



---

# NOTICE OF MEETING

---

## PLANNING COMMITTEE

WEDNESDAY, 8 JANUARY 2014 AT 2.00 PM

COUNCIL CHAMBER, FLOOR 2 OF THE GUILDHALL

Telephone enquiries to Lucy Wingham 023 9283 4662

Email: [lucy.wingham@portsmouthcc.gov.uk](mailto:lucy.wingham@portsmouthcc.gov.uk)

---

### Planning Committee Members:

Councillors David Fuller (Chair), Les Stevens (Vice-Chair), Darron Phillips, Jacqui Hancock, Margaret Foster, Sandra Stockdale, Ken Ellcome, Frank Jonas, John Ferrett and Lee Mason

### Standing Deputies

Councillors Donna Jones, April Windebank, Luke Stubbs, Rob Wood, Ken Ferrett, Leo Madden, Eleanor Scott, Gerald Vernon-Jackson, Hugh Mason and Neill Young

---

(NB This Agenda should be retained for future reference with the minutes of this meeting.)

Please note that the agenda, minutes and non-exempt reports are available to view online on the Portsmouth City Council website: [www.portsmouth.gov.uk](http://www.portsmouth.gov.uk)

Representations by members of the public may be made on any item where a decision is going to be taken. The request needs to be made in writing to the relevant officer by 12 noon of the working day before the meeting, and must include the purpose of the representation (eg. for or against the recommendations). Email requests are accepted. Contact: Julie Watson 023 9283 4826 or [planning.reps@portsmouthcc.gov.uk](mailto:planning.reps@portsmouthcc.gov.uk)

## AGENDA

- 1 Apologies
- 2 Declaration of Members' Interests
- 3 Minutes of the Planning Committee meeting held on 4 December 2013  
(Pages 1 - 16)

The minutes of the Planning Committee meeting held on 4 December 2013 are attached.

**RECOMMENDED that the minutes of the Planning Committee held on 4 December 2013 be agreed and signed by the chair as a correct record.**

**4 Updates provided by the City Development Manager on previous planning applications**

**5 Planning appeal decision at Petrol Station, Holbrook Road, Portsmouth (Pages 17 - 20)**

Purpose

To advise the committee of the outcome of the appeal that was allowed.

**RECOMMENDED that the report be noted.**

A report by the City Development Manager is attached.

**Planning applications**

**6 13/01176/PLAREG - 287 New Road, Portsmouth (Pages 21 - 38)**

Retrospective application for change of use from dwellinghouse to mixed use of dwellinghouse and dog boarding business.

**7 13/01182/HOU - Annesley House, Queens Crescent, Southsea**

Installation of double access gates including construction of new gate pier and formation of dropped kerb to provide vehicular access (after removal of part of existing wall/pier).

**8 13/01183/LBC - Annesley House, Queens Crescent, Southsea**

External alterations to allow the installation of double access gates including construction of new gate pier and formation of dropped kerb to provide vehicular access (after removal of part of existing wall/pier).

**9 13/01179/FUL - 130-136 Elm Grove, Southsea**

Conversion of existing offices and health drop-in centre (D1) to form halls of residence within Class C1 (comprising 53 study bedrooms arranged as 13

cluster flats); alterations to external glazing and cladding, construction of cycle and bin stores with associated landscaping (resubmission of 13/00442/FUL).

**10 13/01169/FUL - 39 Palmerston Road, Southsea**

Change of use from retail use (Class A1) to coffee shop (mixed use A1/A3); installation of new shopfront and outdoor seating area.

This page is intentionally left blank

# Agenda Item 3

## PLANNING COMMITTEE

MINUTES OF THE MEETING of the Planning Committee held on Wednesday, 4 December 2013 at 2.00 pm at the Council Chamber - The Guildhall

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

### Present

Councillors David Fuller (Chair)  
Les Stevens (Vice-Chair)  
Darron Phillips  
Jacqui Hancock  
Sandra Stockdale  
Ken Ellcome  
Frank Jonas  
John Ferrett  
Gerald Vernon-Jackson (Standing Deputy) (In place of Margaret Foster)

### Welcome

The chair welcomed members of the public 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.

### 135. Apologies (AI 1) (AI 1)

Apologies for absence were received from Councillors Margaret Foster and Lee Mason. Councillor Foster was represented by Councillor Gerald Vernon-Jackson.

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

Councillor Darron Phillips declared that he had formed a pre-determined view relating to item 10 - Land adjacent to East Lodge Playing Fields, Farlington - in that it is protected open space and he cannot advocate development of any kind. He agreed to leave the room during discussion of this item.

Councillor Ken Ellcome declared that he was appearing as a deputation on item 10 - Land adjacent to East Lodge Playing Fields, Farlington - so would leave the room after making his deputation on that item and would not be part of the committee.

Councillor David Fuller declared a personal and pecuniary interest in item 3 - 240 Fratton Road, Portsmouth - in that he knows the applicant. He agreed to vacate the chair and the room for this item and would not be part of the committee. He also

declared a pecuniary interest in item 10 - Land adjacent to East Lodge Playing Fields, Farlington - in that he manages a residential care home specialising in dementia. He agreed to vacate the chair and the room for this item and would not be part of the committee.

Councillor Rob Wood, who was appearing as a deputation on items 1 and 2 - Point Battery, Broad Street, Portsmouth - declared that he had sought legal advice and that he did not have a pecuniary interest and was able to represent local residents.

**137. Minutes of the Planning Committee meeting held on 6 November 2013 (AI 3) (AI 3)**

(TAKE IN MINUTES)

Councillor Ken Ellcome referred to an email sent from Councillor Wemyss to the City Development Manager regarding information relating to the two Havant Road applications which had not been reflected within the minutes.

The City Development Manager advised the committee that this matter was being dealt with by the Chief Executive. The senior solicitor (Planning) advised that members had to decide today as to whether or not the minutes reflect the debate held and the reasons put forward for refusal.

**RESOLVED that the minutes of the meeting of the Planning Committee held on 6 November 2013 be agreed as a correct record and signed by the chair.**

**138. Updates provided by the City Development Manager on previous planning applications (AI 4) (AI 4)**

There were no updates.

**139. Planning appeal decision at Southsea Leisure Park, Melville Road, Southsea, Portsmouth, PO4 9TB (AI 5) (AI 5)**

(TAKE IN REPORT BY THE CITY DEVELOPMENT MANAGER)

**RESOLVED that the report be noted.**

**Planning applications (AI 6)**

(TAKE IN REPORT BY THE CITY DEVELOPMENT MANAGER)

**140. Planning Applications - 13/01017/FUL - Point Battery, Broad Street, Portsmouth (Report item 6) (AI 6)**

The City Development Officer reported in the supplementary matters list that the following paragraphs provide further points of clarification/amendments to the report.

- Under the 'Highways issues' heading, the paragraphs should be replaced with the following:

The application site does not benefit from off street parking and there is no scope for any to be provided. The application does include 40 short stay cycle stands (to be used by visitors and workers) and four long stay cycle stands (to be used by workers at the site).

The applicant has submitted a report in support of the application demonstrating the level of parking available in nearby public car parks (Broad Street and the Camber). In addition, it must be recognised that there are also existing public (pay and display) and disabled parking spaces immediately adjoining the site in Broad Street and a residents parking zone (KA - Old Portsmouth) covering the streets surrounding the site. Having regard to the scale and nature of the proposed uses, the availability of on-street parking and in nearby public car parks, and in the absence of any robust evidence against the level of parking available, it is considered that the proposed uses in their own right would not create a significant increase in traffic or demand for parking that would be likely to adversely affect highway safety. It is therefore considered that a refusal on parking grounds could not be sustained.

It is however, recognised that the overall nature of the proposal is to provide a range of uses that add to the existing visitor/tourist attractions in Old Portsmouth and the wider Seafront, and that it will encourage visitors to stay and enjoy the area for longer. It is anticipated that visitors to the site will arrive by various transport modes (walking, cycling, public transport and by car) as they do now and that these visitors will contribute to the demand for parking in the area. It is considered however, on balance, that the potential increase in demand for parking by visitors is outweighed by the securing of a long term use for the building and the wider regeneration benefits of the proposal. It is also considered, given the scale of the proposal, that it would be unreasonable and disproportionate to require this application to provide mitigation measures to issues of transport and parking, such as providing a Park and Ride scheme, which are being addressed at a city wide level.

The local highways authority raises no objection to this application.

- Under the 'Flood Risk' heading, the 4<sup>th</sup> paragraph should be replaced with the following:

In addition, the applicant has addressed the issue of 'residual' risk (through overtopping or breach of the defences) through the design of the scheme (such as raised floor levels) whilst accepting the constraints of this important heritage asset, and the safe dry access and egress already provided by the upper floor of Point Battery (providing safe passage as far as Clarence Pier). In addition, and although it is not appropriate to secure it through a planning condition (as it would not meet the tests for imposing conditions), the applicant has stated that it would sign up to the Environment Agency's flood watch scheme. This scheme would provide advance warning of a flood event allowing the various studios and restaurant/cafes to be evacuated in advance and remain closed during a potential flood event.

