building had been moved following consultation with the residents of Quarterdeck and the new proposal moved it as far away as was viable.

The Borough Solicitor and Monitoring Officer read a deputation from the Ward Councillor, Councillor Mrs Cully.

There are aspects of the development plan that will see an improvement for employment and facilities on the site however following several visits I am concerned about the following points.

The new marina services building on the site of the existing boat house café has caused alarm to the residents of Quarterdeck. The new building will be three storeys bringing it to the height of the highest floor of Quarterdeck and the public restaurant veranda area will be level with the balcony of the second-floor flats facing it. See images taken from a flat showing the new height and proximity of the building. It was suggested that this new building could be moved further to the west and still be in a good position for users to access the jetty. The space between the new marina services building and Quarterdeck could be used for the additional parking that this larger venue will need. Meeting on site with the planning officer was helpful and pointing out the boats that are lined up by the footpath awaiting the crane to either dry stack them or move them elsewhere again showed there was room to move to the west of the site and still provide access to the services. This area would still provide good access to the marine customers and allow the footpath to continue on the existing line. The increase in the capacity of the restaurant should merit additional parking spaces but we see a reduction of 48 spaces across the site which are already well used. This along with the planned 70 residential units still to be finalised brings into doubt if sufficient capacity has been provided.

The conditions to insist on opaque glazing to the first-floor elevation of the new building and the privacy screening glass to 1.75 metres on the balustrade are welcomed but highlight the proximity and loss of privacy impact on Quarterdeck residents. The limitation to operational hours to help mitigate the noise and disturbance are necessary and it is hoped that patrons will respect the needs of the residents. Smoking outside of premises can become a gathering point where sound is harder to contain.

In regard to the impact on Viewpoint residents of the outline plan for 70 residential units the lack of light and privacy will be detrimental. A tall building to the east will see a loss of daylight on these homes for most of the day. Any windows above first floor on a building facing Viewpoint would enable direct views into their homes. The area is poorly served for visitor parking the impact of proposed bus use on Mumby Road will impact further on the pedestrian access in this vicinity.

To gain a true picture of how close and high the marina services building will be and the proximity to Viewpoint for the outline plan merits a site visit by members and I would ask that the board takes this action before reaching a decision on this application.

Councillor Meenaghan was invited to address the Board as Ward Councillor.

She advised the Board that she recognised that an improved café would increase footfall and trade business to the area but acknowledged that this would be to the detriment of the residents of the Quarterdeck.

She expressed concern that there was a lack of green parking options and understood that

although there was no right to a view, the impact of the proposed building would impact on the vista.

Residents had paid substantial amounts of money to enjoy unparalleled views of Portsmouth Harbour and beyond and this was being compromised by the proposal. The proposed facilities building should be moved, as presented by Mr Cardy and the priority should be that the residents are secure, not overlooked and subjected to fishbowl living.

Councillor Meenaghan expressed concern that there was to be a reduction in car parking spaces. There was currently 60 covers in the café, and this would be increased threefold. This would place greater demand on the reduced number of spaces.

It was acknowledged that the Boathouse had been a very popular facility and it was hoped that the new facility would be as popular, but there was a concern that it would overwhelm the car parking facility. Concern was also expressed that there was no secure large scale cycle storage or electric car parking points.

Councillor Meenaghan expressed concern at the outline proposal for 70 dwellings at the southern end of the site, and again acknowledged that the impact on the view was not a planning consideration, but that there would be a detrimental impact on the neighbouring residents. The neighbouring block was designated for elderly people, some of whom could not leave home. The sanctuary of views over Portsmouth Harbour was often the only comfort they had as they were housebound and this would be replaced with brick wall.

Concern was also expressed that there would be an additional strain on demand for car parking.

In addition, with proposals to amend the transport hub, buses would travel across the High Street and turn to pass the supermarket and the proposed development. This would increase the traffic demands surrounding the development, on top of the additional residential vehicles.

All of the combined elements would lead to unsafe roadways for cyclists and increased demand on the road. It was acknowledged that the proposal was for outline planning permission, but Councillor Meenaghan advised that she wished to endorse the proposal for a site visit.

In answer to a Member's question the Board was advised that the facilities building was the height of 3 storeys, but only had 2 floors.

A Member advised that they did not feel that the site would struggle with the demand for parking

A Member recognised that it was important to make the correct decision and proposed that a site visit be made. This was not seconded.

Members recognised that there was a need for the development of the Marina and that it would enhance the area.

Members expressed concern that there was an application for a significant amount of properties that may impact on the parking provision.

Members recognised that the developer had spoken to residents and had adapted their plans to address some of the concerns raised.

Members also acknowledged that there would be neighbouring properties that would have their view impacted as a result of the development, which would be frustrating if they had paid a premium for them.

RESOLVED: That application 20/00473/OUT be approved subject to the completion of a Section 106 agreement and subject to the conditions in the report of the Development Manager.

