

PLANNING COMMITTEE

MINUTES OF THE MEETING of the Planning Committee held on Wednesday, 9 July 2014 at 2pm in the Executive Meeting Room - Third Floor, The Guildhall

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

Present

Councillors Aiden Gray (Chair)
Frank Jonas (Vice-Chair)
Ken Ellcome
David Fuller
Colin Galloway
Stephen Hastings
Lee Mason
Les Stevens
Sandra Stockdale

Welcome

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

Guildhall, Fire Procedure

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

72. Apologies (AI 1)

Councillor Gerald Vernon-Jackson sent his apologies.

73. Declaration of Members' Interests (AI 2)

Item 6

Councillor Frank Jonas declared a personal interest as he knows the applicant.

Councillor Ken Ellcome declared a personal, non-prejudicial interest as Mr Hey is a former conservative councillor.

Councillor David Fuller declared a personal interest as his best friend is the applicant's neighbour.

74. Minutes of the Meetings of the Planning Committee (AI 3)

RESOLVED that the minutes of the Planning Committee held on 11 June 2014 were agreed and should be signed by the chair as a correct record.

75. Updates Provided by the City Development Manager on Previous Planning Applications. (AI 4)

There were no updates.

**76. 14/00491/HOU - 6 Holdenby Court Portsmouth (AI 5)
Extend existing dropped kerb to provide vehicular access.**

The City Development Manager introduced the report.

A deputation was heard from Mrs Dickson objecting to the application, who included the following points in her representation:

- Photos were circulated to the committee showing vehicles parked in Holdenby Court.
- Holdenby Court cannot support full on-street parking as this would prevent the residents beyond no.s 1 and 6 from accessing their properties as the street is too narrow.
- Vehicles are parked here from other streets.
- The single garages on properties in Anchorage Park cannot accommodate a vehicle.
- The driveways have not been modified in any way since their original development.
- There is direct access to all three garages. Access on and off the driveway of no. 6 is no more hazardous than for any other resident in Portsmouth.
- The difficulties we all experience have to be accepted and dealt with.
- She requested that the committee consider limiting the extension of the dropped kerb to 1.5m.

A deputation was also heard from Mr Alexander on behalf of his father, the applicant in support of the application who included the following points in his representation:

- The photos show cars parked illegally; straddling the pavement.
- The area that would be dropped would not inconvenience Mrs Dickson.
- A pit was recently installed for maintenance of classic cars that have lower suspension.
- The extended dropped kerb would increase safety when coming on and off the driveway.
- On one occasion, Mr Dickson's car was struck because of where he had parked.
- Mr Dickson converted his garage for business use.
- The Highways Agency had no objection to this application.

In response to questions from the committee, Vanessa White clarified that:

- There is no minimum or maximum length stipulated for dropped kerbs,
- This location is not classified as a highway and therefore there are no highways issues with regard to safety.

Members' Questions.

There were no questions from members.

Members Comments.

There were no comments from members.

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

77. 14/00529/FUL - 424A London Road, Portsmouth (AI 6)

The City Development Manager reported in the supplementary matters list that the comment section of the Committee Report refers to an existing residential use at first floor level. This is incorrect. At the present time the ground floor of this property (no.424 London Road) is used as a shop whilst the first floor of this property (no.424A London Road) is used for storage purposes ancillary to the ground floor shop use. Historically, the first floor of this property was used for residential purposes. Under the provisions of Part 3, class F of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), this property could be used for a mixed use within Class A1 (shops) and as a single flat. The principle of the use of the first floor as a residential flat does not however, form part of this application.

A deputation was heard from Mr Malcom Hey objecting to the application, who included the following points in his representation:

- This property has undergone a significant transformation from a shop storage unit to two flats.
- It was quiet during the day and silent at night; now the noise is intrusive.
- The outside area is now completely covered and the external staircase is dangerous and noisy.
- Access used to be via the front of the shop. Now it is via the rear passageway and the door opens outwards and poses a risk to passing vehicles.
- He has lived opposite the premises for 25 years.
- It was quiet and not used at night.
- Three windows overlook his and neighbouring properties.
- Parking is at a premium.
- The smoke from the barbeque will annoy the neighbours.
- A site visit would be useful for members.

Members' Questions.

Members sought clarification on access, the windows and the external staircase.

Members' Comment.

There were no comments.

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

78. 14/00411/FUL - 34 Taswell Road, Southsea (AI 7)

Retrospective planning application for use a house in multiple occupation (sui generis) for up to eight persons.

The City Development Manager reported in the supplementary matters list that two further objections have been received from the occupiers of neighbouring properties on the grounds that the proportion of HMOs in the area should take account of properties that have been split into small flats and bedsits and that the proposal would result in increased noise and disturbance, imbalances community, adverse impact of street scene, increased parking pressure, loss of family accommodation, added pressure of community facilities and adverse restructuring of local services and amenities.

A deputation was heard from Mrs Gallien objecting to the application who included the following points in her representation:

- She lives at no. 36, flat 2 and also represents Mr Simon Davis who lives at flat 3.
- The calculation is based on an artificial rationale.
- It would have been better to have three modest flats rather than six cramped flatlets.
- There are others properties operating as HMOs but which are not classed as such
- This property has been operating as an HMO illegally for a number of years.
- After 6pm it is impossible to park in the area.
- Noise disturbance is a problem because of thin party walls and parties in the gardens.

