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# NOTICE OF MEETING

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## GOVERNANCE AND AUDIT AND STANDARDS - (ASSESSMENT) SUB COMMITTEE

**FRIDAY, 23 FEBRUARY 2018 AT 9.30 AM**

**THE EXECUTIVE MEETING ROOM - THIRD FLOOR, THE GUILDHALL**

Telephone enquiries to Vicki Plytas on 023 9283 4058

Email: [vicki.plytas@portsmouthcc.gov.uk](mailto:vicki.plytas@portsmouthcc.gov.uk)

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

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(NB This agenda should be retained for future reference with the papers for the meeting.)

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

### **A G E N D A**

**1        Declarations of Interest**

**2        Election of Chair**

Members are asked to elect a Chair for the meeting.

**3        Exclusion of Press and Public**

**In view of the contents of the following item on the agenda the Committee is RECOMMENDED to adopt the following motion:**

**“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 items on the grounds that the reports contain information defined as exempt in Part 1 of Schedule 12A to the Local Government Act, 1972”**

**The public interest in maintaining the exemption must outweigh the public interest in disclosing the information.**

**Under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) England Regulations 2012, regulation 5, the reasons for exemption of the listed items is shown below.**

**(NB The exempt/confidential committee papers on the agenda will contain information which is commercially, legally or personally sensitive 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 Senior Local Democracy Officer at the conclusion of the meeting for shredding.)**

<b><u>Item</u></b>	<b><u>Exemption Para No.*</u></b>
<b>4. Complaint against a Member</b>	<b>1 and 2</b>
<b>*1. Information relating to any individual</b>	
<b>*2. Information that is likely to reveal the identity of an individual</b>	
<b>4 Complaint against a Member (Pages 3 - 22)</b>	

The sub-committee is asked to consider the report from the City Solicitor and determine the next steps.

Members of the public are now permitted to use both audio visual recording devices and social media during this meeting, on the understanding that it neither disrupts the meeting or records those stating explicitly that they do not wish to be recorded. Guidance on the use of devices at meetings open to the public is available on the Council's website and posters on the wall of the meeting's venue.

# Agenda Item 4

## **LOCAL ASSESSMENT CRITERIA**

The following criteria shall be applied by the Governance and Audit and Standards Initial Filtering Panel and the Governance and Audit and Standards Assessment Sub-Committee when considering allegations that a Member has failed to comply with the Members' Code of Conduct.

1. Is the complaint within the jurisdiction of the Panel or Sub-Committee?
2. Is it a complaint against one or more named Members or co-opted Members of the Council covered by the Members' Code of Conduct?
3. Was the named Member in office at the time of the alleged conduct and was the Code of Conduct in force at the time?
4. Would the complaint, if proven, be a breach of the Code under which the Member was operating at the time of the alleged misconduct?

NOTE If the complaint fails one or more of the above tests, it cannot be investigated as a breach of the Code.

5. Is there prima facie evidence of a breach of the Code?
6. Is it serious enough to warrant a sanction?
7. Is this part of a continuing pattern of less serious misconduct that is unreasonably disrupting the business of the Council and is there no other avenue left to deal with it except investigation?
8. In considering the case, the Initial Filtering Panel and the Assessment Sub-Committee will take into account the time that has passed since the alleged conduct occurred.
9. Would an investigation serve a useful purpose?
10. Is the case suitable for local investigation?
11. Does it appear that the complaint is really about dissatisfaction with a council decision?
12. Is there enough information currently available to justify a decision to refer the matter for investigation?

**Factors to consider when deciding whether the identity of the complainant and/or written summary of the allegation should be disclosed to the Member the subject of the allegation.**

1 Are there reasonable grounds for believing that the complainant will be at risk of physical harm if their identity is disclosed?

2 Is the complainant an officer who works closely with the Member and afraid of the consequences to their employment if their identity is disclosed?

3 Is there evidence of any medical risks associated with the complainant's identity being disclosed?

4 Is it feasible for the complaint to be investigated without the complainant's identity being disclosed (eg where the allegation is bullying of the complainant)?

