

PLANNING COMMITTEE

10 JANUARY 2018

1 PM THE EXECUTIVE MEETING ROOM
FLOOR 3, GUILDHALL

REPORT BY THE CITY DEVELOPMENT MANAGER ON PLANNING APPLICATIONS

ADVERTISING AND THE CONSIDERATION OF PLANNING APPLICATIONS

All applications have been included in the Weekly List of Applications, which is sent to City Councillors, Local Libraries, Citizen Advice Bureaux, Residents Associations, etc, and is available on request. All applications are subject to the City Councils neighbour notification and Deputation Schemes.

Applications, which need to be advertised under various statutory provisions, have also been advertised in the Public Notices Section of The News and site notices have been displayed. Each application has been considered against the provision of the Development Plan and due regard has been paid to their implications of crime and disorder. The individual report/schedule item highlights those matters that are considered relevant to the determination of the application

REPORTING OF CONSULTATIONS

The observations of Consultees (including Amenity Bodies) will be included in the City Development Manager's report if they have been received when the report is prepared. However, unless there are special circumstances their comments will only be reported VERBALLY if objections are raised to the proposals under consideration

APPLICATION DATES

The two dates shown at the top of each report schedule item are the applications registration date- 'RD' and the last date for determination (8 week date - 'LDD')

HUMAN RIGHTS ACT

The Human Rights Act 1998 requires that the Local Planning Authority to act consistently within the European Convention on Human Rights. Of particular relevant to the planning decisions are *Article 1 of the First Protocol- The right of the Enjoyment of Property, and Article 8- The Right for Respect for Home, Privacy and Family Life*. Whilst these rights are not unlimited, any interference with them must be sanctioned by law and go no further than necessary. In taking planning decisions, private interests must be weighed against the wider public interest and against any competing private interests Planning Officers have taken these considerations into account when making their recommendations and Members must equally have regard to Human Rights issues in determining planning applications and deciding whether to take enforcement action.

Web: <http://www.portsmouth.gov.uk>

INDEX

Item No	Application No	Address	Page
01	17/01373/HOU	3 Paignton Avenue Portsmouth PO3 6LL	PAGE 3
02	17/01104/FUL	The Shrubbery & Bay Tree Lodge 37 Grove Road South Southsea PO5 3QS	PAGE 8
03	17/01105/LBC	The Shrubbery & Bay Tree Lodge 37 Grove Road South Southsea PO5 3QS	PAGE 12
04	17/01804/FUL	3 Kingsland Close Portsmouth PO6 4AL	PAGE 16
05	17/01817/FUL	4 Fair Oak Road Southsea PO4 8FQ	PAGE 21
06	17/01936/FUL	18 Bramble Road Southsea PO4 0DT	PAGE 26
07	17/02007/FUL	19 Powerscourt Road Portsmouth PO2 7JE	PAGE 32
08	17/01496/FUL	Wimbledon Park Sports Centre Taswell Road Southsea PO5 2RG	PAGE 38

3 PAIGNTON AVENUE PORTSMOUTH PO3 6LL**CONSTRUCTION OF FIRST FLOOR REAR EXTENSION****Application Submitted By:**

D.M. Designs
FAO Mr D.P Manns

On behalf of:

Justine Bennett

RDD: 2nd August 2017

LDD: 28th September 2017

SUMMARY OF MAIN ISSUES

UPDATE

This application was first considered by Members on the 18th October, where it was resolved to allow for further consideration of the relationship to the neighbouring properties and to allow for Members to undertake a viewing panel visit to the site. This visit is arranged for the 6th January.

Design & Amenity Issues

Policy PCS23 of the adopted Local Plan states all new development must be well designed and appropriate in scale, appearance and materials in relation to the particular context and should seek to ensure the protection of amenity and a good standard of living environment for neighbouring and local occupiers, as well as future residents, amongst other criteria.

There have been no amendments made to the design of the proposed extension since it was first considered by Members and as set out within the original committee report, it is considered that the overall scale and form of the proposals are acceptable in relation to the existing dwelling and in accordance with the aims of Policy PCS23.

With regards to the potential impact to residential amenity, further consideration has been given to the relationship to both No 1 and No 5 Paignton Avenue. It is also noted that objections have been received from both neighbouring properties, as set out within the original report.

In terms of the adjoining property, No 1 Paignton Avenue, it is not considered that there would be any adverse impact in terms of amenity. The proposed extension would extend to the same depth as the first floor extension to the rear of No 1 and as such, would not result in any undue sense of enclosure, overbearing physical presence or overshadowing to the adjoining property. The proposed windows in the rear elevation of the proposed extension would allow for a degree of overlooking to the rear garden area of No 1 but this relationship of mutual overlooking already exists between the properties and would not be increased to such a degree as to warrant a refusal of planning permission on these grounds. Overall, the relationship to No 1 Paignton Avenue is considered to be acceptable.

With regards to No 5 Paignton Avenue, it is noted that this neighbouring property is currently undergoing building works, with a new single storey extension constructed to the rear of the property. This extension has a side facing ground floor window in the southern elevation of the extension, facing towards the application site and bi-fold doors within the rear elevation, as well

as a large skylight feature. There are views from this side facing window back towards the application property, No 3 and views from the existing first floor windows of No 3 towards this window, albeit at an oblique angle. As such, there is already mutual overlooking between the properties which again, is typical of this pattern of development.

The proposed extension would be visible from the rear garden area of No 5 and from the ground floor side facing window in the extension. However, given the separation distances between the properties, it is not considered that the extension would be visually intrusive or unduly enclosing or overbearing to the neighbouring property. The proposed extension is set back from the side building line to help reduce the overall bulk and preserve the sense of separation between the properties. Similarly, it is not considered that any additional overshadowing would be so severe as to justify a refusal of planning permission.

In terms of potential overlooking and loss of privacy, there would be views from the new rear first floor windows towards the rear of No 5 but as noted above, this relationship already exists and as such is no worse than the existing situation. It is noted that the plans show a new side facing first floor window, which would serve a bedroom within No 3. Again, this window would face the side elevation of No 5 and would allow views towards the side window and rear garden area - however, these views already exist from the existing first floor rear windows and as such, the proposals are not considered to result in an unacceptable degree of overlooking to the neighbouring property. However, a condition could be applied to require this window to be obscure glazed if required - this has been discussed with Building Control colleagues who have confirmed there would be no conflict with Building Regulations if such a requirement were imposed.

Overall, it is considered that the proposed extension is acceptable in terms of the relationship with No's 1 and 5 Paignton Avenue and would not result in any adverse impact to the residential amenities of these properties. As such, the proposal is considered to be in accordance with Policy PCS23 in this regard.

SUMMARY OF MAIN ISSUES

The determining issues in this application relate to whether the proposal is acceptable in design terms, whether it would have any significant impact on the amenities of the surrounding occupiers and whether the proposal has overcome the previous reason for refusal.
Site and Surroundings

This application relates to a three bedroom semi-detached property which is located on the western side of Paignton Avenue near the corner where the road adjoins with Eastbourne Road. The surrounding area is characterised by similar residential semi-detached and terraced properties.

Proposal

The applicant seeks permission for the construction of a first floor rear extension.

The proposal is to create a fourth bedroom and provide a family sized bathroom, converting the existing bathroom to an ensuite for bedroom 1.

The first floor extension would be 5.0m x 3.0m in depth. The extension projects 3.0m over the existing ground floor flat roof rear extension, however not for its full 5.5m length.

The proposed first floor extension aligns with the neighbouring semi detached property's first floor extension.

Each of the proposed bedrooms would benefit from a rear window orientated to the rear garden on the western elevation.

