

PLANNING COMMITTEE

MINUTES OF THE MEETING of the Planning Committee held on Wednesday, 30 March 2016 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 Ken Ellcome (Chair)
Jennie Brent
Colin Galloway
John Ferrett (Standing Deputy)
Scott Harris
Suzie Horton (Standing Deputy)
Hugh Mason
Darren Sanders (Standing Deputy)
Sandra Stockdale
Linda Symes (Standing Deputy)

Also in attendance - Councillor Luke Stubbs

27. Apologies for absence and election of chair for meeting (AI 2)

At the start of the meeting the Legal Adviser Robert Parkin opened the meeting (and gave the introductions and fire regulations) and in the absence of the chair and vice-chair he called for the nomination of a chair for this meeting. Councillor Ken Ellcome was duly appointed as chair for the meeting.

Apologies for absence had been received from Councillors Aiden Gray (chair), Steve Hastings (vice-chair), David Fuller and Gerald Vernon-Jackson who were represented by their standing deputies Cllrs John Ferrett, Linda Symes, Suzy Horton and Darren Sanders respectively. Councillor Harris had sent his apologies for his late arrival.

28. Declaration of Members' Interests (AI 1)

There were no declarations made. Councillor Harris did not take part in the discussion of the Wightlink Car Ferry item.

29. Minutes of the previous meeting - 2 March 2016 (AI 3)

RESOLVED that the minutes of the Planning Committee held on 2 March 2016 were agreed as a correct record and signed by the chair.

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

There were no updates reported.

31. Ref: 15/01731/FUL - Wightlink Car Ferry Terminal, Gunwharf Road, Portsmouth - Construction of second tier deck to form car boarding area including ramp access, upper link span, awning cover on east side over ground level, and three-storey facilities building (comprising ticketing, waiting room, WCs and shop (A1) at ground floor, offices (B1) at first floor, café (A3) and terrace at second floor, and plant and equipment at roof level) and associated works, after demolition of existing retail building (AI 5)

The City Development Manager reported in the supplementary matters list that:

"Six (6) additional representations had been received that include two from previous objectors, one from Friends of the Earth Portsmouth, one on behalf of The Federation of Small Business' Portsmouth & South East Hampshire branch committee and one from a resident of Old Portsmouth providing highways advice to FOOPA; the latter is attached as an Appendix. The grounds of objection reiterate the potential impact of additional traffic through the city centre with environmental benefits of relocation to the International Ferry Port and a chance to redevelop the Gunwharf terminal site. Deferral of the application is encouraged to address inadequate transport analyses and consideration of any need for highways mitigation works. Another considers the Officers report fails to acknowledge the cumulative effect, against a host of affected neighbours and other parties including Historic England.

Draft final Habitats Regulation Assessment (HRA) documents have been prepared by the MMO in their lead role as the 'competent authority', concluding no adverse effect. Natural England has been consulted on the draft versions and are in agreement with the MMO's conclusions. The documents will only become finalised when the MMO make their licensing determination after consideration of the proposals by PCC and IoW planning committees. The HRA documents are accepted and will be adopted by PCC (subject to Recommendation V of the officer's report)."

Appended to the Supplementary Matters report was a late representation from Mr Swinburne setting out his highway and traffic objections.

Alan Banting presented the City Development Manager's report and additional information was given by Richard Lee regarding the environmental impact issues and Vanessa White regarding the traffic implications arising from the application.

Deputations were then heard, whose points are summarised.

- i) Mr Mathew, objecting as a local resident, whose points included:
 - The proposal would impact on the balance of historic and new buildings, especially after recent developments such as BAR, thereby changing the character of the area and spoiling the Millennium Walkway views in a Conservation Area.
 - It would not bring permanent jobs and no significant increase in visitor numbers whereas there should be encouragement of use of the half-hour ferry crossings to increase punctuality
 - There would still be the need for emergency traffic management

- It would detract from visitors to Old Portsmouth, harming its economy
- He also raised privacy and lighting concerns and felt that there had been a lack of engagement.

ii & iii) Mr Marsh & Miss Kapitany, objecting jointly as local residents, whose points included:

