

GOSPORT BOROUGH COUNCIL – REGULATORY BOARD

2nd November 2021

ITEMS WITH RECOMMENDATIONS

1. Copies of drawings and accompanying planning applications referred to in this schedule will be made available for inspection by Members from 5.00 pm immediately prior to the meeting. Unless otherwise advised, these plans will be displayed in the room in which the Regulatory Board is to be held.
2. The number of objections and representations indicated in the schedule are correct at the time the recommendations were formulated. Should any representations be made after this date, these will be notified to the Regulatory Board during the officer presentation.
3. Copies of all representations received from the public will be made available for inspection by Members in the same way as drawings will be made available, referred to in Note 1 above.
4. An index of planning applications within this schedule can be found overleaf, together with a summary of each recommendation.

<u>Item</u>	<u>Page No</u>	<u>Appl. No.</u>	<u>INDEX Address</u>	<u>Recommendation</u>
01.	03-26	20/00473/OUT	Gosport Marina Mumby Road Gosport Hampshire PO12 1AH	Grant Permission subject to Conditions / s106
02.	27-44	21/00143/FULL	Land Adjacent To Grove Road And Sealark Road Gosport Hampshire	Grant Permission subject to Conditions / s106
03.	45-48/1	21/00452/FULL	20 Atkinson Close Gosport Hampshire PO12 2BZ	Grant Permission subject to Conditions

ITEM NUMBER: 01.
APPLICATION NUMBER: 20/00473/OUT
APPLICANT: Premier Marinas C/O Agent
DATE REGISTERED: 21.12.2020

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 Site and the proposal

1. The application site lies within an area designated for Mixed Use development and regeneration within the Waterfront and Town Centre SPD and much of the site lies within Flood Zones 2 and 3. The application site comprises of 2.2 hectares of hard surfaced land which forms part of the site of Gosport Marina. The site is located to the north of Mumby Road and immediately to the east of Harbour Road. At present the site contains a brick built two storey employment building located to the east of the site, adjacent to the main entrance to the marina off Mumby Road, a Dry Stack boat storage facility located to the north of Mumby Road and the east of Harbour Road and a single storey bar / restaurant which is located to the north of the site to the north west of the Quarterdeck, a 5 storey residential Block. The site also contains a large car parking area containing 449 spaces that is used by the marina staff, visitors and visitors to the existing Café.
2. The surrounding area comprises a mix of commercial and residential properties. To the north of the site is the Quarterdeck a five-storey block of flats with gull-wing roofs and adjacent to this, to the northeast, is Charles House a similarly designed four-storey building with a mix of commercial and residential accommodation. Beyond these are Portsmouth Harbour and the marina. To the east is Endeavour Quay, a three-storey brick and clad building which contains a mix of commercial uses. To the west is a single storey retail building (Aldi), a block of flats (Viewpoint) approximately 10 storeys high and further marine related businesses. On the south side of Mumby Road there are a mix of flats, houses and public car parks, beyond which are the rear of the High Street properties.
3. This proposal seeks planning permission for development of the site with four elements of the proposal being for full permission and one for outline permission with all matters other than access reserved.
4. Outline planning permission is sought for a residential development of up to 70 units within a high rise block sited immediately to the east of Harbour Road with associated car parking, landscaping. Access to this element would be taken from Harbour Road.
5. Full planning permission is sought for the refurbishment and extension of the existing employment building (known as the STS Building) in the south eastern corner of the site. This element will comprise of demolition of part of the existing building, the construction of an additional , third floor within a new Mansard roof with plant room above, internal alterations and amendments to external finishes such as white render, cladding and matching brickwork. The proposal would lead to an increase in the maximum height of the building from 12.9 metres to 15.1 metres.
6. Full planning permission is sought for the demolition of the existing bar/ restaurant and the erection of a new two storey marina facilities building with a bar and restaurant at first floor level. The proposed building would be 15.5 metres in depth, 30 metres in width, and have a twin gable roof orientated north west to south east. The higher gable, to the seaward side, would measure 10.3 metres in height with an eaves height of 6 metres and would be glazed to full height to the south eastern elevation. The southernmost gable would measure 9 metres in height with an eaves height of 5.3 metres. The proposed building would be faced with natural stone and timber cladding with

aluminium roofing and powder coated aluminium framed glazing and doors. The first floor outdoor seating areas would have glass and stainless steel balustrading.

7. Full planning permission is sought for the relocation of the existing dry stack from its current position adjacent to the Harbour Road entrance to the site and approximately 23 metres from the boundary of the site with Mumby Road (at their closest point) to immediately adjacent to the boundary with Mumby Road and immediately to the west of the refurbished STS building. The capacity of the dry stack would be reduced by approximately 10% compared to existing and would be retained at its current height of approximately 9.8 metres.

8. Full planning permission is sought for the reconfiguration of the marina car park, comprising of a reduction in overall car parking, from 449 spaces down to 401 spaces (a loss of 48 spaces) and the layout out of a more efficient configuration for use by patrons of the marina, marina staff, staff of the STS building and visitors to the proposed restaurant and bar.

Relevant Planning History

K.13789/5 - outline - redevelopment of marina to include land reclamation, marina support facilities, bar/restaurant, residential development (46 units) & associated car parking (as amended & amplified by plans received 19.10.99) - permitted - 14/01/2000.

00/00336/DETS - details pursuant to K.13789/5 - erection of 5 storey block of 46no. flats and car parking (as amplified by letter dated 29.03.00 and amended by Plans received 30.03.00) - permitted - 11/09/2000.

00/00337/DETS - details pursuant to K.13789/5 - construction of car park and winter boat storage area (as amplified by letter dated 23.03.00 and amended by plans received 30.03.00) - permitted - 14/04/2000

01/00362/DETS - details pursuant to K.13789/5 - amended siting of previously approved 5 storey block of 46no. flats and car parking, under reference K.13789/9 - permitted - 16/03/2001

01/00363/DETS - details pursuant to K.13789/5 - erection of capitainerie including cafe, laundry, toilet/shower facilities & offices, and construction of car park including winter boat storage area (amended layout)electricity sub-station - permitted - 25/05/2001

Relevant Policies

Gosport Borough Local Plan 2011 – 2029:

- LP1 Sustainable Development
- LP3 Spatial Strategy
- LP4 The Gosport Waterfront and Town Centre
- LP9A Allocations outside of Regeneration Areas: Mixed Use site
- LP10 Design
- LP13 Locally Important Heritage Assets
- LP23 Layout of Sites and Parking
- LP24 Housing
- LP39 Water Resources
- LP42 International and Nationally Important Habitats
- LP44 Protecting Species and Other Features of Nature Conservation Importance
- LP45 Flood Risk and Coastal Erosion
- LP47 Contamination and Unstable Land

Supplementary Planning Documents:

Gosport Borough Council Design Guidance: Supplementary Planning Document: February 2014

Gosport Borough Council Parking: Supplementary Planning Document: February 2014

Gosport Borough Council Waterfront and Town Centre: Supplementary Planning Document: March 2018

National Planning Policy Framework (NPPF), July 2021

Consultations

Environment Agency (Hants & IOW)	No objection, subject to conditions relating to works in accordance with the Flood Risk Assessment and a providing a scheme to address the flood risk and proposed layout of the residential building. In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions. We strongly recommend the use of flood resistance and resilience measures.
Southern Water	No objection subject to conditions regarding occupation phasing to consider network capacity and full details of the foul and surface water drainage. Please note there is a public surface water sewer outfall within the site.
Hampshire & Isle Of Wight Wildlife Trust	No response received.
HCC Education Office	No objection.
HCC Local Lead Flood Authority	No objection. The information submitted by the applicant has addressed our concerns regarding surface water management and local flood risk, but recommend conditions relating to the drainage system being constructed in accordance with the Flood Risk Assessment and Drainage Strategy and that the existing drainage system should be investigated before any connection is made and details for the long-term maintenance arrangements for the surface water drainage system.
Building Control	<p>Further details will be needed under the Building Regulations, however, there are some concerns about the Marina building in regard to means of escape and effective fire precautions. Consideration should be given to separating the mains access stairs from the Bar/Restaurant area.</p> <p>With the STS building, it is unclear what is being retained and what is proposed. The lack of detailed plans means it is difficult to assess the access between use areas and access to the escape routes and stairs, toilet accommodation etc.</p> <p>Detail of the 70 dwellings will be required.</p>
Economic Development And Regeneration	From an economic development perspective the proposed redevelopment of the current premises of STS are to be welcomed as they

will ensure that one of the Borough's leading employers remain and will help provide them with the quality of premises such a leading-edge technology company requires in remaining able to compete internationally. STS provide high quality employment within the defence sector, compatible with the aspirations of the Council within the recently published 2021-31 Gosport Economic Development Strategy. Redevelopment should also provide the tenant with future room to grow without the need for relocation.

From an economic development perspective, the council is committed towards as part of efforts to drive future visitor numbers and create a more diverse local economy. It would appear to make sense to concentrate current marina service activities plus the provision of food & beverage at Gosport Marina into a single, prestigious premises providing direct access to Gosport's unique waterfront location as part of expanding and broadening the marine leisure sector. A well designed purpose-built unit will provide the opportunity for the Marina to more effectively present itself to visiting boat owners subject to appropriate public access for local residents. The employment effects of such a development will be minimal, however development would provide significant place-making advantages and possibly assist in 'joining up' more of the waterfront in a more cohesive manner

It is important that the capital investments outlined above are complimented by adjustments to the overall site layout in order to ensure user/visitor safety, improved access and greater waterfront ambience. It is recognised that the relocation of the boat storage dry stack will result in minimal reductions in capacity, however, it is felt that this is unlikely to significantly reduce either employment or marina income. Marina car parking will always be an issue and it is good that the owners are reviewing current layouts as part of the development, plus taking into account both hard & soft landscaping. Work to improve the visual impact of the marina from Mumby Road is to be welcomed and if pedestrian public access could be improved at the same time, the public amenity of the site could be significantly improved.

Environmental Health

Noise

To prevent exceedance of upper target noise levels, recommendations for noise mitigation measures in the Residential Noise Assessment (6.1) must be undertaken.

When the commercial design is finalised noise from any plant/extracts/external mounted condensers should comply with BS4142 and must be located to ensure no disturbance is caused to neighbouring residential premises. The applicant should contact EH Commercial Section to discuss kitchen design and extract systems proposed for the restaurant/café at design stage and also the Licensing Officer to discuss Premises Licence Application requirements.

To minimise noise disturbance the applicant should ensure that where possible the layout of the residential premises takes account of noise sensitive rooms. Similar rooms should be located above, below and adjacent each other, improved sound insulation should be used where this is not possible and where bedrooms cannot be moved from adjacent/above/below stairwells, entrance lobby, bin store/cycle stores etc.

Contamination

No objection subject to conditions relating to an intrusive investigation and remediation.

Housing Services Strategic

Under a S106 agreement there would be a provision of 40% of any residential units for affordable housing pro-rata the overall development. If the full 70 units are provided the affordable element would equate to 28 units.

As the residential part of the application is for outline only the details regarding the proposed accommodation is minimal, however, according to the design and Access Statement all the residential units will meet the Nationally Described Space Standards (NDSS).

There is no schedule of units showing numbers of bedrooms, sizes etc. so I am unable to comment at this stage on the units themselves or the breakdown of the units for the affordable provision.

I do have a concern that, although the residential units are for outline consent only at this point I could find no mention of an affordable provision in the submitted documents (barring the historical references in the Planning Statement).

Local Highway Authority

No objection, subject to conditions.

The site is well connected for pedestrians and has good pedestrian links towards local

services and amenities, as well as Gosport town centre. The site has good access to bus services with a bus stop located approximately 280m south-east of Gosport Marina at Mumby Road Bus Station. The site also benefits from having the Gosport Ferry Terminal located close by.

No amendments are proposed for the existing Mumby Road accesses to the marina and STS elements of the development. A new dropped kerb vehicular access is proposed to serve the residential area of the proposals via Harbour Road East.

A slight decrease of parking spaces has been proposed by the applicant. The Highway Authority are satisfied that the reduction in parking supplied for the site will not result in overspill parking on the local highway network in the vicinity of the site, noting the seasonal nature of the peak parking and also the sustainable modes services in close proximity to the proposals.

The trip analysis provided by the applicant is accepted. The amendments have addressed previous comments.

Intervisibility for the vehicle drivers exiting the under-croft car parking has been provided on drawing 14586-HYD-XX-XX-DR-RP-0105 P01. The Highway Authority are satisfied with this as sufficient intervisibility has been demonstrated.

An updated PIA survey has been carried out for the latest 5-year period, obtained from Hampshire Constabulary. The Highway Authority are satisfied with this, as the data presented does not indicate any collision patterns and there for no issues with the design and layout of the local highway network.

The Highway Authority agree with the additional information submitted regarding a potential change of priority of Harbour Road which demonstrates that the current alignment is the most suitable option and any changes this would not be beneficial.

Clarity has been provided regarding the emergency access onto Harbour Road. An updated site layout has been provided demonstrating that this access is for emergency access only and would not be used for any other regular access or deliveries. The Highway Authority are therefore satisfied with this.

	<p>A travel plan should be secured.</p>
Queen's Harbour Master	<p>No objection. These works have no impact on the water user within the Harbour or adversely impair the safety of navigation.</p>
Natural England	<p>No objection subject to appropriate mitigation in respect of:</p> <ul style="list-style-type: none">- Nutrient Neutrality;- Financial contribution to the Solent Recreational Mitigation Partnership; and- Construction Environmental Management Plan.
Crime Prevention & Design	<p>The vast majority of my concerns have been covered within the supporting document entitled Response to Comments, however, these responses do not address my comment in relation to the pedestrian gate provided to give access from Mumby Road into the residential area of the development. Boundary treatments form part of this application, in the fullness of time this gate will provide access directly into the marina car park. If this gate remains uncontrolled there will be unrestricted access into the residential car park, which will increase the opportunities for crime and disorder. To reduce the opportunities for crime and disorder this gate should be fitted with an electronic access control device which only allow access for authorised persons.</p>
Hampshire Fire And Rescue Service	<p>Building Regulations: Access for Firefighting</p> <p>Access and facilities for Fire Service Appliances and Firefighters should be in accordance with Approved Document B5 of the current Building Regulations.</p> <p>Hampshire Act 1983 Section 12 - Access for Fire Service</p> <p>Access to the proposed site should be in accordance with Hampshire Act 1983 Sect, 12 (Access to buildings within the site will be dealt with as part of the Building Regulations application at a later stage). Access roads to the site should be in accordance with Approved Document B5 of the current Building Regulations.</p>
HCC Landscape Planning & Heritage	<p>Having considered the amendments, I note in the supporting document, Response to Comments, which includes para 3.1, a discussion regarding the focusing of the condition wording to refer exclusively the residential building footprint. I understand and to a large degree agree with the</p>

sentiment behind the request, however, I have set out below an extract from my original consultation response.