Deputations were heard from Mr Clapham, Mr Ross and Mr Davenport, all objecting to the proposal, who included the following points in their representations:

- Loss of historical ambience and car parking;
- The generation of income is to continue to pay for the structure but artists are self-employed;
- The Hot Walls café made a loss of £19k last year;
- This proposal is set to go the same way;
- Night time economy and the Arches will attract the wrong sort and will become like Palmerston Road area;
- English Heritage are capable of making wayward decisions, leaving council's to fund projects;
- The objections are from residents' who are mostly affected by the proposal;

- Casemates are not the local residents' but the whole city but the use of them does affect local residents;
- There is a strong local opinion to celebrate what they are but this use will cause significant harm to the historical assets;
- With A1 and A3 uses it could become a shopping mall;
- The reasons for the conditions all refer to 'protection' for local residents;
- There is no justification for this proposal;
- This is the most important conservation area in the city;
- The aim is to stimulate light industrial/business use and create revenue;
- This proposal neither preserves or enhances the conservation area;
- The Hot Walls café failed this could also be a serious drain;
- There is no contingency plan and could turn into a low grade retail centre;
- 0700-2300 opening hours are unacceptable, unsocial hours;
- There is no plan to address the increase in parking;
- We have already lost over 50 parking spaces;
- Fonteroy House was refused recently on the grounds of parking but for far less;
- This project will significantly harm the character of the conservation area;
- This is not a suitable site for this project.

Deputations were also heard from Mr Halloran (Friends of Old Portsmouth), Mr Pitt (The Culture Partnership), Claire Looney (City Development and Culture) and Mr Frost (Parity Trust) who all spoke in support of the application and included the following points in their representations;

- This proposal will be good for Portsmouth;
- It will bring in jobs but feel it should be phased in, with 4-5 of the casemates being used first and then build on that success;
- PCC strategy is to reduce travel but you'll be bringing in more traffic;
- Should have a shuttle connection to the Park & Ride;
- You need some security and CCTV;
- Pebbles and glass don't mix;
- Should have seasonal hours;
- Same number of toilets as previous and yet there will be more people;
- Should have a Plan B and a sinking fund;
- Need to ensure the conservation area is preserved and enhanced;
- The monuments are not being managed in their current form;
- Need rapid growth;
- Proposal enables low impact community scheme;
- Art and leisure sit together;
- The casemates are currently being used as a toilet/shelter;
- There has been a lot of scaremongering about this changing to a supermarket;
- This monument is already a tourist attraction, this will make the visitor experience enjoyable;
- This is a sympathetic change and is part of the seafront masterplan;
- The proposal will maintain the historical environment and will be tailor made to the site;
- We need to secure the future of the monument;
- Our application for external funding is in the 'scrutiny' stage;
- We will continue to be the landlords and will be responsible;
- This proposal will improve the quality of life for local people;
- Will create opportunities for local artists and students;
- It will create additional jobs and employment opportunities;
- Will encourage businesses from outside of the city to invest in the city;
- It will increase tourism which in turn supports local businesses in the area;



- It will make Portsmouth a better place to live.

Old Portsmouth ward Councillor Rob Wood also gave a deputation and included the following points in his representations:

- Both petitions show the strength of feeling and what this proposal means to a lot of people across the city;
- This area is totally packed in the summer months but giving the Artches to the artists it will take this away from visiting school children for example who come to sit by and view the monument;
- People will be excluded from the open space;
- Residents are concerned as to who will fund this project if it fails;
- There is nothing in the report about this area being a dangerous area despite the flood risk and water safety element;
- Parking is a problem in the area and throughout Portsmouth;
- D1 use, the local community could use those rooms and display things in them;
- Concerned about the generation of rubbish with the A3 use.

Councillor Lee Hunt, the Cabinet Member for Culture, Leisure and Sport also gave a deputation and included the following points in his representations;

- English Heritage believes that this project has huge potential and will financially secure the ancient monument for the future;
- This will redefine the area;
- Need to emphasis the potential for this area;
- Parking, don't foresee this as a problem as this will just add to the tourists enjoyment already visiting the area;
- The pubs in Old Portsmouth are open until 0100 hours so do not see a problem with the closing times;
- The closing times are very reasonable in comparison;
- This is another string to our cultural bow;
- The University are supportive in the hope that graduates remain in the city rather than moving to London;
- Need to make these fortifications self-supporting and remain in the future;
- This will create jobs.

The City Development Manager advised the committee that the business plan, the issue of open space, future management of the monument and a sink fund are not material considerations.

#### Members' questions

Members sought clarification on; the materials for the new frontages to the casemates; whether the windows facing the beach would have shutters; amenities for the casemates; the size of the retail unit and the size of the extension to the Hot Walls Café.

#### Members' comments

Members felt that this use would give an historical building a new life, that it would turn it into a far more vibrant and enhanced visitor attraction. They welcomed the regeneration that this project would provide and the jobs created from such a project.

**RESOLVED that conditional permission be granted subject to the conditions outlined within the City Development Managers report.**

#### **141. 13/01018/LBC - Point Battery, Broad Street, Portsmouth (AI 7)**

As the officer presentation for report item 1 also related to report item 2, the deputations were given another opportunity to add any comments they may have relating to the Listed Building Consent application.

Councillor Hunt, addressed the committee as Cabinet Member for Culture, Leisure and Sport and included the following points in his representations;

- There are very strict conditions surrounding the protection of the monument and the materials to be used;
- The shutters to the front of the casemates will be bespoke to protect the windows.

#### Members' comments

Members acknowledged that the ancient scheduled monument has a higher level of historical protection and that English Heritage had granted their approval on the basis of the stringent conditions.

**RESOLVED that subject to the Secretary of State not requiring the application to be referred for determination, conditional consent be granted, subject to the conditions outlined within the City Development Managers report.**

#### **142. 13/01071/FUL - 4 Malvern Road, Southsea (AI 9)**

A deputation was heard from Mr Collighan, objecting to the application, who included the following points in his representation;

- Have been a resident in Malvern Road for 17years;
- We have seen an increase in traffic flow since the closing of Palmerston Road;
- No adequate parking is being provided;
- This will have a detrimental impact on residents of Malvern Road;
- A new build had to have allocated parking for its occupants;
- The applicant has not outlined a parking solution;
- Only 2 parking spaces are being provided for 6 guestrooms;
- Malvern Road has become a 'cut through';
- There is an issue of highway safety.

A deputation was also heard from Mr Sutton, the applicant, who included the following points in his representation;

- If the parking is as bad as the deputation says then I would never have considered opening up another hotel;
- Clients want parking, not being able to park is not a happy client;
- 3 bedrooms is the net difference as I have one parking space available at the Florence Hotel;
- The other hotel is only trading at 68-79% which equates to 2.8 beds on a daily basis and I am providing 3 parking spaces;
- Visitors come in all modes of transport, not always in their own vehicles;
- Have 22 spaces in total within 'the Group';
- Often groups of people will arrive in one mode of transport.

**RESOLVED that conditional permission be granted subject to the conditions outlined within the City Development Managers report.**

**143. 13/01098/PLAREG - 6 & 7 Grand Division Row, Henderson Road, Southsea (AI 10)**

This application had been brought to the Planning Committee at the request of Councillor Mike Hancock.

The City Development Manager reported in the supplementary matters list that in the policy section of the report the Conservation Area guidelines referred to should be those for the 'St Andrews Church' Conservation Area and not 'Craneswater and Eastern Parade'. There is a typographical error in that a reference to the site being on the northern side of Henderson Road should read the southern side of Henderson Road.

The City Development Manager also reported that written submissions had been received from ward Councillors Hall, Winnington and Stubbs and Councillor Mike Hancock CBE MP, which were attached as an appendix to the supplementary matters list. A further representation in support of the application had also been received from an occupier at Grand Division Row.

Deputations were heard from Miss Powell and Mr Edwards, the applicants, who included the following points in their representations;

- There are huge oak trees which house a large squirrel community and many birds;
- Our cars are covered in bird and animal droppings, and sap from the trees;
- We have tried bird scaring devices;
- Had the trees cut back;
- We have tried gazebo's and tarpaulin, which blew away;
- We cannot use our allocated parking spaces;
- Contacted the planning department in October 2012 with regards to the carport, didn't hear anything back so assumed it was ok;
- The car port was installed in January 2013;
- We used high quality materials which can withstand strong winds;
- If members do not think the car ports are aesthetically pleasing then would ask for advice as to how we can change them;
- We have exhausted all avenues;
- The trees are protected by TPOs;
- The church is already massively obscured;
- Not received any complaints from our neighbours;
- We legally own this land and the parking spaces;
- If the structures were any lower then the public walking past would be able to see the bird and animal droppings;
- Any water run off comes onto our land not the pavement;
- We regularly clean the tops of the car ports;
- We feel the impact to the conservation area is minimal.

Members' questions

Members sought clarification on the materials used and asked what advice had been given pre application stage.

Members' comments

Members felt that the structures were a good solution to the problem and were not out of keeping in the conservation area.

**RESOLVED that permission be granted.**

**144. 13/01086/FUL - Building South of Gas Engine House, 199 Henderson Road, Southsea (AI 11)**

This application had been brought to the committee at the request of Councillor Terry Hall.

The City Development Manager reported in the supplementary matters list that the appropriateness of Condition 6 relating to an environmental plan had been reviewed. It was recommended that the condition be deleted from the resolution and a suitable informative added in its place.

