

PLANNING COMMITTEE

MINUTES OF THE MEETING of the Planning Committee held on Wednesday, 7 December 2016 at 1.00 pm in the Conference Room A - Civic Offices

These minutes should be read in conjunction with the agenda and associated papers for the meeting.

Present

Councillors Scott Harris (Chairing)
 Jennie Brent
 Ken Ellcome
 Colin Galloway
 Steve Hastings (Standing Deputy)
 Suzy Horton
 Lee Hunt
 Steve Pitt
 Darren Sanders (Standing Deputy)

Welcome

The chair welcomed members of the public and members to the meeting.

Guildhall, Fire Procedure

The chair, Councillor Harris, explained to all present at the meeting the fire procedures including where to assemble and how to evacuate the building in case of a fire.

129. Apologies (AI 1)

Apologies for absence had been given by the Chair Councillor Frank Jonas (Standing Deputy Cllr Hastings attended), Councillor Hugh Mason (Standing Deputy Cllr Sanders attended) and Councillor Yahiya Chowdhury (his Standing Deputy Cllr Morgan also sent his apologies for absence).

130. Declaration of Members' Interests (AI 2)

Councillor Suzy Horton is an employee of the University of Portsmouth but this was not a conflict of interest (as her role is an academic one) in participating in the item relating to 91-95 Commercial Road. For this application Councillor Sanders also stated a non-prejudicial interest in being a Southern Co-operative Member but he did not bank with them.

131. Minutes of Previous Meeting - 9 November 2016 (AI 3)

RESOLVED that the minutes of the Planning Committee held on 9 November 2016 be confirmed as a correct record to be signed by the Chair.

132. Updates on previous planning applications by the Assistant Director of Culture and City Development (AI 4)

Claire Upton-Brown, the Assistant Director of Culture and City Development, reported that the previous week an informal hearing on the lap-dancing club in Albert Road had been held, with no timescale being given on a decision, however she would report back once it was received. There were three more over-turned decisions that would be going to appeal and an application for an award of costs. [Further details had appeared on the Members' Information Service.]

133. (16/01140/FUL) 117-127 Fratton Road Portsmouth PO1 5AJ - Construction of two buildings, one part 2/part 4-storey and the other 4-storey, comprising 30 dwellings (Class C3) and 365 sqm of ground floor commercial floorspace (for Class A1, A2 or A3 purposes), together with landscaping, cycle parking and other associated works (after demolition of existing building) (Report item 1) (AI 5)

The City Development Manager's Supplementary Matters sheet reported additional information:

"The Highways Authority query the hours restrictions for deliveries set out in condition 18 (limited to 7.30am-7pm only). Following advice of Environmental Health, this condition seeks to prevent nuisance from noise/general disturbance by deliveries. The Highways Authority wish to limit the hours of deliveries to the shared footway/loading bay, for highway safety reasons, having regard to the routes to schools past the site. The TRO would appropriately include controls on the acceptable operating hours for deliveries using the shared footway/loading bay, on highway safety grounds. Condition 18 would still perform a function of controlling hours of deliveries by hand/trolley from nearby streets when the shared footway/loading bay is unavailable.

In response to the initial concerns of the Waste Management Team, the applicants waste management strategy proposes all refuse storage containers (7 no. Eurobins) would be brought to the Fratton Road frontage on collection day, from the domestic refuse stores located within each block. The Waste Management Team has subsequently suggested that the 'west' block, toward the rear of the site, be served by an external store closer to and collected from the secondary access onto Garnier Street. This is not a design approach for waste favoured by the applicants, who consider the proposed refuse stores in each block and collection of all waste from the Fratton Road frontage to be a more suitable solution for this site.

Condition 2 lists approved drawing numbers. Two of these have been recently corrected (ground floor -/200F and contextual elevations -/300D)."

The officer's recommendation remained unchanged, subject to corrected drawing numbers being reflected in condition 2.

A deputation was due to be heard from Mr Goble as a resident objecting to the proposal but he was not present.

A deputation was made by Ms St.Pierre as the applicant's agent, in support of the application, whose points included:

- There had been local consultation
- There had previously been anti-social behaviour at the site
- There is local demand for affordable housing
- It is a highly sustainable location with good links to public transport
- It was understood that there is no entitlement to parking permits in the area and as part of the Section 106 agreement occupants would be informed that there was no available parking on site or locally
- If parking was required on site the scheme would be unviable
- It is a high quality design and is no taller than the existing building

Members' Questions

These included seeking clarification on the following matters:

- The operation of the Waste Management Strategy and how rubbish would be stored on site - it was reported that there would be on site management and a maintenance regime
- Whether space standards were met: this was confirmed.
- Whether consultation had included Fratton Traders Association - they were not statutory consultees
- With the lack of parking locally where would visitors park? It was reported that the nearby Residents' Parking Zone there was a 2 hour slot.
- Was there disabled provision within the affordable housing units? There were only 9 social housing units and these were not suitable for wheelchairs, and it was reported that there was not a specific Housing Association involved at this stage.
- With regard to the Highways implications of a loading bay and shared footway had a layby been considered?