The proposed first floor extension would be provided with a pitched roof of matching roof tiles and the external walls would be of matching brick.

The proposal includes the addition of a window to the northern elevation serving the ground floor sitting room and a second serving the first floor bedroom 2. Both of these windows open onto the shared access way and face the flank brick wall of No.5 Paignton Avenue.

Planning History

In July 2017 planning permission was refused for the construction of a first floor rear extension. The reason for refusal was as follows:

The proposed first floor extension would, by reason of its excessive bulk and unsympathetic boxy appearance, represent a visually obtrusive feature out of keeping with the recipient property that would result in an unneighbourly relationship detrimental to the amenities of occupiers of No 1 Paignton Avenue, notably in terms of loss of light and outlook and increased sense of enclosure. The proposal is therefore considered to be contrary to Policy PCS23 of the Portsmouth Plan and the aims and objectives of the NPPF.

POLICY CONTEXT

The relevant policies within the Portsmouth Plan would include:
PCS23 (Design and Conservation),

The aims and objectives of the NPPF would also be relevant in the determination of this application.

CONSULTATIONS

None.

REPRESENTATIONS

Two letters of representation have been received objecting on the following grounds:

- 1) proposal is out of character with surrounding properties;
- 2) large in scale;
- 3) Misleading drawings;
- 4) No other extensions of this type/size;
- 5) loss of outlook;
- 6) increased sense of enclosure;
- 7) overshadowing;
- 8) loss of privacy;
- 9) ground floor window will open out onto shared access way;
- 10) loss of light;
- 11) absence of inner and outer cavity wall;
- 12) lead box guttering in outer wall of No 1;
- 13) cause drainage problems for No 1; 14) shallow footings

COMMENT

The determining issues in this application relate to whether the proposal is acceptable in design terms, whether it would have a significant impact on the amenities of the surrounding occupiers and whether the proposal has overcome the previous reason for refusal.

Design

The property is a semi-detached house with a rear single storey flat roof extension. The adjoining neighbour (No 1) has a two storey flat roof extension which is constructed up to the

boundary with the application site. The applicant proposes to construct an additional storey above the existing single storey extension to accommodate two additional bedrooms.

The proposed extension has been designed with a pitched roof which is a suitable outcome for the host property. The extension observes the same rear building line as the first floor flat roof extension of No.1 Paignton Avenue.

Having regard to the pitched roof design, the matching materials and the appropriate siting of the extension, it is considered to be acceptable in design terms and would relate appropriately to the recipient building.

Amenity

The extension would align with the adjoining occupiers (No 1) two storey flat roof extension. Therefore, it would not result in any significant impact on the occupiers of No 1 in terms of increased sense of enclosure, loss of light and overshadowing.

There is a separation distance of approximately 5m between the proposal and the neighbouring property to the north (No 5). This is considered to be a sufficient separation distance and it is considered that it would not result in any significant impact on the occupiers of No 5 Paignton Avenue.

The rear windows would face onto the rear garden. Furthermore, the side window serving the living room will face onto the blank wall elevation of No 5 Paignton Avenue. Therefore, it is not considered that the proposal would result in any loss of privacy from direct overlooking.

Other issues raised in objections

With regards to the proposed ground floor window serving the living room which opens out onto the shared access way. A suitably worded planning condition will be implemented to ensure that this window is non-opening. The first floor window serving Bedroom 2 is considered to be acceptable in terms of size of opening.

The other issues raised regarding the absence of the inner and outer leaf cavity wall, lead box gutter, drainage and footings are not material planning considerations and will therefore not be considered in the determination of this application. These issues will be dealt with by building control should permission be granted for this application.

Conclusion

As a result of the pitched roof design, the proposal has been significantly reduced in bulk and has a more appropriate appearance, than the previously refused scheme. Therefore, the proposal would no longer represent a visually obtrusive feature. Furthermore, the proposed extension would align with the neighbouring flat roof extension of No 1 Paignton Avenue. Therefore, it is not considered to result in any loss of light, outlook or increased sense of enclosure. The proposal has therefore overcome the previous reason for refusal. It is therefore, considered that the proposal would be in accordance with PCS23 of the Portsmouth Plan

RECOMMENDATION Conditional Permission

Conditions

- 1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

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: BENNETT01A 1of1 Rev B A0.

3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match, in type, colour and texture those on the existing building.

4) The proposed ground floor side windows on the ground floor side elevation shown on drawing 'BENNETT01A REV B A0' shall be non-opening unless otherwise agreed in writing by the Local Planning Authority, and shall be permanently retained in that condition.

The reasons for the conditions are:

1) To comply with Section 91 of the Town and Country Planning Act 1990.

2) To ensure the development is implemented in accordance with the permission granted.

3) In the interests of visual amenity in accordance with policy PCS23 of the Portsmouth Plan.

4) To prevent the windows opening out onto the shared driveway in the interest of safety, in accordance with Policy PCS17 of the Portsmouth Plan.

PRO-ACTIVITY STATEMENT

Notwithstanding that the City Council seeks to work positively and pro-actively with the applicant through the application process in accordance with the National Planning Policy Framework, in this instance the proposal was considered acceptable and did not therefore require any further engagement with the applicant.

THE SHRUBBERY & BAY TREE LODGE 37 GROVE ROAD SOUTH SOUTHSEA PO5 3QS

CONVERSION TO FORM SINGLE DWELLING TO INCLUDE SINGLE STOREY REAR EXTENSION (AFTER DEMOLITION OF EXISTING STRUCTURE); AND ASSOCIATED INTERNAL ALTERATIONS; EXTENSION TO EXISTING RAISED PLATFORM; ALTERATIONS TO EXISTING FENESTRATION AND INSTALLATION OF ROOFLIGHT

Application Submitted By:

Pike Planning
FAO Mr John Pike

On behalf of:

Mr & Mrs Tim and Sue Fielder

RDD: 26th June 2017

LDD: 22nd August 2017

SUMMARY OF MAIN ISSUES**Update**

This item was deferred from Planning Committee on the 13.12.2017 in order for Committee Members to attend a site visit of affected properties.

This application has been called to Planning Committee as a result of a deputation request from an adjoining neighbouring occupier.

This application relates to "The Shrubbery" & "Bay Tree Lodge" which are two adjoining buildings located at 37 Grove Road South. The application site is located in the "Owens Southsea" Conservation Area (No.2) in the St. Jude Ward and also falls within TPO 38, with several TPO protected trees located within the curtilage of the properties. The application site is located within a small cul-de-sac of three properties including; "The Shrubbery" (Grade II Listed), "Milford Lodge" (Grade II Listed) and Bay Tree Lodge. Adjoining the site are numerous other distinctive heritage assets including No. 35 Grove Road South (Grade II Listed) and St. Johns College (Grade II Listed).

"The Shrubbery" is a large detached two-storey building over an existing basement. "Bay Tree Lodge" was developed mid-twentieth century and is tagged on to the northern elevation of the original property. This two-storey side extension forms a separate unit of accommodation which is currently not accessible through "The Shrubbery".

The proposal is for the conversion of these two properties to form a single dwelling to include single storey rear extension (after demolition of existing structure); and associated internal alterations; extension to existing raised platform; alterations to existing fenestration and installation of rooflight. It should be noted that an application for Listed Building Consent (ref: 17/01105/LBC) has been submitted alongside this planning application however this will be considered separately.

There is an extensive planning history at the application site relating to arboricultural works and the ongoing management of TPO protected trees. Most recently, 17/00733/TPO was granted conditional consent in June 2016 to fell T2 (Plum) located in the rear courtyard of the application site.

