

Decision maker: Planning Committee

Subject: Planning appeal decision at Goose on the V & A, Albert Road, Southsea, PO5 2SX

Report by: Claire Upton-Brown
City Development Manager

Ward affected: St. Jude

Key decision (over £250k): No

1. Purpose of report

To advise the Committee of the outcome of the appeal.

2. Recommendations

That the report is noted.

3. Background

A planning application was considered by the Planning Committee at its meeting on 27th February 2013 (13/00021/FUL). The application, for the removal of the existing boundary fence and installation of new replacement painted metal railings and gate up to 2.1 metres above ground level, was recommended by officers for conditional permission. This recommendation was overturned and the planning application was refused for the following reason: 'In the opinion of the Local Planning Authority, the proposed replacement of the existing boundary fence with railings would result in a loss of amenity to nearby residents in terms of increased noise and disturbance. In addition the proposal would increase opportunities for crime and disorder within the immediate vicinity of the application site. The proposal is therefore contrary to paragraphs 58 and 69 of the National Planning Policy Framework, Policy PCS23 of the Portsmouth Plan and the aims and objectives of the 'Reducing crime through design' SPD'.

The Inspector considered that "The existing fence has significant gaps between the timber uprights. Due to this and its relatively lightweight structure, I consider that it provides little in the way of noise attenuation at present. This situation would not be materially altered by its replacement with metal railings, even though the gaps between the uprights would be greater", he continued "....The

separation distance and character of the locality add weight to my conclusion that undue noise and disturbance to neighbouring occupiers as a result of the proposal would be unlikely to be material.....Moreover, there are other legislative provisions beyond the planning system which would apply in the event of crime and disorder, including the licensing regime".

The inspector allowed the appeal, concluding that the proposal "would not unacceptably reduce the living conditions of neighbouring occupiers, by reason of noise and disturbance..." and that "the proposal would not increase the opportunities for crime and disorder in the immediate vicinity of the appeal site...".

Whilst not forming part of the reason for refusal, the Inspector agreed that the proposed metal railings would relate appropriately to the public house, improving the street scene in the locality and would preserve the setting of the 'Owen's Southsea' Conservation Area.

4. Reason for recommendations

For information to the Planning Committee.

5. Equality impact assessment (EIA)

None.

6. Head of legal services' comments

The report is for information only.

7. Head of finance's comments

The report is for information only.

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Signed by:

Appendices:

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
Planning application 13/00021/HOU	Planning Services
Appeal decision APP/Z1775/A/13/2199029	Planning Services