"I would broadly agree, but would note that the location and extent of such archaeological monitoring should be set out once all of the impacts are understood so that such provision is 'as needed' and not necessarily confined to the residential block. This is intended to recognise the uncertainty of the impacts at this stage not to unpick the analysis of where and how archaeological remains might be encountered.

Furthermore such watching brief condition should also secure a more mature archaeological response should deeper archaeological features (as set out in para 4.2) of medieval date or earlier be encountered. This reflects the possibility that evidence of the earliest stages of Gosport's origins might be encountered.

I recommend that an archaeological condition be attached to any planning permission which might be issued to secure an archaeological watching brief on those aspects of the development where there is a realistic potential to encountered archaeological remains, and such provision to include the opportunity to record more closely archaeological remains of medieval or earlier date that might have survived."

Whilst I recognise that the eventual need for an archaeological watching brief will be focused to some areas within the development as a whole, I would not wish to see the impact of the condition restricted to the footprint of the new building until the impacts and consequential need for a watching brief are fully and explicitly understood. I would prefer that the extent and restrictions of the watching brief be explicitly described in the written scheme of investigation, which can be written once all the details have been finalised and submitted sufficiently well in advance to avoid its provisions delaying demolition phases.

Streetscene Waste & Cleansing

Where a new build of 5 dwellings or more is proposed communal bin areas are provided. Capacity provided for communal bin stores is based on the number of dwellings x 240 litres for non-recyclable and again for recyclable waste. GBC provide both 1100 litre and 660 litre communal bins. Collectors must be able to safely pull the bin from the bin store requiring a flush threshold and

dropped kerb to carriageway, Harbour Road. There must be a clear passage from bin storage to collection vehicle.

Collection routes should permit refuse freighters to make collections without the need to reverse or use turning heads with clear passage from bin storage area to vehicle with no obstruction such as parking bays, parked vehicles, bollards, railings or other street furniture. Suggest bin store located adjacent Harbour Road removing the requirement for a refuse collection vehicle to enter the residential parking area/site.

Response to Public Advertisement

23 letters of objection received to original plans

Issues raised:

- one parking space per unit may not be adequate
- the proposal will lead to increased population density on the Gosport peninsula
- the proposal will lead to increased pressure on local infrastructure such as doctors, dentists, sewerage systems, schools, waste collection services, and hospitals
- the proposal will block light to dwellings on Mumby Road
- the proposal will lead to impacts upon the residents of Viewpoint in terms of loss of light, overshadowing, overbearing and loss of privacy
- the proposal will lead to a loss of property values for neighbouring properties
- the proposal will impact detrimentally upon the mental health and well-being of the elderly residents of the Viewpoint
- the noise and dust associated with the proposals demolition and construction phases will impact detrimentally upon the amenities of neighbours
- the proposal and the associated traffic and vehicle movements will lead to difficulty in accessing the area for emergency vehicles
- the Millennium Walkway will be adversely affected
- the proposal will result in the loss of the best cafe in Gosport
- the moving of the dry stack closer to the boundary with Mumby Road will result in an increased fire risk to neighbouring properties
- the proposed Marina Facilities Building will result in increased noise and disturbance and anti-social behaviour to the detriment of the amenities of occupants of the Quarterdeck
- the proposal will result in loss of light, overshadowing and overbearing impacts to the detriment of the amenities of occupants of the Quarterdeck
- patrons of the Marina Facilities Building who smoke outside the building will give rise to noise and disturbance impacts upon occupants of the Quarterdeck
- the proposal will lead to a loss of outlook to the occupants of the Quarterdeck
- the impact of another large building in this area will affect the geology and stability of the area.
- the proposal represents overdevelopment
- the proposal will have a detrimental impact in terms of Nitrate pollution
- the proposal would result in the loss of jobs within the existing buildings to be demolished
- increased traffic and parking will lead to highway safety issues

13 letters of objection received to amended plans

Issues raised:

- one parking space per unit may not be adequate
- the proposal will lead to increased pressure on local infrastructure such as doctors, dentists, sewerage systems, schools, waste collection services, and hospitals- the proposal will lead to impacts upon the residents of Viewpoint in terms of loss of light, overshadowing, overbearing and loss of privacy
- the proposal will lead to a loss of property values for neighbouring properties
- the proposal will impact detrimentally upon the mental health and well-being of the elderly residents of the Viewpoint

- the noise and dust associated with the proposals demolition and construction phases will impact detrimentally upon the amenities of neighbours
 - a more environmentally friendly fork lift should be used on site
- the proposed Marina Facilities Building will result in increased noise and disturbance and anti-social behaviour to the detriment of the amenities of occupants of the Quarterdeck
- the proposal will result in loss of light, overshadowing and overbearing impacts to the detriment of the amenities of occupants of the Quarterdeck
 - patrons of the Marina Facilities Building who smoke outside the building will give rise to noise and disturbance impacts upon occupants of the Quarterdeck
 - the proposal will lead to a loss of outlook to the occupants of the Quarterdeck
 - the impact of another large building in this area will affect the geology and stability of the area

Principal Issues

1. Objections raised in respect of this proposal have raised concerns with regard to property values, loss of views and the use of a more environmentally friendly forklift on site. These matters are not material considerations and as such are not able to be considered in the assessment of this application. There is separate legislation to address the supporting infrastructure (e.g. gas supply, coverage of doctors etc.).

2. The main issues to be considered in the determination of this planning application are, therefore, whether: the proposals are acceptable in principle; whether the housing type is appropriate; whether the proposals are acceptable in amenity, design, parking/highways, contamination and ecology terms. Other considerations relate to the financial obligations and contributions.

Principle of Development

3. The application site falls within the Gosport urban area boundary, within which Policy LP3 of the Gosport Borough Local Plan 2011-2029 permits a presumption of development as long as proposals accord with other national and local plan policies. As a Brownfield site, this location is prioritised for new development under Policy LP3 criterion 3.

4. Local Plan Policy LP4 (Gosport Waterfront and Town Centre) criterion 1 sets out that Gosport Waterfront (and Town Centre) is a prime location for regeneration. Planning permission will be granted for employment floorspace, town centre uses, community and leisure uses and between 700-900 dwellings. Criterion 2 identifies Gosport Waterfront as suitable in principle for mixed-use development subject to the material considerations in criterion 3 of Policy LP4:

- a) Proposals are of a high quality design in accordance with Policy LP10, which conserves and enhances the distinctive built heritage of the Waterfront and Town Centre as well as improving the quality of the public realm;
- b) Proposals mitigate any impacts on the Strategic Road Network or other parts of the highway network;
- c) where applicable, opportunities are taken to improve public transport, pedestrian and cycling accessibility to, and within, the Regeneration Area; and that well-designed links between Gosport Waterfront and Town Centre are provided ensuring that there is significant connectivity between them;
- d) it accords with the principles set out in Policy LP45 on flooding including the requirements of a Flood Risk Assessment with the appropriate flood defences and mitigation measures; and
- e) It is served by sufficient infrastructure including:
 - i) A connection to the sewerage system at an appropriate point of adequate capacity; and
 - ii) Requirements outlined in other policies of the Local Plan.

Criterion 2 also identifies Gosport Waterfront as suitable in principle for mixed-use development subject to the material considerations in criterion 4 of Policy LP4 being addressed. These are:

- a) Access to deep water facilities is safeguarded;
- b) Appropriate measures are taken to remediate contamination and to ensure that there is no adverse impact on the water environment;
- c) Measures are taken to retain appropriate access to MoD oil pipeline facilities as required;

- d) Buildings and civic spaces are of a high quality design to reflect its superb setting overlooking Portsmouth Harbour;
- e) Proposals incorporate or improve public access along the waterfront;
- f) Falkland Gardens will form an integral part of any development;
- g) Interpretation of the historic maritime significance of Portsmouth Harbour is incorporated within the development;
- h) Measures to avoid and mitigate any adverse impacts on internationally important habitats are taken; and
- i) Biodiversity within the site is protected and enhanced.

As such, the proposal is acceptable in principle subject to relevant supporting policy criteria being addressed.

Sustainable Development

5. Local Plan Policy LP1 (Sustainable Development) sets out that the Council takes a proactive approach in generally supporting the presumption in favour of development in accordance with the policies of the National Planning Policy Framework (NPPF) (2019), subject to detailed local policy considerations which are set out below. Local Plan Policy LP24 (Housing) sets out in criterion 3 the prioritisation of previously developed land. Planning permission for new housing development will be granted provided that it is built at a density that makes an efficient use of land and relates to the context of the area. Locations with very good access to facilities such as Gosport Town Centre are more suited to higher density development.

6. The National Planning Policy Framework (NPPF) (February 2019) sets out in Section 11: Making effective use of land that planning decisions should promote an effective use of land in meeting the need for homes and other uses whilst safeguarding and improving the environment, and ensuring safe and healthy living conditions. Planning decisions should encourage multiple benefits from urban land, including mixed use schemes. They should give substantial weight to the value of using suitable brownfield land within settlements for homes, support appropriate opportunities to remediate land, promote and support the development of under-utilised land and buildings - especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively - and support opportunities to use the airspace above existing premises for new homes.

7. The application site is sustainably located in close proximity to town centre facilities and services, and local public transport provision including the Gosport-Portsmouth ferry which is sited approximately 300 metres to the east. The proposal would comprise a mixed-use scheme with some active ground floor frontages and re-use previously developed urban land for new homes. This approach is particularly pertinent in Gosport Borough where housing land supply is notably restricted partly due to the absence of any significant green field development options.

8. As such, the proposal efficiently re-uses urban land with a high density mixed use scheme and provides access to services without a likely reliance on private vehicular trips and therefore, in principal, the proposal comprises sustainable development in line with Local Plan policies LP1 and LP24, and NPPF Paragraphs 117 and 118.

Flood Risk

9. Local Plan Policy LP45 (Flood Risk) requires that applications for development on sites which are within Flood Zones 2 and 3 must be accompanied by a Flood Risk Assessment. In this instance the Flood Risk Assessment forms a part of the Planning Statement submitted in support of the proposal.

10. The supporting Planning Statement sets out the following with regard to Flood Risk:

"The majority of the site is located within Flood Zone 2 and 3. Accordingly, and as the application site is larger than 1 hectare, a Flood Risk Assessment ('FRA') is submitted as part of this planning application. This concludes that the proposed development is of low flood risk from all sources."

11. The Waterfront and Town Centre SPD recognises the wider sustainability and regeneration potential of this site and identifies it as an 'exception site' where residential development could be permitted.

12. In accordance with the NPPF (2019) and Local Plan Policy LP45 (Flood Risk and Coastal Erosion), a sequential approach has been taken to the design of the site, with all buildings lifted from the ground to ensure there are no vulnerable uses at ground level subject to flooding. Accordingly, through pre-application engagement with the Environment Agency, design flood levels have been agreed and included within the design. Where practicable, temporary flood barriers at existing / new ground floor level entrances will be incorporated.

13. A Flood Warning and Evacuation Plan will be prepared, post-planning, to detail how a Flood Warning is disseminated within the site / buildings, and how site occupants should respond to a warning of impending flooding.

14. It should be noted that in line with the national Planning Practice Guidance (PPG) given that the site is allocated in the Local Plan for mixed-use development as part of a wider Regeneration Area, there is no requirement for a Sequential Test.

15. The County Council as the Lead Local Flood Authority has no objection to the proposals subject to conditions:

1. To ensure the drainage system is constructed in accordance with the Flood Risk Assessment and Drainage Strategy.
2. The condition of the existing drainage system should be investigated before any connection is made. If necessary, improvement to its condition as reparation, remediation, restitution and replacement should be undertaken. Evidence of this, including photographs should be submitted. Evidence that Southern Water has agreed to the principle of re-using the existing drainage system should be submitted before any connection is made.
3. Details for the long-term maintenance arrangements for the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings. The submitted details shall include;
 - a. Maintenance schedules for each drainage feature type and ownership
 - b. Details of protection measures.

16. Such conditions are considered to be both reasonable and necessary and as such are recommended to be imposed.

Open Space

17. Local Plan Policy LP34 (Provision of New Open Space and Improvements to Existing Open Space) sets out that planning permission will be granted for residential development (Use Class E) provided that appropriate provision is made for public open space facilities in accordance with these standards:-

- a) for developments of 50 dwellings or more on-site provision of public open space including a 'local park' will be required to a standard of 1.5 ha per 1,000 people and that this open space should be provided to the Borough Council's 'Good' Quality Standard. Developer contributions should also include provision for the long term management of the open space;
- b) In particular circumstances off-site provision may be considered appropriate for sites of 50 dwellings or more provided a financial contribution is secured through a Section 106 agreement. Contributions will be directly related in scale and in-line to the proposed development to reflect the impact the development has on existing green infrastructure. Such funds will be used to improve an existing facility normally within 800 metres of the development site to achieve the Council's 'Good' quality standard;
- c) For sites of less than 50 dwellings the developer contribution for improving public open space and associated facilities has been calculated as part of the Community Infrastructure Levy

and consequently no further contribution is required. However proposals should include green infrastructure elements (see Policy LP41).

18. Essentially, given the urban location it is not considered practical or desirable to provide new public open facilities within the application site and hence an off-site contribution should be sought in this instance. The prior restrictions on the limiting of pooling from obligations to five different schemes have now been removed and this is confirmed in the PPG.

19. Authorities can choose to pool funding from different routes to fund the same infrastructure provided that authorities set out in infrastructure funding statements which infrastructure they expect to fund through the Levy.

20. The Local Plan justification text Paragraph 11.116 states that such provision should be in close proximity to the development (normally 800m of the development). In this instance given the proximity of Falkland Gardens it is considered appropriate that contributions to improve the public realm in this area would be appropriate. Accordingly a clause will be added to the S106 agreement associated with this application securing the calculation of contributions in respect of open space associated with any reserved matters application is in accordance with the adopted standards.

Housing Mix and Tenure

21. Local Plan Policy LP24 (Housing) criterion 1 sets out that proposals for new housing development should include a mix of dwelling types, sizes and tenure to meet the needs of Gosport's current and future population.

22. Local Plan Policy LP24, criterion 2 sets out that on development sites proposing 10 dwellings or more the Council will seek to secure 40% of the dwellings to be provided as affordable housing. Where it can be clearly demonstrated that the provision of 40% affordable housing is not economically viable the Council will seek to negotiate a percentage of affordable housing as close as possible to the target level having regard to a site specific economic viability assessment. The mix of affordable housing tenures provided by a development should reflect the latest evidence of need.

