

GOSPORT BOROUGH COUNCIL – REGULATORY BOARD

27th March 2024

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.

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ITEM NUMBER: 01.
APPLICATION NUMBER: 23/00367/FULL
APPLICANT: Mr Gary Grundy
DATE REGISTERED: 26.09.2023

CASE OFFICER:
Trevor Campbell-Smith

SUBDIVISION OF THE PLOT AND ERECTION OF ONE TWO-STOREY 3 BED DWELLING WITH ASSOCIATED CAR PARKING AND LANDSCAPING. RESUBMISSION OF 22/00207/FULL (Conservation Area)
31 Crescent Road Gosport Hampshire PO12 2DJ

The Site and the proposal

1. This application was considered by the Regulatory Board at its meeting on 14 February 2024 when Members resolved to defer the item to enable a site visit to take place prior to a future meeting of the Board.
2. The application site is located on the northern side of Crescent Road, immediately to the east of the former railway line that now forms a cycle path and footway. The site contains a detached two storey dwellinghouse of traditional appearance with a broadly Arts & Crafts design. The dwelling is located centrally within its plot and takes vehicular access from Crescent Road to parking within an enclosed hard surfaced front garden. The dwelling has a rear garden enclosed with 1.8 m high close boarded timber fencing and formally contained a detached garage, although this has been removed. Access to the garage was made via The Lane, a narrow service road to the rear of the dwelling that also gives rear access to neighbouring dwellings. Immediately adjacent to the rear of the application site on the north western boundary there is pedestrian access between the lane and the former railway line. The site is within the Anglesey Conservation Area.
3. The application site is bounded to the east by the footpath and cycleway which runs along the former railway line. To the west is No.28 Crescent Road, a two and half storey detached dwelling with fenestration at ground first and second floor levels. To the north (rear) of the site lies 5 The Rosery, a detached two storey dwelling.
4. The proposal is for the subdivision of the site and for the erection of a detached three bed, two-storey dwelling with associated landscaping and parking. The proposed dwelling would be located in the northern part of the site and would have vehicular and pedestrian access from The Lane, with 2 parking spaces located to the north western side and south western (rear) of the proposed dwelling and the boundary of the site with The Lane. The proposed dwelling would measure 8.6 metres in width and 9.3 metres in depth with a dual pitched and side gabled roof to a maximum height of 9 metres and eaves to a height of 4.9 metres. The dwelling would have a single storey front canopy porch, with fenestration at ground and first floor levels within the front and rear elevations and also at first floor level to the to the south eastern side elevation.
5. Planning application 22/00207/FULL for the erection of a semi-detached pair of dwellings at this site was refused on 6th October 2022 for five reasons relating to:
 - the design and materials proposed would have a detrimental impact upon the character and appearance of the Anglesey Conservation Area.
 - concerns that the proposed dwellings would be overlooked by neighbours to the detriment of the amenity of the future occupiers.
 - the failure to demonstrate that adequate parking for both dwellings could be provided on site and that safe manoeuvring could be achieved to the detriment of highway safety and the convenience of other highway users.
 - absence of a recreational impact mitigation contribution to the detriment of the protected and other species for which these areas are designated.
 - absence of measure to mitigate for nitrate impacts of the proposal and therefore cause unacceptable harm to European and Internationally designated habitat sites which would be detrimental to the protected and other species for which these areas are designated .
6. This proposal differs from that previously refused in that it seeks permission for one dwelling with a revised design, materials palette, internal and site layout, and a revised parking layout.

Furthermore the applicant has undertaken to pay an appropriate SRMP contribution and has provided details of the nitrate mitigation secured in relation to the proposal subject to planning permission being granted.

Relevant Planning History

22/00207/FULL - subdivision of the plot and erection of a pair of semi-detached 2 bed dwellings with associated car parking and landscaping (conservation area) - refused - 06/10/23

Relevant Policies

Gosport Borough Local Plan 2011 – 2029:

- LP3 Spatial Strategy
- LP10 Design
- LP12 Designated Heritage Assets: Conservation Areas
- LP23 Layout of Sites and Parking
- LP42 International and Nationally Important Habitats
- LP43 Locally Designated Nature Conservation Sites
- LP44 Protecting Species and Other Features of Nature Conservation Importance

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), September 2023

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

Natural England	No objection subject to mitigation.
Southern Water	No objection.
Local Highway Authority	No objection.
The Gosport Society	Objection. The application does not make a positive contribution to the character and appearance of the Conservation Area. The Design and Heritage Statements do not address the character of development along The Lane and Anglesey Arms Road. Parking is still an issue and the 2 spaces do not work within the confines of the plot and narrow lane. The plans and elevations are incorrect. The scheme has no architectural merit, demonstrates no appreciation for the sites location within a Conservation Area.
Building Control	No objection. Access for fire service vehicles required to within 45m of the furthest room on the first floor.

225mm public foul sewer runs across the front of the site fronting The Lane. The Water Authority may need to be consulted, this would be considered at the Building Regulation application stage but worthy of note now.

EV charging point required.

Streetscene Parks & Horticulture

No objection.
There are no trees of significance or worthy of TPO protection located within the grounds of the property of 31 Crescent Road or on land immediately adjacent to the property.

Streetscene Waste & Cleansing

No objection.
Offer comments reading waste provision.

Hampshire Fire And Rescue Service

No objection - note development should comply with Building Regulations.

Response to Public Advertisement

6 letters of objection received.

Issues raised:

- The submitted planning statement claims that 3 car parking spaces are provided but only 2 are shown on the plans.
- The centralised access referred to in the statement is in fact off to one side of the site.
- Mirrors are shown to provide visibility, however the Highway Authority do not recommend their use.
- The depth of the tandem parking bay is not adequate relative to the dimensions in the Parking SPD.
- Is the existing wall to be retained.
- This proposal does not overcome the highway safety concerns which gave rise to refusal of the previous proposal.
- The design is still an example of "anywhere architecture" with no resemblance to the character of the area.
- Dwellings facing onto the lane are predominantly of a coach house style and this proposal is not in keeping.
- The proposal is inappropriate back garden development and should be resisted.
- The proposal does not fit with the historic character of the area.
- The proposal will lead to overshadowing and loss of privacy of No. 5 The Rosery, leading to a loss of amenity.
- The Heritage Statement submitted does not properly take into account the historic form and character of the site and its vicinity.

1 letter of comment.

Issues raised:

- The floor plans and elevations are inconsistent. If the first floor side window is to the north western elevation I object, if it is to the south eastern elevation I do not object.

Principal Issues

1. The main matters for consideration in assessing this application are whether the proposal is acceptable in principle and the impact of the proposal upon the local character in terms of its design, massing and scale, the impact of the proposal upon the character and appearance of the Anglesey Conservation Area, the amenities of neighbours and the amenities of future occupiers of the proposal, the impact of the proposal on highway safety and parking and the impact of the proposal

upon protected habitats and species. In particular regard should be had to the reasons for the refusal of the previous application.

2. In line with the NPPF, the Local Plan seeks to boost the supply of new homes. The Council generally takes a supportive approach towards proposals which re-use previously developed land and make efficient use of land for new homes. Notwithstanding this, the need to make efficient use of land does not override other national and local material considerations. This is reflected in Policy LP3: Spatial Strategy, Point 1 which states that development proposals will be permitted within the urban area (as defined on the Policies Map) provided that it accords with Policy LP10: Design and other policies in the Local Plan. Paragraph 71 of the NPPF enables Local Plans to set out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area. Paragraph 124 of the NPPF states that planning policies and decisions should support development that makes efficient use of land, taking into account the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change.