POLICY CONTEXT

The relevant policies within the Portsmouth Plan would include:
PCS23 (Design and Conservation),

In addition to the aims and objectives of the National Planning Policy Framework, the relevant policies within the Portsmouth Plan would include: PCS23 (Design and Conservation).

CONSULTATIONS

Tree Officer

It is accepted that TPO 38 T2 is to be felled following a previously granted consent (17/00733/TPO).

Two further trees are located within close proximity to the proposed development TPO 38 T3(Robinia pseudoacacia) , TPO 38 T4(Laurus nobilis).

Given the proximity of the trees to the development proposal a tree survey and arboricultural impact assessment must accompany this application as both trees may impose major constraints upon vehicle access and storage of material, during the demolition and construction phases of the development.

REPRESENTATIONS

One deputation request has been received objecting to the development on the grounds of;

- (a) the works would result in an increased sense of enclosure following the development of extensions at neighbouring properties;
- (b) the development would create a walled environment and
- (c) the development would significantly increase overshadowing.

COMMENT

The determining issues in this application are whether the design of the proposal is acceptable and whether it relates appropriately to the recipient building. Further to this, whether the proposal would have a significant impact on the amenity of the neighbouring occupiers. Matters relating to alterations to the listed building will be considered separately under planning application reference: 17/01105/LBC.

Policy PCS23 of the Portsmouth Plan echoes the principles of good design set out within the National Planning Policy Framework which requires that all new development: will be of an excellent architectural quality; will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; will establish a strong sense of place; will respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation; relates well to the geography and history of Portsmouth and protects and enhances the city's historic townscape and its cultural and national heritage; and is visually attractive as a result of good architecture and appropriate landscaping.

The proposal is for the conversion of "Bay Tree Lodge" to form a single dwelling to include single storey rear extension (after demolition of existing structure); and associated internal alterations; extension to existing raised platform; alterations to existing fenestration and installation of rooflight.

It should be noted that the applicant had originally proposed to partially demolish "Bay Tree Lodge" to enable alterations to form a new hipped roof, single storey rear extension and alterations to the external elevations. The scheme has been significantly revised to its current

format as a result of ongoing negotiations between the applicant and the Local Planning Authority.

To achieve this conversion, a number of internal walls would be altered and removed to improve internal circulation, however these are works relating to the Listed Building Consent and do not form part of this assessment. A single storey rear extension has been proposed measuring approx. 4m in depth, 4m in width and 3.5m in height and would straddle the boundary between the application site and No. 27 Woodpath. This extension would have a mono-pitch roof slope and would be finished in matching white coloured smooth render whilst the roof slope would be clad in natural slate to match the recipient property. New timber framed French doors would provide access from this extension into the rear courtyard. In addition to this, the applicant has proposed to reconfigure existing windows and doors to enable functionality within newly formed internal rooms. Windows to the rear of "Bay Tree Lodge" would be shifted to the south, whilst the ground floor window and door would be replaced by a new set of bi-folding doors. Similar reconfigurations of the front (east) elevation of "Bay Tree Lodge" have been proposed with the existing front door being replaced with a new window to match that above, whilst another new window has been proposed on the single storey projection to the north of the site. Finally the applicant has also proposed to enlarge an existing area of raised decking to the south of the property. The existing terrace is located 2.4m above ground level and measures 5.9m in width and 3.9m in depth. This area would be extended to 5.3m in depth whilst the height and width of the decking would remain the same. The decking would be enclosed iron railings to match the existing terrace.

External alterations including the re-location of windows and doors on the front and rear elevations are considered to be respectful and in keeping with the recipient building by virtue of their size, matching materials and glazing bar details. The removal of the door on the front elevation of "Bay Tree Lodge" would help to provide some unity between the original dwelling and its adjoining two-storey projection. These alterations would give the impression that the buildings are untied and form one unit of accommodation.

Further to this, the enlargement of the outdoor terrace area to the south of the application site would be considered to have little visual impact and would relate appropriately to the existing terrace by virtue of the use of matching materials and the limited scale of the enlargement.

The construction of the single storey rear extension would be considered to relate appropriately to the recipient dwelling. The limited scale of this extension would help the development to appear as a subservient feature, whilst the use of matching materials would help to strengthen the relationship between original fabrics and the new development.

As a whole, the proposed alterations would be considered to have a good relationship with the recipient dwelling in design terms and would help to enhance the character and appearance of the "Owens Southsea" Conservation area.

Policy PCS23 of the Portsmouth Plan includes, amongst other things, that new development should ensure the protection of amenity and the provision of a good standard of living environment for neighbouring and local occupiers as well as future residents and users of the development.

Having regard to the amenities of neighbouring occupiers, external alterations to re-locate windows and doors are not considered to represent a significant loss of privacy. The installation of windows at ground floor on the front (east) elevation would serve only to provide views of the existing front courtyard whilst the window proposed at first floor on the rear elevation would replace an existing window in the same location with a smaller, similar style window. The outlook from this window would change very slightly but again would not create any new privacy or overlooking issues for neighbouring occupiers.

The existing external terrace lies within a large garden to the south of the application site, as the extension to this terrace would only encroach further into this space and would not be elevated any higher than its existing position, the relationship with neighbouring occupiers remains unchanged for this particular aspect of development.

In respect of the proposed single storey rear extension, this development would be located along the common shared boundary with No.27 Woodpath and would elevate approx. 1.5m above the existing boundary treatment. It is acknowledged that this development would have some impact on this occupier by virtue of its location along the common shared boundary, however the overall scale of the extension and its limited height are not considered to provide an undesirable sense of enclosure for the occupants of this property. The development would not create any new overshadowing issues as a result of the sites orientation (north-south) and the overall height of the surrounding built form. Further to this, the roof lights proposed for this extension would not create any new privacy or overlooking concerns.

RECOMMENDATION Conditional Permission

Conditions

- 1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.
- 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: 010G and 011F.
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match, in type, colour and texture those on the existing building.
- 4) No development or demolition shall take place until a detailed scheme has been submitted to and approved in writing by the local planning authority, methods for protecting the canopy, trunk and root protection areas of the trees in the grounds of No. 37 Grove Road South protected by preservation order No. 38. The approved measures shall then be implemented and retained during all works associated with this permission.

The reasons for the conditions are:

- 1) To comply with Section 91 of the Town and Country Planning Act 1990.
 - 2) To ensure the development is implemented in accordance with the permission granted.
 - 3) In the interests of visual amenity in accordance with policy PCS23 of the Portsmouth Plan.
 - 4) In the interests of preserving the high amenity value of protected trees and to preserve the character and appearance of the 'Owens Southsea' Conservation Area and the setting of the listed building and others in the immediate area.
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THE SHRUBBERY & BAY TREE LODGE 37 GROVE ROAD SOUTH SOUTHSEA PO5 3QS

CONVERSION TO FORM SINGLE DWELLING TO INCLUDE SINGLE STOREY REAR EXTENSION (AFTER DEMOLITION OF EXISTING STRUCTURE); AND ASSOCIATED INTERNAL ALTERATIONS; EXTENSION TO EXISTING RAISED PLATFORM; ALTERATIONS TO EXISTING FENESTRATION AND INSTALLATION OF ROOFLIGHT.

Application Submitted By:

Mr John Pike
Pike Planning

On behalf of:

Mr & Mrs Tim and Sue Fielder

RDD: 26th June 2017

LDD: 22nd August 2017

SUMMARY OF MAIN ISSUES**Update**

This item was deferred from Planning Committee on the 13.12.2017 in order for Committee Members to attend a site visit of affected properties.

This application has been called to Planning Committee as a result of a deputation request from an adjoining neighbouring occupier.