23. The proposed housing typology is that all units will be flats. This is acceptable within the context of a town centre and regeneration area site where houses would likely not comprise the most efficient use of land.

24. The Council's latest evidence study (Demographic Projections Final Report, JG Consulting, December 2019) sets out a suggested mix of housing by size and tenure. This is set out below:-

Suggested Mix of Housing by Size and Tenure

	1 bedroom	2 bedroom	3 bedroom	4 bedroom
Market	5-10%	35-40%	40-45%	10-15%
Affordable Home Ownership	30-35%	40-45%	20-25%	0-5%
Affordable Rented	35-40%	30-35%	20-25%	5-10%

25. Given that the proposed scheme is a high-density proposal - in line with the requirements of the Local Plan and SPD - it is not expected that the scheme should provide any 3 or 4 bedroom flats, although some 3-bed flats would clearly be acceptable in principle.

26. Given this, a market housing mix of circa 20-30% 1-bed flats (14-21 flats) and 70-80% 2-bed (49-56 flats) for this 70 unit scheme would be acceptable.

27. In line with Policy LP24, the Council would expect 40% (28 units) of the proposal to be Affordable Housing. It is noted that an Open Book Assessment has been provided. Viability evidence should be subject to independent review, however at this outline stage it is not possible for a detailed viability appraisal to be undertaken as the number and mix of units is a reserved matter. As such a clause within the associated legal agreement is recommended that secures that any applications for reserved matters be accompanied by a viability appraisal specific to the submitted proposal. Any future Reserved Matters application will be assessed in accordance with the

requirements of the NPPF and Local Plan Policy LP24 in terms of affordable housing provision and housing mix.

The STS Building

28. The proposed partial demolition, third floor extension and reconfiguration of the proposed STS building are intended to maximize the buildings layout and operational suitability to the existing Tenant STS Defence LTD. The closest residential dwellings to the site are located in Warrior Court which is located 17.5 metres to the southeast of the building on the opposite side of Mumby Road.

29. Given the scale of the proposed extensions it is considered that they will have no detrimental impact upon the amenities of the occupiers of neighbouring dwellings in terms of loss of light or overbearing impacts. The proposal would modernize the outward appearance of the host building and, through the removal of the flat roofed southern element rationalise and modernise its façade, thus delivering a benefit in terms of the amenity of the streetscene and the character of the immediate area. The existing use of the site would continue and it this proposal will allow the existing occupier of the site to expand their operations whilst remaining within the existing site without needing to encroach into the wider marina for storage or operations. It is therefore considered that this element of the proposal would not result in harm to the amenities of neighbours nor to the activities of neighbouring commercial interests and it is considered to be acceptable in terms of Policies LP10, LP3 and LP4 of the Local Plan.

Marina Facilities Building

30. The proposed marina facilities building would be located to the north west of the existing residential flatted development known as "the Quarterdeck", and its south eastern elevation would be separated from that building by approximately 17 metres. Whilst it is recognized that the proposed building is not of a design form or architectural style which finds an echo elsewhere within the marina complex or in the wider area, it is considered to be a high quality design that would make a positive contribution to the character of the area and its visual amenity. The use of appropriate materials can reasonably be secured by condition and this is recommended to be imposed.

31. The proposed building has a significant mass and height and as previously stated would be sited to the north west of the Quarterdeck, within which dwellings on each of the 5 floors have windows serving habitable rooms or balconies which address the proposal directly. Given the building's location to the north west of the Quarterdeck it is acknowledged that the building will interrupt direct sunlight into the most immediately neighbouring dwellings in the Quarterdeck. However this interruption will only occur at times late in the evening, in the weeks immediately preceding and following the summer solstice, when the sun is at its highest. This impact is not considered to be of such significant detriment to the amenities of the occupiers of neighbouring dwellings as to warrant a refusal of the application on this basis.

32. The proposed use of the first floor as a restaurant and bar carries with it an expectation of activity into the late evening hours which may result in impacts upon the amenities of neighbours in terms of noise and disturbance. This is particularly the case where such activities are to take place outside as would happen on the external balcony, which is proposed to span the frontage of the building at first floor level and wrap around part of the south eastern elevation. As habitable rooms within the Quarterdeck will directly oppose the proposed balcony it is considered that the restaurant/bar use could have the potential to have a detrimental impact upon the residential amenities of the occupiers of the Quarterdeck contrary to Policy LP10 of the Local Plan. As such this impact is considered to be a material consideration of significant weight in the assessment of this application. For this reason it is considered to be both reasonable and necessary to impose a condition preventing the use of the outside balcony area after 10pm in order to limit the likelihood of noise and disturbance impacts to the detriment of the amenities of neighbours.

33. In recognition of the proximity of the proposed first floor balcony and terrace to the north eastern elevation of the Quarterdeck and the properties therein the windows at first floor level to the south eastern elevation would be obscure glazed and the glass and steel balustrade of 1.5 metres in height is proposed to surround the proposed balcony, the south eastern end of which would also be formed of obscured glass. In the absence of such mitigation measures the proposal would lead to

a loss of privacy and perception of overlooking to the occupiers of those properties that would be of significant detriment to their residential amenities, contrary to Policy LP10 of the Local Plan. Whilst the proposed 1.5 metre high obscured balustrade would prevent views from those seated at tables, it would not preclude overlooking from persons standing on the balcony, and therefore is considered to still give rise to potential for overlooking and loss of privacy impacts. Details of the level of obscuration of the windows will be required by condition. It is also considered that a condition requiring the submission of details of an obscured glazed balustrade of 1.75m in height to be approved and fitted at the south eastern end of the balcony prior to first use of the proposed building, is both reasonable and necessary in order to protect the amenity of the occupiers of neighbouring properties. Such a condition is therefore recommended.

34. With the imposition of the conditions recommended above and also those recommended by the Environmental Health Team to deal with potential land contamination, it is considered that the proposed Marine Facilities building will have no detrimental impact upon the character of the area or the visual amenities of the site, or any significant detrimental impact upon the amenities of neighbours and is considered to be acceptable in terms of Policies LP1, LP10, and LP24 of the Gosport Borough Local Plan 2011-2029.

Relocation of the Dry Stack

35. It is acknowledged that the proposed location of the dry stack immediately adjacent to the boundary of the site will lend the dry stack a degree of prominence in views into the site, however, given its height and scale it is already a prominent feature of the marina and contributes to the waterside character of the site. Whilst the Dry stack is not a visually attractive structure, its location within a marina complex is not considered to be out of keeping with the established character of the site.

36. The proposed relocation of the dry stack would bring it within closer proximity to neighbouring dwellings to the opposite side of Mumby Road, with No.21 Mumby Road being the closest to the repositioned dry stack at a separation of 24 metres to the south west. The majority of the dry stack's length is, however, opposite the Minnitt Road North car park to the south. Given its location relative to the nearest adjacent dwelling, its separation from neighbours and that glimpsed views into the marina will be available through the dry stack, even when it is occupied, it is considered that the proposed relocation of the dry stack would not impact detrimentally on the amenities of neighbours in terms of loss of light or overbearing.

37. The proposed relocation of the dry stack to a location immediately adjacent to the STS building is not considered to have a detrimental impact upon the operation and amenity of the business therein. Whilst vehicle movements in association with the movement of boats into and out of the dry stack will take place in closer proximity to that building than is presently the case they would be contained within the discreet confines of the dry stack enclosure and would not impinge upon car parking or pedestrian access within the STS site.

Car park rearrangement

38. The proposed development is intended to serve the existing marina use, the STS building, and the proposed Marina Facilities Building and is reconfigured to include greater landscaping and a layout that will better serve the occupants. The applicant has confirmed that the reconfigured marina car park will comprise a reduction in overall car parking, from 449no. spaces down to 401no. spaces (a gross loss of 48no. spaces). The 401 car parking spaces to be provided will comprise 379no. spaces for the Marina (including 5% disabled vehicle provision) and will be used by berth holders, staff and members of the public. The STS Defence building's parking will comprise 22 spaces (5% disabled provision) for use by staff. The STS Building users have access to use up to an additional 58 spaces within the Marina car park on weekdays, giving STS Building users access to a total of 80 spaces. It is acknowledged that the STS Building and marina have opposing peak uses, with the STS Building's demand for parking occurring on weekdays, while the peak demand for the marina occurs at weekends. Information provided by the applicant indicates that demand for parking at the marina remains to be driven by boat berthing capacity rather than the proposed Facilities Building. It is further confirmed that no change is proposed to the number of marina berths. The improved facilities within the marina building will better provide for marina users, but will not attract more users or generate a demand for parking in its own right. Similarly, while the

restaurant/bar will be open to the public, its primary focus is to meet demand from berth holders. Any increased demand for the restaurant from the public would be expected to occur in the evenings, outside of peak periods for parking demand.

39. An assessment of parking demand for the marina was provided in Technical Note reference 14586-HYD-XX-XX-RP-TP-1001.P02 using data obtained from ticket machines in summer 2020. The summer months are the peak time for the marina and August 2020 was representative of or potentially busier than typical August conditions. This was because outdoor activities reopened following the first Covid lockdown, allowing boat owners to spend more time on their boats than they would in a typical year. The Applicant's assessment was for the busiest recorded weekday (including allowance for STS parking) and weekend day in summer 2020. It showed just over 100 available spaces in the car park at the busiest time of day on the weekday and around 200 available spaces at the busiest time of day on a weekend day. Considerably more parking (at least 250 spaces) was available in the evenings (when the restaurant may generate demand from the public). It is therefore considered that spare capacity exists within the car park, even on busy days, in the unlikely event that additional parking is needed to support the marina facilities building. As such the proposed car park reconfiguration is considered to be acceptable and in accordance with Local Plan Policies LP10 and LP23 of the Gosport Borough Local Plan 2011-2029.

Residential element

40. All matters except access are reserved and, as such, the plans showing the scale and location of the proposed development must be regarded as indicative. That being said it is for the applicant to demonstrate that the level of accommodation applied for can successfully be accommodated at the site. This matter is assessed in the following section of the report.

Access and parking

41. The proposed residential development would be accessed via Harbour Road and utilise a new access to the site on the southern side of Harbour Road. The Local Highway Authority has raised no objection to the proposed access on the basis of highway safety, intervisibility, or traffic generation and as such it is considered that the proposed access arrangements are acceptable and in accordance with Policies LP10 and LP23 of the Local Plan. The Local Highway Authority has recommended that the requirement to submit a Travel Plan for approval is included within the clauses of the S106 agreement associated with any permission granted.

42. The proposal is accompanied by plans and supporting documents which indicate that the proposed residential development would be served by 1 parking space per dwelling. In the absence of details with regard to the proposed mix of flat sizes and with the application being for the provision of up to 70 units, the assessment of the proposed development against the adopted parking standards will have to be undertaken at Reserved Matters stage. However, it is noted that the site is located in a sustainable location with good access to local services, public transport nodes, with pedestrian and cycle routes all within easy walking distance. As such it is considered that the level of parking proposed is broadly acceptable but that any application for reserved matters should be supported by information that seeks to illustrate how the level of parking to be provided would be supported and supplemented by the use of other modes of transport.

Design and amenity

43. Whilst the plans and details submitted with regard to the residential element of the proposal are indicative they illustrate the scale and form of the proposed development and its location within the site and relative to the other elements of the application. The residential development is shown as an irregularly shaped form with an approximately L shaped footprint. The proposed flatted development is shown as being of 11 storeys with a height of 35 metres above ground level and is shown at the northernmost point of the L shaped form, approximately 24 metres from the south eastern corner of the Viewpoint tower block. The southernmost arm of the L shaped building would return along the frontage with Mumby Road reducing in height to 10.3 metres at its south eastern most extent. There has been significant concern expressed by occupants of the Viewpoint development that the proposed tower block would interrupt views, block light, and present an un-neighbourly aspect to neighbours. Given the scale, location and absence of layout plans for the proposed block it is acknowledged that as shown in the indicative plans provided, each of these

concerns could be borne out by the development if constructed as currently indicated. It must, however, be noted that the proposal is for Outline approval of this development and that therefore only the broad parameters (other than Access) of the proposal are for consideration at this time. The plans provided show that a development of the scale proposed could be accommodated on the site whilst also showing that matters of design internal layout, site layout and relationships to neighbouring dwellings must be considered in detail at the Reserved Matters stage in order to ensure appropriate detailing and building relationships.

44. The level of parking provision is considered to be broadly acceptable and the details and information provided by the applicant are sufficient to indicate that a development of this scale and number of units can be accommodated at the site. There remain matters in respect of the proposal regarding build form, layout, design, impact on neighbours and streetscene and character that are appropriate to be resolved through an application for Reserved Matters. It is considered, therefore, that the proposal successfully demonstrates that a development of up to 70 residential units can be accommodated at the site in an acceptable manner and that this is sufficient to secure a recommendation of approval of outline consent for this element of the proposal.

Biodiversity and nature conservation

45. The Conservation of Habitats and Species Regulations 2010 [as amended] and the Wildlife and Countryside Act 1981 place duties on the Council to ensure that the proposed development would not have a significant effect on the interest features for which Portsmouth Harbour, the Solent and Southampton Water are designated as Special Protection Areas, or otherwise affect protected habitats or species. Policy LP42 in Gosport Borough Local Plan 2011-2029 sets out how the Council will ensure that the European designated nature conservation sites along the Solent coast will continue to be protected.

46. The proposal will introduce up to an additional 70 dwellings which are likely to result in increased recreational activity on the coast and a consequential impact on the protected species for which the Portsmouth Harbour SPA, the Solent and Southampton Water SPA and the Chichester and Langstone Harbours SPA are designated. To address this impact, a contribution towards appropriate mitigation, in accordance with the Gosport Bird Disturbance Mitigation Protocol, is required and can be secured by a legal agreement. The applicant has agreed to provide mitigation in accordance with the Protocol, such that the proposal would comply with Policies LP42 and LP44 of the Local Plan.

47. Natural England have raised concerns that new dwellings are causing increased levels of nitrogen and phosphorus input to the water environment in the Solent with evidence that these nutrients are causing eutrophication at European and internationally designated habitat sites and additional mitigation measures will be required to offset any increases in nitrogen discharges that would result from the proposals. Natural England advise that proposals for new residential development should achieve nitrogen neutrality to avoid harm to these sites and the calculation has been undertaken to confirm the level of mitigation required.