3. In dealing with development on residential gardens, Policy LP10, Point 2a relates to development form and requires development to have a high quality appearance in terms of scale, setting, layout, massing, landscaping, and appearance including details and materials. This includes ensuring critical elements are considered in the design of development as set out in the explanatory text. One critical element is set out in Paragraph 8.23, Bullet 8 of the GBLP and requires proposals to resist the inappropriate development of residential gardens, for example where development would cause harm to the local area. In light of the above, providing all other local and national policies are satisfactorily addressed, the principle of the proposal for the erection of a dwelling on garden land to the rear of 31 Crescent Road is considered acceptable.

Design and Heritage

4. When compared to the proposal refused under application 22/00207/FULL, the design of the dwelling has been improved over the previous submission and the quality of materials proposed has also been enhanced with the use of traditional materials and detailing together with timber sliding sash window. It is also noted that the proposed dwelling is to be located closer to The Lane than was the case with the dwellings previously proposed, and therefore the design and layout is improved spatially, relating better to the street scene and the built form and character of the area in this regard. It is noted that The Lane comprises a vastly differing and contrasting array of architectural styles, ranging from the Brutalist 'block' form of Ambleside; the traditional style of Cedar Cottage and Rosery Cottage; to the C20th estate of The Rosery, which is immediately opposite the site. Therefore, whilst the architectural design differs in some respects from the surrounding built forms, it is of a traditional residential form and scale that reflects detailing and design of other traditional house types in the proximity and within the Conservation Area. The design and layout is therefore considered to be acceptable on balance.

5. The quality of materials proposed are fundamental to the success of the design and accordingly conditions seeking the details of the materials to be used and architectural detailing are recommended. A further condition is recommended requiring the submission and approval in writing of all details of hard and soft landscaping and boundary treatment.

6. There is specific reference in the Gosport Borough Local Plan regarding development within gardens within point 2(a) of the supporting text of policy LP10: 'Proposals for new development will therefore need to...Resist the inappropriate development of residential gardens, for example where development would cause harm to the local area.' The previously refused development was considered to be contrary to this requirement. Given the design and layout improvements of this scheme relative to the previously refused proposal laid out previously, it is considered that reason for refusal relating to impact on the Conservation Area has been overcome by this proposal.

7. Concern is raised by objectors that the proposal will affect the trees and undergrowth located adjacent to the boundary to the site but outside it. The Councils Tree and Landscape Officer has been consulted in this regard and has raised no objection to the proposal.

8. Development within Conservation Areas is required by statute, local and national policy to preserve or enhance the character of the area in which it lies. In this regard the proposal is considered to preserve the character and appearance of the Conservation Area. As such the proposal is considered to be in accordance with the aims and guidance of the NPPF and also to Policy LP12 of the Gosport Borough Local Plan.

Amenity Impacts

9. The proposed dwelling would have a northeast/southwest orientation with the front elevation facing northeast. The proposed dwelling would be located 26 metres from the rear elevation of the existing dwelling at the site, which is a two storey dwelling. The front elevation of the proposed dwelling would be located 20 metres from the closest point of the rear elevation of 5 The Rosery. No. 28 Crescent Road is a two and a half storey dwelling with accommodation at 2nd floor level which lies immediately adjacent to the site to the north west the closest part of this dwelling to the proposed dwellings is a single storey extension which is separated by 19m whilst first and second floor windows within 28 Crescent Road are separated from the proposed dwellings by 20 metres. As such it is considered that the degree of separation from neighbours is sufficient to prevent loss of light or overbearing impacts to the detriment of the amenity of neighbours. It is also considered that the separation from both the original dwelling at the application site and No.5 The Rosery is sufficient to prevent undue overlooking of neighbours and also prevent those dwellings overlooking the proposed dwellings to the detriment of the amenities of future occupiers.

10. The Design SPD sets out a minimum desirable distance between dwellings that have a back to back relationship, such as that which would exist between No.28 Crescent Road and the proposed dwellings. In the case of a property with accommodation at second floor level it is recommended that a minimum separation of 28 metres is required. In this instance the separation between the rear elevation of No.28 Crescent Road, which had fenestration at ground, first and second floor levels, and that of the proposed dwellings is 20.2 metres which is a significant shortfall relative to that recommended. However it is noted that the windows to the rear elevation of the proposed dwelling at first floor level would both serve bathrooms, which are not considered to be habitable spaces within the dwelling. At ground floor level the windows to the rear elevation would serve a kitchen and living room. Given the height differential between the upper floor windows to no 28 The Crescent and the ground floor of the proposed dwelling it is considered that the views into the proposed dwelling would not penetrate significantly into the habitable rooms. As such it is considered that the amenities of the future occupiers of the proposed dwellings would not be harmed by the loss of privacy and overlooking arising from the fenestration within habitable rooms of 28 Crescent Road. For this reason it is considered that the proposed development would comply with the requirements of Policy LP10 of the Gosport Borough Local Plan 2011-2029 and is therefore acceptable in this regard and that the previous reason for refusal relating to amenity has been overcome by this proposal.

Parking and Highway Safety

11. Policy LP23: Layout of Sites and Parking states proposals will be permitted provided that the layout of the site is designed so that it meets the requirements of points 1-8. This requires that provision is made for parking cars, motorcycles and bicycles and that access and parking for people with disabilities is provided in accordance with current standards. Parking standards are set out in the Councils Parking SPD and require a three bed property to have provision for the parking of 2 vehicles, together with 2 long stay cycle parking spaces. The proposal provides two vehicle parking spaces, a turning head and combined cycle/refuse storage in the rear garden.

12. The two tandem spaces proposed are located within a bay 3.3 metres in width and metres in 17.6 metres in depth wherein the vehicles would be parked perpendicular to The Lane. The driveway would be enclosed to each side by brick walls of approximately 2.4 metres in height. The depth of the driveway from the turning spur is 11.3 metres. The parking SPD sets out minimum requirements for the dimensions of parking spaces on driveways which require that each space should measure 6 metres in depth and 3.3 metres in width. As such the existing parking bay depth is marginally below the 12 metres recommended in the guidance given in the Parking SPD, however it is considered that the driveway is of adequate depth to accommodate the parking of two vehicles within

the site in accordance with the requirements set out in the Parking SPD. As such it is considered that this proposal has successfully overcome the element of the reason for refusal that related to the provision of adequate parking to serve the proposal.

13. At the rear of the site, The Lane is 4.7 metres in width which is insufficient to allow for the manoeuvring of the vehicles within the parking proposed. In order to address this issue, the proposal incorporates the provision of a turning head within the site that allows vehicles to both enter and egress the site in a forward gear. It is noted that the brick wall to the east of the parking returns to the east running parallel to the lane along its southern boundary with the site whilst remaining approximately 2.4 metres in height. As such the visibility for pedestrians and cyclists using the link to the footpath and cycle lane on the former railway lane is severely restricted, as is that of those seeking to manoeuvre vehicles from the proposed parking. The same is true of the western side of the application site where room for manoeuvring is restricted to 5 metres and the 2.4 metre high walls form an obstruction to safe visibility for highway users and vehicle drivers. This issue is ameliorated by the ability of vehicles to enter The Lane in forward gear whereby drivers would be afforded a greater degree of visibility of pedestrian or vehicular movements, both from the adjacent footpath and within the Lane. As such it is considered that this proposal has successfully overcome the element of the previous reason for refusal that related to the safety of other highway users when vehicles are manoeuvring to or from The Lane.

Biodiversity and nature conservation

14. 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.

15. The proposal will introduce an additional dwelling 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. The Gosport Bird Disturbance Mitigation Protocol sets out how the significant affect which this scheme would otherwise cause, could be overcome. The applicant has undertaken to provide an appropriate levels of contribution in accordance with the Protocol. As such the proposal is acceptable in this regard and would not have an unacceptable impact on protected species in accordance with Policy LP42 of the Gosport Borough Local Plan 2011-2029 and is therefore acceptable in this regard and that the previous reason for refusal relating to SRMP contributions has been overcome by this proposal.