**21/00143/FULL - ERECTION OF A TWO AND THREE-STOREY BUILDING TO ACCOMMODATE 39 AGE-RESTRICTED, ASSISTED LIVING APARTMENTS (CLASS C3) WITH ASSOCIATED WORKS INCLUDING ACCESS, PARKING, LANDSCAPING AND FELLING OF T1 OF TPO G.141, WORKS TO BE CARRIED OUT IN TWO PHASES (PHASE ONE 30 UNITS AND PHASE TWO 9 UNITS WITH ALTERATIONS TO SOUTH ELEVATION) (DEPARTURE FROM LOCAL PLAN) (as amended by plans and supporting documents received 01.09.21, 06.09.21, 10.09.2021 & 12.10.2.2021 and by Phase 2 reptile survey received 05.10.2021)**

#### **Land Adjacent To Grove Road And Sealark Road Gosport Hampshire**

**Councillor Mrs Hook declared a personal and prejudicial interest in the item and left the room, taking no further part in the discussion or voting thereon.**

Consideration was given to a report of the Development Manager detailing application 21/00143/FULL.

The Board was advised that there was three updates. Firstly, in the plans condition, site section B has been listed twice and one can be omitted as this is an error. The applicant has also provided plan numbers for site sections, A, B and C, to insert these into condition two for clarity. Secondly, three additional representations have been received, taking the total number to the amended plans to 15. Finally, the Local Highways Authority have removed the first part of their objection in relation to the accident history as stated in their recent comments. However, they maintain the second part of their objection in relation to access and the visibility splay. If members consider it is appropriate, condition 10 can be amended to include the submission of additional details in respect of access and visibility splays. But, for reasons outlined in the officer's report, the recommendation remains unchanged.

Michelle Collins was invited to address the Board. She advised that she lived in Grove Road and was representing the residents in the locality and would be representing their views in her deputation.

The Board was advised that there was significant concern for the tree on site that was subject to a Tree Preservation order and that previous proposals had included the preservation of the tree. Whilst the residents were accepting that there was an inevitability to the land being built on, it was felt that any development should keep the tree.

It was felt that the new proposal was ugly and overbearing as was not in keeping with the surrounding area and was a development that prioritised quantity of units rather than quality.

The proposal was for a 3 storey building which there was currently none of in Grove Road and this would set a precedent.

In addition, there was only 11 parking spaces for residents and concern was expressed that parking would therefore overspill onto the surrounding roads.

The proposed units were double units, with priority given to couples, this therefore had the potential for a huge demand in parking spaces and in addition, there was no Electric Vehicle charging points.

Concern was expressed that the development was located close to a park and a school and that it would increase the risk of an accident.

Additional concerns were expressed that the proposal would need conditions to mitigate the impact on the nesting birds on the site. There was also concern about potential flooding from the drainage as the existing system was under pressure. It was felt that the proposal was too big, and out of keeping and that other similar sites were allocated for development with far fewer units proposed.

The residents understood that the site would likely be built on, however it was felt that more consideration should be given to protecting the tree and that a more appropriate site for the development should be found.

Members questioned what additional measures and conditions could be placed on the application to protect the wildlife and ensure that its removal was sensitive. This should be not only for the protect species, but also those that were not such as squirrels and foxes.

Andrew Tregay was invited to address the Board. He advised that he was the agent for the application.

He advised the Board that he was asking for consideration for an increased number of units as the units proposed were in high demand. He advised that the charity with specialist and local interest that could not currently keep up with demand.

The population was aging and it was predicted that this would increase further by 2029 and that the demand for such properties would increase. There had been no concerns from Natural England, no concerns from Environmental Health and the concerns of Hampshire Highways had been addressed.

The Board was advised that it was regrettable that the tree needed to be removed, but all options had been considered. There would be replacements planted to offset the loss of the tree and the properties were desperately needed.

Ann Taylor was invited to address the Board and advised that she was the Chief Executive of the Thorngate Trust. The model was that of an Almshouse with history back to 1870. They were warden supported and had long waiting lists. As the properties were Almshouses, they could not be sold under right to buy, they would always be affordable

rented provision. Residents included those in the 80's and 90's and the majority were single, most of them had no cars.

There had been contact from residents of Hardway who wished to remain in the area but needed this type of residential option.

The existing provision of the charity was full, and they desperately needed to provide additional units.

A Member questioned that with 39 double units there was the potential for nearly 80 cars, there was only 21 car parking spaces. The Board was advised that most would be occupied by single persons who would not have cars. There was a far greater demand for storage of mobility scooters, which the application provided. Space to store mobility scooters was a far greater asset and allowed residents to remain independent for longer.

A car parking survey had been undertaken and had considered the parking movements at the existing facilities. Whilst the applicant accepted that parking spaces on developments were a hot topic, the balance of providing space for mobility scooters was of far greater need and importance. The traffic survey undertaken had shown that the need for vehicle spaces was much less than a typical development.