- The effect on an historic area
- Public safety
- Loss of privacy with cars being at a height to overlook their windows
- Loss of light as their curtains would need to be closed and blocking of natural sunlight by the raised platform
- Increase in noise; their Grade II listed building could not have secondary glazing, and the noise of the construction
- Increase in fumes and light pollution from the car headlights
- More accurate pictorial representations of the development were needed to see the impact which needed to be mitigated.

iv) Ms G Baid, objecting as a local resident and on behalf of Friends of Old Portsmouth (FOOPA), whose points included:

- FOOPA wished a decision to be deferred until the transport issues were fully investigated, as they were concerned about gridlock, noise and congestion and felt that the traffic counts had not been undertaken at the busiest time of the year, and they had undertaken their own traffic modelling whilst PCC had relied on the modelling undertaken by AECOM, the applicant rather than an independent consultant.
- There was already congestion at St George's junction which needed improvement especially with the anticipated increase in traffic
- More information was needed to verify Wightlink's assertions.

v) Mr C Burns, objected as a local resident and businessman, whose points included:

- the application should be refused as it would increase the volume of traffic and emissions in the city centre
- instead this ferry terminal should be relocated to the International Ferry Port where it could be accommodated, as favoured by the City Growth Transport Group and there should be more discussions on the infrastructure funding for the city centre.

vi) Mr Dop of Wightlink, the applicant, spoke in support, whose points included:

- The company's wish to modernise and improve the customer experience for safe and efficient travel
- They were building an environmentally friendly double-decker ship for 2018
- They needed to compete with Red Funnel who were also making improvements on their route for Isle of Wight business
- Extra time had been taken to consider views and amendments had been made to their plans in discussion with the officers
- They had respected the heritage of the surrounding buildings and there would be provision of interpretation boards
- The terminal would reduce local traffic and be safer with the harmonisation of cars/cyclists/pedestrians
- They had met with FOOPA

- The unloading times would be shorter and noise levels near the same
- If approved this would provide extra capacity and was consistent with the Portsmouth Local Plan.

vii) Councillor Luke Stubbs spoke to support the application, whose points included:

- He had read the representations so was aware of the arguments of economic benefit and also the concerns of noise and disturbance and worry about the footpath and FOOPA regarding traffic
- He felt the number of extra vehicles was not significant
- The location or relocation of the facility was not up to PCC and Wightlink had a long lease on the site
- He commended the proposal to the committee as this would allow Portsmouth to compete with Southampton
- The economic impact was not just about new jobs but securing existing ones.

The City Development Manager stressed that it was the committee's responsibility to consider if the application on this site was acceptable.

Members' questions

Members raised questions regarding the capacity of the roads in this area, especially at peak seasonal times and if there could be improvements at St. George's Road junction and general traffic flow in the city. The transport officer did not feel that the extra 28 cars an hour would have a significant impact on the junction and there were benefits from the increased capacity on site so there would be an overall positive impact at busy times. It was hoped that increased use of Park & Ride would help with traffic flow. There were also improvements being made to traffic signals in the city. The City Development Manager stressed the need to consider if any increase on the traffic network would be acceptable or could be mitigated. Members also examined the potential economic benefits of the scheme and it was confirmed that there would be 28 construction jobs. It was asked how many times a year Gunwharf Road is closed to accommodate Wightlink; this is approximately 20 times a year. Members questioned the impact of the harm on the heritage assets and the environmental impact of the proposal which officers confirmed would be more environmentally friendly. They examined the distances to the nearest residential properties to consider the overlooking. Members also queried the recommended delegation to the Assistant Director to decide conditions and she confirmed that if she felt these to be of a significant nature she would choose to bring them to committee, otherwise the delegated power would be used.

Members' comments

Members felt that the economic benefit, including the securing of jobs, would outweigh the design concerns as this was a functional ferry terminal and the outlook was already one of a significant development. It was appreciated that a relocation was not relevant as there was a lawful use at this site. It was felt that there would be a more efficient movement of vehicles and there would be a reduction of movements on the local roads.

RESOLVED that:

I delegated authority be granted to the Assistant Director of Culture and City Development to grant conditional permission subject to the conditions outlined within the committee report and recommendations II and III set out below.