16. 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. The applicant has provided supporting information to demonstrate would provide suitable mitigation subject to the granting of planning permission. A suitably worded condition to secure this prior to commencement of development is recommended and as such the proposal is acceptable in this regard and would not have an unacceptable impact to European and internationally designated protected sites in accordance with Policy LP42 of the Gosport Borough Local Plan 2011-2029 and is therefore acceptable in this regard and that the previous reason for refusal relating to Nitrate neutrality has been overcome by this proposal.

Equalities Impact Assessment: No Implications

RECOMMENDATION: Grant Permission

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:

Location Plan,

AIM.CPM.PLN.027V5_A1-001 - Plans and Elevations.

AIM.CPM.PLN.027V5_A1-002 - Site Plan.

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. (a) Notwithstanding the submitted details, no construction above slab level shall commence until a detailed schedule of materials and finishes (including samples as requested) to be used for all external surfaces of the development hereby permitted has been submitted to and approved, in writing, by the Local Planning Authority; and

(b) The development shall thereafter be carried out in full accordance with the schedule of materials approved pursuant to part (a) of this condition.

Reason: To secure a high quality finish in the interests of the visual amenity having regard to the location of the site within the Anglesey Conservation Area and to comply with the aims and objectives of the NPPF and Policies LP10 and LP12 of the Gosport Borough Local Plan 2011-2029.

4. (a) Notwithstanding the submitted details, no construction above slab level shall commence until precise constructional drawings of key architectural features at a 1:10 scale (or such other appropriate scale as may be agreed) have been submitted to and approved, in writing, by the Local Planning Authority. This shall include, but not limited to:

- Brick detailing including bonding patterns and mortar type, colour and finish;

- Precise window fabrication including: frame dimensions, glazing bars, method of opening, colour treatment;

- Window bay details including: fabrication details of recessed chamfered bays, treatment of window reveals; window cills, brick detailing and colour treatments;

- Entrances: Door design, recesses, canopies and security measures;

-soffits, barge boards, cornices and fascia boards.

(b) The development shall thereafter be carried out in full accordance with the details approved pursuant to part (a) of this condition.

Reason: To secure a high quality finish in the interests of the visual amenity having regard to the location of the site within the Anglesey Conservation Area and to comply with the aims and objectives of the NPPF and Policies LP10 and LP12 of the Gosport Borough Local Plan 2011-2029.

5. 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 in view of the sites location within the Anglesey Conservations Area and to comply with Policies LP10 and LP12 of the Gosport Borough Local Plan 2011-2029.

6. 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, to include a replacement tree, and schedule of plants noting species, plant sizes and proposed numbers/densities.

Reason - In order to protect the amenities of the area and in view of the sites location within the Anglesey Conservation Area, and to comply with Policies LP10 and LP12 of the Gosport Borough Local Plan 2011-2029.

7. a) The development hereby permitted shall not be occupied or brought into use until secure and weatherproof long-term cycle storage facilities for 2 cycles 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.

8. a) The development hereby permitted shall not be brought into use until the facilities shown on the approved plans AIM.CPM.PLN.027V5_A1-002 - Site Plan, and AIM.CPM.PLN.027V5_A1-001 - Plans and Elevations, 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.

9. a) The dwelling hereby permitted shall not 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.

10. a) The development hereby permitted shall not be brought into use until biodiversity enhancement measures have been provided in accordance with plans and details that shall have been submitted to and approved, in writing, by the Local Planning Authority.

b) The approved biodiversity enhancement measures shall be retained thereafter.

Reason - To ensure that biodiversity enhancements are provided as part of the development in accordance with Policy LP41 of the Gosport Borough Local Plan, 2011-2029.

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. 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.

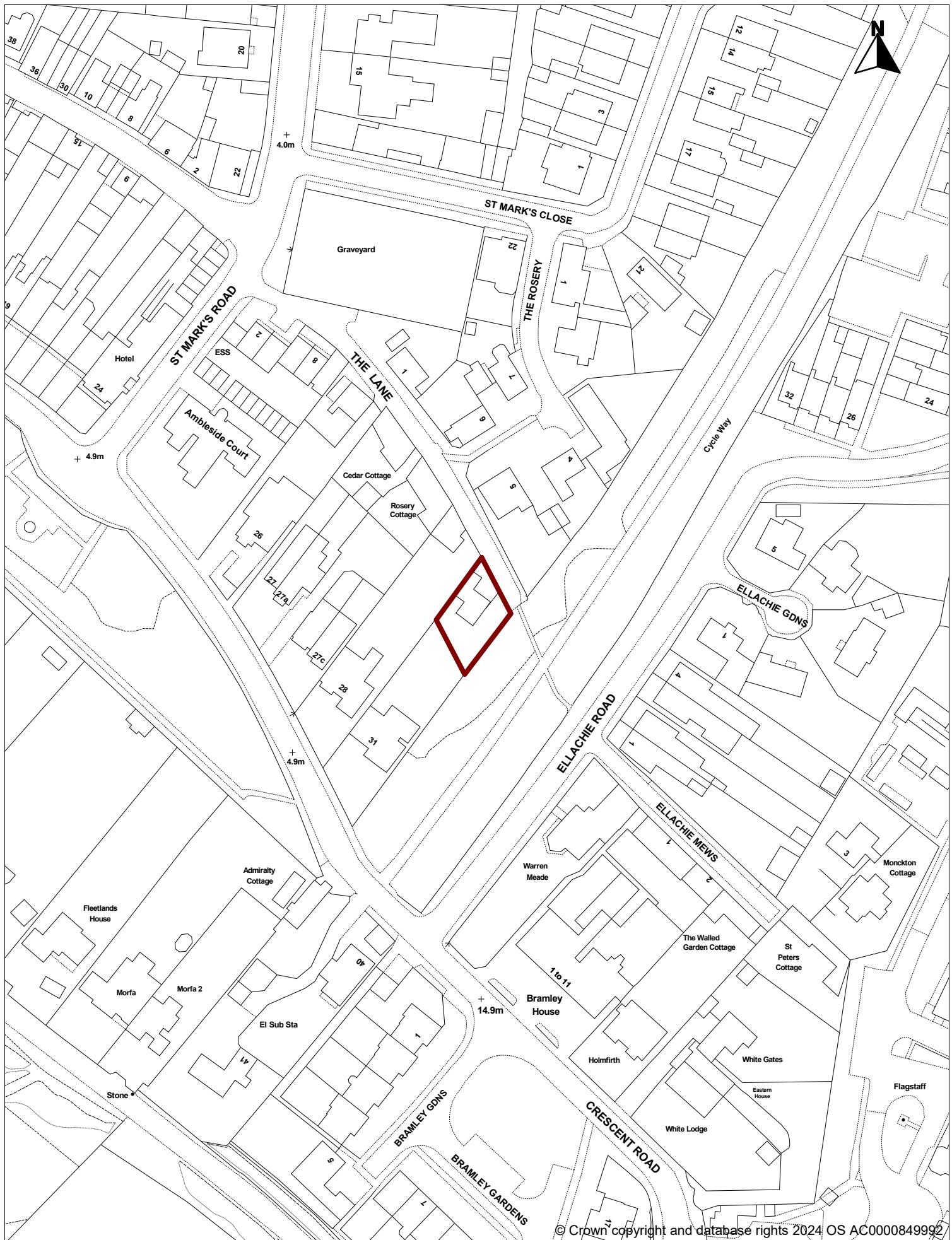
c) The development shall not be occupied or brought into use until details verifying that any remediation scheme required and approved under the provisions of part a) of this condition has been implemented has been submitted to and agreed, in writing, by the Local Planning Authority.

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.

12. a) The development hereby permitted shall not be occupied or brought into use until facilities for the storage and collection of refuse and recyclable materials generated by the development 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 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.



