

PLANNING COMMITTEE

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

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

Present

Councillors

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. In case of technical problems Councillor Donna Jones would chair the meeting.

86. Apologies for absence (AI 1)

Apologies for absence had been received from Councillor David Fuller; he was represented by standing deputy Councillor Hugh Mason.

87. Declaration of Members' Interests (AI 2)

Items 7 and 8: 44-46 Palmerston Road, Southsea, PO5 3QG - 20/00620/FUL and 20/00621/LBC

Councillor Donna Jones did not have a personal or prejudicial interest in the site of the former Debenhams. Councillor Jones declared that the applicant had directly contacted her and Councillor Steve Pitt on a number of occasions over the last couple of weeks to discuss ongoing issues surrounding the application. She had met the applicant last Friday together with Councillor Luke Stubbs, Councillor Pitt and Planning officers.

The Legal Adviser advised Councillor Jones if she considers that she has an open mind and that there is no bias she could participate in discussions on the agenda item.

Councillor Stubbs declared that he was at the meeting with the applicant and officers on Friday. He had been contacted directly by the applicant on matters of process, not the merits of the application, which would not prevent him from voting.

Councillor Jones did not go on to confirm if she had an open mind and that there was no bias; however, she later participated in the vote to defer the Debenhams application.

Councillor Hugh Mason declared he had been contacted by the applicant and objectors to the proposal. He has an open mind so does not have a declarable interest.

Councillor Chris Attwell and Councillor Judith Smyth declared they had been contacted by the applicant but had declined the invitation to meet.

88. Minutes of previous meeting - 4 November 2020 (AI 3)

RESOLVED that the minutes of the Planning Committee held on 4 November 2020 be approved as a correct record.

89. Update on previous applications (AI 4)

The Head of Development Management reported that six appeals against the local authority had been dismissed and one allowed. Two appeals against refusals are pending with the Planning Inspectorate; one is for an advert consent appeal and one for a householder appeal. One of the dismissed appeals had been for land at Enterprise House, Brunel Road, for a 10-storey student accommodation block. The Planning Inspector considered the 12 to 13 metre setback from an adjacent block was insufficient and would have an adverse impact on future occupiers of the proposed and existing buildings. The street scene and the block's height and siting were also taken into consideration. Officers will use the Inspector's reasoning in considering future applications.

The upheld appeal was for 66 Margate Road. The Planning Inspector disagreed there would be an adverse impact on living conditions with regard to internal communal space provision. There was a 5.7m² shortfall but the overall floor area was far and above the recommendations in the Supplementary Planning Document (SPD). Also, the Inspector had viewed the bedrooms as providing in excess of that required in our SPD, and thought they provide acceptable living space for future occupiers.

One of the dismissed appeals was for 74 Jessie Road. The Inspector considered that the space was not at all sufficient to provide a good standard of accommodation for current and future users.

Members thought that the fact that most appeals relating to HMOs were dismissed showed the Planning Committee was justified in its approach. Members were sometimes cautious in making decisions that might lead to an appeal but their decisions had helped to improve housing standards.

The Head of Development Management confirmed that the Planning Inspector would refuse to award costs against the local authority where it had reached a reasonable decision after following due process and had given specific reasons for its decision.

90. Reconstitution of Definitive Map and Statement (AI 5)

The Senior Active Travel Officer presented the report and explained the background to the reconstitution of the Definitive Map and Statement. Harry Goodchild, Map Review Manager for Hampshire County Council, was present for this item.

Members' Questions

- Members queried whether the Planning Committee was entitled under the council's constitution to approve the sealing of the new Definitive Map and Statement; the Cabinet or Full Council may need to endorse the decision to prevent challenges to the document's authority.
- Councillor Jones requested that her concerns over the matter coming before the Planning Committee be noted.
- The Legal Adviser advised member that officers had considered the constitutional position and confirmed that the Planning Committee was the correct body to determine the matter. The Legal Adviser confirmed that Portsmouth City Council had taken advice from Hampshire County Council on the constitutional position and confirmed that it is for the Planning Committee to approve the Legal Modification Event Order (LEMO) and the map and statement.
- Mr Goodchild said he had received an email in May from Kieran Laven, Solicitor (Planning & Highways), containing details of a discussion with the City Solicitor, who had confirmed the matter was within the Planning Committee's remit.
- The Legal Adviser referred members to the sections of Hampshire County Council's advice relating to Portsmouth City Council's constitution. Part 2 sets out decision making, responsibilities and functions. Part 2 Section 1 sets out where responsibilities for particular functions and decision making lie. Part 2 Section 2 sets out the Planning Committee's responsibilities, which include not only all functions relating to Town and Country Planning and Development Control specified in Schedule 1 of the 2000 Regulations, but also includes a subheading of highways and functions relating to public rights of way as set in out the schedules of the 2001 Regulations.
- The Senior Active Travel Officer explained that the map and statement had been based on previous versions and consultation with the public. Under the Wildlife and Countryside Act 1981 the council has to keep the map and statement under continuous review. The public can apply for routes to be added.
- The decision to refuse a right of way in the Camber by the Traffic & Transportation portfolio meeting in July 2017 had led to the decision to reconstitute and republish the Definitive Map and Statement as previous versions were unverified.