A deputation was heard from Ms McNamara, the applicant, who circulated photographs of the dogs currently being looked after and two letters, one from her current landlord and one from Somerville Stone in support of the application, and included the following points in her representations;

- Dogs will be dropped off between 8-9am daily;
- The dogs are then taken for a walk;
- They return to day care and are then walked again in the afternoon;
- After their return to day care, then customers start to pick the dogs up;
- Don't take on any aggressive dogs;
- I am fully trained and will be taking on a full time dog walker;
- Insist on positive reinforcement with all the dogs;
- Dogs do not foul on site as they are walked twice a day. If they do then the area is washed down with eco friendly products;
- Have been running the business for over 5years and never had any complaints;
- Do not take on any more than 10 dogs at a time;
- Currently only have 7 dogs and do not take on any aggressive ones.

Members' comments

Members were in support of the proposal and felt it was a good enterprise. One member raised their concern about the noise from the dogs reacting to the noise from the other uses nearby.

**RESOLVED that conditional permission be granted subject to the conditions outlined within the City Development Managers report, and subject to the deletion of Condition 6 as referred to above.**

**145. 13/01147/FUL - 34 Playfair Road, Southsea (AI 12)**

This application was brought to the committee at the request of Councillor Rob Wood.

A deputation was heard from Mr Broyd, the applicants agent, who circulated a property price guide and a plan indicating the number of HMOs within a 25m and 50m radius to the property, and who included the following points in his representations;

- No objections have been received;
- Mr Clements shocked to find out about this policy as he has never been notified of other HMOs;

- When he submits his application his neighbour is notified;
- There are similar C4s in the area;
- The only tenant Mr Clements can find is probably a family on benefits;
- The Clements family will be locked into their property as there are HMOs behind, in front and either side of their home;
- They are well and truly land locked;
- Please allow this application as the damage has already been done in this area with the number of HMOs.

#### Members' questions

Members sought clarification on the number of HMOs within the 50m radius and whether members had any discretion within the HMO SPD.

The City Development Manager responded by saying that the recommendation has been made on policy grounds and that legally members may deviate from their policy if there are material grounds to do so.

#### Members' comments

Although members felt some sympathy for the applicant they did not feel able to go against the HMO SPD by adding to the over balance already in the area.

**RESOLVED that planning permission be refused for the reasons outlined within the City Development Managers report.**

#### **146. 13/01123/FUL - Land rear of Portland Hotel, Tonbridge Street, Southsea (AI 14)**

The City Development Manager reported that permission for the construction of a four-storey building comprising a coffee shop (Class A3) to the ground floor and six flats above was refused in September 2013. This refused scheme is now the subject of an appeal.

The City Development Manager reported in the supplementary matters list that comments had been received from the Coastal Partnership who raised no objection to the proposal.

A deputation was heard from Ms Kilshaw, objecting to the proposal, who included the following points in her representations;

- Have lived in Portland Terrace for 6 years;
- My kitchen overlooks this proposed development;
- Our fire escape backs onto this parking area;
- Would there be sufficient room for a fire engine to access our property from the rear?
- Where would our bins/refuse store go if this development goes ahead?
- Only 5 spaces have been allocated and two are to be used by staff at the clinic;
- Is there a need for such a clinic;
- Will this run alongside other practices or be in addition?
- The use could be changed to a coffee shop in the future;
- Have been informed that the site had been sold on but obviously not the case;
- Not convinced anything has changed.

A deputation was also heard from Mr Heppell, on behalf of the applicant, who included the following points in his representations;

- The two projects are linked and must be run together, as previously mentioned back in the summer;
- There are two key changes to the design of the scheme;
- The proposal will complement the street scene in Tonbridge Street;
- Change of use at ground floor will be a chiropodist, dentist use not a doctor's surgery;
- Will positively enhance the area;
- There will be no loss of light to residents.

Deputations were also heard from St Jude ward Councillors Peter Eddis and Michael Andrewes who included the following points in their representations;

- Tonbridge Street is a tip and is often cluttered;
- On street parking is an issue;
- Agree this will improve the setting in Tonbridge Street;
- The proposal will take away light from Portland Terrace residents;
- It is 4-storeys high;
- There is no on street parking for visitors at the medical centre;
- Large delivery vehicles need access to the rear of Palmerston Road properties and to be able to turn;
- Could have potential to affect residents amenity;
- Almost identical application as previous;
- There will be a significant loss of amenity to residents;
- Not appropriate for a residential area;
- Cramped development and inappropriate streetscene;
- The proposal would neither enhance or preserve the conservation area;
- There will be an increased sense of enclosure to residents at the rear of the proposal;
- Lack of any provision for the healthcare staff;
- Highway engineer has concerns;
- Have concerns that they will not be able to fill the D1 use, will build it and then come back with an A3 use on the ground floor;
- There will be a loss of amenity to residents and want to see better in a conservation area.

#### Members' questions

Members sought clarification on the link between the two applications and the distance from the rear of the proposal to the rear of Portland Terrace.

The City Development Manager explained to members that this is a stand-alone application and that the applicant had been invited to provide information relating to a financial link between the two but this had not been forthcoming.

#### Members' comments

Members felt that it was up to other business owners to improve the area and that the answer is not a 4-storey building. They felt it was out of keeping, it would have a detrimental impact on the residents of Portland Terrace and that the scheme had changed little.

**RESOLVED that permission be refused for the reasons outlined within the City Development Managers report.**

**147. 13/00371/OUT - 156, 158 and Land to rear of 154-172 Southampton Road, Portsmouth (AI 13)**

The City Development Manager reported in the supplementary matters list that the use of the Country Park for the translocation of the small slow worm population has since been clarified and cannot now be achieved. An alternative site, potentially at Farlington Triangle, and will therefore need to be found. Condition 7 deals with the translocation of the slow worm population and allows for the location of the translocation site to be agreed.

The Environment Agency had clarified the need for the second condition in their consultation response.

Defra confirmed that Schedule 3 of the Flood and Water Management Act 2010 when it comes into force in April 2014 cannot be applied where planning permission had already been granted. Surface water drainage records indicate that the site is served by a combined sewer. However, the matter of surface water drainage and a connection to public sewer can be resolved outside of the planning system under the provisions of the Water Act. Whilst it is not therefore considered necessary to impose a condition as recommended by the Environment Agency, an informative would nevertheless be added.

The City Development Manager requested that in recommendation 1 the deletion of "Subject to ..... secure:" and replace it with "Delegated authority be granted to the City Development Manager to complete a section 106 Agreement that secures:".

Members' questions

Members sought clarification on the facilities available to the affordable properties and questioned why there were only 3 affordable housing properties in a development of this size.

Members' comments

Members were concerned about the proposed creation of a dedicated right turn lane and felt that the two lanes should be maintained, meaning vehicles should stop and indicate rather than reducing the lane. Members were concerned that a similar proposal had been installed outside 'Hendys' and later removed for highway safety reasons.

**RESOLVED that conditional outline permission be granted and that;**

- 1) **Delegated authority be granted to the City Development Manager to complete a Section 106 Agreement that secures:**
  - 1) **The provision of three units of Affordable accommodation [plot nos, 24, 25 and 26] ready for occupation by no later than the completion of fifteen open market dwellings.**
  - 2) **The review of the viability assessment at 18 months from the date of the outline permission if no fewer than 10 houses have reached core and shell.**
  - 3) **A commensurate uplift in the provision of affordable accommodation in the event that the viability has improved in the intervening period.**
  - 4) **The payment of a project management fee of £1000.**
  - 5) **A Skills and Employment Training Plan.**

- 2) That delegated authority be granted to the City Development Manager to refuse planning permission of the legal agreement has not been completed within three months of the date of the resolution.
- 3) That the applicant enters into a S278 Highway Agreement to secure the provision of a bellmouth junction to Southampton Road.

The chair, Councillor David Fuller, left the meeting at this point following his earlier declaration of interest and Councillor Les Stevens took the chair.

#### **148. 13/01040/FUL - 240 Fratton Road, Portsmouth (AI 8)**

The City Development Manager reported in the supplementary matters list that an additional representation has been received from ward Councillor Eleanor Scott supporting those residents who have objected to this application on the grounds that the reasons for previous refusal are still valid.

Following publication of the agenda, revised plans had been received that attempt to address and overcome the recommended reasons for refusal. The amended drawings show the relocation of the cycle and refuse stores associated with the permitted flats above the club from the communal hallway to an enlarged area removed from the club. The amendments also include restricted openings to the obscure glazed windows in the rear elevation. It is considered that these amendments do not address the issues raised by the Inspector and would fail to provide an appropriate standard of amenity for future occupiers of the proposed flats.

Permission for the construction of a four-storey building comprising a coffee shop (within Class A3) to the ground floor and six flats above was refused in September 2013. This refused scheme is now the subject of a current appeal.

The City Development also reported that Mr Jennings and Mr Llewellyn who were listed to appear as deputations had had to leave the meetings but asked that their displeasure the application was moved towards the end of the agenda be noted.

A deputation was heard from Mr Weston, on behalf of the applicant, who included the following points in his representations;

- The provision of refuse storage has been granted permission previously;
- All existing flats are subject to a lease and therefore should be subject to a resolution through the waste collector;
- Four flats would be subject to agreed waste management and the existing five flats would operate as they have for years using black bag collection;
- The previous reasons for refusal have been overcome and there are no reasons to refuse on policy grounds.

**RESOLVED that planning permission be refused for the reasons outlined within the City Development Managers report.**



**149. 13/01124/FUL - Land Adjacent to East Lodge Playing Fields, Farlington, Portsmouth (AI 15)**

Councillor Darron Phillips left the room following his earlier declaration of interest.

Councillor Ken Ellcome left the committee to appear as a deputation.