ITEM NUMBER: 02.
APPLICATION NUMBER: 24/00030/FULL
APPLICANT: Mr Kevin Casey Historical Diving Society
DATE REGISTERED: 22.02.2024

CASE OFFICER:
Gary Christie

EXTERNAL ALTERATIONS TO INCLUDE INSTALLATION OF INTERPRETATION BOARDS, REINSTATE DOOR TO NORTH ELEVATION AND EXTEND FOOTPATH TO ALLOW ACCESS TO EXTERNAL EXHIBITS (LISTED BUILDING IN CONSERVATION AREA)

Diving Museum No 2 Battery Stokes Bay Road Gosport Hampshire PO12 2QT

The Site and the proposal

1. This application relates to former No.2 Gun Battery, circa 1860, built as part of the fortifications to protect Portsmouth Harbour and now designated as a Grade II* Listed Building. The structure was designed to house guns within casemates, supported by a series of ancillary rooms, and was further developed during the Second World War. The Battery is currently operated by the Historic Diving Society as a Diving Museum. The Battery is located outside of the Urban Area Boundary of Gosport and within the Strategic Settlement Gap. The site is also located within the 'Stokes Bay' Conservation Area. The moat to Stokes Bay Lines between Battery No.2 and Portsmouth Road (River Alver), just to the east of the site, is also included on the Council's Local List of Heritage Assets.
2. The surrounding area has a mixed character with large areas of open space extending along the seafront to the east and west. Immediately to the south there is a large public car park flanked by a café and a small toilet block. Immediately to the north is a mobile home park which also extends across Stokes Bay Road to the east. The large areas of open space to the east at Browndown form part of the Ministry of Defence amphibious training grounds which is also designated as a Site of Special Scientific Interest (SSSI) and a priority habitat for coastal vegetated shingle.
3. Planning permission is required for external works related to the ongoing restoration of the Battery and the expansion of the Diving Museum which has been the subject of recent applications for Planning Permission and Listed Building Consent. This application relates specifically to the extension of a footpath from the main entrance around the eastern and southern perimeters of the site to allow safe and level access for all to the existing external museum exhibits positioned on the southern boundary. The footpath would only be approximately 1.2m in width, but would require alterations to an existing grass bund to the south-eastern corner of the Battery as it passes behind the public conveniences. The bund would be re-graded and seeded following the installation of the path. A series of new freestanding interpretation boards, measuring approximately 0.9m in height by 0.4m in width, would be installed adjacent to the existing exhibits, replacing the existing boards.
4. To the north of the Battery, planning permission is also sought for the installation of a timber door within an existing brick archway. This was an original opening that was blocked at the time the building was converted for use as a civil defence centre. Separate applications seek Listed Building Consent (24/00038/LBA) and Advertisement Consent (24/00039/ADVT) for works linked to this planning application.
5. This application has been brought to the Regulatory Board for determination because the Museum Director and the Vice Chair of the Historical Diving Society (the applicant) is an elected Councillor.
6. It was noted at the time of the site visit on 7th March 2024 that works to install the external footpath comprising the removal of part of the grass bund had already commenced.

Relevant Planning History

24/00038/LBA - Internal alterations to include raising floor to eastern range, reinstate walls, changes to fixtures, fittings and services, external alterations to include installation of

- signage & interpretation boards, reinstate door to north elevation, alterations and repairs to fenestration, extend footpath to allow access to external - Pending
- 24/00039/ADVT - Installation and display of two externally illuminated signs to east and south elevations - Pending
- 21/00549/FULL - Replacement of existing exhibit to south of No.2 Battery - Permitted 13.01.2022
- 21/00530/LBA - Installation of underfloor heating system to the link corridor and air source heat pump - Permitted 13.01.2022
- 21/00615/FULL - Alterations to entrance including access ramp, handrail and steps and installation of timber door within existing opening - Permitted 03.03.2022
- 21/00616/LBA - Installation of timber door within existing opening, alterations to entrance including internal access ramp, platform lift and hand rail, and repairs to gun emplacements - Permitted 03.03.2022
- 14/00437/FULL - Demolition of infill panel and installation of fire escape door - Permitted 05.03.2015
- 14/00438/LBA - Demolition of infill panel and installation of fire escape door - Consented 04.03.2015
- 13/00184/FULL - Display of 1no. external exhibit - Permitted 09.07.2013
- 13/00223/LBA - Display of 1no. external exhibit - Consented 09.07.2013
- 11/00149/FULL - Display of 9no. outside exhibits, 1no. flagpole and flag and reinstatement of internal door and window to switch room - Permitted 24.08.201
- 11/00151/LBA - Display of 9no. outside exhibits, 1no. flagpole and flag and reinstatement of internal door and window to switch room and re-instatement of internal door to switch room - Consented 24.08.2011
- 10/00126/FULL - Use of premises of heritage diving museum - Permitted 14.06.2010
- 93/20260/LB - Install access doorway, internal staircase and gunport security screens - Consented 24.02.1993;
- 88/21280/PA - Erection of Board Sailing Centre together with clubroom shop and car park - Permitted 11.08.1988
- 87/20259/LB - Restoration works to include reformation of earthworks, renovation of fencing and brickwork construction steel doorway - Consented 07.08.1987
- 86/21279/PA - Diving and Sailboard School together with car park - Permitted 16.01.1986
- 84/20256/LB - Re-grading of embankment - Consented 03.02.1984

Relevant Policies

Gosport Borough Local Plan 2011 – 2029:

- LP1 Sustainable Development
- LP3 Spatial Strategy
- LP10 Design
- LP11 Designated Heritage Assets including Listed Buildings, Scheduled Ancient Monuments and Registered Historic Parks & Gardens
- LP12 Designated Heritage Assets: Conservation Areas
- LP32 Community, Cultural and Built Leisure Facilities
- 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
- LP46 Pollution Control
- LP47 Contamination and Unstable Land

Supplementary Planning Documents:

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

National Planning Policy Framework (NPPF), September 2023

Particular obligations fall upon the Local Planning Authority in determining any application which might affect a listed building or its setting or a Conservation Area. Section 66 of The Listed Buildings and Conservation Areas Act 1990 (as amended) places a duty on the authority to have "special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses". Section 72 of the same act requires

that the authority pay: "special attention to the desirability of preserving or enhancing the character or appearance of a conservation area".

Consultations

HCC Ecology	No objection subject to conditions. Satisfied that additional ecological information addresses initial concerns with regard to protected species and habitat.
The Gosport Society	No objection: - More details of interpretation boards and signage required; - No comments to make on the external footpath although more details would be helpful.
Environmental Health	Comments not received at the time of writing.
Historic England	No objection.

Response to Public Advertisement

Nil

Principal Issues

1. The main issues in this application are: whether the proposal is acceptable in principle; whether the proposal would be acceptable in design and heritage terms; whether there would be any significant adverse impact on residential amenity and whether there would be a likely significant impact on ecology interests at and adjoining the site.
2. The principle of the use of the site as a museum by the Historic Diving Society, including the installation of external exhibits, has been established by previous permissions detailed above. Although the application site is located outside of the defined Urban Area Boundary and within the Settlement Gap, the site is designated as a 'community, cultural and built leisure facility' by Policy LP32 of the Gosport Borough Local Plan 2011-2029 (GBLP) and the proposal would merely seek to enhance the facilities at the museum including the provision of access for persons of restricted mobility. The proposed works are therefore, considered to be acceptable in principle subject to all other policy considerations.
3. The extended footpath is a modest feature that would not be visually prominent in the context of the larger Battery and would not be seen in longer views of the site. However, its installation would require alterations to a grassed bund to the south-east corner of the Battery to provide sufficient space for a level surface. While this will have a visual impact while the works are in progress and grass re-establishes to the re-graded bund, this would be a short term impact to what is regarded to be a non-original feature of the Battery based on historic photographs. Once established, it is not considered that the re-graded bund would be particularly notable. A number of interpretation boards (19) are proposed to replace and expand the existing boards around the external museum exhibits and the site entrance. While this is not an insignificant number, the boards are necessary to allow visitors, both inside the site and passing the southern boundary looking in, to read and view the exhibits together. This is the maximum number, and could be reduced following further design work. While these features would add further clutter to the southern boundary of the site, a number of the boards would replace existing and the additional boards would be read against the context of the much larger museum exhibits. As such, it is not considered that these features would appear particularly prominent. In combination, it is not considered that the path or the alterations to the bund to facilitate its installation or the interpretation boards would negatively affect the special architectural or historic interest of the Listed Building or its setting.

