

PLANNING COMMITTEE

MINUTES OF THE MEETING of the Planning Committee held on Wednesday, 7 February 2018 at 1pm in the Guildhall.

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

Present

Councillors Frank Jonas BEM (Vice-Chair)
 Jennie Brent
 Colin Galloway
 Lee Hunt
 Hugh Mason
 Gemma New
 Steve Pitt
 Gerald Vernon-Jackson CBE

Welcome

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

Guildhall, Fire Procedure

Councillor Jonas, 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.

19. Apologies (AI 1)

Apologies were received from Councillor Fleming. Councillor Payter-Harris deputised for him.

20. Declaration of Members' Interests (AI 2)

Agenda Item 19 - 91 Powerscourt Road.

Councillor Pitt declared a prejudicial interest in agenda item as he will make a deputation. He will then leave the meeting.

Agenda Item 20 - Social Club, Unity Hall.

Councillor Vernon-Jackson declared a personal and prejudicial interest as he had extensive discussions about the application with the applicant. He will leave the meeting for that item.

21. Minutes of the previous meeting - 10 January 2018. (AI 3)

RESOLVED that the minutes of the meeting held on 10 January be agreed and signed by the Chair as a correct record.

22. Appeal against non-determination at 8 Pitcroft Road, North End, Portsmouth PO2 8BD. (AI 4)

The committee was asked to consider the report and state how it would have determined the application had it been able to make a decision.

The committee indicated that for the purposes of the appeal its position would be to support the officer's recommendation of refusal.

23. Update on previous applications by the Assistant Director of City Development. (AI 5)

The Queens Hotel.

The Assistant Director for City Development informed members that the Inspector had not yet confirmed that a valid appeal against non-determination had been submitted. Members wanted to ensure that officers had time to prepare a robust case for defending the decision.

RESOLVED that officers be instructed to defend the appeal.

Planning Applications.

Deputations are not minuted in full as these are recorded as part of the web-cast of this meeting which can be viewed here:

<https://livestream.com/accounts/14063785/Planning-07Feb2018>

24. 17/01638/TPO - Open Space Locksway Road, Southsea PO4 8HW. (AI 6)

The Planning Officer introduced the application.

Members' Questions.

In response to questions from members, the following points were clarified:

- The poplars shown in the photo in the presentation, as a suggested replacement species are 15-20 years old and are four times as tall as the trees that would be felled. It is not proposed that the lombardy poplars would be replaced with the same species as these are short-lived. The current one is 75 years old and decayed. The replacement species are a similar upright form and better quality species. This would ensure longevity in the landscape.
- The sycamores are 12-15m tall. The holm oaks are 15-18m tall and the Hawthorn and scrub are 4-6m.
- It is proposed that the sycamores be cut by 4m from the laterals. The reduction in height would not have a long lasting effect on life and longevity.
- The trees' health has been looked at.
- It is not known if there had been any reports of damage to houses by trees.
- The previous land owner neglected the site and it now needs managing.
- The committee could consider the trees separately.
- The lombardy poplar was significantly pollarded. More selective pruning is proposed to the other trees as part of ongoing maintenance regime.
- The hawthorns would not be cut back if they were in a field.

Members' Comments.

Members noted that:

- There is a perception that there is a war on trees
- There is no evidence that there is a need to cut the trees' crowns.
- As the poplar is decayed it would be sensible to replace it with the species of tree that was described to secure a tree-lined scene for future generations.
- The holm oaks and hawthorns should not be touched.
- The sycamores' height should be reduced.

RESOLVED that a split decision be made: conditional consent for the sycamores and Lombardy poplar; refusal of works to the hawthorns and holm oaks.

REASONS

- The holm oaks are evergreens and would provide some visual barrier to any development.
- It would not be viable to reduce the hawthorns to 1m high.

25. 17/02153/ PLAREG - 135 Langstone Road, Portsmouth PO3 6BT. (AI 7)

The Planning Officer introduced the application and added this supplementary information: As clarified at the committee site visit, the floor level of the extension is higher than the floor level of the conservatories of the neighbouring properties. This is due to the fact that the floor level was designed to match the existing internal floor level of the house.

Ms S Hannon, Mr R Chapman and Councillor Darren Sanders made deputations against the application.

Ms P Thomas-Taylor, the applicant made a deputation in support of the application.

Members' Questions.

In response to questions from members, the following points were clarified:

- There would be angled views from the extension's windows into the neighbouring garden. This would not be considered to be a significant concern.
- The extension is 1m higher than the neighbouring conservatories.
- The edge of the sloping roof may be slightly higher than the neighbouring conservatory.