The City Development Manager reported in the supplementary matters list receipt of five additional objections from the occupiers of neighbouring properties on the following grounds:

- a) Development would be contrary to a PCC resolution on 1985 that the site would be retained as open space;
- b) Scale of proposal out of keeping with area;
- c) Design could be improved by hiping the roof;
- d) Development may exacerbate flooding issues and drainage proposals inadequate;
- e) Lighting of car park suggests 24 hour use which would affect local residents;
- f) Loss of privacy;
- g) Concern about use of gate to adjacent play area;
- h) Site access unsuitable for construction traffic and operation/servicing of care home;
- i) Access could be improved by providing dropped kerbs for existing properties;
- j) No details of extraction equipment for commercial kitchen; and
- k) Increased traffic will affect road and pedestrian safety.

A further representation had been received commenting on the incorrect map supplied by Southern Water with their consultation response. Clarification has been sought and received from Southern Water that this was an error and that their comments do relate to the application site.

Comments have been received from the East Solent Coastal Partnership who raise no objection to the proposal based on the submitted Flood Risk Assessment.

Comments have also been received from the Council's Ecologist advising that the application is accompanied by a thorough and professional Extended Phase 1 Ecological Survey Report which concludes that the development would have any adverse impacts to biodiversity. The Ecologist agrees with the report's conclusions and has no concerns regarding the proposal.

Further investigation into the history of the site has established it was compulsory purchased to provide a school which was never constructed. Subsequently the site of the proposed care home has been rented as grazing land and appears never to have been publicly accessible. An extensive search of the Council's records has not revealed any details of the resolution in 1985 referred to in some of the representations. The representations also make reference to the proposed care home being sited at St James Hospital. This issue is not material to the determination of this planning application.

Having regard to the proposed care home having a commercial kitchen it is considered appropriate to add a condition requiring details of noise and odour mitigation to be agreed prior to the care home being brought into use. There is a typographical error in Condition 9 (relating to Sustainable Design and Construction) which should make reference to 60 credits, not 59 or 61 as set out in the agenda.

A deputation was heard from Mr Coe, on behalf of the Agents, who included the following points in his representations;

- The care home is for older persons with dementia with the emphasis on personalised care;
- The home will offer modern and appropriate care facilities;
- Each wing will have 12 rooms with communal rooms;
- Staff accommodation will be located in the core;
- The development achieves appropriate location with neighbouring dwellings;
- There will be landscaping at the front;
- Residents gardens will receive maximum sun/day light;
- Following consultation this is now the preferred layout;
- Have responded to concerns/objections raised;
- Car parking is being provided for 36 spaces;
- The access via East Lodge has been improved;
- Vehicle size and delivery will be sympathetic;
- Currently drawing up scheme with Southern Water regarding drainage;
- The brick and treatment has been agreed and there will be 'thoughtful' landscaping;
- The core element has been reduced following residents' concerns and the security and lighting has now been addressed.

A deputation was also heard from Councillor Leo Madden, as Cabinet Member for Health and Social Care, who included the following points in his representations;

- The proposal is part of our social care accommodation strategy;
- Will ensure our older and vulnerable residents can live in state of the art residential care;
- This is in the north of the city and is city owned;
- Loss of open space has been raised but there will be more open space than less;
- Originally had 3-storey building, that has now been reduced to 2-storey due to public consultation;
- East Lodge Park road is particularly difficult to access but have addressed this;
- Parking is a problem but 36 spaces for staff and visitors will be more than adequate.

A deputation was also heard from ward Councillor Ken Ellcome who included the following points in his representations;

- Accept there is a demand for residential care homes but doesn't mean it has to be here;
- Previously housing on this site was turned down;
- This scheme is infinitely better than the previous proposed scheme;
- The site is being used for grazing, as of this morning, and there were plenty of cars parked there;
- Support Councillor Phillips view that we shouldn't develop on any open space;
- Residents have been frightened off by having a residential care home instead of 'social housing';
- Concerned about the potential for flood;
- Traffic is going to increase as currently a cul-de-sac;
- Worried about the level of car parking;
- Residents tend to park with 2 wheels on the pavement which works well;
- Residents accept this proposal but would rather have nothing;
- Mr Lewis did promise East Lodge Park would not be subject to double yellow lines.

Councillor Ellcome left the room following his deputation and did not take part in the decision.

Members' questions

Members sought clarification with regards to the northern boundary of the proposal and questioned how long the build is expected to take.

Members' comments

Members welcomed this development to the north of the city and felt that it was modern and much needed.

**RESOLVED that conditional permission be granted subject to the conditions outlined within the City Development Managers report.**

The meeting concluded at 6.35pm.

.....  
Signed by Councillor Fuller and Councillor Stevens, who shared  
chairmanship during the meeting

The meeting concluded at 6.40 pm.

This page is intentionally left blank

# Agenda Item 5



Portsmouth  
CITY COUNCIL

Agenda item:

**Decision maker:** Planning Committee

**Subject:** Planning appeal decision at Petrol Station, Holbrook Road, Portsmouth, PO1 1JP

**Report by:** Claire Upton-Brown  
City Development Manager

**Ward affected:** Charles Dickens

**Key decision (over £250k):** No

---

## 1. Purpose of report

To advise the Committee of the outcome of the appeal that was allowed.

## 2. Recommendations

That the report is noted.

## 3. Background

An application for the variation of a condition was considered by the Planning Committee at its meeting on 07<sup>th</sup> November 2012 (12/01037/VOC). The application, for the removal of condition 1 attached to planning permission 12/00879/VOC to allow the petrol station to operate for 24 hours daily, was recommended by officers for approval. This was subject to conditions which amongst other things would have restricted the use of a public address system at night. This recommendation was overturned and the application was refused for the following reason: 'In the opinion of the Local Planning Authority the removal of condition 1 attached to planning permission 12/00879/VOC to allow the petrol filling station to operate on a 24 hour basis would have a significant impact on the amenity of the occupiers of the adjoining flats fronting Murefield Road in terms of increased noise and disturbance. The proposal is therefore contrary to the aims and objectives of policy PCS23 of the Portsmouth Plan'.

In allowing the appeal, the Inspector commented that "The appellant has carried out a Noise Impact Assessment (NIA), which concludes that a negligible increase in noise at the nearest residential properties at 1-13 Murefield Road would result; a conclusion that I find convincing in regard to the general operation of the pay at pump facilities". It was however noted that the NIA did

not assess the impact of an existing public address system (PAS) that was required to allow the petrol station to operate on a 24 hour basis. In this respect the Inspector stated "At my site visit, I listened to the PAS which is attached to the shop. At that time, the surrounding roads were busy and the noise of passing traffic was apparent. In addition, the main Asda store was open and fuel was being delivered at the petrol station. Despite this, I found the PAS an intrusive sound, even at its lowest volume. At night when the activity in the locality is likely to be less and the locality generally quieter, the impact of the PAS would be likely to be greater... I find that the PAS would be intrusive and would materially increase noise and disturbance to nearby residents". However, in allowing the appeal the Inspector concluded that "I consider that the impact of the PAS or any replacement system could be controlled by means of an appropriately worded planning condition.

On other matters the Inspector added "Although not referred to in its reason for refusal, the Council has also raised concern regarding the impact of the proposal on anti-social behaviour and crime and the fear of crime, bearing in mind the existing levels of anti-social behaviour in the locality. However, I have limited information to suggest that anti-social behaviour in the locality would increase as a result of this proposal. It would provide some activity and surveillance, which, along with the suggested enhanced CCTV system may help to reduce anti-social behaviour and crime. I am therefore persuaded that the appeal proposal would comply with paragraph 69 of the National Planning Policy Framework, which promotes safe and accessible environments, where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion".

**4. Reason for recommendations**

For information to the Planning Committee.

**5. Equality impact assessment (EIA)**

None.

**6. Head of legal services' comments**

The report is for information only.

**7. Head of finance's comments**

The report is for information only.

.....  
Signed by:

**Appendices:**

**Background list of documents: Section 100D of the Local Government Act 1972**

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

<b>Title of document</b>	<b>Location</b>
Planning application 12/01037/VOC	Planning Services
Appeal decision APP/Z1775/A/13/2197531	Planning Services

This page is intentionally left blank



# Agenda Item 6

## **PLANNING COMMITTEE 8 JANUARY 2014**

**2 PM COUNCIL CHAMBER,  
2ND FLOOR, GUILDHALL**

### **REPORT BY THE CITY DEVELOPMENT MANAGER ON PLANNING APPLICATIONS**

#### **ADVERTISING AND THE CONSIDERATION OF PLANNING APPLICATIONS**

All applications have been included in the Weekly List of Applications, which is sent to City Councillors, Local Libraries, Citizen Advice Bureaux, Residents Associations, etc, and is available on request. All applications are subject to the City Councils neighbour notification and Deputation Schemes.