48. The applicant has provided details of a scheme of mitigation involving the removal of land within the fluvial catchment from agricultural use and for it to be used as open space in the future. The submitted details indicate that the mitigation would result in a reduction in nutrient input equal to the maximum increase that would result from the occupation of the proposed development. Subject to these measures being secured, they would provide suitable mitigation such that the development would not cause harm to European and internationally designated protected sites. The proposal therefore accords with Policy LP42 of the Local Plan.

49. The buildings on the application site are, due to their nature and location, considered unlikely to be capable of hosting protected species. Nevertheless the potential for this can be highlighted through the imposition of a suitably worded informative. Ecological enhancement measures (e.g. the installation of bat/bird boxes) can be secured through the imposition of a suitably worded planning conditions imposed at reserved matters stage.

Archaeology

50. The site of the proposed residential development is in a location where evidence of the medieval and /or pre historic occupation of Gosport could be encountered. As such the county archaeologist has recommended a condition requiring that development on site be undertaken with regard to an archaeological Watching Brief. This will ensure proper recording and possible recovery of any archaeological evidence unearthed. Such a condition is considered to be both reasonable and necessary and is recommended to be imposed in accordance with Policy LP13 of the Local Plan.

Equalities Impact Assessment: No Implications

RECOMMENDATION: Grant Permission

Subject to Section 106 agreement relating to

1. securing the rates at which a contribution towards the provision of mitigation of increased recreational disturbance (SRMP Bird Aware) will be paid in respect of the proposed residential development .
2. securing the rates at which a contribution towards the provision or improvement of Open Space will be paid in respect of the proposed residential development .
3. securing the submission of a scheme specific viability appraisal at reserved matters stage to be reviewed by an independent assessor at the applicants expense with regard to the proposed residential development.
4. securing the submission of a scheme specific nitrate budget and mitigation scheme at reserved matters stage with regard to the proposed residential development.
5. Securing the submission of a scheme specific Travel Plan at reserved matters stage with regard to the proposed residential development.

Subject to the following condition(s):-

1. The development for which full planning permission is hereby granted must be begun within a period of three years beginning with the date on which this permission is granted.

Reason - To comply with Section 91 of the Town and Country Planning Act, 1990 (as amended).

2. The development of up to 70 dwellings for which outline planning permission is hereby granted must be begun either before the expiration of three years from the date of the grant of this permission, or the expiration of two years from the final approval of the reserved matters, or in the case of approval

on different dates, the final approval of the last such matter to be approved whichever is the later date.

Reason - To comply with Section 92 of the Town and Country Planning Act, 1990 (as amended).

3. Details relating to the layout, scale and appearance of the proposed development for which outline planning permission is hereby granted, and the landscaping of the site, hereinafter called "the reserved matters", shall be submitted to, and approved by, the Local Planning Authority before the development hereby permitted is commenced.

Reason - To ensure that the details of the outline element of the development is properly considered in the interests of controlling its impact on the Scheduled Monument, and the character and appearance of the Conservation Area, and to comply with Policies LP11 and LP12 of the Gosport Borough Local Plan 2011-2029.

4. In the case of the reserved matters, application for approval must be made not later than the expiration of three years beginning with the date of the grant of this planning permission.

Reason - To comply with Section 92 of the Town and Country Planning Act, 1990 (as amended).

5. The elements of the proposed development hereby granted full planning permission shall be carried out in accordance with the following approved plans:

- 18.3101.100 P4 PROPOSED GROUND FLOOR PLAN
- 19.3167.100 P4 LOCATION PLAN
- 18.3101.101 P4 PROPOSED FIRST FLOOR PLAN
- 18.3101.102 P3 PROPOSED ROOF PLAN
- 19.3167.102 P8 PROPOSED SITE PLAN
- 18-3322-9102 REV P4 PROPOSED DRAINAGE LAYOUT

18.3101.103_P7 MFB SECTIONS AND ELEVATIONS
19.3167.103 P6 PROPOSED DEMOLITION PLAN
18.3101.105 P4 EXISTING
19.3167.105 P7 FULL
18.3101.106 P4 PROPOSED SITE PLAN
19.3167.106 P5 LAND USE PLAN
19.3167.107 P6 LANDSCAPING PLAN
18.3113.126 P7 PROPOSED SITE PLAN
18.3113.130_P3 PROPOSED GROUND FLOOR PLANS
18.3113.131 P2 PROPOSED FIRST FLOOR PLAN
18.3113.131_P3. PROPOSED FIRST FLOOR PLANS
18.3113.132_P4 PROPOSED SECOND FLOOR PLANS
18.3113.133 P3 PROPOSED ROOF PLAN
18.3113.134 P3 PROPOSED ELEVATIONS
18.3113.135 P3 PROPOSED ELEVATIONS

Reason - To ensure that the development is completed satisfactorily in all respects and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

6. a) Development shall not commence until:
- i) a Written Scheme of Investigation has been submitted to and approved, in writing, by the Local Planning Authority; and
 - ii) the implementation of a programme of archaeological assessment and mitigation in accordance with the Written Scheme of Investigation approved pursuant to part a) i) of this condition has been agreed in writing by the Local Planning Authority and has been secured.
- b) The development shall, unless otherwise agreed, in writing, by the Local Planning Authority, be carried out in accordance with the approved programme of archaeological assessment and mitigation.
- c) The development shall, unless otherwise agreed in writing by the Local Planning Authority, not be occupied until a report interpreting the results of the archaeological fieldwork has been produced in accordance with an approved programme including where appropriate post-excavation assessment, specialist analysis and reports, publication and public engagement.

Reason - To assess the extent, nature and date of any archaeological deposits that might be present and the impact of the development upon these heritage assets, to mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations, to contribute to our knowledge and understanding of our past by ensuring that opportunities are taken to capture evidence from the historic environment and to make this publicly available and to comply with Policy LP11 of the Gosport Borough Local Plan, 2011-2029.

7. No development, including demolition, shall commence until there has been submitted to and approved, in writing, by the Local Planning Authority:

- (a) a desk top study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in BS 10175:2011+A2:2017 - Investigation of potentially contaminated sites - Code of practice; and unless otherwise agreed in writing by the Local Planning Authority,
- (b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175:2011+A2:2017 - Investigation of potentially contaminated sites - Code of practice; and, unless otherwise agreed in writing by the Local Planning Authority.
- (c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.

Reason - To ensure that risks from land contamination, ground gases and contaminated groundwater to the future uses of the land, neighbouring land, surface water, groundwater and wider environment are mitigated to ensure that the development can be carried out safely without any unacceptable risks to workers, neighbours and off site receptors and to comply with Policy LP47 of the Gosport Borough Local Plan 2011-2029.

8. The development hereby permitted shall not be occupied or brought into use until there has been submitted to the Local Planning Authority verification by the competent person approved under the provisions of condition 7(c) that any remediation scheme required and approved under the provision of condition 7(c) has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority). Unless otherwise agreed in writing by the Local Planning Authority such verification shall comprise:

- a) as built drawings of the implemented scheme
- b) photographs of the remediation works in progress
- c) certificates demonstrating that imported and/or material left in situ is free of contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition 7(c).

Reason - To ensure that risks from land contamination, ground gases and contaminated groundwater to the future uses of the land, neighbouring land, surface water, groundwater and wider environment are mitigated to ensure that the development can be carried out safely without any unacceptable risks to workers, neighbours and off site receptors and to comply with Policy LP47 of the Gosport Borough Local Plan 2011-2029.

9. Development shall not commence until a Construction and Traffic Management Plan, to include (but not be limited to): 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 and any temporary traffic restrictions, has been submitted to and approved, in writing, by the Local Planning Authority.

b) The approved Construction and Traffic Management Plan shall be implemented and maintained until the development is complete.

Reason - In the interests of the safety and convenience of users of the surrounding highway network and to comply with Policies LP10 and LP23 of the Gosport Borough Local Plan, 2011-2029.

10. a) No development shall commence until a Construction Environment Management Plan (CEMP) has been submitted to and approved, in writing, by the Local Planning Authority. The CEMP shall include details of all measures designed to protect on-site and off-site ecological features and should clearly identify roles and responsibilities for implementing the approved strategy.

b) The development shall, unless otherwise agreed in writing by the Local Planning Authority, be carried out in accordance with the approved CEMP.

Reason - To conserve and enhance biodiversity in accordance with the Conservation Regulations 2010, the Wildlife & Countryside Act 1981, the Natural Environment and Rural Communities Act 2006, National Planning Policy Framework and with Policy LP44 of the of the Gosport Borough Local Plan 2011-2029.

11. Prior to the commencement of development activities, a fully-detailed Ecological Mitigation, Compensation and Enhancement Strategy shall be submitted to and agreed in writing by the Local Planning Authority. The Strategy shall be in accordance with the outline measures detailed within the Preliminary Ecological Appraisal and Dusk Emergence and Dawn Re-entry Bat Surveys report (Middlemarch, November 2020). The Strategy shall include full details of all ecological mitigation, compensation and enhancement measures including, but not necessarily restricted to: impact avoidance measures, location, type and number of mitigation/enhancement features, location, composition and ongoing management of landscaping for biodiversity. All ecological mitigation, compensation and enhancement features shall be implemented as per ecologist instructions and retained in perpetuity in a location and condition suited to their intended function. Reason: to conserve and enhance biodiversity in accordance with the

Conservation Regulations 2017, the Wildlife & Countryside Act 1981, the NERC Act 2006, NPPF and with Policy LP44 of the of the Gosport Borough Local Plan 2011-2029.

12. The development for which Full Planning permission is hereby granted shall not be occupied until the site has been surfaced and enclosed in accordance with a detailed hard landscaping scheme (to include all hard surfacing materials, boundary treatments, and lighting) that shall have been submitted to approved, in writing, by the Local Planning Authority.

Reason - In order to protect the amenities of the area, and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

13. a) The development for which Full Planning permission is hereby granted shall not be occupied until a detailed planting scheme (to include species, numbers, densities, heights and future maintenance) has been submitted to approved, in writing, by the Local Planning Authority.

b) The approved planting scheme shall be completed within the next planting season following first occupation of the development, and any trees or plants which die are removed or become seriously damaged or diseased during the first five years, shall be replaced with others of identical species (or as may otherwise be agreed in writing with the Local Planning Authority) during the next planting season.

Reason - In order to protect the amenities of the area, and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

14. a) Construction above slab level of the Marine Facilities Building hereby permitted shall not commence until details of all external facing and roofing materials have been submitted to and approved, in writing, by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the approved details.

Reason - To ensure that the external appearance of the development is satisfactory, and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

15. a) Construction of the extensions and alterations to the STS Building hereby permitted shall not commence above 2nd floor level until details of all external facing and roofing materials have been submitted to and approved, in writing, by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the approved details.

Reason - To ensure that the external appearance of the development is satisfactory, and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

16. The development shall be carried out in accordance with the submitted flood risk assessment (ref 14581-HYD-XX-XX-RP-FR-0001, titled Gosport Marina Flood Risk Assessment, dated 25/11/2020 and as compiled by Hydrock Consultants Limited) and the following mitigation measures it details:

o Finished floor levels shall be set no lower than 3.39 metres above Ordnance Datum (AOD) for the Boat House Café and the Marina Trade Centre.

o Finished floor levels shall be set no lower than 3.26 metres above Ordnance Datum (AOD) for the STS Defence Building

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason - In line with the Planning Practice Guidance of the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change to reduce the risk of flooding to the proposed development and future occupants and Policy LP45 of the Gosport Borough Local Plan 2011- 2029

17. The drainage system shall be constructed in accordance with the Flood Risk Assessment and Drainage Strategy. Any changes to the approved documentation must be submitted to and approved in writing by Local Planning Authority and Lead Local Flood Authority. Any revised details submitted for approval must include a technical summary highlighting any changes, updated detailed drainage drawings and detailed drainage calculations.

Reason - In line with the Planning Practice Guidance of the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change to reduce the risk of flooding to the proposed development and future occupants and Policy LP45 of the Gosport Borough Local Plan 2011- 2029.

18. The condition of the existing drainage system should be investigated before any connection is made. If necessary, improvement to its condition as reparation, remediation, restitution and replacement should be undertaken. Evidence of this, including photographs should be submitted. Evidence that Southern Water has agreed to the principle of re-using the existing drainage system should be submitted before any connection is made.

Reason - In line with the Planning Practice Guidance of the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change to reduce the risk of flooding to the proposed development and future occupants and Policy LP45 of the Gosport Borough Local Plan 2011- 2029.

19. Details for the long-term maintenance arrangements for the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings. The submitted details shall include;

a. Maintenance schedules for each drainage feature type and ownership

b. Details of protection measures.

Reason - In line with the Planning Practice Guidance of the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change to reduce the risk of flooding to the proposed development and future occupants and Policy LP45 of the Gosport Borough Local Plan 2011- 2029.

20. Occupation of the development is to be phased and implemented to align with the delivery by Southern Water of any sewerage network reinforcement required to ensure that adequate waste water network capacity is available to adequately drain the development.

Reason - In line with the Planning Practice Guidance of the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change to reduce the risk of flooding to the proposed development and future occupants and Policy LP45 of the Gosport Borough Local Plan 2011- 2029.

21. a) The balcony/ terrace to the Marine Facilities Building hereby permitted shall not be brought into use until privacy screens measuring no less than 1.75 metres in height have been installed to the south eastern end of the terrace in accordance with details that shall have been submitted to and approved, in writing, by the Local Planning Authority.

b) The privacy screen(s) shall thereafter be retained in accordance with the approved details.

Reason - In order to protect the amenity of the occupiers of the adjacent properties and to ensure that the appearance of the development is acceptable and to comply with Policy LP10 of the Gosport Borough Local Plan, 2011 - 2029.

22. The windows on the south eastern elevation at first floor level of the Marine Facilities building hereby approved shall be non-opening and glazed with obscured glass to a minimum of Level 4 of the Pilkington scale (or any other equivalent as may be agreed in writing with the Local Planning Authority) and shall thereafter be retained in that condition.

Reason - To preserve the amenities of the occupiers of the adjoining properties, and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

23. The balcony/ terrace to the Marine Facilities Building hereby permitted shall not be open to customers after the hour of 10pm.

Reason - In order to protect the amenities of the occupiers of neighbouring properties and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

24. a) No part of any phase of the development hereby permitted shall be occupied until secure and weatherproof long-term cycle storage facilities and secure short stay cycle parking facilities serving that phase have been provided in accordance with a detailed scheme that shall previously have been submitted to and approved, in writing, by the Local Planning Authority.

b) The approved facilities shall thereafter be retained.

Reason - To ensure adequate provision for and to promote and encourage cycling as an alternative to use of the private motor car in accordance with Policies LP10 and LP23 of the Gosport Borough Local Plan 2011-2029.