4. To the northern elevation, permission/consent was previously granted (21/00615/FULL 21/00616/LBA) to re-open a bricked up opening towards its western side to provide an emergency escape route from the building. This proposal seeks to make the same changes to a former bricked up opening to the eastern side to provide a second means of escape to meet modern fire safety standards. This is considered to be acceptable in both design and heritage terms returning an original opening and providing a degree of consistency with the previous approval. Overall, it is considered that the changes proposed through both the installation of the footpath and associated interpretation boards, and the re-instatement of the opening to the north would preserve the special architectural or historic interests of the Grade II* Listed Building and its setting, and the character and appearance of the 'Stokes Bay' Conservation Area complying with Policies LP10, LP11 and LP12 of the GBLP and the NPPF. The final design of the door, path and interpretation boards can be required through planning condition.

5. In amenity terms, the proposed path would be installed to the south of the Battery away from the mobile home park to the north, and would provide improved access to existing external exhibits. While this could introduce more activity and associated noise to the external parts of the museum, it is noted that there are no planning conditions restricting access to this part of the site. Therefore, access could be provided, albeit not for those with mobility constraints, without the benefit of the level pathway. As such, it is not considered that any objection on the grounds of increased noise and disturbance could be sustained. The new door to the northern elevation would be situated much closer to residential accommodation within the mobile home park. However, as its use would be for emergency egress only, it is not considered that this change would result in any significant adverse impacts on neighbouring residents. The proposal is therefore, in accordance with Policies LP10 and LP46 of the GBLP.

6. Concerns were initially raised by the Council's ecologist regarding potential impacts of the proposed works on protected species and habitats at the site. The application was supported by an Ecological Assessment, An Ecological Assessment update and a Hibernation Bat Survey Update which were intended to support a wide range of works and maintenance projects at the site including some that have already been the subject of earlier planning permissions. As such, while the matters raised by the Council's ecologist are valid and have been passed onto the applicant, it is considered that some of the concerns go beyond the scope of the works currently under consideration by this planning application and the accompanying applications for Listed Building and Advertisement Consent. In particular, previous applications have been granted consent to install underfloor heating within the building, repair the concrete gun emplacements, and there are no restrictions on the expansion of the museum into parts of the Battery not previously used. As such it is not considered that the limited works currently under consideration as part of this and accompanying applications would affect bat species at the site. No works are proposed along the western boundary of the site closest to Browndown SSSI and the River Alver.

7. Externally, due to the proximity of the site to Browndown SSSI and a waterbody, concerns were raised in respect of the potential presence of 'acid grasslands', a Priority Habitat at the site and the potential impact of works associated with the grass bund and footpath. The applicant has subsequently carried out a further survey of this part of the site. While confirming the presence of 'acid grassland' and other species rich grasslands, it is not considered that the installation of the footpath or further works to bund would directly affect a Priority Habitat which are found further to the north on the Battery's south facing slope. Overall, following the submission of the further survey results, it is not considered that the proposal would result in any likely significant effects on protected species or habitats in accordance with Policies LP42, LP43 and LP44 of the Gosport Borough Local Plan 2011 - 2029. While a conclusion of no likely significant affect has been reached, as precaution given the proximity of the works to these protected habitats, a planning condition is proposed requiring the submission and approval of a Construction Environmental Management Plan.

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:

- 1005/000 Rev-P4 (Site Location Plan);
- 1005/001 Rev-P3 (Block Plan);
- 1005/601 Rev-P2 (Proposed Site Plan);
- 1005/605 Rev-P2 (Proposed East Elevation);
- 1005/606 Rev-P1 (Proposed South Elevation);
- 1005/607 Rev-P1 (Proposed North Elevation);
- 1005/608 Rev-P1 (Proposed West Elevation).

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. a) Notwithstanding the submitted details, prior to installation, precise details of the number, design and method of installation of the interpretation boards shall be submitted to and approved, in writing, by the Local Planning Authority; and

b) The interpretation boards shall then be installed in full accordance with the details approved pursuant to part a) of this Condition.

Reason - In the interest of visual amenity having regard to the Grade II* designation of the asset and its siting within the 'Stokes Bay' Conservation Area in accordance with Policies LP10, LP11 and LP12 of the Gosport Borough Local Plan 2011 - 2029.

3. a) Notwithstanding the submitted details, prior to installation of the new door to the northern elevation hereby permitted, precise details of its fabrication including its associated door frame shall be submitted to and approved, in writing, by the Local Planning Authority; and

b) The door shall then be installed in full accordance with the details approved pursuant to part a) of this Condition.

Reason - In the interest of visual amenity having regard to the Grade II* designation of the asset and its siting within the 'Stokes Bay' Conservation Area in accordance with Policies LP10, LP11 and LP12 of the Gosport Borough Local Plan 2011 - 2029.

4. a) Notwithstanding the submitted details, prior to installation of the extended footpath hereby permitted, precise details of its construction including materials, edging details and associated works to re-grade the bund shall be submitted to and approved, in writing, by the Local Planning Authority; and

b) The path shall then be installed in full accordance with the details approved pursuant to part a) of this Condition.

Reason - In the interest of visual amenity having regard to the Grade II* designation of the asset and its siting within the 'Stokes Bay' Conservation Area in accordance with Policies LP10, LP11 and LP12 of the Gosport Borough Local Plan 2011 - 2029.

5. The re-graded bund to facilitate the installation of the extended footpath hereby permitted shall be re-seeded to reflect the plants and species present at the site within the first planting/seeding season following first use of the footpath.

Reason - In the interest of visual amenity having regard to the Grade II* designation of the asset and its siting within the 'Stokes Bay' Conservation Area in accordance with Policies LP10, LP11 and LP12 of the Gosport Borough Local Plan 2011 - 2029.

6. a) Notwithstanding the works that have already taken place, no further works associated with the installation of the footpath hereby permitted shall take place until a Construction Environmental Management Plan has been submitted to and approved, in writing, by the Local Planning Authority;

b) The development shall then proceed in full accordance with the details approved pursuant to part a) of this condition.

Reason - To minimise to the risk of potential adverse effects of the development on nearby protected habitats in accordance with Policies LP42, LP43 and LP44 of the Gosport Borough Local Plan, 2011-2029.

ITEM NUMBER: 03.
APPLICATION NUMBER: 24/00038/LBA
APPLICANT: Mr Kevin Casey Historical Diving Society
DATE REGISTERED: 20.02.2024

CASE OFFICER:
Gary Christie

LISTED BUILDING APPLICATION - INTERNAL ALTERATIONS TO INCLUDE RAISING FLOOR TO EASTERN RANGE, REINSTATE WALL, CHANGES TO FIXTURES, FITTINGS & SERVICES, EXTERNAL ALTERATIONS TO INCLUDE INSTALLATION OF SIGNAGE & INTERPRETATION BOARDS, REINSTATE DOOR TO NORTH ELEVATION, ALTERATIONS & REPAIRS TO FENESTRATION, EXTEND FOOTPATH TO ALLOW ACCESS TO EXTERNAL EXHIBITS (CONSERVATION AREA)
Diving Museum No 2 Battery Stokes Bay Road Gosport Hampshire PO12 2QT

The Site and the proposal

1. This application relates to former No.2 Gun Battery, circa 1860, built as part of the fortifications to protect Portsmouth Harbour and now designated as a Grade II* Listed Building. The structure was designed to house guns within casemates, supported by a series of ancillary rooms, and was further developed during the Second World War. The Battery is currently operated by the Historic Diving Society as a Diving Museum. The Battery is located outside of the Urban Area Boundary of Gosport and within the Strategic Settlement Gap. The site is also located within the 'Stokes Bay' Conservation Area. The moat to Stokes Bay Lines between Battery No.2 and Portsmouth Road (River Alver), just to the east of the site, is also included on the Council's Local List of Heritage Assets.