A deputation was also heard from Councillor Andrewes objecting to the application who included the following points in his representation:

- A similar application was rejected by the committee because of loss of amenities for neighbours.
- He has doubts about how the number of HMOs was calculated.
- The Planning Inspector said that the pattern and use of a property with seven or more residents is different to other premises. The principal consideration should be the affect on neighbours' amenities in terms of noise and disturbance.
- The Inspector also expressed concern regarding the size of the premises at 43 Stanley Street. This property is smaller.
- The area is under massive pressure from HMOs.
- Parking is very difficult.
- A large number of residents contacted me over the last few days.

Members' Questions.

Members asked questions regarding the calculation, the impact on amenities, the number of doorbells and cycle storage.

Members' Comments.

Members expressed concern about possible overpopulation and the small dimensions.

Some members commented that whilst they may sympathise with residents, the policy should be followed.

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

79. 14/00414/FUL - Northern Pavilion and Bowling Green Adjacent to Eastern Parade, Southsea (AI 8)

Change of use from bowls club to day nursery and construction of single storey side extension, enclosure of veranda, construction of refuse store and installation of 1.8m high chain link boundary fence.

The City Development Manager reported in the supplementary matters list that the wording of Condition 9 has been amended to 'The day nursery hereby permitted shall remain closed from 6.30pm each evening until 7am of each following day and on each Saturday and Sunday'.

A deputation was heard from Mr Martin Jewell objecting to the application who included the following points in his representation:

- The officers' report is misleading.
- The Parks and Open Spaces Strategy 2012 - 12 - document PCS13 states that 'the city council will protect green infrastructure by refusing planning permission for proposals which would result in the net loss of existing areas of open space.'
- A commercial nursery fenced off from the public is no longer open space, it is closed space.
- He asked why the planning officer did not bring to the committee's attention the relevant sections of the Parks Strategy e.g. pages 11 and 42.
- The level of publicly accessible open space is poor and will worsen by 15%.
- The bowling green is a natural part of the park. The fact that a bowling club has operated it in the past on behalf of the council does not make it any less of a part of the park.
- Justification for the loss of recreational land has not been provided as required.
- Canoe Lake Leisure made a formal offer to operate the site for leisure use at no cost to the council.

A deputation was also heard from Mr Williams objecting to the application who included the following points in his representation:

- The proposed use does nothing to preserve or enhance the conservation area.
- The premises would lead to an imbalance to the residential profile.
- The noise emanating from the nursery would have an adverse impact on residents.
- The city needs accessible public spaces.

A deputation was also heard from Mrs McMinn, the applicant who included the following points in her representation:

- Care will be taken to ensure that the development is in keeping with the existing surroundings and will enhance the beauty.
- The nursery will meet the gap in provision in this ward.
- It is essential for children to develop vital skills and be successful in life.
- It will be only open during the day for a maximum of 49 children.
- Road safety is paramount. There have been no pedestrian road injuries in the vicinity.
- There is ample parking; on street and in the play and display area.
- Guidance will be issued to parents asking them to respect the neighbours.
- The drop off and collection times are short and will have minimal impact on residents.

A deputation was also heard from Councillor Luke Stubbs objecting to the application who included the following points in his representation:

- He received approximately thirty letters from residents raising concerns about parking and disturbance.
- In Bruce Road, which is nearby an application for an HMO was refused by officers using their delegated powers to officers because of loss of open space.

Members' Questions.

Members sought clarification on parking issues, the definition of parks and open spaces, the number of letters of objection, possible alternative uses of the site, the role green areas play and the key policies.

Members' Comments.

Members expressed concern regarding the potential loss of open space but also recognised the need for nursery provision and opportunity for eight new jobs.

RESOLVED that the application be refused for the following reasons:

- Loss of open space contrary to PCS13.
- Noise and disturbance that would be generated by nursery.

80. 14/00375/FUL - Southern Pavilion and Bowling Greens Adjacent to Eastern Parade, Southsea (AI 9)

Change of use of bowling pavilion to café and external alterations to include construction of 2 single storey side extensions and replacement cladding, formation of 4 artificial grass tennis courts to southern bowling green, installation of temporary dropped kerb and access from Eastern Parade; installation of 2.75m high chain link boundary fence; regrading of northern bowling green and associated landscaping.

The City Development Manager reported in the supplementary matters list that the wording of Condition 11 has been amended to 'The café premises hereby permitted shall remain closed and vacated by members of the public from 8pm each evening until 7am of each following day'.

The City Development Manager also informed the committee that in light of the decision on the previous item, this application must be amended.

A deputation was heard from Councillor Luke Stubbs objecting to the application who included the following points in his representation:

- He would prefer that officers be granted delegated authority.
- He welcomed this application in principle which would improve a tired building and provide an exciting opportunity for people to play tennis at no cost to the taxpayer.

Members' Questions.

Members sought clarification regarding soil use and the link with the previous application.

Members' Comments.

There were no comments.

RESOLUTION:

The committee was informed that the proposal will be amended to revise the regrading proposal and make alternative provision for removal of topsoil. Subject to further notification procedures being completed, the Committee resolved to grant permission, and delegated to the City Development Manager the responsibility of considering imposition of any relevant conditions having regard to the anticipated amendments

81. 14/00384/HOU - 22, St John's Road, Portsmouth (AI 10)

Members' Questions.

There were no questions.

Members' Comments.

There were no comments.

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

The meeting concluded at 4.30pm.

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Signed by the Chair of the meeting
Councillor Aiden Gray