5. Are there reasonable grounds for believing that disclosure of the complainant's identity and/or the provision of a written summary of allegation, may lead to intimidation of witnesses or the destruction of evidence.

**09**

**17/01192/HOU  
CRANESWATER**

**WARD:EASTNEY &**

**22 EXETER ROAD SOUTHSEA PO4 9PZ**

**CONSTRUCTION OF FIRST FLOOR EXTENSION TO REAR ELEVATION TO INCLUDE  
INSTALLATION OF FLAT ROOF TO REMAINING SECTION OF GROUND FLOOR REAR  
PROJECTION**

**Application Submitted By:**  
Miss Emma Gifford

**On behalf of:**  
Miss Emma Gifford

**RDD:** 10th July 2017  
**LDD:** 19th September 2017

### **SUMMARY OF MAIN ISSUES**

This application has been called to be determined at the Planning Committee by a deputation request from a neighbouring resident.

#### **Summary of main issues**

The determining issues in this application relate to the design of the proposal and whether it relates appropriately to the recipient building. Also whether the proposal would have any significant impact on the occupiers of the neighbouring properties.

#### **Site and Surroundings**

This application relates to an Edwardian style semi-detached property which is located on the western side of Exeter Road to the north of the junction with Festing Road. The surrounding area is characterised by unique semi-detached properties with the majority of properties retaining their original features.

#### **Proposal**

The applicant proposes to construct a first floor rear extension above the existing single storey lean-to extension which would provide an extension to the existing rear bedroom. It would have a pitched roof with a height of 7.5m and would be constructed along the side roof plain of the existing roof. It would have a width of approximately 4m and would be set back from the boundary with the neighbouring property No 24 by approximately 3m. It would have two vertical windows which would have the same height and align with the existing first floor window. The extension would be constructed of brick to match the recipient property with a slate roof. Exeter Road is characterised by a variety of different styles of terraced properties, a number of other properties within Exeter Road have two storey extensions, the majority of these have unsympathetic flat roof extensions.

The applicant also proposes to replace the existing 2.5m lean-to roof with a 3.2m flat roof. Therefore, the overall height of the roof would increase by approximately 0.7m.

## Planning History

In March 2017 a planning application was submitted for the construction of two storey extension to front/side elevation (Ref 17/00486/HOU). This was to accommodate a bathroom. After concerns regarding the amenities of the neighbouring occupiers to the north due to the close proximity of the extension to the nearest habitable rooms, the application was subsequently withdrawn to find an alternative location for the bathroom.

## POLICY CONTEXT

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

The aims and objectives of the NPPF would also be relevant in the determination of this application.

## CONSULTATIONS

None.

## REPRESENTATIONS

One letter of objection from a neighbouring resident has been received on the following grounds:

- 1) in-correct description;
- 2) loss of light to side kitchen window;
- 3) inappropriate materials;
- 4) attic windows not shown on drawings;
- 5) footings close to main sewer piper;
- 6) overdevelopment;
- 7) overbearing;
- 8) increased sense of enclosure

## COMMENT

The determining issues in this application relate to the design of the proposal and whether it relates appropriately to the recipient building. Also whether the proposal would have any significant impact on the occupiers of the neighbouring properties.

Taking into consideration the appropriate pitched roof design and its relationship with the recipient roofslope, the appropriate massing of the extension including its set back from the boundary with the neighbouring property No 24. Furthermore, due to the presence of other two storey extensions within the surrounding area, it is considered that the proposed two storey extension is considered to be appropriate in design terms and would relate appropriately to the recipient building.

Additionally, the replacement flat roof of the existing rear extension would be a modest alteration and would be an acceptable alteration to the recipient property and would not cause harm to the adjoining occupiers.

The neighbouring property to the north (No 20) has a two storey flat roof extension that projects further than the proposed two storey element. Therefore, it is considered that the proposal would not result in any significant impact on the occupiers of No 20 in terms of increased sense of enclosure, loss of light and overshadowing. *(original)*

The proposed first floor extension would be set back from the nearest habitable window on the property to the south (No 24). This would be set back by at least 3m. Therefore, taking into consideration the separation distance it is not considered that the proposed first floor extension

would result in any significant impact on the occupiers of No 24 in terms of increased sense of enclosure, loss of light and overshadowing.

