

GOSPORT BOROUGH COUNCIL – REGULATORY BOARD

6th September 2023

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. 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>	INDEX <u>Address</u>	<u>Recommendation</u>
01.	04/1-11/1	21/00516/FULL	Land Adjacent 189 Forton Road Gosport Hampshire PO12 3HB	Grant Permission subject to Conditions

ITEM NUMBER: 01.
APPLICATION NUMBER: 21/00516/FULL
APPLICANT: Mr Trevor Lazenbury Lazenbury property (Bemisters) Ltd
DATE REGISTERED: 06.10.2021

CASE OFFICER:
Mark Bridge

ERECTION OF DETACHED PART SINGLE/PART TWO STOREY BUILDING TO FORM 5NO. ONE BEDROOM FLATS WITH ASSOCIATED PARKING, CYCLE AND BIN STORAGE (as amended by plans received 06.02.23 and amplified by information received 28.07.22, 29.07.22 and 04.04.23)

Land Adjacent 189 Forton Road Gosport Hampshire PO12 3HB

The Site and the proposal

1. The site is located on the west side of this part of Forton Road. It is situated at its junction with Alma Road and Reeds Place. It comprises a vacant plot which has brick wall, approximately 1.8m high along its boundary with Reeds Place and Alma Street. Within the wall on the Reeds Place frontage is an existing vehicular access. There were two advertising billboards that formed almost the entire Forton Road frontage, but these have been removed, with Herras fencing, currently in place. The site appears to have been recently cleared of vegetation and there is significant evidence of long term littering on the site.

2. The surrounding area is a mix of residential and commercial properties. Number 189 is situated on the southeast boundary of the application site. It is a two-storey dwelling situated directly on the back edge of the footpath along the Forton Road frontage. The roof adjacent to the site extends to the ground floor and there are no windows on this elevation. There is a single storey rear extension with a balcony over, which extends across the full width of the rear elevation. Number 1 Alma Street is situated on the opposite side (southwest) of Reeds Place and has its flank wall over 6.5m from the site. It has a two-storey rear extension and its rear garden on its southern side. 195 Forton Road, is a commercial premises (café/restaurant) which has the flank wall of a two storey projection on its rear elevation, with a single storey projection with a balcony over. There is one window to the café opposite the site. To the rear of this building is a parking/yard area, beyond which is number 2 Alma Street. On the northeast boundary, adjacent to the junction of Forton Road and Alma Street is an existing billboard that would be retained, falling outside of the applicant's ownership or control. There are double yellow lines on the highways around almost the entire perimeter of the application site. On the opposite side of Forton Road are the building and parking area for the former Lidl store.

3. The proposals are for the erection of a detached building to accommodate 5no. one bedroom flats. The building would be an 'L' shape, extending along the Forton Road and Alma Street frontages. A single storey element is proposed facing Forton Road over 1m from the boundary with 189 and extending along part of the existing building's side elevation. This single storey element would have a pitched roof, with a ridge height of 4.75m and a depth of 5.7m. It would be set back approximately 1m from the Forton Road frontage, with a planting in front. The remainder of the building would be two-storey and have angled frontages on the corner of Reeds Place/Alma Street and Forton Road/Alma Street, the latter to accommodate the existing advertising board. The building would have an undercroft on its north elevation facing Alma Street with space for 2 cars. The plans have been amended to alter access to the flats and the internal layout. Access to the upper floors would be from the rear courtyard, and the undercroft. At ground floor, flat 1 would be accessed from Forton Road, with flat 2 accessed from Alma Street and flat 3 from Reeds Place. A single window at ground floor level is proposed on the rear (west) elevation of the single storey flat, and a bedroom window at ground floor level on the south elevation, with all other windows being on the road frontages. On the rear of the building (south elevation) a single storey pitched roof projection to provide the bin and cycle stores is proposed. Three parking spaces, accessed from Reeds Place, and a small courtyard, forming a shared amenity space are proposed in the area adjacent to the boundary with 189 Forton Road. The materials to be used are indicated as brickwork and tiles. Additional ecology and highways information has also been provided.