25. a) No part of any phase of the development hereby permitted shall be occupied until facilities for the storage and collection of refuse and recyclable materials generated by that phase have been provided in accordance with a detailed scheme that shall previously have been submitted to and approved, in writing, by the Local Planning Authority.

b) The approved facilities shall thereafter be retained.

Reason - To ensure that adequate provision is made for the storage of refuse and recyclable materials and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

26. a) No dwelling hereby permitted shall be occupied until measures to limit water usage within each dwelling to no more than 110 litres of water per person per day have been implemented in accordance with a detailed scheme and water efficiency calculation, in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings that shall be submitted to and approved, in writing, by the Local Planning Authority.

b) The measures for limiting water usage approved pursuant to part a) of this condition shall thereafter be retained.

Reason: In the interests of reducing water usage and protection of the water environment and to comply with Policies LP39, LP42 and LP44 of the Gosport Borough Local Plan 2011-2029.

27. a) The use of the Marine Facilities Building hereby permitted shall not commence until equipment to suppress and mitigate odour and noise has been installed in accordance with a detailed scheme that shall be submitted to and approved, in writing, by the Local Planning Authority.
- b) The equipment to suppress and mitigate odour and noise installed pursuant to part a) of this condition shall, unless otherwise agreed in writing by the Local Planning Authority, thereafter be operated and retained in accordance with the approved details.

Reason - To ensure that the operation of the cooking equipment does not harm the residential amenities of the occupiers of neighbouring properties in accordance with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

28. a) No part of any phase of development hereby permitted shall be occupied or brought into use until areas for the parking, turning, loading and unloading of vehicles associated with that phase of development have been provided in accordance with a scheme that shall have been submitted to and approved, in writing, by the Local Planning Authority.

- b) The parking, turning and loading areas shall thereafter be retained and kept available at all times for these purposes.

Reason - In the interests of highway safety and to ensure adequate car parking, loading and unloading facilities are provided and retained, and to comply with Policies LP10 and LP23 Gosport Borough Local Plan 2011-2029.

29. Development shall not commence until a Construction and Traffic Management Plan, to include (but not be limited to): 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 and any temporary traffic restrictions, has been submitted to and approved, in writing, by the Local Planning Authority.

- b) The approved Construction and Traffic Management Plan shall be implemented and maintained until the development is complete.

Reason - In the interests of the safety and convenience of users of the surrounding highway network and to comply with Policies LP10 and LP23 of the Gosport Borough Local Plan, 2011-2029.

ITEM NUMBER: 02.
APPLICATION NUMBER: 21/00143/FULL
APPLICANT: . Thorngate Churcher Trust and Amiri Group Ltd
DATE REGISTERED: 23.03.2021

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

The Site and the proposal

1. This application relates to a 0.32ha parcel of privately-owned land located at the south-western end of Sealark Road at the junction with Grove Road. The site is identified as protected Open Space within the Gosport Borough Local Plan and a footpath dissects the site. There is an Oak Tree (T1) on-site that is protected by a preservation order (TPO) and there are two other unprotected Lime Trees. On the southern side of the site, which is higher than the northern part by between 0.5 and 1m, there is a grassed embankment. The site is partially enclosed by an approximately one metre high metal fence.

2. In the surrounding area, dwellings are predominantly two-storey and ex-naval accommodation is located just east of the site (Bittern Close) and north (Lapwing Close), with their gardens on the boundaries of the site. Within Bittern Close, but not adjacent to the site, are three-storey buildings containing flats. On the opposite side of Grove Road are a mix of two-storey dwellings. To the southeast of the site is the Grove Road Recreation Ground with the Priddy's Hard Nature Conservation Site further to the south-east.

3. Grove Road runs in a north-south direction and is subject to a 30 mph speed limit with some on street parking available although demand is high. A mini roundabout is located at the junction with Sealark Road and there is a central traffic island in close proximity to this roundabout on Sealark Road. There is some unrestricted parking along this section of Sealark Road. Grove Road is served by the E1 Eclipse bus route. South of the site on Grove Road is St John's Church of England Primary School.

4. Substantial changes have been made from the original proposals including: the number of units being increased from 28 to 39 in two phases; changes to the appearance of the building to remove gable roofs to be replaced with a more contemporary flat roof design; the scale has been increased from two storey to part two and part three storey; parking provision increased from 19 to 21; the re-siting of the building further to the west; and, the proposed removal of the protected Oak Tree.

5. Planning permission is, therefore, sought for the erection of a part two, part three storey building to accommodate 39 age restricted flats with balconies and associated works to include access, parking and landscaping, felling of an Oak Tree (T1), which is subject to Tree Preservation Order and situated on the western boundary adjacent to Grove Road. The development is proposed to be built in two phases, with the first comprising 30 units and the second an additional 9, within an extension to be added to the northern elevation. The first phase would deliver all the landscaping, access and parking requirements for the whole development. The applicant confirms that the flats would be restricted to those over the age of 50 and be operated by an Affordable Housing provider. The 39 units would all be one bed, two person units each with a floor area of approximately 50 square metres.

6. The proposed two-storey part of the building would, at its closest, be sited 18.5m and the three-storey element would be 46.5m from numbers 13 to 15 Lapwing Close to the north. To the east the two-storey part of the proposed building would be sited 18.8m from numbers 17 to 20 Bittern Close, whilst the three-storey part, which would only be opposite part of this terrace would be 26m. The proposed two-storey part of the building would be sited 21m and the three-storey element would be between 23m and 29m from 15 & 16 Bittern Close to the east. The building would be sited 24.8m from the two-storey part and 32m from the three-storey, to the side elevation of 14 Bittern Close. On the southern elevation, the proposed building would be set back from the back edge of the footway on Sealark Road by 8.5m. From properties to the west, on the opposite side of Grove Road, at its closest point, there would be a distance separation of over 20m.

7. The development would be set away from all boundaries and, at its widest, the development would be 19.3m. The development would have a flat roof with a mix of parapets and overhangs. The northern two storey part of the development would be some 6.4m high and 6.8m to the parapet. In the middle and southern part of the site where the development becomes three storeys, the flat roof would extend to some 8.2m in height with the parapet at 9.7m. Projecting bays, incorporating balconies, would be sited on the eastern, southern and western elevations at ground, first and second floor level. These rendered projections would surround balconies to provide additional depth and interest to the building. Access doors would have a strong vertical emphasis and windows would be square with brick detailing below to elongate their appearance and provide a vertical emphasis. The building would be finished in a mixed red and grey brick.

8. Internally, the access corridor would run centrally along each floor with staircases located at three points in the building, notably at its northern end, central and in the southern part of the building. At ground floor level, communal dining and seating areas would be provided along with a buggy store. Servicing requirements for the kitchen, office and plant room would be located in the central part of the ground floor.

9. The site would be accessed via three pedestrian access points - two to the south on Sealark Road and one to the west on Grove Road. Vehicular access would be from Sealark Road where a dropped crossing some 6m wide would lead to a mixed hard and soft landscaped area. Adjacent to the entrance way, a refuse collection point with vehicle strike barriers would be sited, in addition to 21 parking spaces, consisting of: 11 spaces for residents (including one disabled space), two spaces for staff (to include maintenance and a site manager) and eight spaces for visitors. Additionally a dedicated taxi/ ambulance space is also proposed within the car park, adjacent to the main entrance. The main refuse store and long stay bike store would be sited on the eastern boundary of the site. Short stay cycle parking would be located adjacent to the western pedestrian entrance. On the north side of the parking area would be a communal patio and seating area, comprising soft and hard landscaping. At the northern end of the building would be a grassed area. On the boundaries of the site a low hedge would be planted, with trees planted along the eastern boundary.

10. The application is supported by a number of documents including Preliminary Ecological Assessment, Phase 2 Reptile Surveys, Transport & Highways Statements, Lighting Assessment and Phase 2 Ground Investigation Report.

Relevant Planning History

TPO G.141 - 1 Oak tree - confirmed 12.07.2017

Relevant Policies

Gosport Borough Local Plan 2011 – 2029:

LP1 Sustainable Development

LP2 Infrastructure

LP3 Spatial Strategy

LP9E Allocations outside the Regeneration Areas: Leisure, Community Uses and Open Spaces

- LP10 Design
- LP15 Safeguarded Areas
- LP20 Information and Communication Technology
- LP21 Improving Transport Infrastructure
- LP22 Accessibility to New Development
- LP23 Layout of Sites and Parking
- LP24 Housing
- LP34 Provision of New Open Space and Improvement to Existing Open Space
- LP35 Protection of Existing Open Space
- LP37 Access to the Coast and Countryside
- LP38 Energy Resources
- LP39 Water Resources
- LP40 Waste and Material Resources
- LP41 Green Infrastructure
- LP42 International and Nationally Important Habitats
- LP43 Locally Designated Nature Conservation Sites
- LP44 Protecting Species and Other Features of Nature Conservation Importance
- LP45 Flood Risk and Coastal Erosion
- LP46 Pollution Control
- LP47 Contamination and Unstable Land

Supplementary Planning Documents:

Gosport Borough Council Design Guidance: Supplementary Planning Document: February 2014

Gosport Borough Council Parking: Supplementary Planning Document: February 2014
Solent Special Protection Areas Gosport Bird Disturbance Mitigation Protocol April 2018

Other Relevant Policies:

Hampshire Minerals and Waste Plan 2013

National Planning Policy Framework (NPPF), July 2021

Consultations

HCC Ecology	No objection subject to ecological mitigation and enhancement measures being secured. A receptor site for the relocation of the slow worms will need to be identified and agreed.
Streetscene Waste & Cleansing	The bin store shown is inadequate in size to accommodate both phase's bins (39). 39 apartments will require 8 x 1100 litre and 1 x 660 litre domestic and 8 x 1100 litre and 1 x 660 litre recycling wheeled bins.
Streetscene Parks & Horticulture	The application includes for the removal of the mature Oak tree T1 of TPO G141 referred to as T3 within the Tree Survey supplied. The recommendations for removal appear to be more focused on the provision of the development rather than providing any sound arboricultural reasons to support the request for its removal. I concur with the categorisation of the tree in the survey as Category B " Tree of moderate quality" it is further accepted there is some damage at 3.5m above ground level on the northern aspect from the loss of a primary structural

	limb however I would consider the tree not be compromised from such limb loss and to have the potential to continue to be an asset for a number of decades to come and as such would recommend its retention.
Eastern Solent Coastal Partnership	No objection. The applicant has clarified the finished floor levels. Furthermore, the FRA also recommends that the property management company sign up to the Environment Agency's Flood Warning Service. Coastal Partners would also recommend the preparation of a Flood Warning and Evacuation Plan, in accordance with advice from the Environment Agency.
Natural England	No objection subject to appropriate mitigation in respect of nutrient neutrality (through the purchase of nitrates credits) and recreational disturbance (via a financial contribution to the Solent Recreational Mitigation Partnership).
Southern Water	No objection. Applications to divert the existing sewer on the site and connect the services should be submitted to Southern Water. The supporting documents make reference to drainage using Sustainable Drainage Systems (SuDS). Under certain circumstances SuDS will be adopted by Southern Water should this be requested by the developer.
Crime Prevention & Design	No comments received.
Hampshire Fire And Rescue Service	No objection.
Local Highway Authority	Holding objection. Further information required in the form of speed surveys and up-to-date crash data.
HCC Landscape Planning & Heritage	No objection on archaeological grounds.
HCC Local Lead Flood Authority	Object. Request a detailed drainage strategy to demonstrate that the drainage system and quantum of development is achievable, whilst ensuring that flood risk will not be increased on or off site.
Building Control	No objection. It is noted that there are a number of public sewers crossing the site. The foul sewer in Grove Road would appear to be under the front of the proposed building and the bicycle store appears to be over another. Recommend consultation with Southern Water.
Environmental Health	No objection subject to conditions.

Housing Services Strategic

No objection. The Design and Access Statement (D&AS) states the development will be 100% affordable which will give Gosport much need affordable rented accommodation. Gosport Housing fully support this affordable housing scheme.

Response to Public Advertisement

19 letters of objections to original plans

Issues raised:-

- it is an overdevelopment, particularly when considering the density of the surrounding ex-naval estate and this is not welcomed by local residents
- too much greenspace locally has already been built on and this land should be preserved and the green belt area preserved
- the scale of the building has the potential to block or reduce access to WIFI
- the proposed landscaping would block natural light and cause overshadowing
- the balconies on the plan on the 1st and 2nd floor would result in further loss of privacy with views into the rooms and gardens of neighbours, who are not currently overlooked
- the plans fail the requirements of the Design SPD, being less than 20m apart from the Bitterne Close properties with facing habitable room windows and this should increase to 28m for the third storey, but all the habitable windows are less than 28m away. The proposed landscaping will not reduce the impact on loss of privacy for residents from the new windows / balconies
- whilst we appreciate the SPD confirms this distance would not apply to Grove Road due to the road, the proposals have 3 floors of habitable windows less than 20m away from Grove Road properties 67 & 65, failing the 21 & 28 requirements
- the proposed outlook from some existing properties would be onto a brick wall, whereas it is currently open, which is unacceptable.
- the height and sheer size of the proposed building would result in overshadowing and loss of light existing properties, mainly living rooms, dining spaces and gardens, denying the benefit of natural light which residents have had for decades and having a negative impact on how we use and enjoy our homes
- this may be caused as the building would be on land that is higher than the street scene and the development is likely to fail the tests set out in the Building Research Establishment (BRE) guide "Site Layout Planning for Daylight and Sunlight", in respect of any habitable room windows for most of the surrounding properties and a computerised daylight and sunlight study should be undertaken to assess the full impact on its neighbours before any planning agreement is made
- a legal Right of Light usually occurs once light has been enjoyed through defined apertures of a building for an uninterrupted period of 20 or more years. The surrounding properties more than meet this requirement and as such should now benefit from this easement. We do understand this is a civil matter that we are willing to defend should it come to that
- the additional development would cause light pollution into the gardens and homes of existing residents
- does not comply with section 8.23 of the Local Plan in relation to Policy LP10 as the footprint of the building is too large and its scale and massing are out of proportion. It is too big for the plot and area and it is too high in comparison to other neighbouring properties and too close to the boundaries of the site and the development should be reduced in height from three to two storeys
- all too often flats and apartments are built on small areas of land, giving a very 'closed in' look and feel. The overall look and location would be better placed on a larger plot of land, with a nicer outlook and nearer to amenities for those that need to access them
- the design of the flats is not in keeping with the architectural features of the road. Grove Road is made up of houses that were largely built in the 1930's (and prior to this). A block of flats, despite what the developer calls 'sympathetic' features, will adversely affect the visual appearance of the area and here are no three storey developments local to this site
- the blank gable end wall is now of a sheer size (with a 45% roof pitch) that it is effectively 3.75 storeys and the high pitch of the roof would exacerbate the amenity issues with the neighbours.

