

PLANNING COMMITTEE

MINUTES OF THE MEETING of the Planning Committee held on Tuesday, 7 July 2015 at 9.30 am in the Council Chamber - The Guildhall - Floor 2 (public galleries on Upper 2nd floor)

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

Present

Councillors Aiden Gray (Chair)
 Stephen Hastings (Vice-Chair)
 Jennie Brent
 Ken Ellcome
 Colin Galloway
 Scott Harris
 Hugh Mason
 Sandra Stockdale
 Gerald Vernon-Jackson
 Darren Sanders (Standing Deputy)

Also in attendance

Councillors L Hunt, L Stubbs and D Jones

Welcome

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

Guildhall, Fire Procedure

The chair, Councillor Gray 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.

66. Apologies (AI 1)

Councillor David Fuller had sent his apologies for absence and was represented by his standing deputy, Councillor Darren Sanders.

67. Declaration of Members' Interests (AI 2)

There were no declarations of members' interests.

68. Planning Application Ref:15/00902/ADV - Spinnaker Tower - Display of illuminated and non-illuminated signage by individual lettering, logos and branding to tower legs and ground floor facilities (AI 3)

Gary Christie presented the City Development Manager's report and drew members' attention to the supplementary matters list which gave an update that in addition to

the 29 letters of representation previously reported, six further letters have been received in respect of the proposal (5 in objection, 1 in support).

The majority of the points raised within these representations had been reported within the Committee Report. Other issues raised can be summarised as follows: (a) The consultation period should be extended following the submission of amended drawings and documents; (b) The painting of the Tower (blue and gold) forms part of the advertisements and should be considered as such; (c) Implications of the City Council's advertising and sponsorship policy; (d) A Planning Committee decision should be deferred until the proposal has been considered by Full Council.

Points (a) and (b) have been addressed within the Planning Committee Report (pages 3 and 5/6 respectively).

In respect of points (c) and (d), an application for Advertisement Consent has been submitted to the Local Planning Authority (LPA) for consideration against the relevant national and local planning policies. The LPA has an obligation to determine the application at the earliest opportunity following the expiry of statutory consultation period. The City Council's advertising and sponsorship policy and the details of the proposed sponsor are not a material consideration of the application.

CONSULTATIONS UPDATE:

Gosport Borough Council - No comments offered.

Queen's Harbour Master - No comments received at the time of writing.

Mr Christie further reported that overnight three further representations had been received, two in support and one of general comment. Members were reminded that the two issues for their consideration were those of visual amenity and public safety.

A deputation was made by Mr R Butler as a Portsmouth resident who spoke to object to the proposal. His points centred on the issues of civic pride, tourism and the cultural impact and his points included:

- the size and prominence of the lettering and logo, the visual amenity of this large advertising space being read from 500m away and changing colour to the structure from ten miles away; the tower had been a millennium gift to the citizens of Portsmouth and the council had voted in favour of a white billowing sail which was an iconic landmark on the waterfront and which raised the cultural profile of Portsmouth and should not be used as a billboard
- the democratic process had been abused with the lack of public consultation for the advertising use and upon the company which would advertise.

Councillor Lee Hunt made a deputation in opposition to the application whose points included:

- The architectural integrity of the structure should be retained while still having the opportunity to raise income for the city but this design is not the solution being overbearing.
- The scale of the advertisement had a visual amenity impact on the surrounding area which included several conservation areas.

- The council should not expect lower standards for its own application than for others.
- The character of the tower would be changed and compromised by this design.
- There had been a failure in the late consultation with the Millennium Commission.
- He personally was opposed to the deal with the UAE company due to human rights issues.
- A better scheme should be sought.

Councillor Luke Stubbs made a deputation in support of the application whose points included:

- There was no need for planning permission to change the colour of the tower - the application had been handled properly and had not been unduly influenced.
- The only elements for discussion were the logo size and position of the adverts and not the company which was providing funding to the council for advertising.

