

## PLANNING COMMITTEE

MINUTES OF THE MEETING of the Planning Committee held on Wednesday, 8 February 2017 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 Frank Jonas (Chair)  
Scott Harris (Vice-Chair)  
Jennie Brent  
Yahiya Chowdhury  
Ken Ellcome  
Colin Galloway  
Lee Hunt  
Hugh Mason  
Steve Pitt  
Lynne Stagg

### Welcome

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

### Guildhall, Fire Procedure

The chair, Councillor Fuller, 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.

#### 1. Apologies (AI 1)

Councillor Horton sent her apologies for absence and Councillor Stagg deputised for her.

#### 2. Declaration of Members' Interests (AI 2)

##### Item 7

Councillor Stagg declared a non-prejudicial interest in that she is a member of the Milton Neighbourhood Plan that opposes some development there.

##### Item 6

She will make a deputation on this item and then leave the proceedings.

#### 3. Minutes of the previous meeting - 7 December 2016. (AI 3)

**RESOLVED** that the minutes of the meeting held on 7 December 2016 be confirmed as a correct record.

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

There were no updates.

**5. 16/01140/FUL- 117-127 Fratton Road, Portsmouth PO1 5AJ. (AI 5)**

The Assistant Director of Culture and City Development presented the application.

Ms Danielle St Pierre, the agent included the following points in her deputation:

- The application was amended in response to members' recommendations.
- It would not be feasible to provide parking. There is a railway station nearby and bus stops outside.
- Tenants would not be eligible for parking permits if the area were to become a Residential Parking Zone (RPZ).
- One flat is suitable for a wheel chair user.
- The refuse storage would be serviced by the new loading bay in Fratton Road. A waste management professional would take the bins out and return them. Contact details would be provided in case of any concerns.

Members' Questions

Members sought clarification regarding the location of the nearest RPZs, the distance between the flats and the nearest houses and the possible need for a light assessment.

Members' Comments.

Members expressed concern that the appearance was not in keeping with the street scene and stated that they wanted better design standards throughout the city. However, members commented that it was a sensible use of the site and would have no detrimental impact to neighbouring properties.

They thanked the agent for listening to the points raised by members at the previous meeting.

**RESOLVED that the application be approved subject to the conditions set out in the officers' report.**

**6. 16/01241/FUL - 57-58 High Street, Portsmouth PO1 2LU. (AI 6)**

The Assistant Director of Culture & City Development presented the application and referred members to the Supplementary Matters sheet regarding an additional representation that had been received which expressed relief that the original concerns had been largely addressed. The comment also referred to

*An annotation of an amended ground floor plan as a "Plant Room" (as opposed to store on the previous plan) that is, more or less directly below the bedrooms of the residents of 1 Grand Parade and so it is hoped that, in continuation of our earlier concerns regarding noise pollution, due consideration will be given to preventing such pollution as the plans do not show any ventilation opening(s) etc. which would be normal for such enclosed machinery spaces. A rear gate into the garage of 1 Grand Parade has been increased in width; it is claimed to be a party wall but no consent or approach to adjoining owners has been made.*

*The amended plans have been reviewed by Environmental Health, who advise that their original consultation advice remains appropriate and recommendation of a planning condition for noise control covers all plant and/or equipment. The condition requires the developer to submit a scheme assessing the noise impacts and*

*requiring works to attenuate where necessary. The issue of ownership of a party wall/widened rear gate has been raised with the applicants but represents a private interest matter.*

Members' Questions

There were no questions.

Members' Comments.

Members commented that the issues had been addressed and that there would be no detrimental impact on the neighbouring properties. They also said that it was a nice design.

**RESOLVED that the application be granted subject to the conditions set out in the officers' report.**

**7. 16/01955/FUL - St James Hospital, Locksway Road, Southsea PO4 8LD. (AI 7)**

The Assistant Director of Culture and City Development presented the application.

Mr Geoff Lewis, Project Manager for Solent NHS Trust included the following points in his deputation:

- The Estates Plan rationalised services over a number of years and a number of services were subsequently relocated. The removal of the buildings would lead to a saving of £3m in running costs.
- The Limes and Orchards facilities would remain on the site but would require a substation and standby generator.
- In this amended application, there are no proposals to fell any trees or lose any shrubs.
- He is happy to accept the amended conditions regarding noise pollution controlled through opening hours.
- The existing storage yard has a permeable surface so liquids can go through.