Members' Comments

The Chair said the Definitive Map and Statement was a sterling piece of work and thanked all involved for the enormous amount of work they had done.

RESOLVED to approve the sealing of a new Legal Event Modification Order and the sealing of the Definitive Map and Statement.

91. Queen Alexandra Hospital - 20/01256/FUL (AI)

The Planning Officer presented the report. Peter Hayward, Island Highway & Transport Consultants, and Trevor Mose, Head of Property and Capital Development, Portsmouth Hospitals University NHS Trust, were present for this item.

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

Comments

The consultation period for the application expired on 4th December 2020.

No public representations received.

The following consultee comments have been received:

Public Health Development Manager

'In accordance with Policy PCS14 of the Portsmouth Plan, it is necessary for the developer to consider the broader implications of development in terms of promoting healthy behaviours and avoiding negative impacts on the health of hospital staff, patients and residents. '

In discussions with the applicant, the following points have been noted:

- *Consideration has been given to minimising noise and pollution to neighbouring residents during construction phase;*
- *The Hospital supports increasing a modal shift towards more sustainable means of transport to the private car for staff;*
- *Measures have been included in the design to ensure disabled access to the building;*
- *Proposals for hospital gardens on the site and within the wider Hospital grounds to enhance patient recovery and wellbeing;*
- *There is a need to ensure safe pedestrian movements around the site during construction, including for people with disabilities and limited mobility.*

Natural England

Natural England has commented that there could be the potential for the development to impact on the Solent Special Protection Areas (SPA) due to increased waste water and nitrates. This matter is addressed in paragraphs 5.40 and 5.41 of the committee report. The Local Planning Authority has determined that the development would not have a significant effect on the Solent SPA.

Parking matters

A Transport Assessment (TA) Addendum document has been submitted (Project Centre, November 2020). This document provides further information about the staff and patient parking demand from the development and considers the worst case scenario to ensure that parking mitigation measures will be sufficient. A further statement about staffing has also been provided.

Key points from this additional information are as follows:

- *To expand upon paragraph 1.12 of the committee report, the applicants have confirmed that initially the new ward would be occupied by services relocated from the main hospital building, allowing upgrade works to take place within the existing building. Therefore, initially there would be no new staff and this scenario could continue for 6 months to a year. Following this period, the ward would then start to be used to accommodate new service, at which point new staff would be*

required. As a worst case scenario, based on full occupancy of a 72 bed ward, 87 new full time equivalent staff would be generated.

- For the purposes of the TA, the worst case scenario of 87 new staff has been taken into account, which would amount to a requirement for up to 46 additional staff spaces.
- Public parking demand - Based on a worst case scenario of full occupancy of the ward by new patients, this could increase public parking demand by up to 6%, resulting in a peak additional demand of up to 30 public vehicles between 2pm and 3pm weekdays.
- Proposed to covert staff parking spaces within the existing multi-storey car park to public use. These would be displaced to the Fort Southwick Park and Ride.
- Park and Ride parking capacity - A further Park and Ride capacity assessment has indicated between 390 and 442 available spaces daily.
- Park and Ride shuttle bus capacity - A more detailed assessment has concluded there would be sufficient capacity on the shuttle buses at all times of the day to accommodate increased demand from additional staff use.
- Construction period - There would be a phased construction programme and a Parking Mitigation Plan has been prepared to demonstrate how the loss of parking spaces from the North Car Park during each phase, and on completion, will be mitigated.

The Council's Highways Engineer has agreed the TA Addendum and Parking Mitigation Plan. The Mitigation Plan will ensure that during all stages of construction and upon completion of the development, there would be sufficient numbers of public parking spaces re-provided within the Hospital Site to accommodate the loss from the North Car Park. This would be facilitated by re-allocating existing staff spaces on-site to public use and transferring the staff spaces to the Fort Southwick Park and Ride. The Parking Mitigation Strategy is enclosed for reference.