Councillor Donna Jones, Leader of the Council then spoke in support of the application whose points included:

- The application had not been "railroaded" or unduly influenced. She had not spoken to the Planning Committee members to influence their decision.
- Human rights issues were not part of the consideration of the application.
- There was a need to look at the impact on the heritage site and whether it was appropriate to have the name of an advertiser on the tower.
- The blue and gold colouring would have more impact than the wording.
- The raising of funds for the council but was not a planning consideration but for sponsorship to be attracted a visual impact was necessary.
- In consideration of the local amenity the signage would not cause significant impact visually or cause any public safety issues, with no objections from the Harbour Master or British Rail, and there had been further consultation with Continuum and Berkeley Homes who were in support of the application.
- Regarding cultural impact it had been hoped that the structure would remain as attractive as possible and the logo was not covering it.

After the end of each of the three deputations by members of the city council addressing the Planning Committee they were asked by the Chair to withdraw and take no further part in the meeting. Councillor Gerald Vernon-Jackson clarified an issue that had arisen during Councillor Hunt's deputation and he wished to stress that there was no party group line for the Liberal Democrats regarding this application.

In response to points by the deputations the City Development Manager wished to make some clarifications regarding the advertisement consent that there were two issues to consider regarding visual impact and public safety and the issues of who the brand is was not under consideration by the committee. As the necessary consultation period had expired a decision could be made by the committee on this application. The fact that the city council has a landlord role was not a planning consideration either.

Members' Questions

It was asked regarding the consultation process how many homes had been written to. In response it was reported that the normal procedure in consulting adjoining properties had taken place and there had been over 30 site notices placed at key entrances within Gunwharf in commercial and residential areas and also in Gosport. An advert had also been placed in The News. It was also pointed out that Historic England were not required to be formally consulted but their view was in line with the City Development Manager's that this is a commercial part of the city and they had not expressed concern regarding the effect on the heritage assets.

It was questioned whether the application could be split regarding the advertisement consent on some parts of the structure being approved and not on other higher parts; it was confirmed that this was possible if reasons were specified where parts of the application may be refused. The level of representation was queried following the previous strength of feeling on the red and white design with the revised colouring only 35 comments had been received and the online petitions had been prior to the submission of this advertisement consent. It was asked if the Portsmouth Society had shown support for the application and it was reported that they had written in to object regarding the impact on cultural heritage of the structure and its setting in the conservation area.

It was asked if the size of the logos could be reduced and the City Development Manager stressed that it was not a matter for the Planning Committee to redesign the lettering.

It was asked if the Millennium Commission's consent was needed and the advice was that this is a landlord issue regarding the painting of the tower.

It was further asked that if consent was given and another company wished to advertise in the same way whether they would need to make an application. It was confirmed that this is a five year consent and alternative sponsorship would need a separate application. If the existing applicant wished to make small changes in keeping with the principle of this consent it may not require a new application. These issues would require a judgement call and technical assessment by the planning officers.

Members' Comments

Discussion took place regarding how far away the lettering could be read and what impact this would have and the fact that there had only been 35 responses (some in favour) and only one deputation made by a member of the public to object.

Regarding the issue of civic pride some members felt that the improved tourism would be beneficial for Portsmouth and the blue and gold of the new scheme would maintain the civic pride for the city.

Discussion also took place about whether there could be a distinction between the tower base in the commercial area that had adverts and the higher structures which would have more visual impact on the wider area. It was noted that the original tower design had been for a plain white structure. Some members of the committee had concerns regarding the size of the adverts and stressed that it was not the principle itself but felt that there should be further discussions with the company to bring back a revised application and asked for a five year time limit from when the contract was executed. The City Development Manager confirmed that the date of permission would be from the date of issuing the decision. The Chair asked the committee not to pass judgements on the brands who could advertise at the tower.

An amendment to reject advertising on the higher parts of the structure was not carried and the majority of the committee wished to support the application given that there would be a less visual impact from the advertisements than from the change in colour which itself did not require consent.

RESOLVED that conditional consent be granted (subject to the condition outlined in the City Development Manager's report).

The meeting concluded at 10.55 am.

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Signed by the Chair of the meeting
Councillor Aiden Gray