Applications, which need to be advertised under various statutory provisions, have also been advertised in the Public Notices Section of The News and site notices have been displayed. Each application has been considered against the provision of the Development Plan and due regard has been paid to their implications of crime and disorder. The individual report/schedule item highlights those matters that are considered relevant to the determination of the application

#### **REPORTING OF CONSULTATIONS**

The observations of Consultees (including Amenity Bodies) will be included in the City Development Manager's report if they have been received when the report is prepared. However, unless there are special circumstances their comments will only be reported VERBALLY if objections are raised to the proposals under consideration

#### **APPLICATION DATES**

The two dates shown at the top of each report schedule item are the applications registration date- 'RD' and the last date for determination (8 week date - 'LDD')

#### **HUMAN RIGHTS ACT**

The Human Rights Act 1998 requires that the Local Planning Authority to act consistently within the European Convention on Human Rights. Of particular relevant to the planning decisions are *Article 1 of the first protocol- The right of the Enjoyment of Property*, *Article 6- Right to a fair hearing* and *Article 8- The Right for Respect for Home, Privacy and Family Life*. Whilst these rights are not unlimited, any interference with them must be sanctioned by law and go no further than necessary. In taking planning decisions, private interests must be weighed against the wider public interest and against any competing private interests Planning Officers have taken these considerations into account when making their recommendations and Members must equally have regard to Human Rights issues in determining planning applications and deciding whether to take enforcement action.

Web: <http://www.portsmouth.gov.uk>

## INDEX

<b>Item No</b>	<b>Application No</b>	<b>Address</b>	<b>Page</b>
01	13/01176/PLAREG	287 New Road Portsmouth	PAGE 3
02	13/01182/HOU	Annesley House Queens Crescent Southsea	PAGE 5
03	13/01183/LBC	Annesley House Queens Crescent Southsea	PAGE 7
04	13/01179/FUL	130-136 Elm Grove Southsea	PAGE 9
05	13/01169/FUL	39 Palmerston Road Southsea	PAGE 14

**287 New Road Portsmouth****Retrospective application for change of use from dwellinghouse to mixed use of dwellinghouse and dog boarding business****Application Submitted By:**

Ken &amp; Karens Dog Services

**RDD:** 22nd October 2013**LDD:** 3rd January 2014**SITE, PROPOSAL AND RELEVANT PLANNING HISTORY**

The application site comprises the curtilage of number 287 New Road, a two-storey, mid-terraced dwelling located on the northern side of New Road between its junctions with Northgate Avenue and Copnor Road.

This application seeks retrospective planning permission for the use of part of the dwelling for dog boarding. The business has two elements, day time boarding (day care) and overnight boarding.

There is no planning history relevant to this application.

**POLICY CONTEXT**

The relevant policies within the Portsmouth Plan would include: PCS23 (Design and Conservation).

The National Planning Policy Framework is relevant to the proposed development.

**CONSULTATIONS****Environmental Health**

Public Protection are currently investigating complaints from three neighbouring properties in regard to noise associated with dogs barking. Following the results of noise surveys a Noise Abatement Notice was been issued in September. Following the period of compliance of the Notice noise complaints are still being received.

The noise level required to be considered a statutory nuisance is far above that which would have a significant harm to residential amenity. The constraints of the site (its size and construction) are such that it would be difficult and impractical to mitigate noise levels emanating from the property. The granting of permission would make future action against statutory noise nuisance more problematic. Consider the site is fundamentally unsuitable for an operation of this nature.

**REPRESENTATIONS**

17 objections have been received on the grounds of unacceptable noise and disturbance from dogs barking, inappropriate residential location for such a business, increased levels of dog mess in the area, increased demand for parking, potential risk to safety if dogs were to escape and loss of property value.

Representations in support of the application have been received from 2 local residents and from 18 customers of the business. A deputation request has also been received from Councillor Fazackarley.

The applicant has provided letters of support from 6 neighbours and 8 customers together with one that was later withdrawn by a neighbour who no longer wished to support the application.

## **COMMENT**

The main issues to consider in the determination of this application are whether the use of the property for dog boarding is acceptable, whether it has an impact on the occupiers of neighbouring properties and whether it has any impact on highway safety.

The application site is a relatively modest two-storey terraced property in a predominantly residential area. It is clear from the comments of the Head of Public Protection and the serving of a Noise Abatement Notice that the operation of the dog boarding business has resulted in the generation of significantly intrusive levels of noise. Paragraph 109 of the National Planning Policy Framework states that "the planning system should contribute to and enhance the ... local environment by preventing both new and existing development from contributing to ... unacceptable levels of ... noise pollution". Paragraph 123 of the NPPF requires that "planning policies and decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development". Policy PCS23 of the Portsmouth Plan seeks the: protection of amenity and the provision of a good standard of living environment for neighbouring and local occupiers". In this case it is considered that the application site, by reason of its size, form and location, is fundamentally unsuitable to be used for this commercial purpose as it results in a level of noise and disturbance that causes significant harm to the living conditions of neighbouring residents. It is considered that the harm associated with the operation of the dog boarding business is such that it could not be mitigated through the imposition of planning conditions. It is accepted that the operation of the dog boarding provides a service to its customers, however the benefits of its continued operation does not outweigh the substantial harm to amenity associated with its operation.

Whilst the operation of the business may result in increased traffic and demand for parking, this is not considered to result in any significant effect on the safety or convenience of the users of the local highway network.

Loss of property value is not a material planning consideration and the fouling of pavements is the subject of separate legislation outside of the planning system.

## **RECOMMENDATION I: Refuse Planning Permission**

## **RECOMMENDATION II: Authority be given to pursue formal enforcement action to resolve the breach of planning control associated with the unauthorised use of the property**

### **The reason for the recommendation is:**

The use of the property for dog boarding gives rise to an unacceptable level of noise and disturbance to the detriment of the residential amenities of the occupiers of neighbouring properties. The proposal is therefore contrary to the aims and objectives of the National Planning Policy Framework and to policy PCS23 of the Portsmouth Plan.

## **PRO-ACTIVITY STATEMENT**

Notwithstanding that the City Council seeks to work positively and pro-actively with the applicant through the application process in accordance with the National Planning Policy Framework, the details of the application did not accord with pre-application advice and the application has been refused for the reasons outlined above.

**Annesley House Queens Crescent Southsea****Installation of double access gates including construction of new gate pier and formation of dropped kerb to provide vehicular access (after removal of part of existing wall/pier)****Application Submitted By:**

Mr Charles Stunell

**RDD:** 24th October 2013**LDD:** 8th January 2014

This application has been brought to Committee at the request of Councillor Rob Wood

**SITE, PROPOSAL AND RELEVANT PLANNING HISTORY**

The application site comprises the curtilage of Annesley House, a Grade II Listed Building located on the south-west corner of the junctions on Queens Crescent and Sussex Terrace in Southsea. The site lies within the Owen's Southsea Conservation Area. Annesley House is a detached villa designed by T.E Owen and built in 1844. The site was used as a School of Seamanship and Navigation and is currently a large single dwellinghouse.

This application seeks planning permission for the installation of double access gates including the construction of a new gate pier and formation of dropped kerb to provide vehicular access to Sussex Terrace following the removal of part of an existing wall/pier.

Planning permission and listed building consent (13/00095/FUL and 13/00096/LBC) were granted in April 2013 for the conversion and subdivision of the existing dwelling to form two dwellinghouses together with associated external and internal alterations. As initially submitted these applications included a new vehicular access to Sussex Terrace in a similar manner to that proposed as part of this application, however this was deleted from the proposal prior to the applications being determined.

A corresponding application for listed building consent (13/01183/LBC) appears elsewhere on this agenda.

**POLICY CONTEXT**

The relevant policies within the Portsmouth Plan would include:  
PCS23 (Design and Conservation), PCS17 (Transport).

The National Planning Policy Framework is relevant to the proposed development along with the Owen's Southsea Conservation Area Guidelines.

**CONSULTATIONS****Highways Engineer**

Sussex Terrace runs along the northern boundary of Annesley House and forms a link between Sussex Road to the west and Queens Terrace to the east. Sussex Terrace is an unclassified Road with an S-bend at its northern end. The carriageway widths vary at its junctions with Queens Terrace (3.21m) and Sussex Road (6.0m). The road is subject to a 20mph speed limit. Just to the west of the proposed access the road narrows down to 2.6m and acts as a single lane where only one car can access either direction at any one time. Although the traffic flows are generally low along of Sussex Terrace, both vehicular and pedestrian flows are particularly heightened during the peak morning and afternoon drop off and collection periods for nearby

schools. There may be occasions where vehicles may reverse or queue fronting the proposed access in order to give-way for those vehicles travelling in opposite direction.

There is no footway on the southern side of this narrow section of Sussex Terrace. Pedestrians will have to stack on the footpath fronting the proposed access to cross over to the opposite side.

The proposed access is approximately 2.8m wide. There is inadequate visibility to the north east for vehicles exiting the site due to the 1.8m high pier compounded by the gated doors opening inwards. The drivers exiting the site should have unhindered visibility splays up to the bend in this direction so that vehicles travelling south west can be seen, and to be seen by those drivers approaching the site. The maximum visibility that can be achieved is 2.0m to both directions. Although this measurement is considered adequate for drivers to see the pedestrians the inadequacy to see other vehicles is considered paramount.

RECOMMENDATION: The proposed location has insufficient frontage in a north- east direction to enable an access to be satisfactorily laid out incorporating necessary visibility splays which are essential in the interests of highway safety

## **REPRESENTATIONS**

None received.

## **COMMENT**

The main issues to be considered in the determination of this application are whether the proposed works would affect the special architectural or historic interest of the Listed Building and the character and appearance of the Owen's Southsea Conservation Area and whether the proposed access is acceptable in highway terms.