The Highways representative Peter Hayward explained that whilst he did not support the proposal it was not regarding the loading arrangements and a layby had been considered for use by lorries but it was felt that the restriction may be abused by cars, and restricted loading hours were therefore favoured and he explained that the electricity services were at a high level and would be expensive to move.

Members' Comments

Members commented on the need for redevelopment on this site and they welcomed the principle of affordable housing provision but they raised concerns regarding:

- Adequate waste management arrangements
- The impact of parking in the local area and impact on the existing residents' parking scheme
- The lack of provision of disabled facilities
- The A3 use in an area which had a lot of takeaways (although some members supported a café as part of the regeneration of the area)
- The size of the living space
- The potential safety issues for pedestrians caused by the shared footway
- The design of the frontage could be improved and there was overlooking and it was overbearing on the adjacent property

The City Development Manager reported that a condition could be imposed regarding a refuse management strategy. The A3 use formed part of the description of the development so could not be removed. She clarified that non-car ownership is not a criteria for the selection and allocation of housing and the provision of a disabled unit was a design issue which could be further explored should there be a deferral.

RESOLVED that a decision on this application be deferred for further discussions to take place with the applicant.

134. (16/01480/FUL) 18 Ordnance Row Portsmouth PO1 3DN - Retrospective application for the installation of 2 air conditioning extraction units to flat roof and installation of Marley Cedral boarding to replace render (Report item 2) (AI 6)

A deputation was made by Mr Aguado, the applicant, in support of his application, whose points included:

- There was unreasonable heat in the summer which meant difficult working conditions for his staff
- The air conditioner had therefore been installed and this ran silently and had been inspected by Environmental Health
- The salon was not open on a Sunday

Members' Questions

Members queried why this had been a retrospective application and if any reasons for referral to committee had been given.

Members' Comments

Members were mindful of the absence of objections to the application.

RESOLVED that conditional permission be granted, subject to the conditions outlined in the City Development Manager's report.

135. (16/01537/FUL) 91 - 95 Commercial Road Portsmouth PO1 1BQ - Demolition of existing building and construction of building for mixed use development comprising retail (Class A1) use (levels 0 and 1) and student halls of residence (within Class C1) (256 study bedrooms in a combination of cluster flats and studios - levels 1-18) with associated basement storage (cycle parking/bin storage/plant room) (Report item 3) (AI 7)

The City Development Manager's Supplementary Matters List reported additional representation from Councillor Stubbs and from the University of Portsmouth, but the recommendation remained unchanged:

"One additional representation has been received in support of the application from Councillor L Stubbs on the following grounds: a) Increased numbers of student halls of residences reduce impact of students in communities; b) Number of shared houses needed to house students could be reduced; c) Design of the building is striking and is of an appropriate scale when considered against other buildings in the area; d) there has been a reduced demand for office accommodation in the city; and,

e) Student housing could be used as a catalyst to regenerate area to the south of the city centre.

One additional objection has been received from the University of Portsmouth on the following grounds: a) The University of Portsmouth were not formally consulted; b) No robust evidence to confirm there is further need for student accommodation; c) No high demand for high quality student accommodation; d) Location is not appropriate for student halls of residence; e) Studios /cluster flats are wrong type of accommodation for students; f) Lack of consultation on student management plan with the university; and, g) The application should not be determined until the Halls of Residence SPD has been updated."

A deputation was made by Jan Dod, on behalf of PATCH Ltd, whose points in objecting included:

- PATCH as a community charity in Somerstown was not against regeneration by wanted to see mixed and balanced communities rather than a zoned approach to student accommodation with a proliferation of high rise developments
- Low rise conversions would be preferred, and those in Elm Grove were better integrated in the local community
- The site could be used for residential accommodation to have sustainability and transport links for permanent residents in the city to help the housing needs
- The Design Panel had had concerns that this design 'turned its back' on Commercial Road and the tall building could mean problems with wind tunnelling

A deputation was then made by Mr Stewart, representing the applicants, in support of the application, whose points included:

- The developers were experienced in providing student accommodation and a management company would have staff on site
- The site had been selected to be close to students' places of study and leisure as well as the station and bus routes
- This will relieve pressure and competing demand on residential buildings in the city which would be freed up for families
- Quality accommodation is a selling point for the university in attracting students in their plans to expand
- The scheme did not include parking for students and they would not be entitled to residents' parking permits
- This was aligned with the City Centre regeneration and contribute positively to the aspirations for Station Square
- The arrival of students would be managed as a gradual process

Members' Questions

Members asked for clarification on the following issues:

- The status of the University of Portsmouth as a consultee on this application
- What the demand was for student accommodation and how these figures were compiled