Relevant Planning History

Nil

Relevant Policies

Gosport Borough Local Plan 2011 – 2029:

- LP1 Sustainable Development
- LP2 Infrastructure
- LP3 Spatial Strategy
- 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
- LP46 Pollution Control
- LP47 Contamination and Unstable Land
- LP40 Waste and Material Resources

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

National Planning Policy Framework (NPPF), July 2021

Consultations

Streetscene Waste & Cleansing	Where a new build property of 5 dwellings or more is proposed it is preferable that a communal bin store/communal bins are provided. Minimum capacity would be 2 x 1100 litre waste/recycling wheeled bins. The bin store shown inadequate in size to accommodate the required bins. A clear unobstructed passage to the nearest highway is required.
Environmental Health	Records indicate the land was formerly used as a motor garage (at No.191). Therefore our recommendation is that a full ground contamination condition is applied to investigate the potential for contamination on the site of this proposed development.
Hampshire Fire And Rescue Service	No objection. Access and facilities for Fire Service Appliances and Firefighters should be in accordance with Approved Document B5 of the current Building Regulations.
Building Control	No objection.
HCC Landscape Planning & Heritage	No objection, subject to planning condition relating to archaeology The development lies within the historic core of Forton a small settlement on the approach to Gosport, whose origin and development is poorly understood. It has been identified as having some archaeological potential to reveal the origins and development of Forton and as such I would request that an

archaeological condition is attached to any planning permission which might be issued. This should secure an archaeological watching brief during the relevant stages of development to ensure that archaeological remains encountered are recognised and recorded.

HCC Ecology

No objection, but recommend conditions relating to enhancements and external lighting. The site has been cleared of all vegetation and comprises bare earth. As such the site offers negligible potential for supporting protected species. There is no evidence that Badgers were previously present although it is clear that any evidence of such would not now be visible.

The adjacent older building at 189 Forton Road is described as offering high potential for roosting bats. The report recommends that a suitable gap is left between the older building and the new, and the submitted site plans appear to show that a sizeable gap is present. On that basis I would not recommend that further bat assessment is necessary. It is important however to ensure that new lighting does not fall onto this adjacent roof or render the proposed greenspace unsuitable due to excessive light spillage.

Local Highway Authority

No objection. Further information has now been submitted, which includes visibility splays for the new proposed accesses and distances to junction.

Furthermore, it is recommended to the applicant that a subsequent agreement will need to be granted by HCC as Highway Authority to undertake the drop kerb works on the Highway and it is also noted that one of the access points will require the relocation of a lamppost through a S.278.

Response to Public Advertisement

4 letters of objection (to original plans)

Issues raised:

- loss of light
- loss of privacy
- have observed and slow worms and badgers on the site, so a survey should be undertaken
- lack of parking for development which will result in overspill and as there is currently not enough parking availability for the number of houses in Alma Street and Reeds Place, any new properties will exacerbate this shortage of parking space
- the proposed parking on the Alma street side of the development does not comply with the requirement to be able to exit in forward gear which means reverse parking on the site
- the parking must be at least 10m from a junction which one of the spaces is not
- it is not practical due to the narrow width of Alma street and the proximity of the busy Forton road junction to safely reverse park into the site
- there is parking allowed (i.e. no double yellow lines) near to the junction on the cafe side of Alma street and this space seems to be in constant use, this will further hamper the reverse parking

- the safety of road users and pedestrians at the junction of Alma Street and Reeds Place. More vehicles potentially entering and exiting the parking area of the new development then become a potential serious hazard due to lack of sight lines when exiting Reeds Place
- impact on the limited foundations of 189 Forton Road which was built around 1812
- loss of property value
- the potential for surface water drainage onto neighbouring properties
- the potential for extra pollution and more rubbish dumping on the surrounding streets
- no electrical recharging points proposed
- no loading or turning area or visitor parking
- noise and disturbance
- will the amenity area include planting, given existing trees have been removed?
- disruption to everyday life in Alma Street and Reeds Place will be unbearable
- only the property developer gains from this project looking are making money and not the cost to the wellbeing of the local community

1 letter of support (to original plans)

Issues raised:

- the plans for the site look excellent and seem to be an enhancement on the existing site use
- will provide much needed new housing in Gosport
- with the prospect of a development at the old Bingo Hall, and the old 'Solent Brick' site at each end of the road respectively, this will add value to neighbouring commercial and residential properties
- there is access to public transport nearby at the Crossways, and outside of the neighbouring McColls shop, as well as plenty of amenity space at Forton Recreation Ground across the road, and so there isn't a need for excessive parking and gardens on the site
- have seen no evidence badgers on the site and do not see the need for an ecology report
- overall, the plans show a sympathetic consideration for the locale, and bring much needed homes to the area, whilst enhancing the streetscene of the site

4 letters of objection (to amended plans)