This application relates to "The Shrubbery" & "Bay Tree Lodge" which are two adjoining buildings located at 37 Grove Road South. The application site is located in the "Owens Southsea" Conservation Area (No.2) in the St. Jude Ward and also falls within TPO 38, with several TPO protected trees located within the curtilage of the properties. The application site is located within a small cul-de-sac of three properties including; "The Shrubbery" (Grade II Listed), "Milford Lodge" (Grade II Listed) and Bay Tree Lodge. Adjoining the site are numerous other distinctive heritage assets including No. 35 Grove Road South (Grade II Listed) and St. Johns College (Grade II Listed).

"The Shrubbery" is a large detached two-storey building over an existing basement. "Bay Tree Lodge" was developed mid-twentieth century and is tagged on to the northern elevation of the original property. This two-storey side extension forms a separate unit of accommodation which is currently not accessible through "The Shrubbery".

The proposal is for the conversion to form single dwelling to include single storey rear extension (after demolition of existing structure); and associated internal alterations; extension to existing raised platform; alterations to existing fenestration and installation of rooflight. It should be noted that a full planning application (ref: 17/01104/FUL) has been submitted alongside this Listed Building Consent application however this will be considered separately.

There is an extensive planning history at the application site relating to arboricultural works and the ongoing management of TPO protected trees. Most recently, 17/00733/TPO was granted conditional consent in June 2016 to fell T2 (Plum) located in the rear courtyard of the application site.

POLICY CONTEXT

The relevant policies within the Portsmouth Plan would include:
PCS23 (Design and Conservation),

In addition to the National Planning Policy Framework, the relevant policies within the Portsmouth Plan would include: PCS23 (Design and Conservation).

CONSULTATIONS

Historic England

On the basis of the information available to date, no comments are offered. We suggest that you seek the views of your specialist conservation adviser.

Ancient Monuments Society

No comments

Council For British Archaeology

No comments

SPAB

No comments

The Georgian Group

No comments

The Victorian Society

No comments

Twentieth Century Society

No comments

The Portsmouth Society

No comments

REPRESENTATIONS

Two representations have been received objecting to the development on the grounds of;

- (a) potential damage to existing shared garages;
- (b) construction related vehicles will block access to shared garages;
- (c) noise, dirt and dust arising from construction works;
- (d) lack of communication with the applicants;
- (e) increased overshadowing;
- (f) increased sense of enclosure as a result of previously approved development adjoining the application site;
- (g) extensions would affect the character and appearance of the listed building.

Two representations have been received supporting the development on the grounds of:

- (a) alterations would be sympathetic to the Owens Southsea Conservation Area;
- (b) parking of vans on the shared access would not be problematic and
- (c) alterations to the structural integrity of the garage can be managed by shared owners.

COMMENT

The determining issue in this application is whether the proposed alterations are of an acceptable design that would preserve the special architectural or historic interest of the Grade II listed building.

When determining planning applications the Local Planning Authority (LPA) must consider what impact the proposal would have on both designated and non-designated heritage assets. Section 66 of the Listed Buildings and Conservation Areas Act 1990 (as amended) places a duty on the LPA to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.

To achieve this conversion, a number of internal walls would be altered and removed to improve internal circulation. A single storey rear extension has been proposed measuring approx. 4m in depth, 4m in width and 3.5m in height and would straddle the boundary between the application site and No. 27 Woodpath. This extension would have a mono-pitch roof slope and would be finished in matching white coloured smooth render whilst the roof slope would be clad in natural slate tiles to match the recipient property. New timber framed French doors would provide access from this extension into the rear courtyard. In addition to this, the applicant has proposed to reconfigure existing windows and doors to enable functionality within newly formed internal rooms. Windows to the rear of "Bay Tree Lodge" would be shifted to the south, whilst the ground floor window and door would be replaced by a new set of bi-folding doors. Similar reconfigurations of the front (east) elevation of "Bay Tree Lodge" have been proposed with the existing front door being replaced with a new window to match that above, whilst another new window has been proposed on the single storey projection to the north of the site. Finally the applicant has also proposed to enlarge an existing area of raised decking to the south of the property. The existing terrace is located 2.4m above ground level and measures 5.9m in width and 3.9m in depth. This area would be extended to 5.3m in depth whilst the height and width of the decking would remain the same. The decking would be enclosed iron railings to match the existing terrace.

External alterations including the re-location of windows and doors on the front and rear elevations are considered to be respectful and in keeping with the recipient listed building by virtue of their size, matching materials and glazing bar details.

The removal of the door on the front elevation of "Bay Tree Lodge" would help to provide some unity between the original dwelling and its adjoining two-storey projection. These alterations would give the impression that the buildings are untied and form one unit of accommodation. Further to this, the enlargement of the outdoor terrace area to the south of the application site would be considered to have little visual impact and would relate appropriately to the existing terrace by virtue of the use of matching materials and the limited scale of development.

The construction of the single storey rear extension would be considered to relate appropriately to the recipient dwelling. The limited scale of this extension would help the development to appear as a subservient feature relating to the existing property by the use of matching materials. The scale of the proposed works is considered to be appropriate by virtue of the subservient nature of the development in the context of the application site. The choice of sympathetic materials including hardwood framing, smooth render, natural slate and single glazed panels would relate appropriately to the Grade II Listed building and would help the proposed alterations to make a connection with the original building.

In response to the objection comments raised, matters relating to construction works and access are not something that the Planning Department can resolve. Further to this, issues relating to neighbouring amenity cannot be dealt with under this planning application however this would be assessed under the corresponding application for planning permission (ref: 17/01104/FUL).

It is considered that the proposed development would preserve the special architectural or historic interest of the Grade II Listed Building.

RECOMMENDATION

Conditional Consent

Conditions

- 1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.
- 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: 010G and 011F.
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match, in type, colour and texture those on the existing building.

The reasons for the conditions are:

- 1) To comply with Section 91 of the Town and Country Planning Act 1990.
- 2) To ensure the development is implemented in accordance with the permission granted.
- 3) In the interests of visual amenity in accordance with policy PCS23 of the Portsmouth Plan

PRO-ACTIVITY STATEMENT

Notwithstanding that the City Council seeks to work positively and pro-actively with the applicant through the application process in accordance with the National Planning Policy Framework, in this instance the proposal was considered acceptable and did not therefore require any further engagement with the applicant.

3 KINGSLAND CLOSE PORTSMOUTH PO6 4AL**CHANGE OF USE FROM DWELLING HOUSE (CLASS C3) TO PURPOSES FALLING WITHIN CLASS C4 (HOUSE IN MULTIPLE OCCUPATION) OR CLASS C3 (DWELLING HOUSE)****Application Submitted By:**

Mr Matthew Bartolo

On behalf of:

Mr Matthew Bartolo

RDD: 13th October 2017**LDD:** 11th December 2017**SUMMARY OF MAIN ISSUES**

This application has been called into Planning Committee as a result of a deputation request from a Local Ward Councillor.

The main issues to be considered in the determination of this application are the appropriateness of such a use in the context of the balance of uses in the surrounding area and whether it would have a detrimental impact on the living conditions of adjoining and nearby residents. Other considerations are whether the proposal complies with policy requirements in regards to an adequate standard of accommodation and in respect of car and cycle parking.

The site

This application relates to a two-storey mid-terraced dwelling located in Kingsland Close near its intersection with Abbeydore Road. The property is set back from the highway by a small courtyard and benefits from a larger garden to the rear. Kingsland Close is a cul-de-sac with parking located adjacent to the properties with small areas of landscaping and trees. To the rear of the application site is an existing outbuilding and access that would be used for the storage/servicing of bicycles and bins on the site.