The height of single storey extension would be altered to change from the lean-to to a flat roof. However, this would be a similar height to the existing and would not result in any significant impact on the neighbouring occupiers.

The only windows would be located on the rear elevation and given the separation distance of approximately 20 metres between the properties to the rear in Festing Road, it is not considered that the proposal would result in any loss of privacy to the neighbouring occupiers.

Other concerns raised in the objection letter include the description is incorrect. The objector is mainly commenting on the internal use. The location of the bedroom and the bathroom are not a relevant planning considerations with this application. It is considered that the description of development accurately reflects the proposal.

The objector has also commented stating that the proposed materials are inappropriate and would not relate appropriately to the recipient building. The application form states that the two storey extension would be constructed of brickwork and tiles to match the recipient property. A suitably worded condition would also be implemented ensuring that the development is constructed in materials to match the recipient building. Furthermore, the properties in Exeter Road are varied in character therefore; the majority of the properties are constructed in a variety of different materials including slate, tile, brickwork and render.

The close proximity of the footings to the main sewer pipe is an issue that is dealt with by the building control department and not a planning consideration.

It is therefore considered that the proposal is capable of officer support and is in accordance with PCS23 of the Portsmouth Plan.

## **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: 33-2016, and 33/2016-2.
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match, in type, colour and texture those on the existing building.

### **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 visual amenity in accordance with policy PCS23 of the Portsmouth Plan.

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Planning Services,  
Civic Offices,  
Guildhall Square,  
Portsmouth,  
PO1 2AU

24<sup>th</sup> August 2017

For the attention of **Ms Katherine Alger**.

Dear Madam,

**PLANNING APPLICATION NO 17/01192/HOU – 22 Exeter Road**

Construction of first floor extension to rear elevation to include installation of flat roof to remaining section of ground floor rear projection (17/01192/HOU).

In this Application the Applicant makes reference to the Pre-application Advice given in respect of an earlier Application (17/00486/HOU – “Construction of first floor extension to rear elevation to include installation of flat roof to remaining section of ground floor projection”) which was subsequently withdrawn. We have been advised by the Planning Department (15<sup>th</sup> Aug 17) that every Application must stand alone and cannot be supported by previous Applications and therefore the references from an earlier Application would appear to be invalid.

We wish to object to the current Application for the following reasons:

**The Planning Application.**

**Paragraph 3. Description of Proposed Works.**

The description is wrong. The work is to provide another (2<sup>nd</sup>) Bathroom and to recover some of the size of bedroom 1, lost through the addition of the new bathroom, by a first floor half rear extension to the northern side.

**Paragraph 6. Pre-application Advice.**

We understand that there has NOT been any Pre-application Advice in respect of THIS application.

We note the Pre-application Advice on Application No 17/00486/HOU (amended to

read “construction of a two storey extension to front/side elevation”) included the statement that the Planning Officer thought this (the rear extension) inappropriate and too large. There was **NO** mention that the Planning Officer thought the rear extension could potentially restrict light to Neighbour (24) and a suggestion that a half extension as an alternative, would not be an issue.

We are not aware of any evidence that the Planning Officer gave such advice, but if so we consider that the Planning Officer may not have realized that the roof to the rear extension at number 24 is tiled, with no windows. Also the Planning Officer may not have been aware of our kitchen/diner window (South side of our property) which provides light and some solar heating to our kitchen/diner.

On a site visit by the Planning Officer at 1500 on 7<sup>th</sup> August 2017 details of our kitchen/diner window were taken and concern was expressed over our right to light and that this would need further research (see enclosed copy of photograph, of sunlight onto our kitchen/diner window).

### 3. Paragraph 11. Materials.

Roof – description. The existing roof is not Slate, it is concrete roof tiles. The proposed material of slate would be at odds with the rest of the roof.

Walls – description. The existing bricks are Common Burnt Clay Bricks. The proposed material should be clarified as Common Burnt Clay Bricks.

