

PLANNING COMMITTEE

MINUTES OF THE MEETING of the Planning Committee held on Wednesday, 3 February 2016 at 1pm 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 Stephen Hastings (Vice-Chair)
Jennie Brent
Ken Ellcome
John Ferrett (for Aiden Gray)
David Fuller
Colin Galloway
Hugh Mason
Sandra Stockdale
Linda Symes (for Scott Harris)
Gerald Vernon-Jackson

Welcome

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

Guildhall, Fire Procedure

The chair, Councillor Hastings, 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.

Councillor Vernon-Jackson requested clarification regarding the change of the start time. The Local Democracy Officer explained that the chair had moved the start time of these meetings forward in view of the recent late finishes. Members had been informed on 19 January.

10. Apologies (AI 1)

Apologies for absence were received from Councillor Aiden Gray (represented by Councillor John Ferrett) and Councillor Scott Harris (represented by Councillor Linda Symes).

11. Declaration of Members' Interests (AI 2)

Councillors Steve Hastings and Gerald Vernon-Jackson declared non-prejudicial interests in items 1 and 4 as they are members of the Milton Neighbourhood Forum Planning Group.

12. Minutes of the Previous Meeting - 13 January 2016 (AI 3)

RESOLVED that the minutes of the meeting held on 13 January 2016 were agreed as a correct record and signed by the Chair accordingly.

13. Update on Previous Applications - by the Assistant Director of Culture & City Development (AI 4)

There were no updates to be reported by the Assistant Director of Culture & City Development.

14. 14/01664/FUL - Land at St James' Hospital (formerly Light villa and Gleave Villa), Locksway Road, Southsea PO4 8LD. (AI 5)

The Assistant Director of Culture & City Development reported in the supplementary matters list that two further letters of representation had been received raising concerns in respect of air quality, the Affordable Housing Viability Assessment and contaminated land. These issues have been addressed within the Planning Committee report and the recommendation remained unchanged.

The Assistant Director of Culture & City Development then introduced the application.

Janice Burkinshaw included the following points in her representation:

- The road infrastructure would not be able to cope with the extra traffic from the new housing estate.
- Residents' parking would be lost on Moorings Way.
- Last Sunday there was heavy traffic congestion in Velder Avenue and the surrounding roads.
- The cumulative impact from all the proposed development in the area must be considered, including 30 flats near Fratton Bridge and 170 on the Kingston Prison site.
- At the previous meeting she had referred to high nitrogen dioxide in this area reported on the DEFRA website.
- Smog was seen in this area on 6 and 7 January.

Rod Bailey included the following points in his representation:

- He is a member of the Milton Neighbourhood Forum.
- The application is not acceptable as the appropriate supporting infrastructure is not in place.
- The Portsmouth Plan states the need to consider adequate school places for new and existing communities. However, as stated by the Leader there is already a shortage of places. In the vicinity of this development, there is only one school for up to 900 dwellings.
- Air pollution relates to particulates as well as nitrogen dioxide. The figures used in this report were from modelled data. More information is required on actual levels.
- 30% of affordable housing should be sought.
- He is disappointed that members were briefed in private session about the viability of the scheme.

Matthew Utting, agent for the applicant included the following points in his representation in support of the application:

- Since the last meeting, members have been briefed regarding the affordable housing offer.
- Water supports the proposals subject to conditions.
- Planning officers and the contaminated land team are satisfied with the application.

- It will be of the highest quality and fulfil the developer's obligations.

Councillor Sanders included the following points in his representation on behalf of himself and Councillor Lynne Stagg:

- There will be a significant cumulative impact caused by traffic from this development, the 190 houses in St Mary's West, the transfer of the Guildhall walk's walk in centre to the St Mary's walk in centre and the extra flats on the Kingston Prison site.
- The effect on air quality was not adequately considered.
- He had attended a separate briefing on the affordable housing offer.
- If this development goes ahead he suggested that the contractors meet regularly with a residents' liaison group to timings and routes of construction traffic etc.