2. The surrounding area has a mixed character with large areas of open space extending along the seafront to the east and west. Immediately to the south there is a large public car park flanked by a café and a small toilet block. Immediately to the north is a mobile home park which also extends across Stokes Bay Road to the east. The large areas of open space to the east at Browndown form part of the Ministry of Defence amphibious training grounds which is also designated as a Site of Special Scientific Interest (SSSI) and a priority habitat for coastal vegetated shingle.

3. Listed Building Consent is sought for various works related to the ongoing restoration of the Battery and the expansion of the Diving Museum which has been the subject of recent applications for Planning Permission and Listed Building Consent. Externally these works would include:

- the extension of a footpath from the main entrance around the eastern and southern perimeters of the site to allow safe and level access for all to the existing external museum exhibits positioned on the southern boundary. The footpath would only be approximately 1.2m in width, but would require alterations to an existing grass bund to the south-eastern corner of the Battery as it passes behind the public conveniences. The bund would be re-graded and seeded following the installation of the path.

- the installation of a timber door within an existing brick archway on the northern elevation. This was an original opening that was blocked at the time the building was converted for use as a civil defence centre.

- the installation of signage to the east and south facing elevations following the removal of the existing signage. This would comprise a series of individual letters spelling 'THE DIVING MUSEUM' secured by metal spikes. These would be secured in a concrete foundation buried below the level of the grass. The signage to the east elevation would be illuminated by concealed black spike lights to provide a gentle illumination of the letterings only. It is indicated that the illumination would be switched on for occasional events and would be fitted with a timer to turn off after 22:00hrs.

- the reinstatement of timber doors and frames to the upper levels of the gun battery and the replacement of a sash window to the observation post facing the parade ground with the re-use of existing ironmongery and sash weights.

4. Internally the works would include:

- The reinstatement/infilling of modern openings linked to the civil defence use. These openings are located to either end of the southern galleries. The supporting Heritage, Design and Access Statement indicates that the openings would be infilled with studwork, although alternative options with a 'lighter touch' will also be considered as design work progresses;
- A new raised floor would be inserted to the eastern range of the Battery. This would provide a level surface within the museum but would also conceal additional services below. The submitted drawings indicate that the new floor deck would be positioned on slender timber battens and would incorporate glass panels where the former curved gun tracks would have been located below. Ventilation will be provided around the perimeter of the floor.
- New servicing equipment will be installed including plumbing, electrical, lighting fire detection and security systems. A new water main would also be extended into the building.

5. Separate applications seek Planning Permission (24/00030/FULL) and Advertisement Consent (24/00039/ADVT) for works linked to this particular project.

6. This application has been brought to the Regulatory Board for determination because the Museum Director and the Vice Chair of the Historical Diving Society (the applicant) is an elected Councillor.

7. It was noted at the time of the site visit on 7th March 2024 that works to install the external footpath comprising the removal of part of the grass bund had already commenced.

Relevant Planning History

- 24/00030/FULL - External alterations to include installation of interpretation boards, reinstate door to north elevation and extend footpath to allow access to external exhibits - Pending;
- 24/00039/ADVT - Installation and display of two externally illuminated signs to east and south elevations - Pending;
- 21/00549/FULL - Replacement of existing exhibit to south of No.2 Battery - Permitted 13.01.2022;
- 21/00530/LBA - Installation of underfloor heating system to the link corridor and air source heat pump - Permitted 13.01.2022;
- 21/00615/FULL - Alterations to entrance including access ramp, handrail and steps and installation of timber door within existing opening - Permitted 03.03.2022;
- 21/00616/LBA - Installation of timber door within existing opening, alterations to entrance including internal access ramp, platform lift and hand rail, and repairs to gun emplacements - Permitted 03.03.2022;
- 14/00437/FULL - Demolition of infill panel and installation of fire escape door - Permitted 05.03.2015;
- 14/00438/LBA - Demolition of infill panel and installation of fire escape door - Consented 04.03.2015;
- 13/00184/FULL - Display of 1no. external exhibit - Permitted 09.07.2013;
- 13/00223/LBA - Display of 1no. external exhibit - Consented 09.07.2013;
- 11/00149/FULL - Display of 9no. outside exhibits, 1no. flagpole and flag and reinstatement of internal door and window to switch room - Permitted 24.08.2011;
- 11/00151/LBA - Display of 9no. outside exhibits, 1no. flagpole and flag and reinstatement of internal door and window to switch room and re-instatement of internal door to switch room - Consented 24.08.2011;
- 10/00126/FULL - Use of premises of heritage diving museum - Permitted 14.06.2010;
- 93/20260/LB - Install access doorway, internal staircase and gunport security screens - Consented 24.02.1993;
- 88/21280/PA - Erection of Board Sailing Centre together with clubroom shop and car park - Permitted 11.08.1988;
- 87/20259/LB - Restoration works to include reformation of earthworks, renovation of fencing and brickwork construction steel doorway - Consented 07.08.1987;
- 86/21279/PA - Diving and Sailboard School together with car park - Permitted 16.01.1986;
- 84/20256/LB - Re-grading of embankment - Consented 03.02.1984.

Relevant Policies

Gosport Borough Local Plan 2011 – 2029:

LP10 Design

LP11 Designated Heritage Assets including Listed Buildings, Scheduled Ancient Monuments and Registered Historic Parks & Gardens

Supplementary Planning Documents:

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

National Planning Policy Framework (NPPF), September 2023

Particular obligations fall upon the Local Planning Authority in determining any application which might affect a listed building or its setting or a Conservation Area. Section 66 of The Listed Buildings and Conservation Areas Act 1990 (as amended) places a duty on the authority to have "special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses".

Consultations

The Gosport Society

No objection:

- More details of interpretation boards and signage required;
- There are no scaled drawings of the visuals provided;
- No comments to make on the internal floors;
- More details of materials for the external footpath would be helpful.

Historic England

Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

Response to Public Advertisement

Nil

Principal Issues

1. The only issues in this application are the acceptability of the proposed works having special regard to the desirability of preserving the Listed Building, its setting and any features of special architectural or historic interest which it possesses.

2. The proposed works form part of a wider programme of works at the Battery which have, in part, been the subject of previous applications for Planning Permission and Listed Building Consent detailed above. These all relate to the ongoing restoration of the Battery and the expansion of the Museum into areas of the building which had not previously been accessed by the public. This would support a long term viable use of the building assisting with its on-going maintenance and restoration, and providing greater opportunities for historical interpretation by visitors which is fully supported in heritage terms.

3. Externally, the most significant aspect of the proposal would be the installation of the footpath. This would be a relatively minor intervention that would not be visually prominent in the context of the larger Battery but would require alterations to a grassed bund to the south-east corner of the Battery to provide sufficient space for a level surface. While this will have a visual impact while the

works are in progress and grass re-establishes to the re-graded bund, this would be a short term impact to what is regarded to be a non-original feature of the Battery based on historic photographs. Once established, it is not considered that the re-graded bund would be particularly notable.

4. To the northern elevation, permission/consent was previously granted (21/00615/FULL 21/00616/LBA) to re-open a bricked up opening towards its western side to provide an emergency escape route from the building. This proposal seeks to make the same changes to a former bricked up opening to the eastern side to provide a second means of escape to meet modern fire safety standards. This is considered to be acceptable in both design and heritage terms returning an original opening and providing a degree of consistency with the previous approval.