The site is located in close proximity to a range of shops and a service located on Allaway Avenue and is also well serviced by bus routes.

The Proposal

Planning permission is sought for the use of the property for purposes falling within Class C3 (dwellinghouse) or within Class C4 (House in Multiple Occupation). The interchange between Class C3 and Class C4 would normally be permitted development within the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). However, on 1st November 2011 a city wide Article 4 Direction relating to HMOs came into force removing this permitted development right. As such, planning permission is now required in order to interchange between the uses of a Class C3 dwellinghouse and a Class C4 HMO where between three and six unrelated people share at least a kitchen and/or a bathroom. The lawful use of the property is currently as a dwellinghouse within Class C3.

Planning History

There is no planning history considered to be relevant for the determination of this application.

POLICY CONTEXT

The relevant policies within the Portsmouth Plan would include: PCS17 (Transport), PCS20 (Houses in Multiple Occupation (HMOs)), PCS23 (Design and Conservation),

In addition to the National Planning Policy Framework, the relevant policies within the Portsmouth Plan would include: PCS17 (Transport), PCS20 (Houses in Multiple Occupation (HMOs)) and PCS23 (Design and Conservation). The Houses in Multiple Occupation (HMOs) Supplementary Planning Document (November 2017) and the Parking Standards SPD would also be material to this application.

CONSULTATIONS

Private Sector Housing

-2 storeys

-5 bedrooms

Based on the layout and sizes provided there are no adverse comments to make. This property would not require to be licenced under Part 2, Housing Act 2004.

REPRESENTATIONS

Four representations have been received raising objections on the grounds of:

- (a) increased parking demand;
- (b) increased noise and disturbance;
- (c) increased parking pressure represents a danger to children;
- (d) development is causing sleep deprivation, stress and anxiety;
- (e) increased coming and goings;
- (f) impact on quiet neighbourhood;
- (g) misuse of landscaped areas for parking;
- (h) environmental impact of trees being damaged and
- (i) the development would only serve to provide financial gain from the applicant.

COMMENT

The main issues to be considered in the determination of this application are the appropriateness of such a use in the context of the balance of uses in the surrounding area and whether it would have a detrimental impact on the living conditions of adjoining and nearby residents. Other considerations are whether the proposal complies with policy requirements in regards to an adequate standard of accommodation and in respect of car and cycle parking.

Permission is sought for the use of the property for purposes falling within Class C3 (dwellinghouse) or Class C4 (house in multiple occupation) (HMO), to enable the applicant the flexibility to change freely between the two use classes. The property currently has a lawful use as a dwellinghouse (Class C3). For reference, a Class C4 HMO is defined as a property occupied by between three and six unrelated people share who share basic amenities such as a kitchen or bathroom.

Policy PCS20 of the Portsmouth Plan states that applications for the change of use to a HMO will only be permitted where the community is not already imbalanced by a concentration of such uses or where the development would not create an imbalance. The adopted Houses in Multiple Occupation SPD (HMO SPD) sets out how Policy PCS20 will be implemented and details how the City Council will apply this policy to all planning applications for HMO uses.

Based on information held by the City Council, of the 32 properties within a 50 metre radius of the application site, one is considered to be in lawful use as a HMO. Therefore, as the granting

of planning permission would increase the proportion of HMOs to 6.25%, it is considered that the community is not already imbalanced by a concentration of HMO uses and this application would not result in an imbalance of such uses.

Standard of Accommodation

In terms of internal living conditions, the property benefits from the following:

*Bedrooms are not numbered on plan, for the purposes of the list below they have been labelled 1-5, starting at ground floor and working clockwise on the upper floor.

Area:	Provided:	Required Standard: (HMO SPD-NOV 2017)
Bedroom 1 (Ground Floor)	11.22m ²	7.5m ²
Bedroom 2 (First Floor)	11.8m ²	7.5m ²
Bedroom 3 (First Floor)	10.54m ²	7.5m ²
Bedroom 4 (First Floor)	10.95m ²	7.5m ²
Bedroom 5 (First Floor)	7.54m ²	7.5m ²
Kitchen (Ground Floor)	9.15m ²	7m ²
Lounge	17.28m ²	11m ²
Bathroom (Ground Floor)	3.87m ²	3.74m ²
Bathroom (First Floor)	4.75m ²	3.74m ²

In accordance with the requirements outlined on pages 8 and 9 of the HMO SPD (November 2017), the property is considered to provide an adequate standard of living accommodation to facilitate 5 persons sharing.

Matters Raised in Representations

Representations refer to the potential increase in noise, disturbance and anti-social behaviour resulting from the use of the application dwelling as a HMO. It is however, generally considered that the level of activity associated with the use of any individual property as a Class C4 HMO is unlikely to be materially different to the use of a single household as a Class C3 dwellinghouse occupied by either a single family or other groups living as a single household. Indeed this issue has been considered in previous appeal decisions where Inspectors have taken the view that properties used as HMOs within Class C4 would be occupied by similar numbers of occupiers to a C3 use. In dismissing an appeal at 82 Margate Road (APP/Z1775/A/12/2180908 - 7th January 2013) the Inspector opined that "The level of activity generated by a large family would be comparable to that arising from the current proposal. Therefore, concerns over noise and disturbance would not justify rejection of the appeal. Other legislation is available to address concerns relating to anti-social behaviour". It is therefore considered that the proposed use of this individual property within Class C4 would not be demonstrably different from uses within Class C3 that make up the prevailing residential character of the surrounding area and an objection on the grounds of increased noise and disturbance or anti-social behaviour could not be sustained.

Representations refer to the development having an impact on the neighbourhood character of Kingsland Close. The Houses in Multiple Occupation SPD (November 2017) paragraph A2.1 states: " National planning policy guidance (PPS1 and PPS3) provides the context for local planning policy to ensure that mixed and balanced communities are developed in the future and to avoid situations where existing communities become unbalanced by the narrowing of

household types towards domination by a particular type, such as shared housing (HMOs)." In respect of this, given the low percentage of lawful HMO's in the surrounding area (50m radius) it is considered that the proposed change of use would not create a situation where neighbourhood would become unbalanced and therefore the development would not be considered to have a detrimental impact on the sense of community in Kingsland Close.

In response to representations relating to undesirable behaviour, in addition to ensuring adequate size standards, sanitary facilities and fire safety, the City Council's Private Sector Housing Team can assist should the property not be managed in an appropriate manner.

Parking

The City Council's Parking Standards SPD sets the level of off-road parking facilities for new developments within the city and places a requirement of 2 off-road spaces for Class C4 HMOs with four or more bedrooms. However, it should be noted that the expected level of parking demand for a Class C3 dwellinghouse with four or more bedrooms would also be 2 off-road spaces. Whilst the concerns of local residents in respect of parking are noted, in light of the requirements set out within the Parking Standards SPD and the view that the level of occupation associated with a HMO is not considered to be significantly greater than the occupation of the property as a Class C3 dwellinghouse, it is considered that an objection on car parking standards could not be sustained. It should be noted that the property could be occupied by a large family with grown children, each owning a separate vehicle.

The submitted drawings indicate the provision of bicycle storage facilities in line with the Parking Standards SPD. The provision and retention of suitable bicycle storage facilities can be required through a suitably worded planning condition. The storage of refuse and recyclable materials would remain to be held in the outbuilding to the rear of the application site.

RECOMMENDATION Conditional Permission

Conditions

- 1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.
- 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: Location Plan 1:1250 and Proposed Floorplans.
- 3) Prior to first occupation of the property as a House in Multiple Occupation within Use Class C4, secure and weatherproof bicycle storage facilities for 4 bicycles shall be provided at the site and shall thereafter be retained for the parking of bicycles at all times.