Members' Questions.

Members sought clarification regarding air quality, predicted traffic levels, affordable housing, the viability of the scheme, the designation of the land as a brownfield site and the impact on nearby properties of the enclosing fence.

Members' Comments.

Members discussed air quality, the predicted number of cars for this development and affordable housing.

RESOLVED that delegated authority be granted to the Assistant Director of Culture & City Development to grant conditional permission on the completion of a s106 legal agreement as outlined in the report.

15. 15/01163/FUL - Land west of Race course Land, ex-Paulsgrove Industrial Centre, Southampton Road, Portsmouth (AI 6)

The Assistant Director of Culture & City Development introduced the report.

Roger Inkpen included the following points in his deputation:

- He is a member of Sustrans, a charity that promotes sustainable transport.
- The council's website states that cycling is possible from North to South of the city in 45 minutes at a comfortable pace.
- Vehicles entering and exiting shop would make it hazardous for cyclists.
- His suggestions included the west bound part of the A27 to be used for vehicles entering and the east bound for those exiting, resting tables and clear markings.

John Holland included the following points in his deputation:

- He is a member of the Portsmouth Cycling Forum.
- He circulated a copy of the plan and a list of potential problems covering safety at the entrance, access, narrowing of a path, cycle parking, traffic speed and lack of shower facilities for staff at the store. Proposed solutions were also listed.

Dan Templeton included the following points in his deputation:

- He is the planning agent for the applicant.
- Aldi only has one store in Portsmouth, which is insufficient for a city of this size.

- In response to feedback, amendments have been made to the application including creating new access, widening the road, introducing speed humps, making it fully signalised and adding a central refuge.
- He has balanced competing considerations and the result is the best possible site development.
- He is confident that both pedestrian and cyclists' safety is secured by having phased signal control.

Members' Questions.

Members sought clarification regarding the possibility of widening Southampton Road and introducing a layby for buses and a traffic regulation order to reduce speed. They also asked about the discussions that had already taken place with the cycle forum.

Members' Comments.

Members welcomed the well-designed development.

RESOLVED that delegated authority be granted to the Assistant Director of Culture & City Development to grant conditional permission on the completion of a s106 legal agreement as outlined in the report.

16. 15/01711/FUL - 2 & 4 Portsmouth Road, Portsmouth PO6 2AE (AI 7)

The Assistant Director of Culture & City Development introduced the report.

Chris Matthew included the following points in his deputation on behalf of fellow neighbours in the block of flats and himself:

- He lives directly above the gym and would be disturbed by noise from free weights being dropped on the floor and music. One of the conditions proposed is to limit amplified music between 23:00 and 07:00 the following day. This is too late as he puts his small children to bed at 20:30. Noise disturbance has been reported from gyms in other areas.
- Only 8 parking spaces have been allocated with would exacerbate parking problems in the road and nearby roads.
- There could be problems with security which would not be adequately addressed by the CCTV.

Susan Long included the following points in her deputation:

- She represents the gym, which became a global business in 2002 with 3,000 worldwide and 62 in the UK. Some have residential units above them. There have been virtually no incidents.
- The owner of this franchise was present.
- The gyms are convenient, affordable, well-maintained and secure.
- Members are mainly from the local area and most do not travel by car.
- Bicycle racks will be provided.
- Not all five staff will be there at the same time.
- They want to be a good neighbour and completed a comprehensive noise assessment. The suspended ceiling and reinforced floor will reduce sound leaking outside.
- There will be an average of 10 members present between 22:00 and 08:00

- Members are told to keep free weights to the area and not to drop them. If there is a complaint, members will be warned and if they ignore the warning, their membership could be revoked.
- Well-tested procedures will be in place.
- Entry will only be via a key fob.

Members' Questions.

Members sought clarification on the help system in place if a member hurts themselves whilst alone at the gym and queried the need for amplified music until 23:00.

Members' Comments

No comments were made.