Members' Questions.

Members sought clarification regarding the distance between the service yard and the nearest house, the operating hours, the use, access, the size of the vehicles that would use it and the condition of the nearby trees. They also commented that if a member brings an application to the committee, the committee expected them to attend the meeting.

Members' Comments.

Members discussed the importance of restricting the operating hours of the service yard in order to minimise disturbance to nearby residents.

**RESOLVED that the application be granted subject to the conditions in the officers' report with the following amendment to no. 7:**

The use of the service yard and buildings hereby permitted shall operate between Monday to Sunday and closed and vacated outside of the hours 07:30 and 5.30pm unless otherwise required for hospital emergency purposes.

**8. 16/01612/FUL - 1 Elm Lodge, St Peter's Grove, Southsea PO5 1LS. (AI 8)**

The Assistant Director of Culture & City Development presented the application.

Ms Theresa Lau included the following points in her deputation, on behalf of the applicant:

- Mr Tang, the applicant had taken extra care to minimise noise and disturbance.
- His mobile number is on the door of the premises for people to contact him if they have any concerns about the work.
- It is not economical for tenants to keep a car.

Members' Questions.

Members sought clarity regarding the number of this type of applications received and the checks taken by the planning officers to verify what type of properties there are.

Members' Comments.

Members noted that it seemed a sensible use of the building.

**RESOLVED that conditional permission be granted.**

**9. 16/01869/FUL - 36 Heidelberg Road, Southsea PO4 0AS. (AI 9)**

The Assistant Director of Culture & City Development informed the committee that this application had been withdrawn from the agenda for delegated decision.

**10. 16/01957 FUL - 15 Stubbington Avenue, Portsmouth PO2 0HP (AI 10)**

The Assistant Director of Culture & City Development introduced the application and referred members to the Supplementary Matters sheet regarding an amended red line plan that had been submitted extending the application site to include the rear garden showing refuse/recycling provision and cycle storage. Amended floor plans had also been received showing the addition of en-suite bathroom facilities for the ground floor bedroom and identification of the communal area for use by the occupants.

Mr Bhakad included the following points in his deputation:

- There is a dropped kerb, one allocated space and room for one more.
- Bus stops are located less than 5 minutes' walk away.
- The proportion of HMOs in within a 50m radius is less than 10%

Members' Questions.

Members sought clarity regarding the changes that were proposed to the property and that statues of the unauthorised conversion to 5 bedsits.

Members' Comments.

Members noted that the proposed changes were not clear.

The Assistant Director of Culture & City Development proposed a change to the officers' recommendation and moved to defer the application due to the lack of information available regarding remedial work and the need to further consider the mechanism to ensure that were planning permission granted there was clarity on the

rigger of commencement of the change of use and the interior alterations necessary to ensure that the unauthorised use had ceased.

**RESOLVED that a decision be deferred.**

**11. 16/02009/FUL - 239 Powerscourt Road, Portsmouth PO2 7JJ. (AI 11)**

The Assistant Director of Culture & City Development presented the application.

Ms Joann Robertson included the following points in her deputation:

- The HMO database HMO is 60% inaccurate so there is probably only a 5% saturation in a 50m radius.
- Copnor has the worst roads in Portsmouth for parking.
- Having a HMO in this location would breach residents' human rights and would not be in keeping with the character of the area.
- HMOs are generally poorly maintained.
- There is a shortage of family houses in the city.

Mr Alex Venebles, a co-owner included the following points in his deputation:

- Potential tenants would be thoroughly vetted to ensure they are professional people.
- The design meets or exceeds the HMO regulations.
- His sister company has managed HMOs for more than 8 years.
- Weekly checks will be made on the property and a cleaner will clean the communal areas every week.
- Any issues will be addressed as soon as they arise.
- He will continue to work with the neighbours.

Councillor Neill Young included the following points in his deputation:

- This premises borders both Copnor and Fratton wards.
- Parking is a problem in this part of the city. The extra cars in the area would have a knock on affect to neighbouring roads.
- He questioned how the noise from up to 14 people would be controlled.
- It would be a shame to lose another family house.
- He questioned whether there is space for both cycle storage and bin sheds in the forecourt.

Members' Questions.

Members sought clarification regarding the possibility of adding a condition to prohibit tenants from owning a car, the accuracy of the HMO database, the possibility of having a protected residential area and whether applications would be on the database

Members' Comments.