The reasons for the conditions are:

- 1) To comply with Section 91 of the Town and Country Planning Act 1990.
- 2) To ensure the development is implemented in accordance with the permission granted.
- 3) To ensure that adequate provision is made for cyclists using the premises in accordance with policies PCS17 and PCS23 of the Portsmouth Plan.

PRO-ACTIVITY STATEMENT

Notwithstanding that the City Council seeks to work positively and pro-actively with the applicant through the application process in accordance with the National Planning Policy Framework, in this instance the proposal was considered acceptable and did not therefore require any further engagement with the applicant.

4 FAIR OAK ROAD SOUTHSEA PO4 8FQ**CHANGE OF USE FROM PURPOSES FALLING WITHIN CLASS C3 (DWELLINGHOUSE) TO PURPOSES FALLING WITHIN CLASS C3 (DWELLINGHOUSE) OR CLASS C4 (HOUSE IN MULTIPLE OCCUPATION)****Application Submitted By:**

Mr Paul Heywood

On behalf of:

Mr Paul Heywood

RDD: 17th October 2017**LDD:** 25th December 2017**SUMMARY OF MAIN ISSUES**

This application has been called into Planning Committee as a result of a deputation request from a Local Ward Councillor.

The main issues to be considered in the determination of this application are the appropriateness of such a use in the context of the balance of uses in the surrounding area and whether it would have a detrimental impact on the living conditions of adjoining and nearby residents. Other considerations are whether the proposal complies with policy requirements in regards to an adequate standard of accommodation and in respect of car and cycle parking.

The site

This application relates to a two-storey mid-terraced dwelling located on Fair Oak Road close to its intersection with Locksway Road. The property has a small front garden and benefits from a larger space to the rear. The property is located in the Milton Ward and is in close proximity to TPO Boundaries 177 & 215.

The site is located in close proximity to a range of shops and a service located on Locksway Road and is also well serviced by bus and cycle routes.

The Proposal

Planning permission is sought for the use of the property for purposes falling within Class C3 (dwellinghouse) or within Class C4 (House in Multiple Occupation). The interchange between Class C3 and Class C4 would normally be permitted development within the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). However, on 1st November 2011 a city wide Article 4 Direction relating to HMOs came into force removing this permitted development right. As such, planning permission is now required in order to interchange between the uses of a Class C3 dwellinghouse and a Class C4 HMO where between three and six unrelated people share at least a kitchen and/or a bathroom. The lawful use of the property is currently as a dwellinghouse within Class C3.

Planning History

There is no planning history considered to be relevant for the determination of this application.

POLICY CONTEXT

The relevant policies within the Portsmouth Plan would include: PCS17 (Transport), PCS20 (Houses in Multiple Occupation (HMOs)), PCS23 (Design and Conservation),

In addition to the National Planning Policy Framework, the relevant policies within the Portsmouth Plan would include: PCS17 (Transport), PCS20 (Houses in Multiple Occupation (HMOs)) and PCS23 (Design and Conservation). The Houses in Multiple Occupation (HMOs) Supplementary Planning Document (November 2017) and the Parking Standards SPD would also be material to this application.

CONSULTATIONS

Private Sector Housing

Summary

-3 storeys

-4 bedrooms

Based on the layout and sizes provided there are no adverse comments to be made by the Private Sector Housing Team. The application for this property would require to be licenced (additional) under Part 2, Housing Act 2004.

Please note the following Open planned Kitchen, dining and lounge area. Within the open planned area the kitchen area must be a minimum of 7m² for the exclusive use of cooking, food preparation and storage. The following kitchen facilities are required:

- 1 x combined conventional cooker (oven , grill and 4 hot plates)
- 1 x sink bowl sink with integral drainer
- 1 x under the counter fridge and a separate freezer or one equivalent combined fridge/freezer
- 2 x 500mm base units and 2 x 1000mm wall units with doors or equivalent
- Worktops 2000mm (l) x 500mm(d)
- 2 x twin sockets located at least 150mm above the work surface

REPRESENTATIONS

Eighteen representations have been made objecting to the development on the grounds of:

- (a) Overcrowding;
- (b) increased parking demand;
- (c) development will erode the character of the residential estate;
- (d) sets an unwanted precedent;
- (e) increased congestion;
- (f) safety risks associated with parking and congestion;
- (g) community impact;
- (h) impact of different working patterns;
- (i) development is not appropriate for the area;
- (j) noise and disturbance;
- (k) increased refuse issues;
- (l) ambiguity regarding the future usage of the property;
- (m) overcrowding and over-occupation;
- (n) fire safety matters;
- (o) property is already being used as a HMO;
- (p) impact on sense of community;
- (q) pressure on local services;
- (r) limited access for emergency services;
- (s) prevalence of parking by dog walkers contributing to existing parking issues;
- (t) increased anti-social behaviour;

- (u) welfare of future occupants;
- (v) rooms are not of an appropriate size;
- (w) properties are unfit for purpose;
- (x) increased litter attracting vermin;
- (y) inadequate bin storage and
- (z) property does not meet building regulations

COMMENT

The main issues to be considered in the determination of this application are the appropriateness of such a use in the context of the balance of uses in the surrounding area and whether it would have a detrimental impact on the living conditions of adjoining and nearby residents. Other considerations are whether the proposal complies with policy requirements in regards to an adequate standard of accommodation and in respect of car and cycle parking.

Permission is sought for the use of the property for purposes falling within Class C3 (dwellinghouse) or Class C4 (house in multiple occupation) (HMO), to enable the applicant the flexibility to change freely between the two use classes. The property currently has a lawful use as a dwellinghouse (Class C3). For reference, a Class C4 HMO is defined as a property occupied by between three and six unrelated people share who share basic amenities such as a kitchen or bathroom.

Policy PCS20 of the Portsmouth Plan states that applications for the change of use to a HMO will only be permitted where the community is not already imbalanced by a concentration of such uses or where the development would not create an imbalance. The adopted Houses in Multiple Occupation SPD (HMO SPD) sets out how Policy PCS20 will be implemented and details how the City Council will apply this policy to all planning applications for HMO uses.

Based on information held by the City Council, of the 31 properties within a 50 metre radius of the application site, none are considered to be in lawful use as a HMO. Therefore, as the granting of planning permission would increase the proportion of HMOs to 3.23%, it is considered that the community is not already imbalanced by a concentration of HMO uses and this application would not result in an imbalance of such uses.

Standard of Accommodation

In terms of internal living conditions, the property benefits from the following:

Area:	Provided:	Required Standard: (HMO SPD-NOV 2017)
Bedroom 1 (First Floor)	12.24m ²	7.5m ²
Bedroom 2 (First Floor)	19.2m ²	7.5m ²
Bedroom 3 (Second Floor)	14.8m ²	7.5m ²
Bedroom 4 (Second Floor)	8.9m ²	7.5m ²
Kitchen /Lounge/ Dining (Ground Floor)	29.15m ²	24m ²
Bathroom (Second Floor)	3.96m ²	3.74m ²
Ensuite (First Floor)	2.82m ²	Not defined
W/C (Ground Floor)	1.65m ²	Not defined

In accordance with the requirements outlined on pages 8 and 9 of the HMO SPD (November 2017), the property is considered to provide an adequate standard of living accommodation to facilitate 3-6 unrelated persons sharing.