- Balconies are not in keeping with the design of the area although there are some Juliet balconies on other properties nearby
- it is understood that the ground floor level will be above existing pavement level in Grove Road. This requires to be softened and moved further away from the boundary fence to allow for 6m high polar trees to be planted to "soften" the stark façade. This would comply with GBC aim to plant 1,000 trees in the Borough as in its current form, little provision has been made for landscaping or other screening
 - two-storey dwellings would be more appropriate in this location
 - the Oak Tree is incorrectly identified as a Lime tree in the Arboricultural Report, this should be corrected
 - the tree survey goes on to confirm that the proposed development requires T3 (the protected Oak Tree) to be crown lifted to provide a 3m clearance over the short stay cycle spaces and the pedestrian access from Grove Road, however as a protected tree, removal of branches should not be permitted
 - the impact to traffic on a route to St John's Primary School is not only dangerous but unethical, especially during drop-off/pick-up times
 - if allowed, the additional impact of school staff, parents, builders and residents would have a significant impact locally that could be dangerous. Existing cars already park too close to the traffic islands, making it difficult to pass and this development, with insufficient parking, would make this even worse
 - the amount of disturbance during construction due to excessive noise, the production of dust or fumes and increased construction traffic is likely to have a significant impact on neighbours and last greater than 6 months
 - Grove Road is already a busy and over-parked on road. Despite the developers promising a car park and claiming that potential residents will not own a car, this cannot be guaranteed and the developers have only done the bare minimum to meet the Parking Standards
 - the proposed number of spaces must be shared between residents and staff and most future residents may be couples, with double the amount of cars
 - disturbance from visitors parking would be extremely unwelcome and this would put further strain on existing residents
 - whilst the developer has made provision for electric buggies and bicycle storage, most over 50s own cars and there is insufficient car parking for the proposed number of flats
 - visibility of turning right onto Grove Road from the roundabout is already impeded by the trees and current embankment to the land, a 3-storey building could reduce visibility further alongside the addition of extra cars narrowing the road at this point
 - no trip generation has been undertaken and it is not clear what extra traffic would be generated. The current survey was undertaken in January 2021 when lockdown restrictions were in place and may not be an accurate representation of current traffic level
 - if there is no space for residents on site, they may park on the road and cause an obstruction to fellow road users. Double yellow lines may be needed but no mitigation has been proposed by the developer
 - the proposed landscaping would block access for existing residents using the existing footway
 - the developers have included ecological features in their design but there are far more environmentally friendly ways to use this land than to build a block of flats
 - the ecological report is not sufficient to determine the application or impact on protected species, such birds, badgers and field mice. Whilst a brief biodiversity assessment, the inclusion of a small wildflower garden (for Thorngate residents only) will not compensate for the loss of this green space, enjoyed for years by both residents and wildlife, in what is already a heavily urbanised area
 - the land is contaminated and a full ground investigation must rule out contamination concerns to protect residents during the work and potential occupiers
 - the loss of greenspace could have a significant impact on mental health, especially given the events experienced over the past 12 months
 - it is unclear how the removal of the green space and increase in hard surfacing would increase the surface water flood risk at this site and locally. Similar impacts in respect of existing groundwater and the removal of trees/shrub roots have not been assessed
 - if the development caused damage by increased surface water flooding, would the developer or Gosport Borough Council be liable for damages and compensation

- there is no infrastructure to support such a building e.g. doctors, dentist, water supply, gas supply, schools, rubbish collection, waste water. It is not clear if the current sewage system is adequate to cope with the increased pressure as there are already several blockages per year
- the Council should purchase the land and develop into a wildflower garden
- would the planners/councillors accept the building to the rear of their houses
- the proposed trees will impact upon the insurance of existing residents who would be liable for extra costs
- loss of property value and issues with reselling of houses
- no consideration or compensation for existing residents, many of whom have been born and raised in Gosport

12 number of objections to amended plans

Issues raised:-

- the revised plans have not overcome the previous objections or concerns which remain
- overdevelopment of the site
- this amended proposal which has been designed in consultation with GBC Planning Department has produced a design which will increase the detrimental impact on neighbouring occupiers
- it is deeply concerning that communication with local residents about this proposal and the amendments had been insufficient and ineffective.
- the development of a 39 dwelling residence on such a small piece of land is not in keeping with the area and will put a significant strain on the already stretched local infrastructure
- loss of greenspace which is of greater concern given the last 18 months
- whilst the site is not readily accessible to people and as a private site does not have to provide access, there has always been a path through the space which, despite the overgrowth, could be accessed and more importantly the wildness of it has meant a safe, secure environment for a variety of wildlife for centuries - the applicants own report confirms the site has remained undeveloped since at least the late 18th century and almost certainly periods prior to this
- a two-storey build will still allow others to overlook our gardens, block out our sunlight and restrict times we can relax or enjoy our gardens. We bought home because of location and privacy which house and area provided to us
- the building will block access to sunlight in the mornings
- WIFI Box is on Grove Road and new build will impact on the signal and service we receive
- the plans have been amended to partly take into account the concerns about the height of the building. However, the detrimental impact on privacy has been increased. The proposal now has unit windows and balconies with views into my bedroom and living room windows and these units will be at the closest point to the boundary opposite my house
- the occupants of Bittern Close will effectively be placed into total darkness by the development which should not be allowed to happen. This application is a greedy attempt by the developer to maximise profit at the expense of the local area
- revised plans have reinstated windows and balconies looking directly into adjacent properties
- new build not in line with current properties or surrounding area, no other 2 or 3 storey flats on Grove Road
- the design of the building far from being a 'positive addition to the area' as stated in the proposal documents is very ugly and not in keeping with the area at all
- the documents state 'amendments to boundary and window placement' 'height and overlooking considered carefully' 'designed to minimise impact on neighbouring properties'. If this was the case the result would not be this design, nor would the result be to increase the number of units from 28 in the first proposal to 39
- understand the need to provide assisted living housing but this should not be to the detriment of existing residents whose ability to enjoy their homes and gardens will be drastically reduced by this building. I would welcome a design sympathetic to existing residents' concerns and in keeping with the area
- the footprint of the new plan is far larger than the previous one, leaving much less garden and green area for the residents as well as blocking more natural light from the houses that border the plot
- no provision for a lift to the upper floors

- the building is more reminiscent of something from the Soviet era in an Eastern Bloc country and a 2 storey, smaller development, or perhaps 1 storey 'alms house' type of building would be more appropriate and balance the need for affordable housing without destroying the privacy, comfort and quality of life for the existing residents
- the removal of a protected tree would set a precedent for other development in the Borough
- if a development cannot be sympathetically developed around one tree, it should not be allowed
- the protected tree is magnificent which is much appreciated and loved locally. It also represents a landmark as it was directly to the south of where the original Green Lane used to be before it was moved southwards and became Sealark Road. Unfortunately, it has not received any care or maintenance over a number of years and therefore may need some care and maintenance, but I would be personally devastated if it were removed, as would many of the neighbours
- the amended plans confirm the removal of the Oak tree, subject to a TPO, due to 'design requirements'. The previous design made much of keeping the Oak tree as a focal point and that the plans had been carefully designed so as to not encroach on root protection zones. The original full design submitted by the applicant went as far as to state "The existing large Oak tree and two Lime trees positioned on the western boundary are integral to the developed proposal of the layout. The retention of these trees provide great focal points and remain of high ecology/biodiversity value"
- contrary to the Gosport Borough Tree policy 2019. The Council is proposing 1,000 trees to be planted in Gosport to improve the Town's environment. So how can the removal of the Oak tree with a TPO be sanctioned by the Planning Committee
- the current tree provides far more environmental enhancement than any new trees "planted elsewhere"
- the increased traffic will be unsustainable against number of spaces and will increase risk of a child being injured with new build being close to a local school
- with access to Car Park on Sealark Road close to roundabout and pedestrian island on Sealark then crossing an already busy road will become more dangerous and increase risk of an accident
- children from the play area in Grove Road must cross busy roads
- the number of dwellings has been increased by 11 and will increase the number of vehicles using this site. Only 21 parking spaces have been allocated plus a mobility scooter store and bike shed. You are making an assumption that people over 50 will not drive and will rely on public transport and that they will not have visitors
- parking is already a matter of concern for Grove Road and this development will exacerbate the situation
- It's clear that the parking will not meet the requirements of the 39 apartments, based on Thorngate Livings own measurement criteria taken from its other sites
- Streetscene have indicated there is insufficient refuse bin space on the plans, where will extra space be found, perhaps losing a couple of parking spaces would be seen as an easy option
- impacts on foxes, badgers and other wildlife that live in this habitat
- we cannot see that a further survey has been undertaken to confirm the presence of reptiles at the site. The last document of this nature - HCC Ecology, 10 May 2021 - refers to the preliminary ecological assessment completed in March 2021 and confirms further surveys would be required
- the sewage system is currently unable to cope with the waste already and having a further 39+ residents this will create environmental issues. On a frequent basis the drains are blocked and creates sewage issues for current residents
- the pumping station will not be able to cope and it wasn't that many years ago that the creek came up to the school, where the land was reclaimed
- this will impact on the value of our property and make it more difficult to sell
- why can single storey homes not be an option and then we are not overlooked or lose sunlight in the summer evening

Principal Issues

1. The Council has advertised this application in accordance with the relevant legislative requirements and the adopted Statement of Community Involvement 2019. This application is not on land owned by Gosport Borough Council and has not been submitted by the Council. Any legal action against the Council, insurance premiums of residents, compensation and the loss of value to homes are not material planning considerations. This application will consider the impact on

amenity, however, any right to light or privacy would be separate legal matters and independent legal advice should be sought. There is no requirement for a day/sunlight study to be provided. The land is not designated as green belt. This application can only consider the development as applied for and on its own merits. This application cannot address how drivers park on street and/or the legality of this. There is separate legislation to address the supporting infrastructure (e.g. gas supply, coverage of doctors etc.).

2. The main issues to be considered in the determination of this planning application are, therefore, whether: the proposals are acceptable in principle; whether the housing type is appropriate; whether the proposals are acceptable in amenity, design, parking/highways, contamination and ecology terms. Other considerations relate to the financial obligations and contributions.

Principle

3. The site is located within the Urban Area Boundary where new residential development is acceptable in principle in accordance with Policies LP1 and LP3 of the Gosport Borough Local Plan 2011 - 2029 (the Local Plan). However, the site is designated as medium quality designated existing open space and Policy LP35 is of particular relevance. This policy confirms that development proposals will not be granted planning permission on existing open space except where it complies with one of two criteria. The criteria are that either the redevelopment for recreation and/or community facilities would retain and enhance existing facilities (criterion a), or alternative provision is made of the equivalent or greater community benefit, in terms of quality, quantity and accessibility and that the site cannot be used for an alternative form of Open Space for which there is an identified need (criterion b). Paragraph 97 of the National Planning Policy Framework 2019 includes similar criteria relating to the loss of open space. As the whole site is being redeveloped for residential purposes within Class C3 and whilst this would be 100% affordable housing, the proposal cannot be considered to comply with the first criteria of Policy LP35. However, the applicant has put forward mitigation proposals to compensate for the loss of the Open Space which they consider justifies the proposals under criterion b.

4. The mitigation proposed is in the form of a financial contribution of £10,000 (to be held and distributed by the Council) towards the improvement or enhancement of other open space or equipment within the vicinity of the site. The proposed financial contribution is considered reasonable in the context of other financial burdens associated with any permission (mitigation for recreational disturbance and nutrient neutrality) and the charitable status (registered charitable number. 1169965) of the applicant.

5. The applicant has also considered the Policy requirements for the use of the land for alternative forms of Open Space, outlined in part 6.10 of the Planning Statement. The assessment concludes that the land has been redundant for some time, is of limited quality, overgrown and with limited public accessibility. It also notes that the land is within private ownership and therefore the owner has no obligation to allow public access. The conclusions are that the site's location and size mean that it is not suitable for open space provision and there are other sites that could fulfil these requirements more appropriately, notably the high quality Grove Road Recreational Area. It is, therefore, considered that the applicant's assessment of alternative uses is acceptable in addressing this point.

6. It should be noted that the Regulation 18 consultation draft of the emerging draft Local Plan proposes to allocate this site for housing. Given the early stage of the Local Plan Review process little weight can be given to it at the current time.

7. Having regard to the proposed contribution of £10,000, it is important that if accepted it is used within the Hardway Ward, such as towards improvements to the Grove Road Recreation Ground or improving access to it through the open land at Felicia Close (although this is not within the Council's ownership. Alternatively, it could include some tree planting and biodiversity enhancements and a seating area in the Recreation Ground.

8. Although the open space has at times been accessible to the public, it is privately owned and was until recently overgrown and unmaintained and as such is not of high quality in terms of the benefit it provides. In terms of the Local Plan and the requirements of Policy LP35, the mitigation of £10,000 offered by the applicant to offset the physical loss of the land is considered to be reasonable. The mitigation proposed by the applicant would enable enhanced facilities to be provided by the Council that would provide an equivalent or greater community benefit. This contribution would need to be secured through a Legal Agreement. Although some areas for potential improvement of the £10,000 have been suggested in this report, the actual use of this contribution, if accepted, would be for the relevant Board to determine.

9. In conclusion, the proposed development and loss of the existing medium quality open space, subject to securing the mitigation contribution through a legal agreement, would be in accordance with Policy LP35 of the Local Plan in this respect.

Housing Type

10. Point 5 of Policy 24 of the Local Plan states: "The population forecasts for Gosport show that the number of elderly people is going to increase substantially. There will be a growing demand for specialist types of housing in addition to those that are capable of adaptation. The provision of sheltered housing and extra care housing can help meet this demand". This development is for age restricted, assisted living apartments. This type of accommodation (also known as extra-care housing) offers more support than sheltered housing but still allows people to live independently. Residents live in a self-contained flat, but have access to on-site support staff. Policy LP24 of the Local Plan indicates that: "planning permission will be granted for accommodation to meet the needs of the ageing population including the development of sheltered housing and extra care housing". The local Housing Needs Assessments that informs Policy LP24 identifies that over the plan period, the need for one bedroom affordable housing would make up 45-60% of housing need. The provision of 39 assisted living apartments, to be secured in perpetuity through a Legal Agreement, is acceptable and would accord with Policy LP24 of the Local Plan and meet an identified local housing need.