RESOLVED that the application was granted permission subject to the conditions set out in the officers' report but with the following revision to condition 6:

No amplified music shall be played within the premises between the hours of 20:00 and 08:00 the following day.

17. 15/01769/FUL - Milton Common, Eastern Road, Portsmouth (AI 8)

The Assistant Director of Culture & City Development introduced the report.

There were no deputations on this item.

Members' Questions.

Members sought clarification regarding the criteria for the construction phase, the reason for the demolition of Great Salterns Quay and the width of the shared coastal path for pedestrians and cyclists.

Members' Comments.

Members commented that the amount of mud removed at Great Salterns Quay was insignificant in relation to the size of Langstone Harbour.

RESOLVED that:

I - Delegated authority be granted to the Assistant Director of Culture & City Development to grant Conditional Permission subject to the conditions and recommendations II and III set out below;

II - Instruct the Assistant Director of Culture & City Development to notify the Secretary of State, Marine Management Organisation (MM) and Natural England of the committee's decision and recommended conditions;

III - Delegated authority be granted to the Assistant Director of Culture & City Development to add / amend conditions in consultation with the Marine Management Organisation and Natural England where necessary; and

IV - In taking the decision the Committee confirmed that they have taken into account:

- The environmental information as required by Regulation 3(4) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011;
- All matters referred to in the Assistant Director of Culture & City Development's report including comments received from statutory consultees and other interested parties; and
- All other material considerations.

V - that delegated authority be granted to the Assistant Director of Culture & City Development to refuse planning permission if the MMO in their role as the 'competent authority' (under the Habitat Regulations) conclude that the proposed works would have a significant effect or would adversely affect the integrity of Langstone Harbour's SPA, SAC and Ramsar site or the Solent and Dorset Coast pSPA.

18. 15/01854/REM - Tipner East, Twyford Avenue, Portsmouth (AI 9)

The Assistant Director of Culture & City Development reported in the supplementary matters list a correction to the site's measurement (1.578ha rather than 1.7ha as reported).

Philip Coombe included the following points in his deputation:

- He questioned why there were flat roofs on some buildings rather than pitched as these cost more to maintain.
- The proposed buildings do not look like the other buildings in Milton.
- The first building at the entrance of the city is too imposing.
- There is potential conflict between cyclists and pedestrians.

John Cass included the following points in his deputation on behalf of the residents whose gardens would be overlooked by two three storey blocks of flats:

- The blocks would infringe on their privacy.
- He is chair of the Stamshaw and Tipner Neighbourhood Forum.
- Outline planning permission was granted 18 months ago but work did not start.
- People using the Mountbatten Centre park in these streets and people using the proposed shop would use them too.

Sean Silk included the following points in his deputation:

- He is the agent for the applicant.
- Outline permission was granted in 2012.
- This application is brought to you today to consider layout, scale and landscaping.
- If approved today, work would start in a few months and kick-start the Tipner Regeneration Plan.

Members' Questions.

Members sought clarification regarding the types of trees that will remain, the height of the buildings, the amount of affordable housing, layout, the water and sewerage

infrastructure, the mitigation payments, parking spaces, the shape of the windows on one of the buildings.

Members' Comments.

Members noted that it was not in their remit to suggest amendments to the application design as it had already been through the first stage of the planning process.

RESOLVED that the application be approved subject to the necessary mitigation for this development through commuted sum payment in accordance with the Solent Special Protection Areas SPD.

19. 15/01891/FUL - 26 Merton Road, Southsea PO5 2AQ (AI 10)

The Assistant Director of Culture & City Development introduced the report.

Peter Eddis included the following points in his deputation:

- He circulated photos to show that this is not in keeping with the other properties in the road which are lived in by long-term tenants or owner-occupiers who care for their properties.
- This property has been empty since it closed.
- The proposed development would have a detrimental affect on the existing parking problems in the road.

Peter Eddis read out a letter on behalf of Mr Beckman, which included the following points:

- He has lived at 22 Merton Road for 25 years.
- He wondered why work had not gone ahead when original planning permission was granted in August 2015.
- The proposed use would exacerbate parking and congestion problems.
- This would cause noise, distress and anxiety for all.