- objections in relation to the proposed building still stand and can see no relevant changes to the design
- building out of keeping with area
- no considerations are given to the potential structural damage to neighbouring non-existent foundations
- the parking issues are still the same and will make it potentially an uncomfortable area to live with approximately 10 extra people in an overcrowded area
- the plot was cleared and overturned before the ecological appraisal was carried out
- the ecological appraisal has highlighted that there is no potential for protected species but a badger set was destroyed
- the appraisal also draws attention to the bats that could be nesting in my 100+ building I am not aware of this although bats are seen flying around 9pm
- the Parking SPD (paragraph 4.5) indicates for potentially hazardous accesses cars should be able to enter and leave in a forward direction
- no visitor provision in area where there is limited parking
- traffic speeds and volumes are not "considerably low" as during the morning and evening there is a fairly high volume of traffic leaving and entering
- further details on the drainage are required, and has the existing sewer system been looked at for servicing the proposed development given capacity and age
- 2, 2 bedroom houses may be more acceptable

1 letter of support (to amended plans)

- I had no objections to previous plans, and I think that the new proposal improves this further and will make for better keeping with the neighbourhood
- the developer has listened to concerns around highways and parking
- the new appearance offers a softer view from both Forton Road, and Alma Street
- the plans look great, and offer accommodation to local people that is vitally needed

Principal Issues

1. Issues relating to property values cannot be considered in the determination of a planning application. Issues relating to the adjacent property's foundations will either be a private legal issue, or dealt with through the Building Regulations. The main issues are, therefore, whether the proposals would have a detrimental impact on the character and appearance of the area, on the amenities of neighbouring properties, whether adequate parking is provided and whether there would be any harmful impacts on highway safety, or biodiversity.

2. Forton Road is of mixed appearance and the incorporation of the single storey projection provides a subservient element that relates appropriately to the appearance and eaves level of number 189 and also provides visual separation which deals with other ecological issues, noted below. Alma Street comprises terraced housing and the proposals respect this design and whilst they incorporate an undercroft, this is considered acceptable in this location. The existing site was dominated on its Forton Road frontage by the existing advertising panels, the remainder of the site being underutilised. The proposed design has had to incorporate measures to include the corner advertising panel as it is not within the control of the applicant. Whilst this leads to some compromise in terms of window positions and features, overall the proposals are considered to respond well to this constraint and would be an enhancement to the current appearance of the site. Whilst all of the units would be 1 bedroom flats, there is a mix of 1 bedroom two person and 1 bedroom one person units, in terms of their size. This is considered acceptable in this instance. The proposals would make a positive contribution to the provision of new dwellings within the Borough. The proposals are, therefore, considered to be appropriate and in accordance with Policies LP10 and LP24 of the Gosport Borough Local Plan 2011-2029.

3. Number 189 Forton Road has no side windows, and given the separation between the two-storey elements and the siting of the single storey element the proposals would not have a harmful impact on the occupiers of this property in terms of loss of light, or outlook. The south elevation of the two-storey element includes no windows at first floor level and only one ground floor window and door are proposed. The other windows on the west elevation are at ground floor level. The rooflight indicated would be at a high level over the stairwell. Given these relationships there would not be any harmful impact on the occupiers of number 189 in terms of privacy. Ground and first floor windows face across Reeds Place to the flank wall of 1 Alma Street and there would be no harmful impact from this relationship. The other windows to serve the flats would primarily face onto Alma Street, and Forton Road, and given any views would be across a public highway and only the first floor entrance/balcony at 195 is opposite, there would not be a harmful impact in terms of loss of light, outlook, or privacy in this instance. The proposals are, therefore, in accordance with Policy LP10 of the Gosport Borough Local Plan in this respect.

4. The application is accompanied by a Highways Technical Note which assesses the quantum of provision and the appropriateness of the spaces. The Technical Note indicates visibility splays from the spaces and these have been assessed by the Local Highway Authority as acceptable. The site's highway perimeter is all restricted by double yellow lines and the part of the highway on Alma Street, opposite the site, that is unrestricted is not directly in front of the proposed parking so as to prevent access. The proposals would not, therefore, result in the loss of any existing on-street parking spaces. The proposed parking spaces are compliant in their size and meet the required number of spaces for the occupiers. Whilst no visitor spaces are indicated, this demand would be for shorter periods of time and as identified in the Technical Note there are spaces on Forton Road to meet this need, or within the nearby public car park, so this shortfall would not justify a refusal in this instance. Cycle parking is indicated and full details would be secured by planning condition. The proposals are, therefore, in accordance with Policy LP23 of the Gosport Borough Local Plan 2011-2029 and the Parking SPD.

