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# NOTICE OF MEETING

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## PLANNING COMMITTEE

WEDNESDAY, 1 OCTOBER 2014 AT 5.00 PM

## EXECUTIVE MEETING ROOM - THE GUILDHALL

Telephone enquiries to Joanne Wildsmith 0239283 4057  
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### Planning Committee Members:

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

### Standing Deputies

Councillors Alicia Denny, Margaret Foster, Lee Hunt, Hugh Mason, Robert New, Darren Sanders, Rob Wood, Paul Godier, Stuart Potter and Julie Swan

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(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 for absence**
- 2 **Declaration of Members' Interests**
- 3 **Minutes of Previous Meeting - 3 September 2014 (Pages 1 - 12)**

The minutes of the previous meeting of the Planning Committee held on 3 September are attached for approval.

RECOMMENDED that the minutes of the Planning Committee held on 3 September 2014 are approved as a correct record and signed by the Chair.

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

**5 14/01156/PAMOD - Request to modify legal agreement attached to planning permission 11/00409/FUL relating to land at 100 Copnor Road (Pages 13 - 14)**

The purpose of the City Development Manager's report is to request Members consider the applicants request to modify the legal agreement attached to planning application 13/00005/FUL in relation to the tenure of the affordable housing provision.

**RECOMMENDATION: To approve modification of the legal agreement to vary the tenure of the affordable housing to affordable rent from low cost shared ownership.**

**6 Appeal decision at 44A Craneswater Park, Southsea (Information Item)**

The City Development Manager wishes to advise the Committee of the outcome of the appeal that was allowed (there is no separate report).

RECOMMENDED: That the report is noted.

**Background:** A planning application was considered at the Planning Committee meeting of the 29th January 2014. The application sought planning permission for the construction of three dormer windows to the rear roof slope, each 2.2m wide and 1.05m to the eaves of a hipped roof with an overall height of 2.5m; a pair of dormer windows to the front roof slope of similar dimensions; and the construction of a side/front extension to enlarge the integral garage.

The application was recommended for conditional permission. This recommendation was overturned and the application refused with the reasons for refusal relating to impact on residents of Craneswater Mews by virtue of overlooking and a loss of privacy.

The Inspector noted that Craneswater Mews, together with development on the west side of Craneswater Park forms a high density residential complex with one of its main features being the mutual overlooking between dwellings. Furthermore, the proposed dormers would overlook the open plan front

curtilages of the dwellings in Craneswater Mews where there is already little or no privacy, as the area is used to gain access to the individual properties. The proposed bedroom windows would for the most part not overlook the much more private rear courtyards and gardens of houses in the Mews.

The Inspector carefully noted concerns of a number of local residents but concluded that the proposal would not have an adverse effect on the living conditions for the occupiers of the properties in Craneswater Mews as regards privacy.

The Inspector was also of the view that, in terms of scale and appearance, the roof alterations are of appropriate proportions and design to preserve the appearance of the townscape of the Craneswater and Eastern Parade Conservation Area.

Subject to the imposition of the following conditions the Inspector upheld the appeal and granted permission.

- 1) The development hereby permitted shall begin before the expiration of three years from the date of this Decision;
- 2) The development hereby permitted shall be carried out in accordance with the following approved plan: Drawing No. 2013/02/A;
- 3) The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those used in the existing building.

## **7 Appeal decisions relating to 287 New Road (Information item)**

The City Development Manager wishes to advise the Committee of the outcome of the appeals, which were dismissed. (There is no separate report.)

RECOMMENDED that the report is noted.

**Background:** A planning application was considered by the Planning Committee at its meeting on 8<sup>th</sup> January 2014. The application, for the continued use of part of the dwelling for dog boarding (day time boarding (day care) and overnight boarding), was recommended by Officers for refusal. This recommendation was agreed and authorisation was given to take formal enforcement action to secure the cessation of the unauthorised use. The reason for refusal and for taking enforcement action related to the use of the property for dog boarding giving rise to an unacceptable level of noise and disturbance to the detriment of the residential amenities of the occupiers of neighbouring properties.

The Inspector concluded "that the continued use of the premises for a dog

boarding business would give rise to significant concerns that the living conditions of occupiers of nearby residential properties would be harmed with regard to noise and disturbance". The Inspector noted "the employment generated by the business use and the service provided to local people in need of animal care" but agreed with the Council that "this does not outweigh the harm to the living condition of occupiers of nearby properties by reason of noise and disturbance".

As part of their appeal against the Enforcement Notice, the appellant argued that the one month compliance period was too short to find alternative premises. The Inspector considered the competing private interest of the business to secure alternative premises against the public interest of bringing harm to the living conditions of occupiers of nearby residential properties to an end without unnecessary delay and concluded that a period of two months would strike an appropriate balance. The appeals were dismissed with the Notice varied to extend the compliance period from one month to two months.

**8 Section 106 Monitoring Charging (Pages 15 - 20)**

The purpose of the report by the City Development Manager is to inform the Planning Committee of the proposed charges for monitoring S106 Legal Agreements.

**RECOMMENDED that the Planning Committee notes the proposed charging scheme.**

**Planning Applications**

Report by the City Development Manager attached.

- 9 14/00506/FUL - Store r/o 85-87 Castle Road Southsea - Conversion to form single dwelling (report item 1) (Pages 21 - 42)**
- 10 14/00591/FUL - 21 Allens Road Southsea - Change of use from dwelling house (Class C3) to purposes falling within Class C4 (House in Multiple Occupation) or Class C3 (Dwelling House) (Report Item 2)**
- 11 14/00918/ADV - 107 Havant Road Portsmouth - Display of 2.44m high hoarding adverts to boundary of site and display of 2 non-illuminated 5.8m high pole mounted stack board signs fronting Havant Road (Re-submission of 14/00473/ADV) (Report item 3)**
- 12 14/01097/ADV - 93 Havant Road Drayton Portsmouth - Display of 3 non-illuminated 2.4m high hoardings, 4 non-illuminated flag poles and 1 non-illuminated monolith stackboard (Report Item 4)**
- 13 14/00963/FUL - Car Park Cornwall Road Portsmouth - Change of use of existing car park to car sales (Sui Genris) to include installation of a**

**portable cabin office (Report Item 5)**

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