

PLANNING COMMITTEE

MINUTES OF THE MEETING of the Planning Committee held on Wednesday, 9 September 2020 at 2.00 pm in the Virtual Remote Meeting - Remote

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

Present

Councillors David Fuller (Chair)
Judith Smyth (Vice-Chair)
Matthew Atkins
Chris Attwell
Lee Hunt
Donna Jones
Terry Norton
Lynne Stagg
Luke Stubbs
Claire Udy

Welcome

The chair welcomed everyone to the meeting and introductions were made.

58. Apologies (AI 1)

There were no apologies for absence.

59. Declaration of Members' Interests (AI 2)

Item 6: 56 Arundel Street, Portsmouth, PO1 1NL - 19/01919/CS3

The Legal Advisor declared a conflict of interest under the solicitor's code of conduct so he would be represented by Peter Baulf, City Solicitor, for this item.

Item 7: Brewery House, 18 - 20 Hambrook Street, Southsea, PO5 3BE - 19/01910/CS3

The Legal Advisor said that the Local Democracy Officer had a non-prejudicial interest in this item as she lives in the area. She had been advised that this does not interfere with her administrative functions and therefore is not a prejudicial interest.

Item 9: 29 Marine Court, Southsea, PO4 9QU - 19/01865/HOU

Councillor Jones did not have a personal or prejudicial interest but declared that she has a friend who lives next door but one to the property and the applicant knows her friend. The applicant, who works for the council, had asked Councillor Jones about progress on the application earlier this year. Councillor Jones has had no other contact with the applicant.

Councillor Udy has friends who live in Marine Court but not in this particular property so she did not have an interest.

60. Minutes of previous meeting - 22 July 2020 (AI 3)

RESOLVED that the minutes of the Planning Committee held on 22 July 2020 be approved as a correct record subject to the following amendment:

The sentence "The Committee's support for the application was noted" to be added at the end of the resolution for item no.48 (19/01322/FUL - Forest Lodge, Locksway Road, Portsmouth, PO4 8LU).

61. Minutes of previous meeting - 12 August 2020 (AI 4)

RESOLVED that the minutes of the Planning Committee held on 12 August 2020 be approved as a correct record.

62. Update on previous applications (AI 5)

The Head of Development Management gave the following updates:

There had been six appeals against refusals by the Local Planning Authority (LPA), of which four were HMOs and two were full applications (one for a new dwelling, one for a conversion from a one to two-bedroom apartment with side dormers). Appeals were dismissed and also four cost award applications on the HMO were refused.

The six appeals against enforcement action against HMO's noted at the meeting on 22 July have gone to a Planning Inquiry whose decision will have an impact across HMOs within the city.

63. 56 Arundel Sreet, Portsmouth, PO1 1NL - 19/01919/CS3 (AI 6)

The Planning Officer presented the report and drew attention to the Supplementary Matters which reported that:

Following the publication of the Committee papers, one further letter of representation has been received from the owner of 54D Arundel Street adding to their previously reported objection. The additional objection relates to the standard of insulation within their own dwelling and the potential impact of noise associated with the proposed balconies.

As set out within the Committee report, a planning condition is already proposed to address the potential impact of the development on the occupiers of 54D & 54E Arundel Street in terms of loss of light, outlook and privacy. Whilst it is accepted that the proposed balconies would be located in close proximity to the flank elevation and roof of these two properties, given their modest scale and location of the site within the city centre where a degree of noise is to be expected, it is not considered that the use of the balconies would have a significant adverse impact on the amenity of the adjoining occupiers.

Councillor Hugh Mason gave a deputation in support of the application.

Deputations are not included in the minutes but can be viewed on the livestream on the following link

<https://democracy.portsmouth.gov.uk/ieListDocuments.aspx?CId=157&MId=4552&Ver=4>

Members' Questions

In response to questions from members, officers explained that:

- Build To Rent as defined by National Planning Policy & Guidance (NPPG) supersedes guidance in the council's own policies. It is a form of affordable housing that has not been seen before in Portsmouth. Properties are managed by a single owner who rents units to individuals at a market reduction. Members cannot request the applicant takes people from the council's housing waiting list but under planning conditions the applicant is required to give details of the affordable housing element, including eligibility and selection to ensure affordable units go to those eligible for it. Making an amendment to say the applicant should take people from the waiting list is an option to members but the proposal does not suggest it as a recommendation as the provision of affordable housing offered is 25% (more than the required minimum of 20%). It could be considered that the additional number of units outweighs any requirement to take people from the waiting list.
- The same applicant has submitted an application to develop Brewery House (19/01910/CS3). Five units in Arundel Street will represent Brewery House's provision towards affordable housing.
- A family home as defined in PCS19 is one with three or more bedrooms. The number of family dwellings required depends on the site location and type of accommodation. The proposed mix of units is considered suitable for the Arundel Street location and likely residents. Thirteen out of 76 units have three bedrooms which is approximately 16% of the total.
- As with all applications it is irrelevant whether the applicant is a private developer or not. Officers are satisfied that the Arundel Street application is compliant with affordable housing policy. It is always open to developers to transfer affordable housing from one site to another or even to third parties but the uplift is higher with off-site properties. Members have to assess the Arundel Street application on its own merits.
- There is no need for an affordability assessment as officers are satisfied affordable housing policy is being met with regard to the Section 106 agreement so no development appraisal has been submitted for viability; this is required only where developers are unable to fund policy requirements. The developer proposes to exceed the affordable housing requirement, depending on the outcome of the Brewery House application.
- Officers have received full comments from the Hampshire Fire & Rescue Service and a series of informatives will be incorporated into the design.
- A condition enhances biodiversity through additional planting around the site and on the balconies. There is no evidence of peregrine falcons but bird and bat boxes will be provided.
- The "green roof" is part of the biodiversity and wind mitigation strategy to ensure comfortable wind levels around the building. It is not intended as an amenity for residents and it is also near bedrooms and living rooms so it is not accessible to residents. External space is provided by balconies.
- There will be a degree of disruption for the occupants of 54D and 54E Arundel Street when their windows are moved from the side to the front of their

properties. The LPA is aware discussions have taken place and a site visit took place with two surveyors. The timescale of the work is not known yet. However, disruption will be mitigated by the improved outlook from the new windows which will give on to the street.

- Officers have sought assurance from the applicant that the planters on the balconies will be maintained as they are an integral part of the building's design. The applicant has confirmed their intention to continue with the "greening" of the building. Planters will be maintained by a remote irrigation system which does not require access through individual flats. Residents will be made aware this is a feature of their flats. An advantage of having the flats under a single ownership is continuity in maintaining the planters. Even if they failed, it is still an attractive building.
- There is no communal space other than the cycle store and entrance.

Members' Comments

- The building has a good appearance and improves the Arundel Street area. Having more people living in the city centre above shops revitalises high streets and makes them more viable. It was helpful seeing the application in conjunction with the Royal Mail site.
- There was some concern about the financial viability of the building bearing in mind that each unit costs about £300,000 to build. The development may become a debt burden for the council, particularly if the property market is volatile.
- The development uses a different funding source from social housing which is why applicants are not taken from the housing waiting list. It needs to make commercial sense for the council to proceed as they are borrowing money to build it.
- It would be beneficial to have a councillor on the Ravelin Group (the developer) as well as officers on both the housing company and the parent company.
- The lack of parking is a concern and it is unfeasible that over 200 people might share cars. However, electric car and cycle schemes are promising and the building is very close to rail and bus links.
- There are not many family homes in the mix of units so likely residents may be graduates who are attracted to regenerated areas. The lack of three-bedroom units in the affordable provision is unsatisfactory. It is unacceptable to criticise lack of housing but not take people from the waiting list. The Assistant Director Planning explained that according to the NPP Guidance local authorities should refrain from having direct nomination rights from their housing list. However, authorities may wish to suggest potential candidates from the lists, taking into account the affordability of the homes to those on the lists. Therefore, there is the opportunity and flexibility to suggest relevant potential candidates from the housing waiting list under planning condition 19 or a Section 106 agreement.
- The lack of communal space and lack of access to the "green roof" are disappointing as there are fewer opportunities for residents to meet. The "green roof" could have been an opportunity for people to work together and perhaps form a residents' association.
- The environmental features such as trees, planters and heat pumps are a positive aspect of the building.
- In some cities high-rise living and "cities in the sky" are now the norm.
- The proposed acid yellow colour of the cycle store is unattractive. The ground floor could be an opportunity to display art work.

RESOLVED

Permission was granted subject to the conditions set out in the report and delegated authority granted to the Assistant Director of Planning & Economic Growth.

Councillor Lee Hunt joined the meeting at 3.30 pm.