Members' Comments.

Members commented that it was an overbearing, unneighbourly building in terms of mass, scale and overlooking of the adjacent homes. They also expressed concern about the potential loss of light in the early morning and evening and the possibility of residents stepping out of the window and using the area as a sun roof.

However, it was also noted that the rear of the building was not substantially higher and did not constitute substantial overlooking, despite the height of the floor being higher than the surrounding gardens.

RESOLVED that the application be granted subject to the conditions set out in the City Development Manager's report

26. 17/01640/HOU - 6 Second Avenue, Portsmouth PO6 1JS. (AI 8)

The Planning Officer introduced the report.

Mark Bryant made a deputation against the application.

Matt Hore, the applicant made a deputation in support of his application.

Members' Questions.

In response to questions, the following points were clarified:

- Number 8's side elevation is 5m and number 10's is about the same height. Both are of similar pitch and design.
- Each application is determined on its own merits.
- If the application were to be permitted, a condition could be added stipulating that frosted glass be used on the kitchen and bathroom windows.

Members' Comments.

Members noted that the property could have a new owner in six months' time or longer and the line could be extended to numbers 8 and 10.

RESOLVED that the application be refused for the reasons set out in the report.

27. 17/02104/FUL - Brunel House, 42 The Hard, Portsmouth PO1 3DS. (AI 9)

The Planning Officer introduced the application.

Stephen Hinsley, the agent made a deputation in support of his application.

Members' Questions.

In response to questions, the following points were clarified:

- It might not be considered reasonable to add a condition prohibiting the roof terrace being used after 23:00. The manager would be expected to ensure that there would be no harm to the neighbours in terms of loss of amenity due to the use of that space.
- The entrance would be orange and the rest of the building, predominately green.

Members' Comments.

Members were encouraged by the application and noted that tourists arriving would see this building as they arrive at the Hard Interchange. They felt that it would significantly improve the scene.

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

28. 17/01686/FUL - 23-31 St Ronan's Road, Southsea PO4 0PP. (AI 10)

The Planning Officer introduced the report and added this supplementary information: An amended roof plan had been received, in line with the amended elevations and floorplans. The amended plan number is ROOF PLAN 23155/013 A. Condition 2 had been amended to include the updated roof plan reference number. The recommendation was unchanged.

Members' Questions.

There were no questions.

Members' Comments.

Members were pleased with the scheme and noted that it tidied up the street scene and increased capacity.

RESOVLED that the application be granted subject to the conditions set out in the report.

29. 17/01929/FUL - 5 Ophir Road, Portsmouth PO2 9EL. (AI 11)

The Planning Officer introduced the application and added this supplementary information: There is a requirement for a financial contribution of £181 to be secured to mitigate the impact of the development on the Solent Special Protection Area. As outlined in the report, the applicants have confirmed their willingness to meet this requirement, but the contribution has not yet been secured. The recommendation has therefore been amended to give delegated authority to the Assistant Director of City Development to grant permission subject to securing the mitigation, or refuse permission if the mitigation is not received.

Amended recommendations:

Recommendation A: That delegated authority be granted to the Assistant Director of City Development to grant Conditional Permission subject to first securing a planning obligation or an agreement for payment of a financial contribution of £181 to mitigate the impact of the proposed residential development on the Solent Special Protection Areas.

Recommendation B: That delegated authority be granted to the Assistant Director of City Development to refuse planning permission if the agreement referred to in Recommendation A has not been secured within three weeks of the date of the resolution pursuant to Recommendation A.

Lucy Fryer, the applicant and Emma Baker, the agent made deputations in support of the application.

Members' Questions.

In response to questions, the following points were clarified:

- The bins could be stored in either the rear garden or the front forecourt. The Planning Officer did not know which location would be used. The applicant explained that the bins would be of normal household size and be stored in the garden.
- The committee could add a condition requiring the applicant to submit details of the waste storage to the Planning Department for approval.

Members' Comments.

Members were encouraged by the look of the building but were concerned that having a large, communal bin in the forecourt would not look good. They were also not convinced that tenants would not be car owners.

RESOLVED that the application be granted permission subject to the conditions set out in the report and the following additional one:

Details of waste storage be submitted to the Planning Department for approval.

30. 17/01960/ FUL - 16 Stubbington Avenue, Portsmouth PO2 0HT. (AI 12)

The Planning Officer introduced the application and added that since the report was written, three additional representations received, raising the following concerns:

- Concern about increase in number of HMOs in the area;
- Increased parking problems.

Nicholas Atkins and Councillor Robert New made deputations against the application.