The Council's Conservation Area guidelines describe the area around Kent Road, Sussex Road and Queens Crescent as being "perhaps the best preserved parts of the CA and including several terraces, groups of houses and individual villas". The guidelines continue by stating that this area is a "less formal, picturesque development as in the grouping of Sussex Terrace, Annesley House and 30-34 Sussex Road with a narrow winding road bounded by walls and trees". The guidelines go on to describe development in Queen's Crescent as being closely grouped, giving relatively high density development with garden land around the edge creating the impression of spaciousness. The frontage of the site is largely open with the relatively low boundary wall allowing views into and across the site from Queens Crescent and Sussex Terrace. This open aspect is such that the site forms a prominent and important feature within the Owens Southsea Conservation Area.

The Conservation Area guidelines state that "the City Council will encourage the retention of existing boundary walls, gate pillars and gates and other means of enclosure and will encourage their restoration and reinstatement to match the original style for that property" and that "the City Council will discourage the removal/demolition/or unsympathetic alteration of existing walls and other means of enclosure which are of architectural or townscape value". The section of wall to which this application relates is of some age (with the exception of an infill section in a former pedestrian entrance) that makes a significant contribution to the character of this part of the Conservation Area. It is clear that historically there has been an opening in the wall onto Sussex Terrace and should be noted that vehicular openings have previously been allowed in this area (including at number 1 Sussex Terrace in 2004 and number 6 Sussex Terrace in 2011). The proposed replacement brick pillar and timber gates would be of an appropriate design which it is considered would be appropriate in heritage terms. It is therefore considered that the proposal would preserve the special architectural or historic interest of Annesley House and would preserve the character and appearance of the Owens Southsea Conservation Area.

Sussex Terrace runs along the northern boundary of the site and forms a link between Sussex Road to the west and Queens Terrace to the east .It is an unclassified road with an S-bend at its western end and is subject to a 20mph speed limit. The carriageway widths vary at its junctions

with Queens Terrace (3.2 metres) and Sussex Road (6.0 metres). Just to the west of the proposed access the road narrows down to 2.6 metres and effectively becomes single lane where only one car can travel in either direction at any one time. There is no footway on the southern side of this narrow section of Sussex Terrace. Although the traffic flows are generally low along of Sussex Terrace, both vehicular and pedestrian flows are particularly heightened during the peak morning and afternoon drop off and collection periods for nearby schools. There may be occasions where vehicles may reverse or queue fronting the proposed access in order to give-way for those vehicles travelling in opposite direction.

Visibility to the north-east of the proposed access would be restricted by both the proposed gate pillar and the proposed gate itself when in an open position. Beyond this the existing boundary wall is some 1.1 metres high (when measured from Sussex Terrace). It is therefore clear that the visibility of drivers leaving the site would be restricted. Whilst it is recognised that traffic along Sussex Terrace is relatively limited and that the width and bends in the road do limit the speed of vehicles, this road is often used as a route to and from nearby schools by both pedestrian and vehicular traffic. The drivers of any vehicles exiting the site should have unhindered visibility splays up to the bend to the north-east so that vehicles travelling from Queens Crescent can be seen as well as by drivers approaching the site. The maximum visibility that could be achieved is 2.0 metres in both directions. Whilst this could be considered adequate for drivers to see pedestrians, lack of driver-driver intervisibility is considered to represent a significant danger to users of the access and the adjacent highway.

Having regard to the relationship of the site to neighbouring properties, it is considered that the proposal would not give rise to any significant impact on the residential amenities of the occupiers of those properties.

## **RECOMMENDATION            Refuse**

### **The reason for the recommendation is:**

The proposed access would, by reason of its location on a bend in the road, have inadequate driver-driver visibility to the north-east and as such be detrimental to the safety of users of the access and the adjacent carriageway.

### **PRO-ACTIVITY STATEMENT**

Notwithstanding that the City Council seeks to work positively and pro-actively with the applicant through the application process in accordance with the National Planning Policy Framework, the details of the application did not accord with pre-application advice and the application has been refused for the reasons outlined above.

---

**03** 13/01183/LBC

**WARD:St Jude**

**Annesley House Queens Crescent Southsea**

**External alterations to allow the installation of double access gates including construction of new gate pier and formation of dropped kerb to provide vehicular access (after removal of part of existing wall/pier)**

**Application Submitted By:**  
Mr Charles Stunell

**RDD:** 24th October 2013

**LDD:** 8th January 2014

This application has been brought to Committee at the request of Councillor Rob Wood.

## **SITE, PROPOSAL AND RELEVANT PLANNING HISTORY**

The application site comprises the curtilage of Annesley House, a Grade II Listed Building located on the south-west corner of the junctions on Queens Crescent and Sussex Terrace in Southsea. The site lies within the Owen's Southsea Conservation Area. Annesley House is a detached villa designed by T.E Owen and built in 1844. The site was used as a School of Seamanship and Navigation and is currently a large single dwellinghouse.

This application seeks listed building consent for the installation of double access gates including the construction of new a gate pier following the removal of part of an existing wall/pier.

Planning permission and listed building consent (13/00095/FUL and 13/00096/LBC) were granted in April 2013 for the conversion and subdivision of the existing dwelling to form two dwellinghouses together with associated external and internal alterations. As initially submitted these applications included a new vehicular access to Sussex Terrace in a similar manner to that proposed as part of this application, however this was deleted from the proposal prior to the applications being determined.

A corresponding application for planning permission (13/01182/HOU) appears elsewhere on this agenda.

## **POLICY CONTEXT**

The relevant policies within the Portsmouth Plan would include:  
PCS23 (Design and Conservation).

Paragraphs 126 to 141 of the National Planning Policy Framework are also relevant to this application along with the Owen's Southsea Conservation Area Guidelines.

## **CONSULTATIONS**

**The Portsmouth Society, The Victorian Society, The Georgian Group, Council For British Archaeology, SPAB, Ancient Monuments Society & Twentieth Century Society**

No responses received.

## **REPRESENTATIONS**

None received.

## **COMMENT**

The main issue to be considered in the determination of this application is whether the proposed works would preserve the special architectural or historic interest of the grade II Listed Building.

The section of wall to which this application relates is of some age (with the exception of an infill section in a former pedestrian entrance) that makes a significant contribution to the setting of this Grade II Listed Building. It is clear that historically there has been an opening in the wall onto Sussex Terrace and should be noted that wider openings have previously been allowed in the walls of other Listed Buildings in the area (including at number 1 Sussex Terrace in 2004 and number 6 Sussex Terrace in 2011). The proposed replacement brick pillar and timber gates would be of an appropriate design which it is considered would be appropriate in heritage terms. It is therefore considered that the proposal would preserve the special architectural or historic interest of Annesley House.



## RECOMMENDATION

## Conditional Consent

### Conditions

- 1) The development to which this consent relates shall be begun before the expiration of 3 years from the date of this consent.
- 2) Unless agreed in writing by the Local Planning Authority, the permission hereby granted shall be carried out in accordance with the following approved drawings - Drawing numbers: Site Location Plan and 110.
- 3) The gate pillar hereby consented shall be constructed and the boundary wall made good through the re-use of salvaged bricks, with all pointing and brick bonding to match that of the existing wall.
- 4) The gates hereby consented shall be constructed of solid timber and be finished in a colour that shall previously be submitted to and agreed in writing by Local Planning Authority.

### The reasons for the conditions are:

- 1) To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to prevent an accumulation of unimplemented consents.
- 2) To ensure the development is implemented in accordance with the permission granted.
- 3) To protect the special architectural or historic interest of the Listed Building in accordance with the aims and objectives of the National Planning Policy Framework and policy PCS23 of the Portsmouth Plan.
- 4) To protect the special architectural or historic interest of the Listed Building in accordance with the aims and objectives of the National Planning Policy Framework and policy PCS23 of the Portsmouth Plan.

### PRO-ACTIVITY STATEMENT

Notwithstanding that the City Council seeks to work positively and pro-actively with the applicant through the application process in accordance with the National Planning Policy Framework, in this instance the proposal was considered acceptable and did not therefore require any further engagement with the applicant.

---

**04** 13/01179/FUL

WARD:St Jude

130-136 Elm Grove Southsea

**Conversion of existing offices and health drop-in centre (D1) to form halls of residence within Class C1 (comprising 53 study bedrooms arranged as 13 cluster flats); alterations to external glazing and cladding, construction of cycle and bin stores with associated landscaping (resubmission of 13/00442/FUL)**

### Application Submitted By:

Willmore Iles Architects

### On behalf of:

SAP No 1 Limited And SAP No 2 Limited

**RDD:** 23rd October 2013

**LDD:** 28th January 2014

## **SITE, PROPOSAL AND RELEVANT PLANNING HISTORY**

The application site, formerly known as Kingsway House, comprises a five-storey building located on the southern side of Elm Grove approximately 90 metres west of its junction with Victoria Road North/South. The site is currently vacant and was last occupied by the NHS as offices and a health/advice centre. The site is located within the secondary area of the Albert Road and Elm Grove District Centre and is adjacent to, but outside of, the northern boundary of the 'Owens Southsea' Conservation Area.

This application seeks planning permission for the change of use and conversion of the former offices and health drop-in centre to form a halls of residence within Class C1 comprising 53 study bedrooms arranged as 13 cluster flats, alterations to the exterior of the building and the construction of cycle and bin stores together with associated landscaping.

The most relevant element of the planning history of the site is application 13/00442/FUL for the conversion of the building to a student halls of residence which was recommended by officers for permission and refused by the Planning Committee in July 2013 for the following reasons:

1) The proposed conversion would, by reason of its over-intensive nature, give rise to an unacceptable level of noise and disturbance harmful to the residential amenities of the occupiers of neighbouring residential properties. Furthermore the proposed alterations to the building would fail to complement or enhance the appearance of existing building. The proposal is therefore contrary to policy PCS23 of the Portsmouth Plan.