Recommendation

Changes to recommendation, amended Condition 5, re Transportation matters:

The development shall be carried out in accordance with the Parking Impact Mitigation Plan prepared by the Head of Property and Capital Development, Portsmouth Hospitals University NHS Trust, dated 9 December 2020. Any amendments to the agreed Mitigation Plan must first be submitted to and approved in writing by the Local Planning Authority prior to implementation.

Condition 8 (Landscaping) has been corrected to remove reference to 'dwellings' in part b:

- (a) No construction works above the foundation / slab level shall take place until a detailed scheme for soft landscaping to include plant species, sizes and numbers (including replacement trees), planting pit and preparation details, and maintenance plans, has been submitted to and approved in writing by the Local Planning Authority;
- (b) The soft landscaping scheme shall be carried out in accordance with the approved details in the first planting season following the occupation of the **building** or the completion of the development, whichever is the sooner;
- (b) Any trees or plants which, within a period of 5 years from the date of Practical Completion of the landscaping scheme, die, are removed or become seriously

damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Members' Questions

In response to questions from members, officers explained that

- A transport assessment has been carried out on car parking at the hospital for the current application and further assessments are being undertaken. Although parking at the hospital is sometimes under-used, particularly during Covid-19 when there have been fewer visitors, there are still issues at peak times.
- The proposed ward is subject to a funding bid which is why the application has been submitted now and not together with the application for a new multi-storey car park in the northern part of the North Car Park. It needed to be submitted as matter of urgency before other projects are considered.
- Parking is still under discussion and has not been fully worked through yet. However, it might be worth the applicant considering working with Stagecoach's demand responsive system (similar to Uber) where people can book bespoke rides.
- The proposed ward is not linked directly to the main hospital building. It would be linked to the Rehab Unit, which in turn is linked to the main building by a bridge.
- Peter Hayward said there are about 3,500 on-site staff parking permits. The ratio of permits issued to spaces is 2:1. There are 220 spaces for staff at the Park & Ride facility at Fort Southwick, which is served by a shuttle bus, so there is plenty of scope to transfer some of the on-site staff permits to the Park & Ride. He is not aware of problems with staff parking in the surrounding area as much of it is in residents' parking zones. He is happy that the proposed parking mitigation strategy is sensible in view of the displacement caused by construction and longer-term parking loss.

Members' Comments

- There may be more hostility to the application for the multi-storey car park than the ward as they are inherently linked and parking has the potential to be a problem. Concerns in nearby Residents' Parking Zones are more about parking by visitors than staff though it is difficult to police. There have been concerns about parking outside the zones, for example, Mulberry Lane, Clifdale Gardens and the caravan park on the hill. Therefore, it is important that the hospital maintains enough parking on-site. On-site parking can never be fully replaced, for example, it is essential for emergencies, and off-site mitigation is not always satisfactory.
- Sometimes people all seem to want to park in the same car park when others have spaces.
- Members thanked NHS staff for everything they are doing during Covid-19.

92. Debenhams, 44-46 Palmerston Road, Southsea, PO5 3QG - 20/00620/FUL (AI 7)

The Head of Development Management explained that the previous day the applicant had requested a deferral of consideration of the two applications for the former Debenhams site to the next meeting of the Planning Committee on 27 January 2021. The reason is that their recent iterations received on 4 December

2020 have yet to be accepted and reviewed, and are yet to undergo public scrutiny and formal assessment by officers, including specialist colleagues.

RESOLVED to defer consideration of the application to the next meeting of the Planning Committee on 27 January 2021.

93. Debenhams, 44-46 Palmerston Road, Southsea, PO5 3QG - 20/00621/LBC (AI 8)

RESOLVED to defer consideration of the application to the next meeting of the Planning Committee on 27 January 2021.

94. 251 Twyford Avenue, Portsmouth, PO2 8NY - 20/00376/FUL (AI 9)

The Legal Adviser explained that a resident who had objected to the applications for 251 and 253 Twyford Avenue had not received written notification that they could make further deputations, which meant that the procedure specified in Standing Order No.24 had not been followed. In view of this advice, members agreed that the applications should be deferred.

RESOLVED to defer consideration of the application to the next meeting of the Planning Committee on 27 January 2021.

95. 253 Twyford Avenue, Portsmouth, PO2 8NY - 20/00375/FUL (AI 10)

The Legal Adviser explained that a resident who had objected to the applications for 251 and 253 Twyford Avenue had not received written notification that they could make further deputations, which meant that the procedure specified in Standing Order No.24 had not been followed. In view of this advice, members agreed that the applications should be deferred.

RESOLVED to defer consideration of the application to the next meeting of the Planning Committee on 27 January 2021.

The meeting concluded at 3.25 pm.

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Signed by the Chair of the meeting
Councillor Judith Smyth