
NOTICE OF MEETING

PLANNING COMMITTEE

WEDNESDAY, 29 AUGUST 2018 AT 1.00 PM

THE EXECUTIVE MEETING ROOM - THIRD FLOOR, THE GUILDHALL

Telephone enquiries to Lisa Gallacher Local Democracy Officer 02392 834056

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If any member of the public wishing to attend the meeting has access requirements, please notify the contact named above.

Planning Committee Members:

Councillors Hugh Mason (Chair), Judith Smyth (Vice-Chair), Ken Ellcome, Suzy Horton, Donna Jones, Steve Pitt, Lynne Stagg, Luke Stubbs, Claire Udy and 1 Vacancy

Standing Deputies

Councillors Jo Hooper, Frank Jonas BEM, Leo Madden, Gemma New, Scott Payter-Harris, Jeanette Smith, Gerald Vernon-Jackson CBE, Rob Wood and Tom Wood

(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

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 to planning.reps@portsmouthcc.gov.uk or telephone a member of the Technical Validation Team on 023 9283 4916.

A G E N D A

- 1 Apologies**
- 2 Declaration of Members' Interests**
- 3 Minutes of the previous meeting held on 25 July 2018 (Pages 7 - 14)**

RECOMMENDED that the minutes of the Planning Committee held on 25 July 2018 be agreed as a correct record and signed by the Chair.

4 Updates on previous planning applications by the Assistant Director of City Development

Planning Applications

5 18/00280/PLANREG - 2 Raglan House 4 Clarence Parade Southsea
(Pages 15 - 72)

Retrospective application for installation of replacement external staircase.

6 18/00791/FUL - 83 High Street Cosham Portsmouth

Change of use from bank (Use Class A2) to hot food takeaway (Use Class A5) together with minor external alterations.

7 18/00899/HOU - 7 Jubilee Terrace Southsea PO5 3AS

Installation of dormers to front and rear roof slopes.

8 18/00973/PLANREG - 444 London Road Hilsea Portsmouth

Retrospective application for the change of use from retail shop (Class A1) to hot food takeaway (Class A5) and external alterations to include the construction of a replacement shop front, extraction system and flue.

9 18/00991/FUL - 69 Wadham Road Portsmouth PO2 9ED

Change of use from Class C3 (dwellinghouse) to Class C4 (houses in multiple occupation) or Class C3 (dwellinghouse)

10 18/01131/FUL - D-Day Museum Clarence Esplanade Southsea PO5 3ST

Siting of Landing Craft Tank 7074 and construction of canopy protection with associated landscaping works (including relocation of eight Holm Oak trees); new access from the highway to the public car park and repositioning of one (listed) lamp post.

11 18/01132/LBC - D-Day Museum Clarence Esplanade Southsea PO5 3ST

Repositioning of one lamp post.

12 Exclusion of Press and Public

(NB the appendix to 16/02047/PAMOD - Request to modify legal agreements attached to planning permissions 10/01247/FUL and 08/01941/FUL being land adjacent to Queens Hotel Clarence Parade and Osborne Southsea - appeal

against non-determination is exempt so if members wish to discuss this, they will need to pass the resolution below)

That in the view of the contents of the following item on the agenda the committee is RECOMMENDED to adopt the following motions:

Firstly, in the event that the Committee wishes to open the appendix at the Committee meeting:

"That, under the provisions of Section 100A of the Local Government Act 1972 as amended by the Local Government (Access to Information) Act 1985, the press and public be excluded for the consideration of the following item on the grounds that the appendix contains information defined as exempt in paragraph 3, Part 1 of Schedule 12A to the Local Government Act 1972, and that paragraphs 8 and 9 of Part 1, Schedule 12A of the Local Government Act 1972 do not apply so as to prevent exemption, and, further, in all the circumstances the public interest in maintaining the exemption outweighs the public interest in disclosing the information"

Secondly, given the context of an appeal, it is considered expedient that the Committee receives legal advice attracting legal advice privilege:

"That, under the provisions of Section 100A of the Local Government Act 1972 as amended by the Local Government (Access to Information) Act 1985, the press and public be excluded for the purpose of receiving legally privileged information which defined as exempt in paragraph 5, Part 1 of Schedule 12A to the Local Government Act 1972, and that paragraphs 8 and 9 of Part 1, Schedule 12A of the Local Government Act 1972 do not apply so as to prevent exemption, and, further, in all the circumstances the public interest in maintaining the exemption outweighs the public interest in disclosing the information"

The public interest in maintaining the exemptions over the different types of information under paragraph 3 and paragraph 5 must be considered separately and then separately weighed against the public interest in disclosing the information.

In the event that the Committee wishes to review the appendix but finds that the public interest does not weigh in favour of maintaining the exemption under paragraph 3, it is RECOMMENDED that the item is deferred.

Under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) England Regulations 2012, regulation 5, the reasons for exemption of the listed item is shown below. (NB the exempt appendix will contain information which is commercially, legally or personally sensitive and confidential and should not be divulged to third parties. Members are reminded of standing order restrictions on the disclosure of exempt information and are invited to return their exempt documentation to the Local Democracy Officer at the conclusion of the meeting for shredding).

Item Exemption Para Nos. *

13 - 16/02047/PAMOD- Request to modify legal agreements attached to planning permissions 10/01247/FUL and 08/01941/FUL, being land adjacent to Queens Hotel Clarence Parade and Osborne Southsea - appeal against non-determination - Exempt appendix

*3. Information relating to the financial or business affairs of any particular persons (including the authority holding that information).

*5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

13 16/02047/PAMOD- Request to modify legal agreements attached to planning permissions 10/01247/FUL and 08/01941/FUL, being land adjacent to Queens Hotel Clarence Parade and Osborne Southsea - appeal against non-determination (Pages 73 - 106)

A non-determination appeal has been received in relation to 16/02047/PAMOD- a request to modify legal agreement attached to planning permission 10/01247/FUL and 08/01941/FUL land adjacent to Queens Hotel Clarence Parade and Osborne Road Southsea. It is necessary for Portsmouth City Council to be able to advise the Planning Inspector as to how the application would have been determined if the Local Planning Authority had issued the decision.

The purpose of this report is to brief the Planning Committee to enable it to establish its position in relation to the recommendation of the application, so that a record can be provided as part of the planning appeal.

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Whilst every effort will be made to webcast this meeting, should technical or other difficulties occur, the meeting will continue without being webcast via the Council's website.

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