2) The proposal fails to make adequate provision for the storage of cycles and refuse/recyclable storage contrary to policy PCS23 of the Portsmouth Plan.

## **POLICY CONTEXT**

The relevant policies within the Portsmouth Plan would include:

PCS8 (District centres), PCS16 (Infrastructure and community benefit), PCS17 (Transport), PCS19 (Housing mix, size and affordable homes), PCS23 (Design and Conservation).

The National Planning Policy Framework is also of relevance to the proposed development.

## **CONSULTATIONS**

### **Highways Engineer**

The site fronts onto Elm Grove, approximately 80 metres from a signalised 4-way junction. On-street parking is severely limited and only available on one side of the road, in short sections. To the front of the site is a Pay & Display facility, which operates 7 days a week, 8am - 6pm. Further west, waiting is limited to 1 hour (No Return Within 1 Hour, Monday-Saturday 8am - 6pm). The area immediately north of Elm Grove has a residents' parking scheme, and properties on the south side of Elm Grove are not entitled to apply for permits. On-street parking south of Elm Grove is severely congested due to overspill parking from the parking scheme and multi-let / multiple occupancy properties that do not have off-road parking facilities.

It is stated in the Design and Access Statement that, within the Tenancy Agreement, students will agree neither to bring a car within 3 km of the site nor to join any local resident's schemes. Given the location of the development, close to local shops, amenities, bus routes and university, we do not consider that the proposal is likely to create significant highways issues, as the area creates natural self-regulation. The previous occupant had 14 car parking spaces for

employee use but for the proposed use there is no requirement for employee parking, reducing the demand for on street car parking by employees.

Suggest secure and weatherproof cycle parking be provided at a ratio of one space per two study bedrooms. Advise it would be preferable if refuse stores were located close to building entrance. Request further details regarding management of car parking spaces and end of term arrivals/departures.

Raise no objection subject to suitable cycle storage facilities, resiting of refuse and recyclables storage and further details of beginning/end of term arrangements.

#### **Environmental Health**

Raises no objection to proposed change of use on the basis that the proposed use cannot be inherently associated with noise, as the behaviour of individuals cannot be considered typical of a group falling within a particular tenure or demographic. Note that if any noise nuisance were to arise it could be addressed under Environmental Protection legislation. Also advises that four noise complaints have been received in regard to a similar property operated by the applicant on the opposite side of Elm Grove. One of these complaints has been substantiated and enforcement action is being pursued against the occupiers. The attempt to mitigate against any possible noise problems by introducing top-hung windows with a maximum opening depth of 150mm is noted, but the possible reduction has not been quantified. Whilst an improvement in noise attenuation may result from changing the window configuration, it is unlikely to be significant and that significant levels of attenuation could only be achieved by using non-opening windows and with a mechanical ventilation system which may create an undesirable living environment for future residents.

Recommend condition relating to insulation of proposed accommodation from external noise.

#### **Contaminated Land Team**

Recommends imposition of conditions relating to contaminated land.

### **REPRESENTATIONS**

Objections have been received from nine local residents and from Councillor Fazackarley on the following grounds: a) increased noise and disturbance; b) increased demand for car parking; c) overlooking; d) development would change the character of the area; e) impact on setting of adjacent Conservation Area; f) previous reasons for refusal not addressed and changes token gestures; and g) students should be located close to city centre and campus.

### **COMMENT**

The main issues to consider in the determination of this application are whether the proposed change of use is acceptable in principle, whether the alterations to the building are acceptable in design terms, whether the proposal would relate appropriately to neighbouring properties and whether the site is suitable for a car free development. Other matters to consider are whether the proposal would comply with policy requirements in respect of cycle parking and planning obligations. Particular regard should be had to whether this revised scheme has addressed and overcome the reasons for the refusal of the previous application.

The application site is located within the secondary frontage of the Albert Road and Elm Grove District Centre. Having regard to the location and layout of the existing building, it is considered that, in the absence of any demand for the commercial use of the property, its conversion to a residential use in the most appropriate alternative use. Policy PCS8 states that in such areas residential uses will be supported in principle. The proposed change of use to a specialist form of residential accommodation is therefore considered to remain acceptable in principle.

The previous application included alterations to the building by the recladding of the non-brick parts of the building and the installation of 'oriel' type windows to replace existing windows in the east facing elevation of the rear projection. In response the comments of the Committee and the reason for the refusal of the previous application, the 'oriel' windows have been removed from

the scheme and the metal cladding panels replaced with horizontal timber cladding. The proposed conversion would significantly reduce the level of glazing to the building with the revised pattern of fenestration forming a diamond pattern to break up the mass of the building. In design terms the proposed alterations are considered acceptable, such that they would improve the current tired appearance of the building and add both variety and interest to the contextual streetscene. Furthermore it is considered that the external alterations would not have any significant effect on the setting of the adjacent Conservation Area.

The proposal does not involve the extension of the building, however part of an existing undercroft area would be infilled to provide additional accommodation at ground floor level. The proposed conversion would re-use existing window openings albeit with a much reduced proportion of glazing to the main elevations. Internally the building would be arranged such that study bedroom windows would generally face to the front and rear with a limited number in the east facing side of the rear projection. The proposal also includes the reglazing of the building with top opening windows with restricted openings to minimize the breakout of noise from the building. Having regard to the lawful use of the building and the extent and location of existing windows, it is considered that the proposed use of the building would not give rise to an increase in overlooking that would cause significant and demonstrable harm to the living conditions of the occupiers of neighbouring properties. The proposed use of the building would likely be more intensive than the former commercial/medical use of the building, and as such could give rise to a greater potential for noise and disturbance. The comments from Public Protection note that the proposed use cannot be inherently associated with noise, as the behaviour of individuals cannot be considered typical of a group falling within a particular tenure or demographic. Accordingly they advise that if any noise nuisance were to arise it could be addressed under Environmental Protection legislation. Public Protection also note the attempt to mitigate against any possible noise problems by introducing top-hung windows with a maximum opening depth of 150mm, but note that the possible reduction has not been quantified (this is due to the building being vacant thereby prevent noise studies being carried out). They noted that whilst an improvement in noise attenuation may result from changing the window configuration, it is unlikely to be significant and that significant levels of attenuation could only be achieved by using non-opening windows and with a mechanical ventilation system. The use of fixed glazing is an option for this scheme, however it would be likely to result in an undesirable living environment for future residents and in the applicants view would affect the likely levels of occupation of the building. Having regard to the location of the site within a designated 'town centre' and the alterations made to the proposal, it is considered that the proposed specialist form of residential accommodation would not be likely to give rise to an increase in noise and general disturbance which would significantly affect the amenities of the occupiers of neighbouring properties.

The proposal includes the removal of four of the eight existing parking spaces from the rear of the site that are accessed via an undercroft from Elm Grove. The submitted drawings indicate that retained parking spaces would be for visitors and for any disabled future occupiers and not be made available to future occupiers. In appeal decisions for similar halls of residence development (e.g. at 151 Fawcett Road) Inspectors have taken the view that for such developments in accessible locations, dedicated off-road parking should be avoided to discourage car use and in light of a restriction to student occupation only would not have a significant effect on the on-street parking in the locality. However in this instance having regard to the presence of the existing car parking spaces and the lack of an appropriate alternative use of this space, it is considered appropriate for this area to be retained for parking and turning to allow the serving of the building, especially at the beginning and end of terms. It should be noted that future student occupiers of the building would not be eligible for parking permits in the nearby residents parking zones. Having regard to the location of the site within a designated town centre with good accessibility to public transport and within walking distance of the city centre campus it is considered that the proposal is acceptable in highway terms.

The submitted drawings indicate an increased provision for the storage of cycles at a ratio of up to 3 spaces per four study bedrooms. The applicant operates other similar halls of residences and has requested that flexibility be given to the level of cycle storage provision to prevent the

overprovision of facilities which would remain unused. It is considered that an initial provision of one space per two study bedrooms would be appropriate, and if monitoring reveals a demand for further facilities then they can be provided. It is considered that such an arrangement would address and overcome that part of the second reason for the refusal of the previous application.

The proposed facilities for the storage of refuse and recyclable materials, are the same as previously proposed, which had been established and agreed through discussions with the Council's Waste Management team. Notwithstanding the previous reason for refusal, the proposed facilities are considered acceptable and can be secured through the imposition of a suitably worded planning condition.

The applicant has offered to prepare and implement a Management Plan that would restrict occupiers of the premises having cars, managing movements at the beginning and end of terms and provide a mechanism for the management of any issues arising from the proposed use of the building.

Having regard to the provisions of policy PCS19 in respect of the provision of affordable housing and minimum space standards and the car parking issues discussed previously, it is considered that a Section 106 Agreement to restrict occupation to UoP students or others on a recognised full-time course of study is necessary to make the development acceptable in planning terms and would be both directly related to the development and be fairly and reasonably related in scale to the development.