Design

11. The amended plans have altered the proposal from one with a traditional design incorporating pitched roofs to a more contemporary one using flat roofs. Whilst the architecture of the locality is generally traditional in nature and predominantly two-storey in scale, there is no in principle reason why a three storey building could not be provided on the site subject to a detailed consideration of its impacts. The proposed building would be of a relatively simple design but would include articulation and detailing to add visual interest. The three storey element would be sited adjacent to the junction of Grove and Sealark Roads with the two-storey element to the north stepping down to respect the existing two-storey development fronting Grove Road to the north. Such a design approach is considered acceptable in this location. The appearance of proposed building is considered to represent a good quality design that would complement the character of the area and, subject to conditions, to secure the use of appropriate materials is considered acceptable in design terms. As such the proposal complies with Policy LP10 of the Local Plan in this regard.

Amenity

12. The amended plans and the proposed removal of the Oak tree have allowed for increased separation to be provided from properties to the east in Bittern Close. Whilst there are instances where the separation distances between parts of the proposed building and some of the neighbouring residential properties fall below the recommendations of the Design SDP (21m for storey facing two storey and 28m for three storey facing two storey) most of the three storey elements would exceed the recommended separation distances. Whilst the building could be moved closer to Grove Road to increase separation this would result in the building becoming significantly more prominent in views along Grove Road.

13. The siting and orientation of the proposal is such that it is considered any loss of light or potential overshadowing would not be significantly harmful. The separation distances are such that whilst the proposal could give rise to a degree of perceived overlooking, it is considered that any harm from this and any actual overlooking would not give rise to such a degree of demonstrable harm that a reason for refusal on amenity grounds could not be justified. Overall the proposal is considered acceptable in amenity terms and complies with Policy LP10 in this regard.

Parking & Access

14. The proposal includes a level of parking significantly below the level expected by the Parking SPD to serve general residential properties. The SPD includes separate standards for retirement properties for unassisted living for residents over 60 years of age with no permanent on site staff that are between 0.5 and 1.2 unallocated spaces per unit together with 2 spaces for every 3 non-resident member of staff and visitor parking at a ratio of 1 space per 4 units. The applicant has provided evidence to support the level of parking proposed based on the demand for parking at other sites in the Borough that are owned and operated by them. The level of parking proposed is considered sufficient to meet the likely demand from future occupiers and visitors to the proposal. Subject to the occupation of the development being restricted to over 50s and it being retained as affordable housing, the proposal is considered acceptable in parking terms and would not conflict with Policy LP23 of the Local Plan or the Parking SPD.

15. The Local Highway Authority have raised a holding objection on two grounds: firstly that speed surveys have not been provided to justify the reduced visibility to the west of the proposed access (towards Grove Road); and secondly that inadequate crash data has been provided. For an access onto a road the subject of a 30mph speed limit visibility of 43 metres is required. This can be provided to the west of the proposed junction but only 35 metres can be provided to the east to the junction (the mini roundabout) of Sealark Road with Grove Road.

16. Visibility of 35 metres is suitable for roads with vehicle speeds of approximately 26 mph. The applicant contends that the presence of the mini roundabout is such that vehicles turning into Sealark Road would be highly unlikely to be travelling at speeds above 25 mph and therefore that adequate visibility would be provided. Given the particular circumstances of the site and the adjacent road network it is considered that the requirement for the applicant to commission speed surveys is unduly onerous and unreasonable. The visibility splays that can be provided each side of the proposed access are therefore considered acceptable.

17. The applicant has provided evidence to confirm that the submitted crash data submitted with the application is up-to-date and accurate, however, this is not accepted by the Local Highway Authority. Notwithstanding this the Local Highway Authority has not made any comments in respect of the conclusions in the applicants Transport Statement that assesses recent accidents and concluded that "there is no underlying highway safety problem in the vicinity of this site, and that the proposed development will not have an impact on local highway safety". In the absence of any evidence to the contrary, the proposed access arrangements are considered acceptable and in accordance with Policy LP22.

Flooding and Drainage

18. The accompanying Flood Risk Assessment confirms that the site is located in Flood Zone 1 and is within a very low-risk area of surface water flooding. The application is also accompanied by a Flood Risk Assessment and Drainage Strategy that sets out the proposed strategy for the development site is for all areas to be conveyed towards underground pipes and storage, prior to a restricted discharge to Southern Water surface water sewers. Whilst the Local Lead Flood Authority have requested further drainage details they have also said they are satisfied with the high level information submitted. Given the foregoing and that Southern Water have raised no objection to the proposals it is considered that the approval of the detailed design of the drainage can be dealt with by the imposition of a suitably worded planning condition. Subject to such a condition the proposal would comply with Policies LP10 and LP45 of the Local Plan.

Contaminated Land

19. A number of representations indicate that the land may be contaminated and unsuitable for development. This is recognised by the applicant who has submitted a Phase II Ground Investigation Report which indicates that eight samples were taken across the site (three from the northern section and five from the southern section) to depths of between 1m - 5m with two gas monitoring wells (one from the northern section and one from the southern section) and subject to analysis for contamination and geotechnical testing. This investigation work confirmed the presence of 'made ground' which has the potential to be contaminated. Testing of the samples indicates that no contaminants were discovered at a level that would be likely to be harmful to human health. Nevertheless further testing and assessment is required which can be secured by the imposition of suitably worded planning conditions. Subject to such conditions the proposal would comply with Policy LP10 (protection of residents from harm) and Policy LP47 (contamination) of the Local Plan.

Ecology

20. The proposal would include the felling of an Oak Tree (T1) that is protected by a Tree Preservation Order (TPO). The tree was protected in 2017 as it was perceived to be under threat from potential development. Since it was protected the tree has lost a major limb that has reduced its amenity value. If the tree were to be considered for protection now it would be a border line case as to whether it merited protection. The oak tree is sited close to Grove Road and is viewed in the context of the street trees that frame views along the road and which collectively make a strong positive contribution to the character of the area.

21. The location of the tree is such that it constrains the development potential of the site and, as was the case with the initially submitted plans, pushes any building towards the eastern boundary of the site which causes amenity issues associated with the proximity to other buildings and gardens. The applicant proposed to mitigate the loss of the tree through a financial contribution of £2,000 that would be used to secure replacement planting. The amount proposed could be used to plant 4 or 5 substantial trees in Grove Road Recreation Ground that would then be under Council control and management. Given the reduced amenity value of the tree, the need to make the most efficient use of land and the ecological benefits of securing replacement planting in the vicinity, it is considered that the proposals are, on balance, acceptable in this instance.

22. The site is located in an area of acknowledged ecological interests. Within 50m of the site, the following notable and protected species have been recorded oak-leaved Goosefoot, Field Woundwort, Common Toad, Corn Spurrey, Nettle-leaved Goosefoot, Slow-worm, Grasshopper Warbler, Round-leaved Fluellen, Adder, Common Lizard, Weasel's-snout, Mediterranean Gull. The site itself has been identified to be host to badgers and slow worms which are protected species. The application is supported by sufficient ecological information for it to be properly assessed. The proposals include measures to provide ecological mitigation and management measures relating to the closure of an outlying badger sett and the relocation of slow worms. A location of the receptor site for the slow worms has not been identified, however, it is considered that there are a number of potential sites in the vicinity of the site. This can be agreed by the imposition of a suitably worded planning condition as can the implementation of biodiversity mitigation and enhancement measures. Subject to such a condition the proposal would comply with Policy LP44 of the Local Plan.

23. The proposal would introduce new dwellings which are likely to result in increased recreational activity on the coast and a consequential impact on the protected species for which the Portsmouth Harbour SPA, the Solent and Southampton Water SPA and the Chichester and Langstone Harbours SPA are designated. To address this impact, a contribution towards appropriate mitigation, in accordance with the Gosport Bird Disturbance Mitigation Protocol, is required and can be secured prior to the occupation of the dwelling under a Legal Agreement. The applicant has agreed to provide mitigation in accordance with the Protocol, such that the proposal would comply with Policies LP42 and LP44 of the Local Plan.

24. Natural England have raised concerns that new dwellings are causing increased levels of nitrogen and phosphorus input to the water environment in the Solent with evidence that these

nutrients are causing eutrophication at European and internationally designated habitat sites and additional mitigation measures will be required to offset any increases in nitrogen discharges that would result from the proposals. Natural England advise that proposals for new residential development should achieve nitrogen neutrality to avoid harm to these sites and the calculation has been undertaken to confirm the level of mitigation required.

25. The proposed approach is one of land use off-setting whereby the increase in 13.18Kg nitrogen per year at the site is offset by a corresponding reduction in nitrogen elsewhere in the subcatchment. It is a requirement that the change in use at the mitigation site is legally secured in for the lifetime of the development and that necessary maintenance to ensure the new low nitrogen usage is also secured. In this instance the land indicated as available is in the Meon Valley and will be owned and managed by H.N. Butler Farms Ltd once removed from agricultural use and for the lifetime of the development. The applicant has made a financial contribution to the H.N. Butler Farms Ltd. to an equivalent level to offset the amount of nitrogen produced by the development (nitrogen budget).

26. Natural England has reviewed the Appropriate Assessment and are satisfied with these proposed mitigation measures. The full details of these measures would be secured by planning condition, along with securing measures limiting water usage within the properties to 110ltr per person per day. This is an acceptable approach to mitigating the proposed development and as such it would not cause harm to European and internationally designated protected sites in accordance with Policies LP42 and LP44 of the Gosport Borough Local Plan 2011-2029.

Conclusion

27. For the reasons set above, the proposal is considered acceptable in principle and in ecological, design, amenity and transport terms. Whilst some harm would result from the proposal, this is not considered to be sufficient to warrant the refusal of the application and is in any case outweighed by the benefits associated with the provision of 39 units of affordable supporting living accommodation.

Equalities Impact Assessment: No Implications

RECOMMENDATION: Grant Permission

Subject to Section 106 agreement relating to

1. securing the occupation of the flats in perpetuity as assisted living affordable housing for residents aged over 50
2. securing a contribution of £10,000 towards the enhancement of open space within the Hardway Ward
3. securing a contribution of £14,079 towards the mitigation of increased recreational disturbance (SRMP Bird Aware)
4. securing a contribution of £2,000 towards the planting of replacement trees in Grove Road Recreation Ground (or any other suitable site in the locality)

Subject to the following condition(s):-

1. The development hereby permitted must be begun within a period of three years beginning with the date on which this permission is granted.

Reason - To comply with Section 91 of the Town and Country Planning Act, 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

349-BBA-XX-DR-A-PL001 - Location plan (received 17.03.21)

4349/PL015 - Plot Types (received 01.09.21)

4349-BB-XX-XXX-XX-A-PL013 (received 01.09.21)

4349-BB-XX-XXX-XX-A-PL012 North Elevation received (01.09.21)

4349-BB-XX-XXX-XX-A-PL011 East Elevations (received 01.09.21)

4349-BB-XX-XXX-DR-A-PL008 A Roof Plan (received 01.09.21)
4349-BB-XX-XXX-DR-A-PL004 A Floor Plans (received 01.09.21)
4349-BB-XX-XXX-DR-A-PL003 F Proposed Site Plan Phases 1 and 2 (received 06.09.21)
4349-BB-XX-XXX-DR-A-PL002 Proposed Site Plan phase 1(received 06.09.21)
434-510 P2 Landscape Planting Plan (received 06.09.21)
4349-BBA-XX-XX-DR-A-XXXX A Site Section B (received 10.09.21)
4349-BBA-XX-XX-DR-A-XXXX A Site Section B (received 10.09.21)
4349-BBA-XX-XX-DR-A-XXXX A Site Section A (received 10.09.21)
4349-BBA-XX-XX-DR-A-XXXX A Site Section C (received 10.09.21)
4349-BB-XX-XXX-XX-A-PL014 A West Elevations (received 10.09.21)

Reason - To ensure that the development is completed satisfactorily in all respects and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

3. No construction shall commence until there has been submitted to and approved, in writing, by the Local Planning Authority:

(a) a desk top study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in BS 10175:2011+A2:2017 - Investigation of potentially contaminated sites - Code of practice; and unless otherwise agreed in writing by the Local Planning Authority,

(b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175:2011+A2:2017 - Investigation of potentially contaminated sites - Code of practice; and, unless otherwise agreed in writing by the Local Planning Authority.

(c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.

Reason - To ensure that risks from land contamination, ground gases and contaminated groundwater to the future uses of the land, neighbouring land, surface water, groundwater and wider environment are mitigated to ensure that the development can be carried out safely without any unacceptable risks to workers, neighbours and off site receptors and to comply with Policy LP47 of the Gosport Borough Local Plan 2011-2029.

4. The development hereby permitted shall not be occupied or brought into use until there has been submitted to the Local Planning Authority verification by the competent person approved under the provisions of condition 3(c) that any remediation scheme required and approved under the provision of condition 3(c) has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority). Unless otherwise agreed in writing by the Local Planning Authority such verification shall comprise:

a) as built drawings of the implemented scheme

b) photographs of the remediation works in progress

c) certificates demonstrating that imported and/or material left in situ is free of contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition 3(c).

Reason - To ensure that risks from land contamination, ground gases and contaminated groundwater to the future uses of the land, neighbouring land, surface water, groundwater and wider environment are mitigated to ensure that the development can be carried out safely without any unacceptable risks to workers, neighbours and off site receptors and to comply with Policy LP47 of the Gosport Borough Local Plan 2011-2029.

5. a) If contamination not previously identified is found to be present at the site then no further development or site clearance shall be carried out until a remediation strategy detailing how this unsuspected contamination is to be dealt with has been submitted to and approved, in writing, by the Local Planning Authority.

b) Development shall thereafter proceed in accordance with the approved remediation strategy.

c) The development shall not be occupied or brought into use until details verifying that any remediation scheme required and approved under the provisions of part a) of this condition has been implemented has been submitted to and agreed, in writing, by the Local Planning Authority.

Reason - To ensure that risks from land contamination, ground gases and contaminated groundwater to the future uses of the land, neighbouring land, surface water, groundwater and wider environment are mitigated to ensure that the development can be carried out safely without any unacceptable risks to workers, neighbours and off site receptors and to comply with Policy LP47 of the Gosport Borough Local Plan 2011-2029.

6. a) Development shall not commence until a Construction Environment and Traffic Management Plan (CETMP) has been submitted to and approved, in writing, by the Local Planning Authority. The CETMP shall include (but not be limited to):

- (i) A method statement for control of dust and emissions from construction and demolition;
- (ii) An assessment and method statement for the control of construction noise for the site specifying predicted noise levels;
- (iii) working hours;
- (iv) The provision of long term facilities for contractor parking;
- (v) The arrangements for deliveries associated with all construction works;
- (vi) Methods and phasing of construction works;
- (vii) Construction traffic access;
- (viii) Protection of pedestrian routes during construction;
- (ix) Wheel wash facilities,
- (x) Location of temporary site buildings, compounds, construction material, and plant storage areas; and

b) The development shall, unless otherwise agreed in writing by the Local Planning Authority, be carried out in accordance with the approved CETMP.