Matters Raised in Representations

Representations refer to the potential increase in noise, disturbance and anti-social behaviour resulting from the use of the application dwelling as a HMO. It is however, generally considered that the level of activity associated with the use of any individual property as a Class C4 HMO is unlikely to be materially different to the use of a single household as a Class C3 dwellinghouse occupied by either a single family or other groups living as a single household. Indeed this issue has been considered in previous appeal decisions where Inspectors have taken the view that properties used as HMOs within Class C4 would be occupied by similar numbers of occupiers to a C3 use. In dismissing an appeal at 82 Margate Road (APP/Z1775/A/12/2180908 - 7th January 2013) the Inspector opined that "The level of activity generated by a large family would be comparable to that arising from the current proposal. Therefore, concerns over noise and disturbance would not justify rejection of the appeal. Other legislation is available to address concerns relating to anti-social behaviour". It is therefore considered that the proposed use of this individual property within Class C4 would not be demonstrably different from uses within Class C3 that make up the prevailing residential character of the surrounding area and an objection on the grounds of increased noise and disturbance or anti-social behaviour could not be sustained.

Representations refer to the development having an impact on the sense of community in the area and the character of Fair Oak Road as a whole. The Houses in Multiple Occupation SPD (November 2017) paragraph A2.1 states: " National planning policy guidance (PPS1 and PPS3) provides the context for local planning policy to ensure that mixed and balanced communities are developed in the future and to avoid situations where existing communities become unbalanced by the narrowing of household types towards domination by a particular type, such as shared housing (HMOs)." In respect of this, given there are no lawful HMO's in the surrounding area (50m radius) it is considered that the proposed change of use would not create a situation where the local community would become unbalanced and therefore the development would not be considered to have a detrimental impact on the sense of community or the character of Fair Oak Road.

In response to representations relating to undesirable behaviour, in addition to ensuring adequate size standards, sanitary facilities and fire safety, the City Council's Private Sector Housing Team can assist should the property not be managed in an appropriate manner. Finally matters relating to house values and private landlords interests are not material planning considerations.

Parking

The City Council's Parking Standards SPD sets the level of off-road parking facilities for new developments within the city and places a requirement of 2 off-road spaces for Class C4 HMOs with up to four bedrooms. However, it should be noted that the expected level of parking demand for a Class C3 dwellinghouse with up to three bedrooms would also be 2 off-road spaces. Whilst the concerns of local residents in respect of parking are noted, in light of the requirements set out within the Parking Standards SPD and the view that the level of occupation associated with a HMO is not considered to be significantly greater than the occupation of the property as a Class C3 dwellinghouse, it is considered that an objection on car parking standards could not be sustained. It should be noted that the property could be occupied by a large family with grown children, each owning a separate vehicle.

The submitted drawings do not indicate the provision of bicycle storage facilities in line with the Parking Standards SPD. However, on the basis that access could be provided into the rear garden, the provision and retention of suitable bicycle storage facilities can be required through a suitably worded planning condition. The storage of refuse and recyclable materials would remain unchanged.

RECOMMENDATION

Conditional Permission

Conditions

- 1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.
- 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: Location Plan (1:1250) and Floorplans.
- 3) Prior to first occupation of the property as a House in Multiple Occupation within Use Class C4, secure and weatherproof bicycle storage facilities for 4 bicycles shall be provided at the site and shall thereafter be retained for the parking of bicycles at all times.

The reasons for the conditions are:

- 1) To comply with Section 91 of the Town and Country Planning Act 1990.
- 2) To ensure the development is implemented in accordance with the permission granted.
- 3) To ensure that adequate provision is made for cyclists using the premises in accordance with policies PCS17 and PCS23 of the Portsmouth Plan.

PRO-ACTIVITY STATEMENT

Notwithstanding that the City Council seeks to work positively and pro-actively with the applicant through the application process in accordance with the National Planning Policy Framework, in this instance the proposal was considered acceptable and did not therefore require any further engagement with the applicant.

18 BRAMBLE ROAD SOUTHSEA PO4 0DT**CHANGE OF USE FROM PURPOSES FALLING WITHIN C3 (DWELLING HOUSE) OR C4 (HOUSE IN MULTIPLE OCCUPATION) TO A 7 BEDROOM HOUSE IN MULTIPLE OCCUPATION (SUI GENERIS)****Application Submitted By:**

Thorns Young Ltd
FAO Mr Sam Appleton

On behalf of:

Mr Anthony Lane

RDD: 9th November 2017**LDD:** 22nd January 2018**SUMMARY OF MAIN ISSUES**

This application is being represented at Planning Committee as a result of a standing call-in request for all Sui-Generis HMO Applications.

The main issues to be considered in the determination of this application are the appropriateness of such a use in the context of the balance of uses in the surrounding area and whether it would have a detrimental impact on the living conditions of adjoining and nearby residents. Other considerations are whether the proposal complies with policy requirements in regards to an adequate standard of accommodation and in respect of car and cycle parking.

The Site

This application relates to a two-storey end of terrace dwelling located on Bramble Road close to its intersection with Shanklin Road.

The application site fronts directly on to the back edge of the footway and comprises two bedrooms, a bathroom, kitchen and lounge at ground floor with three bedrooms and a bathroom located on the first floor and two bedrooms and a bathroom at second floor. The surrounding area is characterised by densely populated residential terraces and is in close proximity to a wide range of shops and services located on Fawcett Road.

Proposal

This application seeks planning permission to use the property as a 7 bedroom, 7 person house in multiple occupation (Sui Generis).

Relevant Planning History

In terms of relevant planning history, planning application reference: 17/00219/FUL was granted conditional permission in April 2017 for a change of use from house in multiple occupation (Class C4) to purposes falling within Class C3 (dwelling house) or Class C4 (house in multiple occupation).

POLICY CONTEXT

The relevant policies within the Portsmouth Plan would include: PCS17 (Transport), PCS20 (Houses in Multiple Occupation (HMOs)), PCS23 (Design and Conservation),

In addition to the National Planning Policy Framework, the relevant policies within the Portsmouth Plan would include: PCS17 (Transport), PCS20 (Houses in Multiple Occupation (HMOs)) and PCS23 (Design and Conservation). The Houses in Multiple Occupation (HMOs) Supplementary Planning Document (November 2017) and the Parking Standards SPD would also be material to this application.

CONSULTATIONS

Private Sector Housing

Summary

- 3 storeys
- 7 bedrooms

Based on the layout and sizes provided there are no adverse comments to make. With the information provided with this application this property would require to be licenced under Part 2, Housing Act 2004.

Please note the following amenity requirements based on 7 sharing:

Personal hygiene

All bath or shower rooms must have a suitable layout to include adequate drying and changing space. The wall finishes and flooring must be ready cleansable, the flooring well fitted and non-absorbent, and a suitable lock provided on the door.

All must contain:

- Bath and/or shower
- WC
- Wash Hand Basin (WHB)
- Heating
- Ventilation

Kitchen/dining

The minimum size of the kitchen area must be 11m² and have the following amenities provided in a safe and usable layout.

- 2 x conventional cooker (a combination microwave may be used in lieu of second cooker).
- 1 x double bowl sink and integral drainer (a one and a half bowl sink is acceptable where a dishwasher is provided)
- 2 x under counter fridges and a separate freezer or 2 x equivalent combined fridge freezer.
- 4 x 500mm base units and 2 x 1000mm wall units with doors or equivalent.
- 2500mm (l) x 500mm (d) worktops.
- 3 x twin sockets located at least 150mm above the work surface

REPRESENTATIONS

One representation has been received objecting to the development on the grounds of: (a) extensions have an overbearing impact on neighbouring properties; (b) loss of light; and (c) increased in parking demand.

COMMENT

The determining issues for this application relate to the suitability of the proposed HMO use within the existing community and its potential impact upon the living conditions of adjoining and neighbouring residents. Other considerations are whether the proposal complies with policy requirements in respect of SPA mitigation, car and cycle parking.