5. The application is now accompanied by an ecology assessment and there is no evidence that the site supports notable or endangered species and none are a threat as a result of the development. The ecology report does not highlight the potential for a badger sett to exist and any suggestion that there has been a criminal act of destroying a sett, would be a matter for the Police. The siting of the building and its single storey element ensures appropriate separation to number 189, given the potential for bat usage of that property. Measures to provide biodiversity enhancements and control external lighting would be secured by planning condition. The proposal will introduce additional

dwellings which is 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. The appropriate mitigation contribution has been paid.

6. 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.

7. The applicant has provided details of a scheme of mitigation involving the removal of land within the fluvial catchment from agricultural use. The submitted details indicate that the mitigation would result in a reduction in nutrient input greater than the increase that would result from the occupation of the proposed development. These measures would provide suitable mitigation, such that the development would not cause harm to European and internationally designated protected sites, which would be secured prior to planning permission being granted. Additionally details of measures limiting water usage within the properties to 110ltr per person per day would be secured by planning condition. Subject to the condition and the mitigation being provided, before any approval is granted, the development would provide suitable mitigation, and would not cause harm to European and internationally designated protected sites. The proposal would, therefore accord with Policies LP39 and LP42 of the Gosport Borough Local Plan 2011-2029.

8. Given the historic use of the land, there is the potential for the site to be contaminated and as such a condition requiring this to be investigated and addressed, as necessary is proposed. The site is also within an area where there is potential archaeological interest and a condition requiring details of how this would be investigated, during the course of the ground works, is proposed.

Equalities Impact Assessment: No Implications

RECOMMENDATION: Grant Permission Subject to the provision of mitigation in respect of the impacts on the water environment (nitrates). and

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:

SD-2119-02 C; SD-2119-03 C; SD-2119-04 C

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 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.

4. a) No development shall 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, thereafter 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, and submitted to the Local Planning Authority, 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 LP13 of the Gosport Borough Local Plan 2011-2029.

5. a) Construction above slab level 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.

6. The development hereby permitted shall not be occupied or brought into use until the footway crossing and/or verge crossing shown on the approved plans has been provided and made available for use.

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

7. a) The development hereby permitted shall not be brought into use until the facilities shown on the approved plan SD-2119-02 C for the parking of vehicles have been provided.

b) The approved 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 Supplementary Planning Document 2014.

8. a) The development hereby permitted shall not be occupied or brought into use 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 have been submitted to and approved, in writing, by the Local Planning Authority.

b) The approved 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.

9. a) The development hereby permitted shall not be occupied or brought into use until the facilities for the storage and collection of refuse and recyclable materials shown on the approved plans have been provided.

b) The approved waste storage and collection facilities shall thereafter be retained and kept available for this purpose.

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.

10. a) None of the dwellings hereby permitted shall be occupied until:

i) a water efficiency calculation, prepared 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, has been submitted to and approved, in writing, by the Local Planning Authority; and,

ii) The measures for limiting water usage approved pursuant to part i) of this condition have been implemented.

b) The water efficiency measures approved and installed pursuant to part a) of this condition shall thereafter be retained.

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.

11. The development shall be carried out in accordance with the ecological mitigation, compensation and biodiversity enhancement measures detailed within the Preliminary Ecological Appraisal (February 2022) hereby approved unless otherwise agreed in writing by the Local Planning Authority.

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.

12. a) The development hereby permitted shall not be occupied until all boundary treatments including any gate(s), have been provided in accordance with details that shall have been submitted to and approved, in writing, by the Local Planning Authority.

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

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. The development hereby permitted shall not be occupied until hard and soft landscaping works have been carried out in accordance with a detailed scheme that shall be first submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include plans showing details of hard surfacing materials and their position; and a planting plan and schedule of plants noting species, plant sizes and proposed numbers/densities.

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) No flood or other external lighting shall be installed until a detailed scheme has been submitted to and approved, in writing, by the Local Planning Authority

b) Any flood or other external lighting shall thereafter be installed and retained in accordance with the approved details.

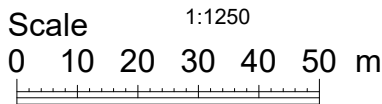
Reason - In order to protect the amenities of the area, and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.



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DATE : 04/08/2023



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