Reason - In the interests of the safety and convenience of neighbouring occupiers and users of the surrounding highway network and to comply with Policy LP46 of the Gosport Borough Local Plan 2011-2029.

7. a) Development shall not commence until full details of measures (in accordance with BS 5837:2012 - Trees in relation to design, demolition and construction) to protect all trees to be retained during construction have been submitted to and approved, in writing, by the Local Planning Authority.

b) The tree protection measures approved pursuant to part a) of this condition shall be fully implemented prior to the commencement of development and the development must thereafter be carried out in accordance with the approved details.

c) The tree protection measures approved pursuant to part a) of this condition shall be retained until the development is substantially complete, or its removal is agreed in writing by the Local Planning Authority.

Reason - To ensure, during construction works, the protection of adjacent trees that is to be retained in order to safeguard the character and appearance of the area in accordance with Policies LP10 and LP41 of the Gosport Borough Local Plan 2011-2029.

8. The development hereby permitted shall not be occupied or brought into use until the measures for the disposal of foul and surface water from the development, and its future maintenance, have been provided in accordance with the approved details, unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure that the development, hereby permitted, has adequate foul and surface water infrastructure in accordance with Policy LP2 of the Gosport Borough Local Plan, 2011-2029.

9. a) Construction above slab level shall not commence until details of all external facing and roofing materials shall be submitted to and approved, in writing, by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the approved details.

Reason - To ensure that the external appearance of the development is satisfactory, and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

10. The development hereby permitted shall not be occupied or brought into use until the vehicular access, footway crossings and/or verge crossings have been constructed in accordance with a detailed scheme that shall be submitted to and approved, in writing, by the Local Planning Authority.

Reason - In the interests of highway safety, access, and to comply with Policies LP10 and LP23 of the Gosport Borough Local Plan 2011-2029.

11. a) The development hereby permitted shall not be brought into use until the facilities shown on the approved plan 4349-BB-XX-XXX-DR-A-PL002 for the parking of vehicles have been provided.

b) The parking facilities shall thereafter be retained.

Reason - In the interests of highway safety and to ensure adequate car parking is provided and retained, and to comply with LP23 of the Gosport Borough Local Plan 2011-2029 and the Parking SPD.

12. a) The development hereby permitted shall not be occupied until secure and weatherproof long-term cycle storage facilities and secure short stay cycle parking facilities have been provided in accordance with a detailed scheme that shall be submitted to and approved, in writing, by the Local Planning Authority.

b) The cycle storage and parking facilities shall thereafter be retained.

Reason - In order to ensure that adequate cycle storage is provided to promote and encourage cycling as an alternative to use of the private motor car in compliance with Policy LP23 of the Gosport Borough Local Plan 2011-2029.

13. a) The development hereby permitted shall not be occupied until facilities for the storage and collection of refuse and recyclable materials have been provided in accordance with a detailed scheme that shall be submitted to and approved, in writing, by the Local Planning Authority.

b) The waste storage and collection facilities shall thereafter be retained.

Reason - To ensure that adequate provision is made for the storage of refuse and recyclable materials and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

14. a) The development hereby permitted shall not be occupied until the buggy storage facilities shown on the approved plans have been provided.

b) The buggy storage facilities shall thereafter be retained.

Reason - To ensure that adequate provision is made for alternative modes of transport to the private motor car in compliance with Policy LP23 of the Gosport Borough Local Plan 2011-2029.

15. The development hereby permitted shall not be occupied until the site has been landscaped in accordance with a detailed hard landscaping scheme (to include all hard surfacing materials, boundary treatments, and lighting) that shall have been submitted to approved, in writing, by the Local Planning Authority.

Reason - In order to protect the amenities of the area, and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

16. The planting scheme shown on approved plan 434-510 P2 and within planting schedule 4349-520 Rev P2, shall be completed within the next planting season following first occupation of the development, and any trees or plants which die are removed or become seriously damaged or diseased during the first five years, shall be replaced with others of identical species (or as may otherwise be agreed in writing with the Local Planning Authority) during the next planting season.

Reason - In order to protect the amenities of the area, and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

17. The dwellings hereby permitted shall not be occupied until:

a) a water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to and approved, in writing, by the Local Planning Authority; and,

b) a mitigation package demonstrating that any additional nutrient input arising from the development will not have an adverse effect on the integrity of the protected European Sites, has been submitted to and approved, in writing, by the Local Planning Authority.

c) the water efficiency and nutrient mitigation measures have been implemented in accordance with the details approved under a) and b) of this condition.

Reason - To prevent increased discharge of nitrogen into the water environment of European designated nature conservation sites in The Solent to comply with the Conservation of Habitats and Species Regulations 2017 and Policies LP42 and LP44 of the Gosport Borough Local Plan 2011-2029.

18. a) Development shall not commence until details of a receptor site for the relocation of the slow worms has been submitted to and agreed, in writing, by the Local Planning Authority.

b) Development shall proceed in accordance with the ecological mitigation and enhancement measures detailed within the Boonbrown Preliminary

Ecological Assessment (March 2021), the Boonbrown Ecological Opportunities Plan (OC/OC/44640/4349/A 12th March) and the Reptile Survey Report (Phillips Ecology, September 2021) unless otherwise agreed in writing by the Local Planning Authority.

c) Ecological enhancement features shall be retained in perpetuity in a condition suited to their intended function.

Reason - To conserve and enhance biodiversity in accordance with the Conservation Regulations 2017, the Wildlife & Countryside Act 1981, the NERC Act 2006, NPPF and with Policy LP44 of the of the Gosport Borough Local Plan 2011-2029.

19. a) The development shall be carried out in accordance with the submitted flood risk assessment (Site Specific Flood Risk Assessment and Drainage Strategy September 2021 - IMA-21-007).

b) These mitigation measures shall be implemented prior to occupation and shall be retained and maintained thereafter.

Reason - In line with section 9 of the Planning Practice Guidance of the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change and Policy LP45 of the Gosport Borough Local Plan and to reduce the risk of flooding to the proposed development and future occupants.

ITEM NUMBER: 03.
APPLICATION NUMBER: 21/00452/FULL
APPLICANT: Mr Antony Quinn
DATE REGISTERED: 08.09.2021

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

The Site and the proposal

1. The site is located on the southern side of Atkinson Close opposite its junction with Clayhall Road. It comprises a detached house with an open plan front garden and enclosed rear garden. The house is primarily constructed of red brick with a tiled roof and barn hips. There are a projecting gable and porch on the front elevation with render and Tudor style timber detailing. There is a detached double garage within the front garden adjacent to its eastern boundary, with a driveway in front. There is a conservatory on the rear elevation close to the western boundary. The site is located within the Anglesey Conservation Area.

2. The surrounding area comprises a mix of property designs, built at a similar time. Numbers 18 and 19 are detached houses situated to the east and have their rear elevations and gardens facing onto the side elevation of the application site and its garage. Number 21 is located to the west and is a detached house with a gabled roof that, on its front elevation, has a projection forming a double garage with a cat slide roof over, incorporating two pitched roof dormer windows. To the rear of the site are terraced properties fronting Anglesey Arms Road, with approximately 22.5m between opposing elevations. Some of these properties have extensions/conservatories on the rear elevations. Within the terrace is an undercroft leading to a garage/parking area to the rear of numbers 44-50, which adjoins the rear boundary of the application property.

3. Planning permission was refused for the retention and further works for a single dormer window, under reference 21/00294/FULL. The reason for refusal was:

"The dormer, by reason of its excessive scale, bulk and unsympathetic relationship with the recipient property appears as an incongruous and visually discordant feature which does not respect the character and appearance of the property, or preserve the character and appearance of the Anglesey Conservation Area, contrary to Policies LP10 and LP12 of the Gosport Borough Local Plan 2011-2029 and the Design SPD."

4. This application relates to an alternative proposal for the partial retention and further works in respect of the erection of two dormer windows on the rear elevation of the property. Revised plans have been submitted which increase the separation to the eaves and increase the pitch of the dormer roofs. The dormers would have pitched roofs set off the side elevations by 1.45m. They would be 2.35m wide, with a gap of 2.4m between, where a rooflight would be inserted. The ridge of the dormers would be level with the ridge of the house and the distance from the gutter to the base of the dormer is indicated as being approximately 0.8m when measured along the roof plane. The dormers are indicated as being tile hung in a colour to match. Three rooflights are proposed on the front elevation, however, these can be undertaken without planning permission.

Relevant Planning History

21/00294/FULL - retention of and further works for the erection of rear dormer window (Conservation Area) - refused 22.07.21

K14879/1 - Erection of conservatory - permitted 11.12.02

Relevant Policies

Gosport Borough Local Plan 2011 – 2029:

- LP1 Sustainable Development
- LP10 Design
- LP12 Designated Heritage Assets: Conservation Areas
- LP23 Layout of Sites and Parking

Supplementary Planning Documents:

- Gosport Borough Council Design Guidance: Supplementary Planning Document: February 2014

National Planning Policy Framework (NPPF), July 2021

Particular obligations fall upon the Local Planning Authority in determining any application which might affect a Conservation Area. Section 72 of The Listed Buildings and Conservation Areas Act 1990 (as amended) requires that the authority pay: "special attention to the desirability of preserving or enhancing the character or appearance of a conservation area".

Consultations

The Gosport Society

Object. The proportions of the proposed dormers are excessively bulky in relation to the existing roof surface. The dormers sit uncomfortably in relation to the eaves from which the dormers should be set back and the dormer ridges are too high, being shown at the same level as the existing ridge of the main roof.

Response to Public Advertisement

3 Letters of objection

Issues raised:

- loss of privacy
- dormers should be on the front with rooflights on the rear
- comments from adjacent properties are those not affected by the application, the comments would be different if they were opposite the property
- the proposals are for a 3rd floor not a 2nd as elsewhere on the estate
- disappointing that the owner did not consult the neighbours who live opposite, to gain views/comments before submission and commencement of work
- this is a Conservation Area and the proposals will not only affect the character of the Abbey Homes estate on which I live, but also set a precedent for future works
- applicant states that 'there are a significant number of box dormers within the vicinity', but what they fail to point out is that on the Abbey Homes estate, they are part of the original design and located at the first floor
- to allow one such development is to allow the potential for many, with hugely negative consequences for the aesthetics of the estate and the privacy of its residents
- were advised by our solicitor that the estate's location within a Conservation Area, it meant that the existing character and privacy would not be compromised

4 letters of support

Issues raised:

- in keeping with other dormers on properties within the Conservation Area and also within period properties in Alverstoke
- will allow increase in housing capacity without further impacting on green spaces
- as a direct neighbour it is already possible to see into each other's gardens, however, all residents are entirely respectful of each other's privacy and the proposed extension would be in a similar position but would not have any further impact than the current windows do

- this is not in any way failing to keep with the character of the buildings in the area
- Atkinson Close is a modern estate and the plans complement the style and feel of the era
- as a third generation resident of the area, I am not concerned that this change to the architecture of the building will in any way spoil the heritage that this area possesses

1 letter of observation

Issues raised:

- the design covered by this application is a great improvement on the previous plan
- the 2 much smaller dormers are much more in keeping with the surroundings than the original massive roof extension
- the original problem of overlooking neighbouring properties still remains but it may be reduced somewhat by the reduced window area

Principal Issues

1. The existing property comprises 4 bedrooms and the proposals would not generate a requirement for additional parking to accord with the Parking Supplementary Planning Document (SPD). There is no planning requirement for an applicant to consult or notify neighbours in advance of development works. Each application must be considered on its own merits having regard to the particular circumstances of the site. The main issues for consideration are, therefore, whether these revised proposals address the previous reason for refusal, whether the development would preserve, or enhance the character and appearance of the Conservation Area, whether it is an appropriate addition to the existing house, or would have a detrimental impact on the occupiers of the neighbouring properties.

2. The site is located within the Anglesey Conservation Area and notwithstanding the age of the property, built after the Conservation Area was designated, any development must, at minimum, preserve the character and appearance of this designated area. Whilst its location, surrounded by other properties means that it is not highly visible from wider public vantage points, glimpses are still possible and it is clearly visible from the neighbouring houses. These revised proposals are considered to be an improvement over the refused scheme, providing separation to the side elevations and between the dormer windows. The amended plans which increase the separation to the eaves are considered adequate to ensure that the additions appear as subservient features, given the additional changes to the roof pitch to provide some further relief to the ridge and barn hips. Whilst further changes could be proposed to improve its appearance, overall it is considered that the proposals have addressed the main issues from the reason for refusal of the previous application and in this instance are acceptable additions to the rear of this property's roof. They would preserve the character and appearance of the Conservation Area, in accordance with Policies LP10 and LP12 of the Gosport Borough Local Plan 2011-2029 and the Design SPD.

3. There is approximately 22.5m between the two-storey rear elevation of the application property and the two-storey rear elevations of the houses within Anglesey Arms Road and approximately 30 metres from the rear elevations of the properties to the east in Atkinson Close that are oriented perpendicular to the application site. There is existing mutual overlooking between the application site, its neighbour (number 21), and the rear elevations of numbers 17 and 18, whose rear elevations face west towards the application site and the properties within Anglesey Arms Road, all of which have first floor windows facing towards each other. The Design SPD provides guidance on separation distances, for this circumstance of 21m between opposing two-storey elevations, increasing to 28m for three-storeys. The resultant relationship from this development of two dormer windows would fall below this guidance, however, of relevance is the fall-back position that rooflights could be installed within a third floor of accommodation, without the need for planning permission and the degree of mutual overlooking that currently exists between most of these properties. Whilst it is considered that there would be an increased opportunity for overlooking and perceived loss of privacy to the rear in particular, given the fall-back that would result in a similar opportunity for overlooking and the fact that there is some mutual overlooking already it is considered, on balance, that this impact would not be sufficiently harmful to the amenities of the neighbours, from loss of privacy, to refuse the application on these grounds.

Equalities Impact Assessment: No Implications

RECOMMENDATION: Grant Permission

Subject to the following condition(s):-

1. The development hereby permitted shall be carried out in accordance with the following approved plans: TQRQM21145102010697; TQRQM21145101842214; PG.5185 20 2 G

Reason - To ensure that the development is completed satisfactorily in all respects and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

2. Notwithstanding the submitted information the materials to be used shall match in type, colour and texture, those on the existing building unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - To ensure satisfactory visual relationship of the new development to the existing, and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.