5. In respect of the proposed signage, the installation of illuminated advertisements on historic buildings can often be regarded as a harmful additions. However, in this particular instance the Council's Conservation Officer is of the view that the proposed advertisements are of an acceptable design and quality, and can be regarded as a creative way of performing their intended task, with minimal physical impact on the historic fabric. These features would replace existing advertisements on the building which would result in a visual improvement.

6. Works to repair, reinstate and replace fenestration are largely works of maintenance that would have minimal impact on the original fabric of the building. Subject to the finer detailing which can be secured through planning condition, this would have a positive impact on the special architectural or historic interest of the building

7. Internally, the proposed works are minor in nature and would have minimal impact on the original fabric of the building. The blocking of the doorways would return the internal layout closer to its original form and would be carried out in such a way as to ensure an understanding of the building's narrative is preserved. The raising of the floor would provide a level surface ensuring safe access for visitors, and would be a 'light-touch' with minimal fixings ensuring the works would be fully reversible if required. The installation of glass elements within the floor to provide an indication of where the curved gun tracks, that have already been lost, would have been is considered to be a positive design approach.

8. Little detail in the way of new servicing equipment has been provided, although this will be developed as design work continues. However, on the basis there would be technical approach to the installation of services that would have minimal impact on the fabric of the building, it is considered that these details can be reserved to planning condition.

9. Overall, it is considered that the proposed works considered both individually and cumulatively would preserve the special architectural or historic interest of the Grade II* Listed Building and would contribute to the long term viable use of the heritage asset that would provide an additional public benefit. The proposal would therefore comply with the requirements of Policies LP10 and LP11 of the Gosport Borough Local Plan 2011 - 2029 and the aims and objectives of the National Planning Policy framework.

Equalities Impact Assessment: No Implications

RECOMMENDATION: Grant Listed Building Consent

Subject to the following condition(s):-

1. The works hereby consented shall be carried out in accordance with the following approved plans:
1005/000 Rev-P3 (Site Location Plan);
1005/001 Rev-P2 (Block Plan);
1005/311 Rev-P1 (Proposed Floor Vent Section);
1005/312 Rev-P1 (Proposed Raised Floor Plan);
1005/601 Rev-P2 (Proposed Site Plan);
1005/605 Rev-P2 (Proposed East Elevation);
1005/606 Rev-P1 (Proposed South Elevation);

1005/607 Rev-P1 (Proposed North Elevation);
1005/608 Rev-P1 (Proposed West Elevation);
1005/702 Rev-P1 (Proposed Floorplan).

Reason - To ensure that the development is completed satisfactorily in all respects and to comply with Policy LP11 of the Gosport Borough Local Plan 2011-2029.

2. a) Notwithstanding the submitted details, prior to the carrying out of any works to the building's fenestration, including the installation of the new door to the northern elevation hereby consented, precise construction drawings at a 1:10 scale (or such other appropriate scale as may be agreed) and a methodology of repair shall be submitted to and approved, in writing, by the Local Planning Authority; and

b) The development shall thereafter be carried out in full accordance with the details approved pursuant to part a) of this condition.

Reason: - To preserve the special architectural or historic interest of the building having regard to its Grade II* designation in accordance with Policies LP10 and LP11 of the Gosport Borough Local Plan 2011 - 2029.

3. a) Notwithstanding the submitted details, prior to the carrying out of any works associated with the raised floor hereby consented, precise details including construction drawings at a 1:10 scale (or such other appropriate scale as may be agreed), finished surface materials and a methodology of installation shall be submitted to and approved, in writing, by the Local Planning Authority; and

b) The development shall thereafter be carried out in full accordance with the details approved pursuant to part a) of this condition.

Reason: - To preserve the special architectural or historic interest of the building having regard to its Grade II* designation in accordance with Policies LP10 and LP11 of the Gosport Borough Local Plan 2011 - 2029.

4. a) Notwithstanding the submitted details, prior to installation of the extended footpath hereby permitted, precise details of its construction including materials, edging details and associated works to re-grade the bund shall be submitted to and approved, in writing, by the Local Planning Authority; and

b) The path shall then be installed in full accordance with the details approved pursuant to part a) of this Condition.

Reason: - To preserve the special architectural or historic interest of the building having regard to its Grade II* designation in accordance with Policies LP10 and LP11 of the Gosport Borough Local Plan 2011 - 2029.

5. a) Notwithstanding the submitted details, prior to the installation of the signage and associated luminaires hereby consented, precise details of the method of installation and appearance of the luminaires shall be submitted to and approved, in writing, by the Local Planning Authority; and

b) The development shall thereafter be carried out in full accordance with the details approved pursuant to part a) of this condition.

Reason: - To preserve the special architectural or historic interest of the building having regard to its Grade II* designation in accordance with Policies LP10 and LP11 of the Gosport Borough Local Plan 2011 - 2029.

6. a) Notwithstanding the submitted details, prior to the installation of any additional servicing equipment including, but not limited to: electrical cabling, sockets, ducting, pipework, heating, fire detection equipment and lighting, precise details including a methodology of installation shall be submitted to and approved, in writing, by the Local Planning Authority; and

b) The development shall thereafter be carried out in full accordance with the details approved pursuant to part a) of this condition.

Reason: - To preserve the special architectural or historic interest of the building having regard to its Grade II* designation in accordance with Policies LP10 and LP11 of the Gosport Borough Local Plan 2011 - 2029.

ITEM NUMBER: 04.
APPLICATION NUMBER: 24/00039/ADVT
APPLICANT: Mr Kevin Casey Historical Diving Society
DATE REGISTERED: 20.02.2024

CASE OFFICER:
Gary Christie

INSTALLATION AND DISPLAY OF TWO EXTERNALLY ILLUMINATED SIGNS TO EAST AND SOUTH ELEVATION (LISTED BUILDING IN CONSERVATION AREA)
Diving Museum No 2 Battery Stokes Bay Road Gosport Hampshire PO12 2QT

The Site and the proposal

1. This application relates to former No.2 Gun Battery, circa 1860, built as part of the fortifications to protect Portsmouth Harbour and now designated as a Grade II* Listed Building. The structure was designed to house guns within casemates, supported by a series of ancillary rooms, and was further developed during the Second World War. The Battery is currently operated by the Historic Diving Society as a Diving Museum. The Battery is located outside of the Urban Area Boundary of Gosport and within the Strategic Settlement Gap. The site is also located within the 'Stokes Bay' Conservation Area. The moat to Stokes Bay Lines between Battery No.2 and Portsmouth Road (River Alver), just to the east of the site, is also included on the Council's Local List of Heritage Assets.
2. The surrounding area has a mixed character with large areas of open space extending along the seafront to the east and west. Immediately to the south there is a large public car park flanked by a café and a small toilet block. Immediately to the north is a mobile home park which also extends across Stokes Bay Road to the east. The large areas of open space to the east at Browndown form part of the Ministry of Defence amphibious training grounds which is also designated as a Site of Special Scientific Interest (SSSI) and a priority habitat for coastal vegetated shingle.
3. Advertisement Consent is sought for the display of advertisements to the east and south of the Battery replacing an existing temporary vinyl printed banner sign to the eastern elevation above the main entrance. The two identical signs would comprise a series of individual letters spelling 'THE DIVING MUSEUM' secured by metal spikes. The individual letters would be colour treated in black and would measure approximately 60cm in height. To the south elevation, the signage would be installed to the top of a grass bund between the two concrete gun emplacements. To the east elevation, the signage would be installed on a grass slope above and just to the south of the main entrance. This sign would be illuminated by concealed spot lights positioned behind a small parapet wall. It is indicated that the illumination would be switched on for occasional events and would be fitted with a timer to turn off after 22:00hrs.
4. Separate applications seek Planning Permission (24/00030/FULL) and Listed Building Consent (24/00038/LBA) for works linked to this particular project.
5. This application has been brought to the Regulatory Board for determination because the Museum Director and the Vice Chair of the Historical Diving Society (the applicant) is an elected Councillor.