Members noted that there would be no violation of the parking standards, there were very few HMOs in the area and that HMOs play an important role in providing accommodation for people leaving home for the first time. However, they also discussed the detrimental impact this property would have on the amenities of the neighbouring properties, the noise and disturbance and the loss of a family house.

**RESOLVED that this application be refused.**

**REASONS**

In the opinion of the Local Authority, the proposed use of the property would result in unacceptable noise and disturbance to residents in the surrounding area.

In the opinion of the Local Planning Authority, the proposed use of the property as a HMO would result in significant additional demand and increased pressure for parking in an area that is over-capacity with limited on-street parking and in the absence of off-street parking would result in further unacceptable pressure for parking to the detriment of local residents.

**12. 16/02075/FUL - 103 Ophir Road, Portsmouth PO2 9ER. (AI 12)**

The Assistant Director of Culture & City Development presented the application.

Mr Mark Fisher included the following points in his deputation:

- The HMO database is inaccurate and unfit for purpose.
- The council does not investigate adequately when it is informed of a suspected unregistered HMO.
- The area's parking problems would be exacerbated.
- This application would have a detrimental impact on the quality of life of nearby residents.

Ms Lin Smith included the following points in her deputation:

- There are two unregistered bedsits behind her property.
- There is also a possible unregistered HMO in Ophir Road.
- The houses were built in 1911 and have very poor insulation. She requested that sound proofing be installed in this property if it is granted planning permission to become a HMO.
- The shared kitchen would be dark and gloomy because of the lack of windows.
- There would be a detrimental impact on parking.

Mr Jason Cliffe, applicant included the following points in his deputation:

- He has over 25 years' experience in this field.
- In the other HMO that he owns he has not received any complaints about the tenants who are all professional. Only two tenants own a car.
- A cleaner will clean the communal areas weekly and a gardener will maintain the garden.
- There are good public transport links nearby.

Members' Questions.

Members sought clarification regarding the investigation of other possible HMOs in the area, sound proofing, the lack of a floor plan, the size of the bedrooms and parking.

Members' Comments.

Members discussed parking standards and controls within the area and the inspector's decision on a similar application.

## **RESOLVED**

**A decision was deferred on this application.**

### **13. 16/01998/FUL - 12 Victoria Road South, Southsea PO5 2DB. (AI 13)**

Mr Olafsson included the following points in his deputation on behalf of the agent:

- The extension had been removed from the original application.
- The student accommodation would be more closely managed than rented flats would be.
- There would only be tenants during the school year.
- This is a small scale development and would preserve the character of the area.

Councillor Linda Symes included the following points in her deputation:

- The premises was previously a GP surgery and is next door to an office.
- The parking problems in this area would be exacerbated. Students are notorious for leaving cars on residential roads for weeks on end.
- It would be a lottery as to whether the tenants would be noisy or not.
- The town centre is more appropriate for student accommodation.

#### Members' Questions.

Members sought clarification on why the management plan was not available, the involvement of the university, the distance between the windows of this property and the neighbouring one, the communal space at the rear, the difference between HMOs and student shared accommodation and whether there was a policy which encouraged retaining a mixture of sized houses.

#### Members' Comments.

Members expressed concern about the possibility of developers circumnavigating the restrictions on HMOs by building student accommodation instead and their ability to approve the application without seeing the management plan. They also discussed the potential impact on the neighbours, the need for student accommodation outside of the city centre, the impact on parking, the high quality of the design and the possibility of other tenants living there outside of term times.

**RESOLVED that the application be refused.**

#### **REASONS**

In the opinion of the Local Planning Authority, the proposed use of the property as a 10 bed student halls of residence would result in significant additional demand and increased pressure for parking in an area that is over-capacity with limited on-street parking and in the absence of off-street parking would result in further unacceptable pressure for parking to the detriment of local residents.

In the opinion of the Local Planning Authority, the proposed location of the windows in close proximity to ground floor windows in the adjoining property (No.4/4a Herford Road) would result in unacceptable outlook to the detriment of current and future occupiers. The proposal is not therefore in accordance with policy PCS23 ((Design and Conservation)) of the Portsmouth Plan.

In the opinion of the Local Authority, the proposed use of the property would result in unacceptable noise and disturbance to residents in the surrounding area.

**14. 16/01937/FUL - 29 Marmion Road, Southsea PO5 2AT (AI 14)**

The Assistant Director of Culture and City Development presented the application.