Emma Baker, the agent for the applicant said that she had nothing to add.

Members' Questions.

In response to questions, the following points were clarified:

- In the second bedroom on the ground floor, the only daylight comes from a skylight. However, it did not appear to be a dark room when the officers visited.
- The owner can use the property as a HMO already.
- There are now four tenants.
- The only natural light in the dining room is from a small strip of window above the door frame 50-70cm across.
- The bins can be stored in the two out buildings in the rear garden which has rear access.

Members' Comments.

Members noted that:

- The application meets the standards regarding size for this type of property.
- There is a council carpark nearby which is free after 6pm
- The owner could remove the two out buildings.
- There is a council carpark nearby which is free after 6pm.

DECISION

The application was granted subject to the conditions set out in the report and the following additional condition:

Details of the storage be submitted to the Planning Department for approval.

31. 17/02046/FUL - 2 Stubbington Avenue, Portsmouth PO2 0HS. (AI 13)

The Planning Officer introduced the application and added that since publication of the report, three letters of representation had been received from local residents. Their objections were summarised as follows:

- a) The area is already over populated;
- b) The growing number of HMOs in the area;
- c) Parking concerns; and
- d) Impact on the family character of the area.

These concerns were addressed within the report.

Members' Questions.

In response to questions, the following points were clarified:

- The property opposite is number 15.
- There are 26 properties within a 50m radius. Two HMOs would mean that there would be 7.69% of HMOs.
- There are flats on the left hand side of the road.

Members' Comments.

Members noted that this property would create more pressure on parking in the area and were disappointed that an off-street parking space was not proposed for the area where the conservatory used to be. A review of the SPD was suggested.

DECISION

The application was granted permission subject to the conditions set out in the report.

32. 17/01730/FUL - 58 Britannia Road North, Southsea PO5 1SL. (AI 14)

The Planning Officer introduced the report.

David Corkerton, the agent for the applicant made a deputation in favour of the application.

Members' Questions.

In response to questions, the following points were clarified:

- The ground floor lounge is used as a bedroom.
- The glazing on the door to the cellar is clear.
- The dormer extends over two independent addresses and is within permitted development rights. This can be beneficial as no leaves or rubbish can accumulate there and there is no risk of damp.
- Planning regulations do not set a minimum size for communal rooms.

Members' Comments.

Members noted that

- The policy is very clear that this is a HMO.
- There has been an intensification over a long period.
- The application fails to support the SPD regarding the need for a balanced community.
- There is insufficient light to the cellar.

DECISION

The application was refused for the reasons above and those set out in the report.

33. 17/02174/FUL - 51 Chichester Road, Portsmouth PO2 0AB. (AI 15)

The Planning Officer introduced the report and added that since the publication of the report, one letter of representation had been received from a local resident. Their objections can be summarised as follows:

- Work has already commenced;
- Visual and amenity impact of external alterations and additions to the rear of the property and at roof level;
- Impact on parking; and
- Over intensive use of the property.

All of these issues were addressed within the report.

Trevor Wilcock, the applicant and Emma Baker, the agent made deputations in support of his application.

Councillor Robert New made a deputation against the application.

Members' Questions.

There were no questions.

Members' Comments.

Members felt that there were no grounds to refuse this application which complies with the policy.

DECISION

The application was granted permission subject to the conditions set out in the report.

34. 17/02159/FUL - 155 Chichester Road, Portsmouth PO2 0AQ. (AI 16)

The Planning Officer introduced the report and added that since the publication of the report, three representations had been received objecting to the development on the grounds of:

- The development is excessive;
- Increased parking demand;
- Sui-Generis use does not sit well with local residents;
- Concerns regarding growing density of HMO's in the area and the effect on house prices;
- Impact on family nature of the area;
- Increased noise and disturbance;
- Increased rubbish;
- Increased anti-social behaviour and
- Accuracy of HMO database.

The recommendation was unchanged.

Alex Venables made a deputation in support of the application.

Councillor Robert New made a deputation against the application.

Members' Questions.

There were no questions.

Members' Comments.

Members felt that there were no grounds to refuse this application.

DECISION

The application was granted permission subject to the conditions set out in the report.

35. 17/01944/FUL - 91 Powerscourt Road, Portsmouth Po2 7JG. (AI 17)

The Planning Officer introduced the report.

Alex Venables made a deputation in favour of the application.

Councillor Steve Pitt and Councillor Robert New made deputations against the application.

Councillor Pitt then left the room for the rest of this item.

Members' Questions.

There were no questions.

Members' Comments.