In answer to a Member's question, the Board was advised that there was no requirement for there to be an electric vehicle point but the provision for one in future could be made.

In answer to a Member's question, the Board was advised that the original application of 28 units had been increased to 39 to allow the infrastructure for both phases of the development to be built. The additional units would form part of the second phase, but permission needed to be granted for both.

The proposal presented was comprehensive and once funding was in place, both phases would be completed.

The Board was advised that the site was ideal for the proposal as it was located on a bus route and that the trust had been looking for a suitable site for a number of years. This site was both viable and well located.

It was recognised that significant work had been undertaken to try and protect the tree and it was appreciated that it was subject to a Tree Preservation Order, however the site would be far more viable if it was removed. Further work would need to be undertaken on the ground conditions, but any concerns raised would be dealt with.

If the tree remained the development would be pushed closer to the neighbouring properties.

A Member questioned whether consideration was being given to the offsetting of the carbon deficit that would occur when the older establish tree was removed and the newer trees replaced it. It was suggested that an amendment be proposed to ensure that the replacement trees planted covered the deficit from the offset.

Councillor Furlong was invited to address the Board. She advised that she was speaking as ward Councillor.

It was acknowledged that something needed to be done to the site, but had been speaking to residents about their concerns about the proposal and that there were some proposals for the site that were preferable than others.

Concern had been expressed about flooding and drainage on the site, there were existing concerns about the site that affected properties in Lapwing Close and Bittern Close and as yet these had not been remedied by Southern Water. There was concern that a three storey development on the site would exacerbate the problem. There was concern that the water level had previously been high on the site.

Concern was also expressed that the land on site was contaminated and that there would be significant overlooking into neighbouring properties. There would be a loss of light to properties and impact on the boundaries.

There was great concern regarding the wildlife on site particularly the badgers that had been displaced when the Priddy's Hard estate had been built.

Significant concern had been raised about the Oak tree on site. Concern was expressed that the replacements would be targeted by vandals and that value of the TPO should be taken into consideration. The Board was advised that newer, smaller trees did not absorb carbon as well as well-established trees and the tree should be looked after.

There was a precedent that could be set by allowing the development to progress both in terms of the protection of the tree and the type of development and that the proposed local plan had indicated that the site was more suited to a smaller development with fewer units.

There were no three storey houses in Grove Road and the proposal was out of keeping with the surrounding area.

A resident had advised that there were significant wildlife habitats on the site and that there would need to be careful management of their removal as each species had a different requirements. In addition, previous surveys on the land had shown it to be contaminated and this would need to be addressed.

Concern was expressed about traffic safety in the area however the Board was advised that on crash map there had been one incident listed,

Further concern was raised about the removal of the tree and it was questioned whether there was a purpose to a TPO if they were not adhered to. The Board was advised that TPOs were based on the amenity of tree at the time the order was made, it was accepted that the value of the tree may decline and this particular tree had lost a significant limb and that should a request be made now it would be borderline as to whether a TPO would be made.

Members continued to express concern that the replacement trees were not sufficient to replace what would be lost and requested that further consideration be given to amending the recommendation to ensure that sufficient replacement was made.

The applicant confirmed that they were willing to address any matters that arose from the report on ground conditions on the site.

The Board was advised that the developer's contribution would be used to enhance the neighbouring open space. The site was underused and it would be difficult to provide space on the site, therefore the funds would be used to enhance nearby spaces

A Members advised that they had spoken to the Tree Officer and that it had been advised that there would need to be an increase in the number of trees planted to compensate for the carbon absorption for the one that was removed.

It was felt that a proposal should be made to ensure this happened as the applicants were willing to for the additional trees required.

The Board was advised that it would only be possible to delegate authority to the Development Manager to agree the contribution towards tree planting as it would not be possible to detail the carbon absorption.

It was suggested that the amended proposal to element four of the section 106 agreement, that officers be delegated authority to renegotiate the provision of trees to be provided.

This was proposed seconded and subsequently agreed.

RESOLVED: That application 21/00143/FULL be approved subject delegated authority being given to the Development Manager to renegotiate element 4 of the Section 106 agreement and subject to the conditions in the report of the Development Manager.

**21/00452/FULL - PARTIAL RETENTION OF AND FURTHER WORKS FOR THE ERECTION OF TWO REAR DORMERS (CONSERVATION AREA) (REVISED APPLICATION TO 21/00294/FULL) (as amended by plans received 19.10.21)**

**20 Atkinson Close Gosport Hampshire PO12 2BZ**

Consideration was given to the report of the Development Manager detailing application 21/00452/FULL.

RESOLVED: That application 21/00452/FULL be approved, subject to the conditions in the report of the Development Manager.

**89. ANY OTHER ITEMS**

There were none.

**CHAIRMAN**

Concluded at 8.02 pm