**RECOMMENDATION I: Subject to the applicant first entering into a Section 106 Agreement to restrict the occupation of the residential accommodation to UoP students or others on a full-time course of study and to secure the approval and implementation of a Management Plan, grant Conditional Permission**

**RECOMMENDATION II: 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.**

### **Conditions**

- 1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.
- 2) Unless agreed in writing by the Local Planning Authority, the permission hereby granted shall be carried out in accordance with the following approved drawings - Drawing numbers: 354-PL-SITE-001; 354-PL-SITE-004 Rev.C; 354-PL-GA-010 Rev.A; 354-PL-GA-011 Rev.A; 354-PL-GA-012 Rev.A; 354-PL-GA-013 Rev.A 354-PL-GA-014 Rev.A; 354-PL-GA-015; 354-PL-GA-110 Rev.A; 354-PL-GA-111 Rev.A; 354-PL-GA-112 Rev.A; 354-PL-GA-113 Rev.A; 354-PL-GA-210 Rev.A; and 354-PL-GA-211 Rev.A.
- 3) No development shall commence on site until a schedule of materials and finishes to be used for the external alterations to the building (including replacement doors and windows) has been submitted to and approved by the Local Planning Authority in writing. The development shall thereafter be carried out in accordance with the approved details.
- 4) No development shall take place on site until details of the means of restricting the opening of external windows have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before first occupation of the development and thereafter be retained.

5) No development shall take place on site until a scheme for insulating the building against external noise (including if required the provision of a mechanical ventilation system) has been submitted to and approved in writing by the Local Planning Authority. The approved noise mitigation scheme shall be carried out before first occupation of the development and thereafter be retained.

6) Prior to the first occupation of the halls of residence hereby permitted, bicycle storage facilities shall be provided in accordance with a detailed scheme (to include monitoring of the use of the facilities) to be submitted to and approved by the Local Planning Authority in writing and those facilities shall thereafter be retained for the continued use by the occupants of the building for that purpose at all times.

7) Prior to the first occupation of the halls of residence hereby permitted, facilities for the storage of refuse and recyclable materials shall be provided in accordance with a detailed scheme to be submitted to and approved by the Local Planning Authority in writing, and those facilities shall thereafter be retained for the continued use by the occupants of the building for that purpose at all times.

**The reasons for the conditions are:**

- 1) To comply with Section 91 of the Town and Country Planning Act 1990.
- 2) To ensure the development is implemented in accordance with the permission granted.
- 3) In the interests of the visual amenities of the area in accordance with policy PCS23 of the Portsmouth Plan.
- 4) To minimise the potential for noise breakout from the building in the interests of the residential amenities of the occupiers of neighbouring properties in accordance with policy PCS23 of the Portsmouth Plan.
- 5) To ensure that acceptable noise levels within the halls of residence are not exceeded in the interests of residential amenity in accordance with policy PCS23 of the Portsmouth Plan.
- 6) To ensure that adequate provision is made for cyclists using the premises and to encourage the use of alternative modes of transport in accordance with policies PCS17 and PCS23 of the Portsmouth Plan.
- 7) To ensure that waste from the building is stored in an appropriate manner in the interests of the amenities of the area in accordance with policy PCS23 of the Portsmouth Plan.

**The reason for the recommendation is:**

**PRO-ACTIVITY STATEMENT**

In accordance with the National Planning Policy Framework the City Council has worked positively and pro-actively with the applicant through the pre-application process to achieve an acceptable proposal without the need for further engagement.

---

**05** 13/01169/FUL

**WARD:St Jude**

**39 Palmerston Road Southsea**

**Change of use from retail use (Class A1) to coffee shop (mixed use A1/A3); installation of new shopfront and outdoor seating area**

**Application Submitted By:**

Boyer Planning Ltd

**On behalf of:**

Coffee#1 Ltd

**RDD:** 21st October 2013

**LDD:** 17th December 2013

**SITE, PROPOSAL AND RELEVANT PLANNING HISTORY**

The application site comprises a vacant ground floor retail unit on the eastern side of the Palmerston Road Precinct. The site is located within the designated Primary shopping frontage of Southsea Town Centre.

Planning permission is sought for a change of use from shop (within Class A1) to coffee shop (mixed use within Classes A1 and A3) and the installation of a new shopfront. The application form and submitted drawings refer to the formation of an outdoor seating area, however this land falls outside of the application site. The proposed hours of use are 8am to 6pm Monday to Saturday and 9am to 5:30pm on Sundays and Bank/Public Holidays.

None of the planning history of the site is considered relevant to the determination of this application.

**POLICY CONTEXT**

The relevant policies within the Portsmouth Plan are: PCS17 (Transport) & PCS23 (Design and Conservation) and the relevant policies within the Southsea Town Centre Area Action Plan are: STC2 (Southsea Town Centre), STC3 (Southsea Primary Frontage) & STC11 (Shop Fronts).

**CONSULTATIONS****Environmental Health**

No concerns, having regard to the specific use sought. Suggests conditions relating to noise from proposed condensers to rear.

**REPRESENTATIONS**

Nine objections have been received on the following grounds: a) impact on flower stall which operates to front of adjacent unit; b) no need for additional food/drink outlet too many already; c) external seating would obstruct pedestrian flows.

A petition of 259 signatures has been received in opposition to an additional coffee shop in Palmerston Road.

A petition of 415 signatures has been received opposing the application on the grounds of obstruction to pedestrians and existing flower stall.

**COMMENT**

The main issues to consider in the determination of this application are whether the proposed change of use is acceptable in principle, whether the alterations to the building are acceptable in design terms, whether the proposal would have any adverse impact on the occupiers of neighbouring properties and whether the proposal is acceptable in highway terms.

The application site is located within the primary retail frontage of Southsea Town Centre. Policy STC3 (Southsea Primary Frontage) of the Southsea Town Centre Area Action Plan states that 'in the Southsea Primary Frontage planning proposals for town centre uses, other than A1 Shops, will only be granted permission if at least 75% of the primary frontage would be in A1 use after the development is completed'. The Council's records indicate that the current proportion of Class A1 shops uses in the primary frontage is over 82% which would drop to 81.5% if the proposed change of use were to be granted. As the proportion of Class A1 shop uses would remain well above the 75% threshold set out in Policy STC3, it is considered that the proposed change of use is acceptable in principle.

The proposed new shop front is considered acceptable in design terms such that it would complement the existing building and make a positive contribution to the wider streetscene. The proposed use does not involve the use of commercial cooking equipment and as such would not require an extraction system or associated sound and odour mitigation. Accordingly it is considered that the proposed use would be unlikely to affect the amenities of the occupiers of neighbouring premises subject to the imposition of conditions relating to limiting the type of cooking equipment to be used and mitigation of noise from the condensers to be installed at the rear of the building.

The external seating area shown on the submitted drawings would project approximately 2 metres to the front of the unit and would accommodate three tables in a similar manner to other external seating areas in the precinct. This element of the proposal falls outside of the scope of this planning application, with the placing of objects on the highway needing to be the subject of an amenity on the highway license. The issue of the external seating area being an obstruction to the highway and its relationship with the adjacent flower stall is not normally controlled under planning legislation but is dealt with by the licensing process.

Having regard to the town centre location of the site it is considered that the proposal would be unlikely to generate a demand for parking or servicing that could not be accommodated by existing town centre car parks and road network.

## **RECOMMENDATION                      Conditional Permission**

### **Conditions**

- 1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.
- 2) Unless agreed in writing by the Local Planning Authority, the permission hereby granted shall be carried out in accordance with the following approved drawings - Drawing numbers: A-G/867-13 - P2 Rev.A A-G/867-13 - P3 Rev.A and A-G/867-13 - P4.
- 3) No cooking processes other than the preparation of hot beverages, the toasting of bread, or the heating of food in a microwave oven, domestic oven or domestic cooking device shall be carried out without the prior written approval of the Local Planning Authority.
- 4) If at any time a cooking process other those set out in Condition 3 is undertaken on the premises, an extract ventilation system incorporating measures to suppress noise, odours and fumes shall previously be installed in accordance with a detailed scheme that shall be submitted to and approved in writing by the Local Planning Authority. The approved extraction system shall be retained and operated in such a manner to effectively suppress the emissions of fumes, odour and noise.
- 5) No external fixed plant or equipment shall be installed until a scheme for the protection of neighbouring premises from noise generated by the plant or equipment has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that the noise rating level expressed as an LAeq,T 1 metre from the facade of the nearest residential



property will be no greater than the measured background noise level expressed as an LA90, as defined in British Standard 4142. The approved mitigation measures shall be implemented prior to the plant or equipment being brought into use and thereafter maintained.

6) The use hereby permitted shall be closed to and vacated by customers between the hours of 22:00 and 08:00 the following day.

**The reasons for the conditions are:**

- 1) To comply with Section 91 of the Town and Country Planning Act 1990.
- 2) To ensure the development is implemented in accordance with the permission granted.
- 3) To protect the residential amenities of the occupiers of neighbouring premises in accordance with policy PCS23 of the Portsmouth Plan.
- 4) To protect the residential amenities of the occupiers of neighbouring premises in accordance with policy PCS23 of the Portsmouth Plan.
- 5) To protect the residential amenities of the occupiers of neighbouring premises in accordance with policy PCS23 of the Portsmouth Plan.
- 6) To protect the residential amenities of the occupiers of neighbouring premises in accordance with policy PCS23 of the Portsmouth Plan.

**The reason for the recommendation is:**

PRO-ACTIVITY STATEMENT

In accordance with the National Planning Policy Framework the City Council has worked positively and pro-actively with the applicant through the pre-application process to achieve an acceptable proposal without the need for further engagement.

---

.....  
City Development Manager  
23<sup>rd</sup> December 2013

This page is intentionally left blank