- Whether there were road safety concerns for this number of students on the site next to a raised crossing area
- The fire safety measures for the building
- The arrangements in place for dropping off students at the start of term and if other options had been considered using nearby Pay & Display parking
- The waste management arrangements for this building and the retail units and whether the access road would be blocked by vehicles and how recycling could be promoted
- How this related to the Tall Buildings Strategy and the impact of waiting for the university's own SPD on accommodation to be updated
- The suitability of building accommodation next to a nightclub and the associated noise levels and acoustic controls
- The adequacy of cycle storage provision and the lift accessibility to take bikes into the flats
- Fire evacuation procedures (which were part of the Building Regulations checks)
- The cumulative impact of student accommodation in the city centre and its sustainability being dependent on future student numbers
- Whether the design could be improved on

The City Development Manager stressed that the committee needed to decide on the application as before them, and certain matters would be dealt with via the Section 106 agreement (including the Travel Plan) and conditions and matters such as colour of materials could be decided in consultation with the Chair and Vice-Chair rather than be brought back to committee for decision. A signalled crossing could not be required as part of this application but there would be a CIL contribution towards infrastructure costs, part of which would be a citywide allocation.

Members' Comments

Comments included the following:

- The freeing up of residential properties in the city at a location which would not impact other residents
- There were still some concerns regarding to waste management on site and low cycle standards
- The Design Review Panel had not supported the design but design was a subjective issue
- The University of Portsmouth did not support the layout of independent units as they favoured more interaction between students (it was reported that rents was not a planning concern)

RESOLVED that:

- (1) Delegated authority be granted to the Assistant Director of Culture and City Development to grant Conditional Permission subject to the prior completion of an agreement pursuant to section 106 Town and Country Planning Act 1990 to secure the planning obligations with principal terms as outlined in the report and such additional items as the Assistant Director of Culture and City Development considers reasonable and necessary having regard to material considerations at the time the permission is issued;**

- (2) That delegated authority be granted to the City Development Manager to add/amend conditions where necessary.
- (3) That delegated authority be granted to the City Development Manager to refuse planning permission if the legal agreement has not been completed within three months of the date of the resolution.

136. (16/01598/HOU) 15 Drayton Lane Portsmouth PO6 1HG - Construction of single storey front and rear extensions with roof terrace above, alterations to first floor and elevational treatment (Resubmission of 16/00348/HOU) (Report item 4) (AI 8)

The City Development Manager's Supplementary Matters update clarified that Reason number 3 should read "*In the interests of visual amenity in accordance with policy PCS23 of the Portsmouth Plan*" and it included an additional letter of objection from a resident of Drayton Lane.

A deputation was made by Mr Cripps, the applicant, in support of his application whose points included:

- Whilst the previous design had won awards it did not make the best use of the floor area for family accommodation which this application sought to do
- There is a diversity of styles of buildings in Drayton Lane
- This was a modern approach bringing new life into the street scene and high quality materials were being used

(Councillor Pitt was not present for the officer's presentation so did not take part in the discussion of this item.)

Members' Questions

It was asked if any reasons had been given for its referral to committee. It was also asked if the alterations detracted from other houses in the road being a contemporary scheme?

Members' Comments

The design was admired by most of the members although it was accepted it would not appeal to everyone.

RESOLVED that conditional permission be granted, subject to the conditions set out in the City Development Manager's report.

137. (16/01601/FUL) 1 Plymouth Street Southsea PO5 4HW- Conversion of former public house (Class A4) to an eleven bedroom house in multiple occupation (Sui Generis) (Report item 5) (AI 9)

A deputation was made by Hon. Alderman Sally Thomas, whose points included:

- Residents of Ladywood House had raised objections, held a meeting and presented a petition
- Whilst this was a reduced scheme it still was an over-intensive use of the site
- There would be parking problems and late night activity

- Concerns had been raised regarding the impact of 11 separate units with their own rubbish to take out and bring in and there could be overflowing bins as seen at other HMOs in the area, and there should be a waste management scheme for the building
- Saturation point had been reached for the area

Members' Questions

Clarification was sought on the following:

- numbering of rooms on the plan layout
- if there were suitable sized bins provided and where they would be sited and serviced (it was reported that it was a matter for PCC's Waste Management Service to look at how this would be managed)
- whether it would be student occupation (it was reported that this was not a matter for consideration by the committee)
- if there would be qualification for parking permits (it was reported that it would qualify for 2 parking permits)
- whether the size of rooms were adequate (it was reported that this would be looked at under the licensing regime for HMOs)

Members' Comments

Members were concerned that this represented an over-development and over-intensive use of the building, with 11 residents using one oven and 1 kitchen sink, and they did not feel that the previous reasons for refusal had been overcome. They did not believe that this was the best solution for redeveloping the building.

RESOLVED that permission be refused for the following reasons:

"In the opinion of the Local Planning Authority, the proposal would amount to an over-intensive use of the building and would fail to provide an acceptable standard of living accommodation to the detriment of future occupiers. The proposal is therefore contrary to the aims and objectives of the National Planning Policy Framework and to policy PCS23 of the Portsmouth Plan."

The meeting concluded at 5.30 pm.

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Signed by the Chair of the meeting