Mr Ian Knight, the agent included the following points in his deputation:

- He welcomed the conditions that have been proposed by officers.
- The residents above the premises are fully protected.
- The nearby supermarket is open every day until 9pm and has 320 parking spaces.
- There will be no seating outside on the pavement.
- There is no reason why there should be any disturbance.

Members' Questions.

Members sought clarification regarding the reason why the matter had been brought to the committee if the deputation has withdrawn, possible odour nuisance, the maintenance of the extraction equipment required and the bin storage.

Members' Comments.

There were no comments.

**RESOLVED that the application be granted subject to the conditions set out in the officers' report.**

**15. 16/02027/HOU - 25 Woodpath, Southsea PO5 3DX. (AI 15)**

The Assistant Director of Culture and City Development presented the application.

Ms Tania Bastow included the following points in her deputation:

- The proposed extension would have a significant detrimental impact on her amenities as it would enclose her garden.
- Her property is quite low and number 25 is above natural floor level.
- There is a protected tree in the garden which creates a large shadow and a sense of enclosure. The proposal might involve the removal of this tree.
- She would not be able to look out to the right or the rear of her garden.
- It would have a detrimental impact on the conservation area.

Ms Linda Prior included the following points in her deputation:

- She bought her grade 2 listed property in 1987
- The extension would have a detrimental impact on her outlook, peace and privacy.

Ms Annette Conway, the applicant included the following points in her deputation

- There are eight occupants: her and her husband, their two children and her parents. There is currently only one small bathroom for their four bedrooms.
- As she does shift work, it would be easier to have a downstairs bathroom so as not to disturb her family early in the morning. The extension would also give her more privacy as the neighbours' views are into her garden.
- They are committed to the local area.



- There is already a 5 foot wall between her garden and number 27 so the extension would not lead to any loss of privacy.
- The windows of number 27 are opaque.

Mr Olafsson included the following points in his deputation on behalf of the applicant:

- The extension would provide a better layout and facilities. The bedrooms are small and there is minimal storage.
- The extension would be modest. The materials would match the existing materials.
- There would be no loss of privacy or light to the neighbouring property as there are no windows on the side elevation.
- The extension is of a modest size.

#### Members' Questions.

Members sought clarification as to why planning permission was required, the height of number 37, whether there was a tree preservation order on the tree, the distance between the extension and the tree, why no site visit had been arranged for the committee nor light diagrams provided and questioned the difference in levels with no. 25.

#### Members' Comments.

Members discussed the potential overbearing nature of the extension and expressed concern about the lack of maps and light diagrams.

**RESOLVED that the decision be deferred.**

#### **16. 16/02056/TPO - 21 Siskin Road, Southsea PO4 8UG. (AI 16)**

The Assistant Director of Culture and City Development presented the application.

Ms Kimberly Barrett included the following points in her deputation:

- Residents care for the green spaces, the culture and the heritage of the area.
- There are no health and safety reasons for removing this tree.
- The tree is subject to a Tree Protection Order.
- The council could consider carrying out a crown lift or thinning.
- A Planning Inspector recently upheld the council's decision to refuse permission to fell a nearby tree.
- Trees produce significant amounts of oxygen.

Councillor Lynne Stagg included the following points in her deputation:

- A number of trees have been felled over the last year. If these are diseased or damaged this is acceptable.
- Poplars are an important part of the character of this area. She appreciated that they are subject to disease and need maintaining.

#### Members' Questions.

Members sought clarification regarding the tree's height, age, condition, root system, the impact of the overshadowing of the other tree on any replacement tree and the possibility of simply removing the deadwood.

Members' Comments.

There were no comments.

**RESOLVED that the application be granted subject to the conditions set out in the officers' report.**

**17. 16/01820 FUL - Tipner Lake, Between Mountbatten Centre and Portsbridge Roundabout, Portsmouth (AI 17)**

The Assistant Director of Culture and City Development presented the application.

Members' Questions.

Members sought clarification regarding access to the site and the slipway, temporary parking arrangements, an alternative cycle route, the impact on Foxes Forest, the concessions on Hilsea Moat and drainage.

Members' Comments.

There were no comments.

**RESOLVED that the application be granted subject to the conditions set out in the officers' report.**

The meeting concluded at 7.15pm.

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Signed by the Chair of the meeting  
Councillor Frank Jonas