Windows – description. The use of Anthracite grey PVCu would, we consider, be out of keeping with the remainder of the property, especially at the front. There is no mention whether the new Bathroom window glass will be obscure?

If it is obscure this will be an adverse aspect of the front elevation, as was highlighted by Mr. and Mrs. Watkinson’s objection to Application 17/00486/HOU, the paragraphs headed “Size, Function and Appearance of First Floor Window” all of which we strongly support.

We also note that additional drawings box question has the “no” box ticked yet there are drawings submitted.

### 4. Drawings.

The following errors and omissions are drawn to the Planning Departments attention:

Drawing 33/2016 – 1 (Existing).

Our kitchen window is actually located further east than shown.

Front Elevation/Street Scene (East) - there is no chimney on the south side of our property.

Section A.A. South does not show the existing bathroom.

The Side Elevation North view does not show the attic windows (2).

#### Drawing 33/2016-2 – (Proposed)

The cross section lines in red A to A on the Ground Floor and First Floor Plans are NOT level and as such make reading the drawing impossible without some guesswork!

#### The Ground Floor Plan.

Our kitchen window is actually located further east than shown.

#### First Floor Plan.

Why is the measurement “4500.0” approximate? This is a key measurement!

#### Side Elevation North.

The solid line between the existing roof and the proposed new roof (below the lightly shown Chimney Breast) is not understood as the application implies that these two roofs will merge?

The application of “White Pro-rend finish to extension” would be inappropriate to the existing North wall.

The dotted line shown at where the existing structure exists is not understood; surely the new extension would blend into the existing structure?

Attic windows (2) not shown.

#### Section A.A.

Due to the cross section lines in red A to A on the Ground Floor and First Floor Plans not being level it is very difficult to understand this view.

There are no details of the attic bedroom shown.

#### Other concerns.

As mentioned in our objections to Application 17/00486/HOU we still have concerns that there is recent relevant history to the property, the construction of a single storey extension to the rear which encompassed the then existing conservatory. This resulted in

Building Control visiting and requiring considerable reworking of the extension prior to being purchased by the present occupants.

It remains a major concern to us that the footings of the Northern wall are extremely close to the main sewer pipe (about 1 meter diameter), we understand that Building Control eventually just accepted the footings for the conservatory extension but that Southern Water have NOT accepted these footings as being acceptable. The sewer runs right along the very edge of the proposed extension and it remains a major concern to us as we have recently had to have extensive damp proofing work carried out along our entire wall north of the proposed extension.

Will the proposed extension have adequate footings under the north wall to support the new extension?

The extension WILL be an obstruction, limiting the amount of sunlight/daylight coming through our Kitchen/Diner window, in the south wall, drastically reducing our quality of living environment which has been enjoyed since 1989, to an unacceptable level, requiring the constant use of electric lighting throughout the day, also reducing our passive solar heating, thus increasing our need for heating.

Applying the Building Research Establishment 25 and 45 degree light tests show that the proposed extension would fail both tests. Both the 45 degree test and the 25 degree test would result in an obstruction angle greater than 65 degrees for which the Building Research Establishment advice is "it is often impossible to achieve reasonable daylight".

We consider this proposal to be overdevelopment, oppressive and overbearing. We would suffer a greater sense of enclosure and being hemmed in particularly in our Kitchen/Diner where we currently entertain both family and friends, due to both the close proximity and height which would result from the extension, reducing our quality of living environment.

Should this Application be referred to the Planning Committee we would welcome the opportunity to speak.

Yours faithfully

Enclosure: Copy of photograph of sunlight onto our Kitchen/Diner window.

Good Afternoon to you.

We assume that you have read our objections and will try not to be repetitious.

There are 2 main issues in this matter.

1. VALIDITY.

The current Application is for a 2 storey half rear extension.

The Applicant QUOTES from an earlier Application Pre App – 17/00486/HOU - dated 20/3/17, which was for a 2 storey extension to the FRONT of the property.