64. Brewery House, 18 - 20 Hambrook Street, Southsea, PO5 3BE - 19/01910/CS3 (AI 7)

The Planning Officer presented the report and drew attention to the Supplementary Matters which reported that:

Following the submission of an amended drawing to clarify the position of obscure glazed windows as required by Condition 13, Condition 2 (approved plans) has been updated to read as follows:

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:

*P19053-RFT-00-00-DR-A-0100 Rev-P01;
P19053-RFT-00-00-DR-A-0120 Rev-P01;
P19053-RFT-00-03-DR-A-0204 Rev-P01;
P19053-RFT-00-ZZ-DR-A-0200 Rev-P07;
P19053-RFT-00-ZZ-DR-A-0201 Rev-P04;
P19053-RFT-00-ZZ-DR-A-0300 Rev-P03;
P19053-RFT-00-ZZ-DR-A-0301 Rev-P04;
P19053-RFT-00-ZZ-DR-A-0401 Rev-P01;
P19053-RFT-00-ZZ-DR-A-0402 Rev-P01.*

The Planning Officer read out a deputation from Alicia Denny against the application.

Councillor Hugh Mason gave a deputation in support of the application.

Deputations are not included in the minutes but can be viewed on the livestream on the following link

<https://democracy.portsmouth.gov.uk/ieListDocuments.aspx?CId=157&MId=4552&Ver=4>

Members' Questions

In response to questions from members, officers explained that:

- The north, south and west elevations of Brewery House have no impact on neighbours. The east elevation is close to the St George's Court sheltered housing scheme. When St George's Court was built the proximity and impact of Brewery House was taken into account so most of its east side windows give on to corridors. At the ground floor there is little additional impact as pedestrians can already walk past St George's Court's windows as there is an alleyway running between the two buildings. The conditions relate mainly to flats on the first and second floors. Four flats (two on the first floor, two on the second floor) have

obscure glazed windows. One window in three in the affected rooms is obscure and there is no significant impact on living conditions in the flats.

- A bat survey was undertaken but not submitted as part of the original application. The council's ecologist said there was potential for bat roosts and gulls. A survey has since been passed to the ecologist who agrees there is limited opportunity for bats and no evidence of nesting gulls (though the flat roof is suitable nesting). The ecologist has proposed two informatives concerning the re-provision of bat roosts and bird boxes.
- The Highways Authority has considered the Parking Standards Supplementary Planning Document which uses the premise that in the most highly accessible areas the expectation is that parking is lower. It is acknowledged that some residents will have cars but it is also possible to live in the area without one. Members have to make a judgment and weigh up the benefits and disadvantages of the proposal as a whole.
- The local authority does not design buildings for applicants but noted that the design of the roof was a "bold solution" so has required the applicant to use the highest quality materials and to consider different ways of dealing with valleys and pitches. A design with the low point of the pitches at the end of the north and south elevations gave the building an "apologetic" appearance.
- There are car parking spaces underneath Portsmouth University's Burrell House but there have been no discussions yet with the University about using them for Brewery House residents. The applicant could explore this option but it is not a requirement for them to do so.
- Solar panels will be installed in the south facing valleys to maintain the crisp features of the roof.

Members' Comments

- The proposal has no adverse ecological effect.
- Some members felt the lack of parking was a reason for refusal. There are only seven unused parking permits in the area's Residents' Parking Zone and it is not as accessible as the Arundel Street development. On the other hand, buildings cannot be re-used if parking is a constraint.
- It is good to bring an unused building back to life.
- Some members felt the design, particularly the roof, was unsympathetic to the area whereas others thought it was very attractive and striking.
- Exploring the option with the University of using some of the Burrell House car parking spaces is recommended.
- The building could be used for other purposes such as an art gallery.
- There is a lack of family housing in the proposed development.

RESOLVED

Permission was granted subject to the conditions set out in the report and delegated authority granted to the Assistant Director of Planning & Economic Growth.

65. 69 Stanley Avenue, Portsmouth, PO3 6PL - 19/01916/HOU (AI 8)

The Planning Officer presented the report.

Members' Questions

In response to a question from members, the Planning Officer explained that the application would not have needed to come before the Planning Committee if the applicant's partner had not been employed by the council but it would still have required planning permission.

Members' Comments

There were no comments from members.

RESOLVED

Permission was granted subject to the conditions set out in the report and delegated authority granted to the Assistant Director of Planning & Economic Growth.

66. 29 Marine Court, Southsea, PO4 9QU - 19/01865/HOU (AI 9)

The Planning Officer presented the report and drew attention to the Supplementary Matters which reported that:

3 no. further comments have been received.

1 no. support.

2 no. objections:

a) Any overlooking should be prevented

b) Significantly overbearing

The objections detailed above are not new matters. The above have been considered within the Committee Report and it is concluded that the proposal would not have an adverse impact upon the neighbouring amenities.

Members' Questions

There were no questions from members.

Members' Comments

The proposal is a good addition to the community.

RESOLVED

Permission was granted subject to the conditions set out in the report and delegated authority granted to the Assistant Director of Planning & Economic Growth.

The meeting concluded at 4.52 pm.

Signed by the Chair of the meeting
Councillor David Fuller