II the Assistant Director of Culture and City Development be instructed to notify the Secretary of State, Marine Management Organisation, Isle of Wight Council, Natural England and Environment Agency of the committee's decision and recommended conditions;

III delegated authority be granted to the Assistant Director of Culture and City Development to add/amend conditions in consultation with the Marine Management Organisation/other competent authorities where necessary, and

IV if the committee resolve that they are minded to approve the application in accordance with the above recommendations, that the committee confirm in their decision 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 and City Development's report including comments received from statutory consultees and other interested parties, and
- All other material considerations.

V delegated authority be granted to the Assistant Director of Culture & City Development to refuse planning permission if the MMO in their lead 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 European marine sites.

- 32. Ref: 15/01912/FUL - King Richard School, Allaway Avenue, Portsmouth - Construction of replacement three-storey school building (plus lower ground floor) of 7868sqm gross floor space for 1000 secondary places (for education purposes in Class D1), including the laying out of reconfigured playing field space (following demolition of existing school buildings) together with associated landscape, access and ancillary works (AI 6)**

The City Development Manager reported in the supplementary matters list that: "Corrections are necessary to contamination/remediation conditions including reference to the 'eastern' site that should read 'western' (nos5-7) and following further information submitted, other updates are also necessary to nos3 & 7. The agents have provided specific details for biodiversity (condition 8) and for the Construction Management Plan (condition 20). Minor updates are also required to the approved drawing numbers (condition 2).

A consultation response has been received from Southern Water, providing detailed comments and request for imposition of condition(s) for measures to protect existing public sewers and details of the proposed means of foul and surface water drainage as well as an Informative for the detailed design to take account of the possibility of surcharging (to the proposed lower ground floor level) and wastewater grease trap

provided on the kitchen waste pipe or drain." Therefore delegated authority was sought for the Assistant Director of Culture & City Development to update/add/amend relevant conditions, which would be of a minor drafting nature.

There were no deputations on this item.

Members' questions

Questions were raised regarding any further future expansion of the school on the site and the City Development Manager confirmed that there was strategic planning on pupil numbers to accommodate school places in line with increased housing numbers in the city, and any extra building would need to be by an extra storey. There had been negotiations with Sport England on the re-provision of sports facilities to the west of the site. It was also asked why solar/PV panels had not been incorporated in the design and it was reported that there were already very good energy ratings being met by the proposal.

Members' comments

Members welcomed the improvements which had been needed for several years at the school for new facilities to improve the amenities of the pupils. Whilst there was some concern regarding the loss of playing fields the re-provision of sports facilities was appreciated.

RESOLVED that conditional permission be granted subject to the conditions outlined within the committee report as amended by the supplementary matters report for the City Development Manager to use delegated authority to update/add/amend relevant conditions.

33. Ref: 16/00088/FUL - 48 Laburnum Grove, Portsmouth, PO2 0EP - Change of use from dwelling house (Class C3) to 7 bed house in multiple occupation (sui Generis) (AI 7)

This application had been called in to be considered by the committee by a local resident.

Deputations were heard from Mr Critchley (as agent) and Mr Wormington (as the applicant) in support of the application, who included the following points in their representations:

- There was a need for flexible entry level housing at the base of the residential housing market to house students, academics, and professional people who were not buying properties
- Such housing in HMOs is important to support new employment opportunities in the city
- This part of the city was short of this sort of accommodation and is near major employers
- The applicant was careful to be trained to look after his tenants and was catering for a professional market and would use an agent to vet tenants.

Members' questions

It was asked the smallest room size which was a bedroom of 10.5m sq. The impact of car ownership of the increased occupancy (with change from a 3 bed family house to a 7 bed HMO) was questioned in the area which had parking problems; the transport officer did not believe this would have an impact on highway safety and there were no parking restrictions in the immediate area.

Members' comments

Members gave consideration to the balance of property types in the area. There was concern that this would have an adverse impact on the residential amenity, including the generating of more noise with increased occupancy.

RESOLVED that permission be refused for the following reasons:

The proposed use of the property as a house in multiple occupation for more than 7 persons (sui generis) would result in an over intensive use of the property that would have a detrimental impact on the amenities of the neighbouring occupiers in terms of noise and disturbance. The proposal is therefore contrary to Policy PCS23 of the Portsmouth Plan.

The meeting concluded at 3.15 pm.

Signed by the Chair of the meeting
Councillor Ken Ellcome