We have been told by the Planning Department that each Application should stand alone and that a Pre App cannot be transferred from one matter to another; (advice subsequently also endorsed by one of our Ward Councilors).

This appears to us to invalidate the current Application.

Hopefully the Planning Department can clarify why this was accepted.

.....

2. RIGHT TO LIGHT.

The Council website states that the Council will take into account the effect on the amenity on neighbours' Loss of Light and this is what we seek.

The Law Commission states the planning system gives protection to Right of Light and that Local Planning Authorities may use the Building Research Establishment Daylight and Sunlight guide to assess loss of light.

Applying the Building Research Establishment tests for loss of light (as recommended for use by Councils) results in a classification of "OFTEN IMPOSSIBLE TO ACHIEVE REASONABLE DAYLIGHT" IN OUR KITCHEN/DINER.

We hope the Planning Department will show you their calculations using this guide.

.....

Some months ago the Applicant's resident partner mentioned, in casual conversation, that they were considering applying for Planning permission for a 2 Storey extension at the rear.

We invited him in to see our Kitchen/Diner window and how this lit the south side of our Kitchen/Diner and how the extension would TOTALLY block all sunlight/daylight and drastically affect our way of life.

He agreed the point and commented "Oh that's not on then. We will look at other ways".

Hence the Application for a 2 storey extension to the Front, subsequently withdrawn, due to several objections, including our concern over the loss of light to habitable rooms.

~~The current Application is made by the other Occupant choosing to totally ignore the~~  
~~Concern over the loss of light to habitable rooms.~~

.....  
With regard to the Planning Departments comments we wish to say:-

### PROPOSAL

Last sentence – NO other properties, to the West, have 2 storey extensions. There are a MINORITY of properties with flat roofs from the original build. This Extension would become overbearing in relation to adjacent properties.

### PLANNING HISTORY

The internal use of the Extension is not within the Planning Departments remit so why mention.

We fail to see how this Application differs, as it would have a major affect on our amenities due to the close proximity to our Habitable Kitchen/Diner.

Again the internal use of the Extension is not within the Planning Departments remit.

### REPRESENTATION

Item 2. It is A KITCHEN/DINER not just a kitchen, and as such is very much a HABITABLE room being the centre of the household - used for general daytime and evening living e.g. Reading, taking Breakfast, Lunch, Tea & Dinner as well as for informal entertaining of Family & Friends, Parties such as Halloween/Birthdays and Xmas celebrations etc are all held there.

The Planning Portal states that there is no legal definition of HABITABLE but qualifies it in 3 contexts, ALL of which state that a Kitchen is a habitable room.

### COMMENT

Para 4. Our single floor extension is NOT within the boundaries of the Application and this comment is irrelevant.

The proposed Extension affects our residence's South wall, where the Kitchen /Diner window is located. It cannot just be ignored; it MUST be an inevitable intrusion to our

Amenities, Loss of Light and Overshadowing, which is already restricted by the existing ground floor extension.

Para 5. There is NO mention of the 90 Centimeter gap to our property, just the 3metre gap towards No 24.

Para 8. We have made NO comments on the internal use other than to identify locations, so irrelevant again.

Some of our comments arise from a lack of accuracy by the applicant in answering questions, again ignored by the Planning Department.

We note that the internal use seems to be acceptable for the Applicant to use in the Description of Works.

Para 9. The Application does NOT state “materials will match existing materials” as some existing materials are incorrectly described. The proposed Condition would resolve this.

The Planning Departments Comment’s seem to have been written to support the Applicant and do NOT address ANY of our objections, the main one being our Right to Light.

#### RECOMMENDATION

Para 2. The measurement of 4,500.0 on the first floor plan should NOT be Approx but should be Maximum.

.....  
We consider that:-

This Application is NOT VALID (use of other Pre App).

The Planning Department should respect our Right to Light (under the Prescription Act 1832) and safeguard this right.

Issue Photographs.....

Any Questions?

Thank you very much for your time.