Relevant Planning History

Nil

Relevant Policies

Gosport Borough Local Plan 2011 – 2029:

LP10 Design

LP11 Designated Heritage Assets including Listed Buildings, Scheduled Ancient Monuments and Registered Historic Parks & Gardens

LP12 Designated Heritage Assets: Conservation Areas

LP23 Layout of Sites and Parking

National Planning Policy Framework (NPPF), September 2023

Particular obligations fall upon the Local Planning Authority in determining any application which might affect a listed building or its setting or a Conservation Area. Section 66 of The Listed Buildings and Conservation Areas Act 1990 (as amended) places a duty on the authority to have "special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses". Section 72 of the same act 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:

- More details of the signage and spotlights required;
- Clarification required on lighting;
- Concerns regarding the use of black lettering;
- Maintenance required to keep grass clear of the lettering;
- Alternative designs should be considered.

Response to Public Advertisement

Nil

Principal Issues

1. The only issues that can be considered within this application are the impact of the signage in terms of visual amenity, having regard to the designation of the Battery and its location within a Conservation Area, and public safety.
2. The installation of illuminated advertisements on historic buildings can often be regarded as a harmful additions. However, in this particular instance the Council's Conservation Officer is of the view that the proposed advertisements are of an acceptable design and quality, and can be regarded as a creative way of performing their intended task, with minimal physical impact on the historic fabric.
3. The signage to the east elevation would replace an existing poor quality sign that interferes with the brickwork above the main entrance. On that basis, it is considered that the proposal would represent in a visual improvement allowing the exposure of the original brickwork. Overall, it is considered that the advertisements are acceptable in visual terms and would preserve the special architectural or historic interest of the Grade II* Listed Battery and the character and appearance of the 'Stokes Bay' Conservation Area. Precise details relating to the method of installation are sought by Planning Condition as part of Listed Building Application 24/00038/LBA.
4. Given the limited scale of the advertisements, limited levels of illumination and the presence of street lighting within the surrounding area, it is not considered that the features would amount to visually obtrusive features within the streetscene that would affect highway safety. The proposal is therefore acceptable and in accordance with Policies LP10, LP11, LP12 and LP23 of the Gosport Borough Local Plan 2011-2029.

Equalities Impact Assessment: No Implications

RECOMMENDATION: Grant Advert Consent

Subject to the following condition(s):-

1. The display of advertisements hereby consented shall be carried out in accordance with the following approved plans:

1005/000 Rev-P3 (Site Location Plan);

1005/001 Rev-P2 (Block Plan);

1005/601 Rev-P2 (Proposed Site Plan);

1005/605 Rev-P2 (Proposed East Elevation);

1005/606 Rev-P1 (Proposed South Elevation);

1005/607 Rev-P1 (Proposed North Elevation);

1005/608 Rev-P1 (Proposed West Elevation);

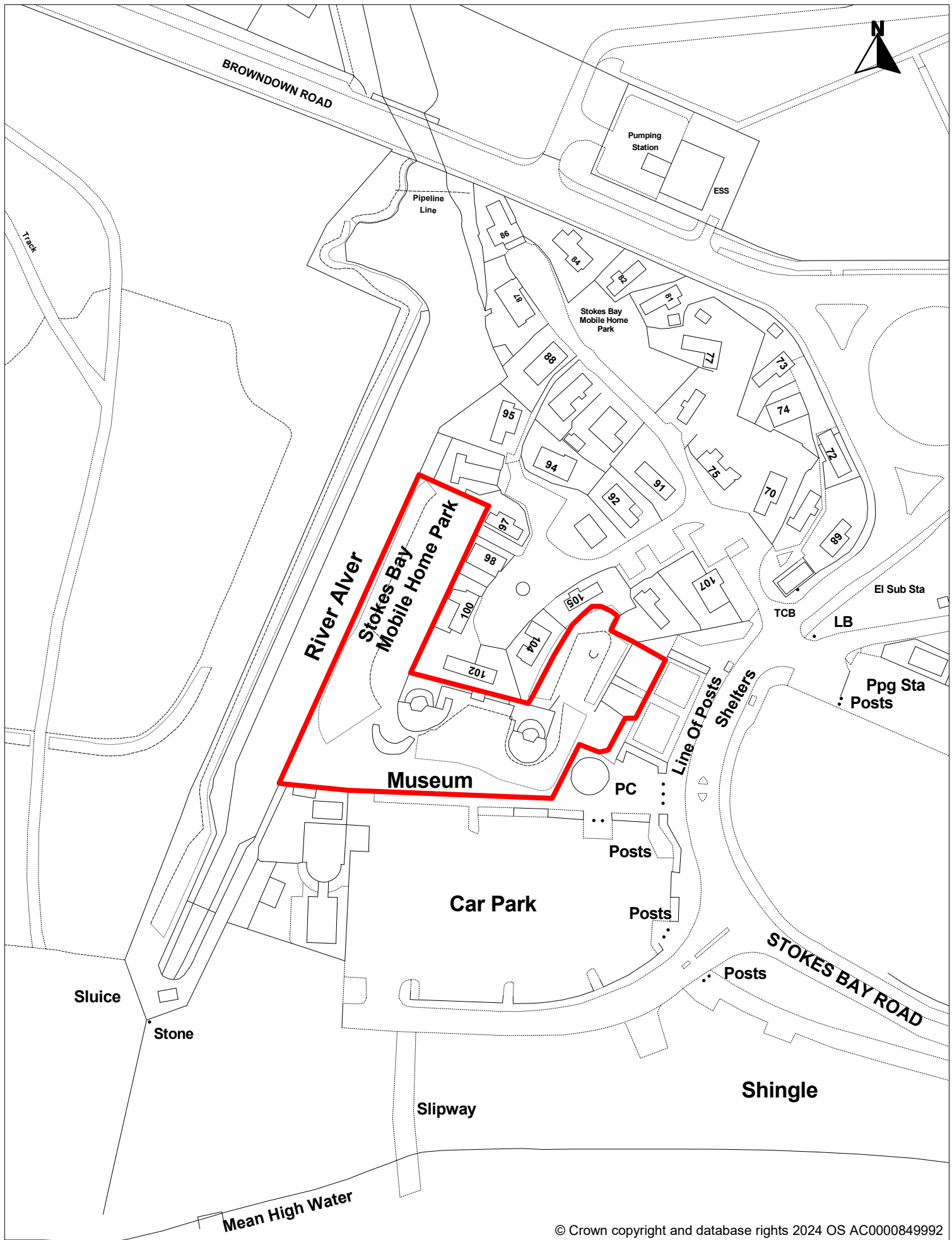
1005/702 Rev-P1 (Proposed Floorplan). Reason - To ensure that the development is completed satisfactorily in all respects and to comply with Policy LP10 of the Gosport Borough Local Plan 2011-2029.

2. The luminance of the advertisement to the east elevation hereby consented shall not exceed 150cd/m² and shall remain static at all times.

Reason - In the interests of safeguarding public safety and visual amenity having regard to the Grade II* designation of the Battery and its siting within the 'Stokes Road' Conservation Area in accordance with Policies LP10, LP11 and LP12 of the Gosport Borough Local Plan 2011 - 2029.

3. The external spot lights used to illuminate the advertisement hereby consented shall be switched off between the hours of 22:30 and 08:00 the following day.

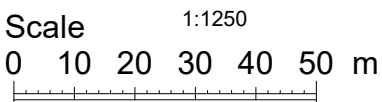
Reason - In the interests of visual amenity having regard to the Grade II* designation of the Battery, its siting within the 'Stokes Road' Conservation Area and proximity to Browndown SSSI in accordance with Policies LP10, LP11, LP12, LP42 and LP44 of the Gosport Borough Local Plan 2011 - 2029.



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Diving Museum, PO12 2QT