Members felt that it was a good application but were disappointed that the shower was downstairs.

DECISION

The application was granted permission subject to the conditions set out in the report.

36. 17/02175/FUL - 54 Kensington Road, Portsmouth PO2 0EA. (AI 18)

The Planning Officer introduced the report and added that since the publication of the report, 24 representations had been received objecting to the development on the grounds of:

- The number of family houses is decreasing in comparison with HMO's;
- Granting permission would create a further imbalance;
- Number of HMOs in the city is higher than the national average;
- The number of HMOs in the city is in excess of student demand;
- Number of schools and parks nearby which are better suited for family use;
- Effect on the safety of neighbourhood;
- Threatens the strong sense of community;
- Contempt for the core strategy;
- Development would set a poor precedent;
- Negative impact on schools and health services in the area;
- Increased parking demand;
- Exacerbate existing problems in the area;
- Increased anti-social behaviour;
- Increased noise and disturbance;
- Increased rubbish;
- Development would result in overcrowding of area;
- Increased commercial vehicles;
- Increased disturbance as a result of construction works;
- Risk to road safety;
- Development would expose children to irresponsible people
- Density of HMOs in the area
- Accuracy of the HMO Database.

In addition to this a petition dated 06.02.2018 had been received with 42 signatures objecting to the proposed development.

It was also noted that the ground floor wc is 0.13m² undersize but given that there are additional facilities, this was considered acceptable.

Julie Richards and Councillor Robert New made deputations against the application.

Trevor Wilcock, the applicant and Emma Baker, the agent made deputations in support of the application.

The Chair advised the public that any traffic safety concerns should be reported to the council.

Members' Questions.

In response to questions, the following points were clarified:

- The bins could be stored in the forecourt and the bicycles in the garden and wheeled through the house.
- The statement of community involvement was agreed by the Cabinet Member for Planning, Regeneration and Development. There is legislation regarding notifying the community about planning applications. Local Authorities have a certain amount of discretion as to what they deem appropriate. For this application, neighbouring residents were informed and site notices were put up.
- Letters were sent to seven properties.

Members' Comments.

Members noted that:

- The 10% rule does not exist in other Local Authorities' planning policies. Members here added it to the council's SPD to help protect mixed and balanced communities.
- The stigma regarding HMOs will begin to subside eventually.
- They had no doubt that the statutory notices had been carried out.
- They expressed concern that bicycles would have to be wheeled through the house.

DECISION

The application was granted permission subject to the conditions set out in the report.

37. 17/02057/VOC - 38 Kent Road, Southsea PO5 3ET. (AI 19)

The Planning Officer introduced the report.

Members' Questions.

In response to questions, the following points were clarified:

- It is not known what form a development will be submitted on Tunbridge Street.
- The Highways Authority would have recommended planning permission for the Portland Hotel development if it had come forward with 16 parking spaces.
- In 2013 the Planning Inspector granted planning permission for the Tunbridge Street development that had five parking spaces. In 2017 the committee refused an application with four spaces.
- The application before the committee has 12 dwellings and the Highways Authority considers the 16 parking spaces are sufficient.
- The Parking Standards demand 17 spaces for the development on the Portland Hotel site for the 12 dwellings. However, the committee has flexibility to permit it given the close proximity of amenities.

Members' Comments.

Members were very concerned about the impact of the insufficient car parking spaces on this application particularly as it is in a oversubscribed residents parking zone and is next to a shopping district.

DECISION

The application was refused.

REASONS

The proposed development would fail to provide adequate off-road parking spaces in line with the requirements of the SPD which would exacerbate a significant parking shortfall in the KC zone that is already oversubscribed.

38. 17/02065/OUT - Social Club, Unity Hall, Coburg Street, Portsmouth. (AI 20)

The Planning Officer introduced the report.

Elliott Vials, agent for the applicant made a deputation in support of the application.

Members' Questions.

- The previous application included the garage count which is on council owned land. In the event that a legal agreement were not reached with the council regarding the properties over the garages, this application was submitted without that.
- There is a possibility that there would be two planning permissions both including Unity Hall and one with the garage count too.
- Apart from the area over the garages, the only differences to the application are a change of colour to blue rather than orange and as the end elevation is further away from the neighbouring property, more glazing and featured brickwork has been included to add interest.

Members' Comments.

Members welcomed the rejuvenation of the building, but wondered if it could have stayed the same colour as a nod to the building's previous use.

DECISION

The application was granted outline permission subject to a S106 planning agreement and the conditions set out in the report.

The meeting concluded at 6pm.

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Signed by the Chair of the meeting