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Members' Questions

In response to questions the following matters were clarified:

- Bedrooms 3 and 4 on the existing plan would both be subdivided to create the additional two bedrooms, creating 6 bedrooms in total.
- Bedrooms 3 and 4 would be smaller than the minimum requirements if the amendments to the HMO SPD are approved.
- There is no bathroom on the first floor just a WC. There are 3 WCs in total.
- Based on the information in the proposed new SPD bedrooms 7 and 8 could be let as double rooms however there may not be enough communal space for additional occupants.
- The Private Sector Housing team have based their response on room sizes and advised they are suitable for a single individual occupancy.

Members' Comments

One member felt that this application should be deferred until a decision on the amendments to the HMO SPD had been made. It was noted that under the new HMO SPD two of the bedrooms would be under the minimum size standards. Other members commented that the committee has to consider the applications with the position as it stands today and this application is reasonable. There was concern that there is no bathroom on the first floor and also that in the future 10 people could be living in the property which would be an over intensification.

**RESOLVED that conditional permission be granted, subject to the conditions outlined in the City Development Manager's report.**

**128. 17/01192/HOU - 22 Exeter Road Southsea PO4 9PZ (AI 14)**

(Councillor Steve Pitt was not present for this item)

The planning officer introduced the report.

Deputations were then heard whose points are summarised:

objector, whose points included:

- Lack of accuracy by the applicant in their measurements.
- No mention in the officers report of the 90cm gap to his property
- States on the council's website that a resident's right to light should be taken into account. The proposal will block out light from his kitchen diner where they spend a lot of their time.
- Overbearing effect on adjacent properties.
- No properties to the west have two storey extensions.
- Invited his neighbour in so he could see the how much light they have in their kitchen/diner with the single storey extension and they commented that a second storey would impact further on their loss of light and they would rethink their plans.

- Will have a major effect on their amenities.

#### Members' Questions

In response to questions the following matters were clarified:

- Officers are not suggesting that because the single storey extension was permitted that a second storey would not have much more of an impact on the neighbouring property.
- Members need to consider the relationship of the window between the two properties and the amount of light that will be reduced if a second storey is permitted.
- The 45 degree angle is a rule of thumb guidance and not law.

#### Members' Comments

Members commented that if the neighbouring property only had one window in their kitchen/diner they would be very concerned and object to the application, however as there are two windows (one obscured glazed) felt that the neighbouring property would still have sufficient light.

**RESOLVED that permission be granted subject to the conditions set out in the City Development Managers report.**

~~100-1701214/HOU-56 Stubbington Avenue Portsmouth PO2 0JA (AL45)~~

The planning officer introduced the report and reported in the supplementary matters list that a representation in support had been received from Councillor Young commenting: "I have sat in front of the planning committee several times to make deputations on planning applications for HMOs in this part of the city and one of residents biggest concerns is the impact on parking that these developments will have on the city. Here we have an application which is to create on road parking and the planning department decides to reject it. This application, I believe will have minimal street impact and will improve safety for the applicant"

The harm raised by the Highways Authority and identified in the reason for refusal relates solely to the impact on highway safety.

Deputations were then heard whose points are summarised:

Councillor Alicia Denny, ward councillor whose points included:

- Not many pedestrians using Stubbington Avenue apart from school drop off and pick up times, therefore this would not impact on pedestrians.
- If this is a statutory road why are there not double yellow lines down both sides of Stubbington Avenue?
- This proposal would remove one parked car from the road.
- The applicant only wants to park a small car on the forecourt, although not sure how there would be control over the size of the car that parks in the space if the applicant were to move.

## **PLANNING COMMITTEE**

MINUTES OF THE MEETING of the Planning Committee held on Wednesday, 20 September 2017 at 1.00 pm 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 Jim Fleming (Chair)  
Frank Jonas BEM (Vice-Chair)  
Jennie Brent  
Colin Galloway  
Steve Hastings  
Lee Hunt  
Hugh Mason  
Robert New  
Steve Pitt  
Tom Wood (Standing Deputy)

### **Also in attendance**

Councillors Alicia Denny and Linda Symes

### **Welcome**

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

### **Guildhall, Fire Procedure**

The chair, Councillor Fleming, 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.