Michael Ashcroft included the following points in his deputation:

- There are already parking issues in that road and gridlock in neighbouring roads at 08.45 and 15:00.
- He has lived next to this premises for a number for years and heard the cries of people in pain. It would be nice to have a family next door.

Peter Smith included the following points in his deputation:

- He has lived in this road for 37 years.
- This would be an over intensive use of this site.
- The calculation of the number of HMOs within a 50m radius is incorrect; there are more in that area.
- Having 12 people in a HMO is excessive. The tenants would have difficulty integrating with the neighbours. This would be for people less fortunate and dependent on the state for assistance. It would be better for the building to be used for long-term residents.
- The building would have little in common with the other others.
- The shops are within easy walking distance.

Stephen Thacker included the following points in his deputation:

- He has enjoyed the peace and quiet living there for the last 10 years.
- The extra cars from this development would exacerbate parking problems.
- People would not use the garage because of cars blocking the dropped kerbs.

Chris Flint, representing the applicant included the following points in his deputation:

- The applicant also owns 24 Merton Road.
- There has been speculation that this HMO would be a halfway house for ex-offenders. This is not the case. It would be for second and third student tenants.
- The applicant has a proven track record; he has been a landlord for over 20 years for student lets which are professionally managed by local agencies. The students are vetted and the properties are inspected regularly to ensure the highest standards are maintained.
- When this property was used as a residential care home for 26 residents with on-street parking for staff, various health professionals and visitors.
- Most students are only at the premises during term time.
- The proposed use would be less intensive.

Members' Questions.

Members sought further clarification regarding the number of storeys, the size of the rooms, the work done since the planning permission was granted for conversion to a family home, the type of tenants, the two parking spaces and the calculation of HMOs in the area.

Members' Comments

Members discussed how the development would comply with the council's policy, the number of HMOs within a 50m radius, students' car use and the potential impact on the rest of the street particularly in a conservation area.

RESOLVED that the application be refused for the following reasons:

1. The proposed change of use of the building to a house of multiple occupation would have a detrimental impact on the Conservation Area and would neither preserve nor enhance the character of the area. The proposal is therefore contrary to policy PCS23 of the Portsmouth Plan.
2. The proposed use of the property as a house of multiple occupation would give rise to additional demands for on-street parking causing detrimental harm to the already constrained highway network at the inconvenience to all users of the road. The proposal is therefore contrary to policies PCS17 of the Portsmouth Plan.

20. 15/01994/HOU - 6 Eastlake Heights, Horse Sands Close, Southsea PO4 9UE (AI 11)

The Assistant Director of Culture & City Development introduced the report and reported in the supplementary matters list that one letter had been received in support of the officers' recommendation to refuse the application as this property's previous application had been refused as had an application at a nearby property for a balcony.

Richard Scarlett included the following points in his deputation:

- He has been a resident there for over 25 years and wants to maintain and improve his property.
- He has good relations with his neighbours and has received active support and encouragement from the vast majority.
- No objections were received until today.
- Other houses have enlarged balconies (7, 8, 9 and 11) and have received no complaints.
- If this application were to be refused, two-tier housing would be created; those with larger balconies and those without.

Councillor Luke Stubbs included the following points in his deputation:

- Although this may be a minor application, it is important to the applicant so that he can enjoy his property.
- No questions have been raised about the design.
- Half the properties in this row have larger balconies. If all but this property had them, the application would be accepted.
- This proposal would be in keeping with the line of properties.
- It would be fair to grant this application.

Members' Questions.

Members sought clarification regarding the change of regulation for permitted development that apply to this application,.

Members' Comments.

Members commented that although they could see both sides of the argument, there would be no significant detrimental impact on neighbouring amenities.

RESOLVED that the application be approved with standard conditions..

The meeting concluded at 6pm.

.....
Signed by the Chair of the meeting