### **116. Apologies (AI 1)**

Apologies for absence were received from Councillor David Fuller, Councillor Tom Wood was present as his standing deputy.

Councillors Robert New and Steve Hastings apologised as they would need to leave the meeting early. Councillor Lee Hunt apologised for arriving late to the meeting.

### **117. Declaration of Members' Interests (AI 2)**

#### 110-114 Palmerston Road

Councillors Robert New and Jim Fleming declared prejudicial interests as they know the owner of the premises. They would leave the room during the consideration of this application.

#### Members' Questions

In response to questions the following matters were clarified:

- Bedrooms 3 and 4 on the existing plan would both be subdivided to create the additional two bedrooms, creating 6 bedrooms in total.
- Bedrooms 3 and 4 would be smaller than the minimum requirements if the amendments to the HMO SPD are approved.
- There is no bathroom on the first floor just a WC. There are 3 WCs in total.
- Based on the information in the proposed new SPD bedrooms 7 and 8 could be let as double rooms however there may not be enough communal space for additional occupants.
- The Private Sector Housing team have based their response on room sizes and advised they are suitable for a single individual occupancy.

#### Members' Comments

One member felt that this application should be deferred until a decision on the amendments to the HMO SPD had been made. It was noted that under the new HMO SPD two of the bedrooms would be under the minimum size standards. Other members commented that the committee has to consider the applications with the position as it stands today and this application is reasonable. There was concern that there is no bathroom on the first floor and also that in the future 10 people could be living in the property which would be an over intensification.

**RESOLVED that conditional permission be granted, subject to the conditions outlined in the City Development Manager's report**

#### **128. 17/01192/HOU - 22 Exeter Road Southsea PO4 9PZ (AI 14)**

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The planning officer introduced the report.

Deputations were then heard whose points are summarised:

objector, whose points included:

- Lack of accuracy in the applicants answers to questions.
- No mention in the officers report of the 90cm gap to his property
- States on the council's website that a resident's right to light should be taken into account. The proposal will block out light from his kitchen diner where they spend a lot of their time.
- Overbearing effect on adjacent properties.
- No properties to the west have two storey extensions.
- Invited his neighbour in so he could see the how much light they have in their kitchen/diner with the single storey extension and they commented that a second storey would impact further on their loss of light and they would rethink their plans.

- Will have a major effect on their amenities.

#### Members' Questions

In response to questions the following matters were clarified:

- Officers are not suggesting that because the single storey extension was permitted that a second storey would not have much more of an impact on the neighbouring property.
- Members need to consider the relationship of the window between the two properties and the amount of light that will be reduced if a second storey is permitted.
- The 45 degree angle is a rule of thumb guidance and not law.
- Officers had not completed a specific calculation on the impact on loss of light.

#### Members' Comments

Members commented that if the neighbouring property only had one window in their kitchen/diner they would be very concerned and object to the application, however as there are two windows (one obscured glazed) felt that the neighbouring property would still have sufficient light.

**RESOLVED that permission be granted subject to the conditions set out in the City Development Managers report.**

**17/01214/HOU - 56 Stubbington Avenue Portsmouth PO2 0 1A (AI 15)**

The planning officer introduced the report and reported in the supplementary matters list that a representation in support had been received from Councillor Young commenting: "I have sat in front of the planning committee several times to make deputations on planning applications for HMOs in this part of the city and one of residents biggest concerns is the impact on parking that these developments will have on the city. Here we have an application which is to create off road parking and the planning department decides to reject it. This application, I believe will have minimal street impact and will improve safety for the applicant"

The harm raised by the Highways Authority and identified in the reason for refusal relates solely to the impact on highway safety.

Deputations were then heard whose points are summarised:

Councillor Alicia Denny ward councillor whose points included:

- Not many pedestrians using Stubbington Avenue apart from school drop off and pick up times, therefore this would not impact on pedestrians.
- If this is a statutory road why are there not double yellow lines down both sides of Stubbington Avenue?
- This proposal would remove one parked car from the road. The applicant only wants to park a small car on the forecourt, although not sure how there would be control over the size of the car.

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