Principle of the Use

Planning permission is sought for the use of the property as a seven person, seven bedroom Sui Generis HMO. The property already benefits from a lawful use as a mixed use Class C3-Residential/Class C4-HMO which was granted planning permission in April 2017.

Policy PCS20 of the Portsmouth Plan states that applications for the change of use to a HMO will only be permitted where the community is not already imbalanced by a concentration of such uses or where the development would not create an imbalance. The adopted Houses in Multiple Occupation SPD (HMO SPD November 2017) sets out how Policy PCS20 will be implemented and details how the City Council will apply this policy to all planning applications for HMO uses.

Paragraph 1.15 of the HMO SPD (adopted 21.11.2017) states: "Where planning permission is sought to change the use of a Class C4 or mixed C3/C4 use to a HMO in Sui Generis use, the City Council will seek to refuse applications 'in areas where concentrations of HMOs already exceed the 10% threshold.' "

Based on information held by the City Council, of the 60 properties within a 50 metre radius of the application site, eight are considered to be in lawful use as a HMO inclusive of No.18 Bramble Road. Therefore, as the granting of planning permission for this sui-generis use would retain the proportion of HMOs in the area at 13.3%, it is considered that the community is already imbalanced by a concentration of HMO uses.

It should be noted that further to correspondence with the applicant in regards to the HMO count data, it was brought to the attention of the Local Planning Authority that the recently developed Student Halls of Residence located at the corner of Fawcett Road and Heyward Road was not included in the count data. For clarification, the applicant was of the opinion that the individual units in this property (approx. 30-40 studios/flats) should be counted as individual C3 (residential uses) and therefore adding additional properties to those being considered within the 50m radius. Having sought clarification from the City Solicitor, it is considered that this property is a single unit in Class C1 (Student Halls of Residence) use. This property has now been included in the count data and is reflected in the figures above, however as a single unit and not the 30-40 individual flats as suggested by the applicant.

Having regards to the balance of uses in the surrounding area, it is considered that the community is currently imbalanced by a concentration of residential properties and HMO's uses therefore the proposal is not considered to be acceptable in principle.

Standard of Accommodation

In terms of internal living conditions, the property benefits from the following:

Area:	Provided:	Required Standard: (HMO SPD-NOV 2017)
Bedroom 1 (Second Floor)	12.48m ²	7.5m ²
Bedroom 2 (Second Floor)	7.44m ²	7.5m ²
Bedroom 3 (First Floor)	10m ²	7.5m ²
Bedroom 4 (First Floor)	9.3m ²	7.5m ²

Bedroom 5 (First Floor)	10.15m ²	7.5m ²
Bedroom 6 (Ground Floor)	8.99m ²	7.5m ²
Bedroom 7 (Ground Floor)	7.75m ²	7.5m ²
Kitchen/Dining (Ground Floor)	27.56m ²	27m ²
Bath (Ground Floor)	4.65m ²	3.74m ²
Bath (First Floor)	4.34m ²	3.74m ²
Bath (Second Floor)	5.22m ²	3.74m ²

It is considered that bedroom 2 at second floor is slightly undersize (0.56m²) however given the compliance with all other size standards it is considered that overall, the property is considered to provide an adequate standard of living accommodation to facilitate 7 persons sharing in accordance with the requirements outlined on pages 8 and 9 of the HMO SPD (November 2017),

The property would provide adequate internal floor areas, exceeding the standard required to allow for social activities that would be expected for individuals living as a group, as well as a safe environment for the cooking and consuming of food.

The City Council's Private Sector Housing Team (PSHT) have been consulted as part of the determination of this application. They confirm that the standard of accommodation and the associated facilities are sufficient for the intended number of occupants and any licence application for its occupation by up to 7 individuals would be capable of support. It should be noted that there is a degree of variation between the standards that are acceptable for the Licencing regime and the newly adopted minimum standards identified in the HMO SPD (November 2017).

The licensing process would also ensure adequate fire safety measures and could provide assistance should the property not be managed appropriately. In addition, other legislation is available beyond the planning system to address concerns relating to any anti-social behaviour at the property.

Notwithstanding the comments from Private Sector Housing, the LPA is not bound by the requirements of the Housing Act 2004. The planning system will generally seek to improve upon the bare minimum (as demonstrated by the minimum bedroom floor area set out within the Technical Housing Standards at 7.5sq.m.) to provide a good quality of living environment for future occupants, whether that be within a dwellinghouse (Class C3) or within shared accommodation (Class C4 & Sui Generis HMOs).

Each of the proposed bedrooms (apart from bedroom 2) exceed the minimum space standard (7.5m²) and would have an acceptable degree of natural light, ventilation and outlook.

Therefore, in light of the assessment above, it is considered that the proposed use of the property by seven persons would provide an adequate standard of living accommodation for future occupiers.

Impact on Residential Amenity

It is generally considered that the level of activity associated with the use of any individual property as a HMO is unlikely to be materially different to the use of a single household as a Class C3 dwellinghouse occupied by either a single family or other groups living as a single household. This issue has been considered in previous appeals where Inspectors have taken the view that properties used as HMOs within Class C4 would be occupied by similar numbers of occupiers to a C3 use. In dismissing an appeal at 82 Margate Road (APP/Z1775/A/12/2180908) the Inspector opined that "The level of activity generated by a large family would be comparable to that arising from the current proposal. Therefore, concerns over noise and disturbance would not justify rejection of the appeal. Other legislation is available to address concerns relating to anti-social behaviour".

It is accepted that the application seeks permission for seven individuals rather than six, however, Inspectors have also taken the view that this would be comparable to a large family and that there is insufficient evidence to demonstrate that the use of a given property by eight individuals would result in material harm to the living conditions of local residents or unbalance the local community. (11 Baileys Road - Appeal ref.APP/Z1775/W/16/3159989, February 2017; 37 Margate Road APP/Z1775/W/16/3159992 - Feb 2017 & 80 Margate Road APP/Z1775/W/16/3159993 - Feb 2017).

Parking

The application site does not benefit from any off-street parking and none is proposed as part of this application (the constraints of the site are such that none can be provided). However, given the current lawful use of the property, the view of the planning Inspector detailed above and the sites proximity to local shops, services and transport facilities, it is considered that an objection on car parking standards could not be sustained.

In addition, the City Council's Parking Standards SPD sets the level of off-road parking facilities for new developments within the city. It is noted that the number of parking spaces required for a Sui Generis HMO with four or more bedrooms, is the same as would be required for a Class C4 HMO with four or more bedrooms or a Class C3 dwellinghouse with four or more bedrooms.

SPA mitigation

The Conservation of Habitats and Species Regulations 2010 [as amended] and the Wildlife and Countryside Act 1981 place duties on the Council to ensure that the proposed development would not have a significant effect on the interest features for which Portsmouth Harbour is designated, or otherwise affect protected species. The Portsmouth Plan's Greener Portsmouth policy (PCS13) sets out how the Council will ensure that the European designated nature conservation sites along the Solent coast will continue to be protected.

The Solent Special Protection Areas Supplementary Planning Document (SPD) was adopted in April 2014. It has been identified that any development in the city which is residential in nature will result in a significant effect on the Special Protection Areas (SPAs) along the Solent coast. Paragraph 3.3 of the SPD states: 'Mitigation will generally not be sought from proposals for changes of use from dwellinghouses to Class C4 Houses in Multiple Occupation (HMOs) as there would not be a net increase in population. A change of use from a Class C4 HMO or a C3 dwellinghouse to a sui generis HMO is considered to represent an increase in population equivalent to one unit of C3 housing, thus resulting in a significant effect and necessitating a mitigation package to be provided'. The SPD sets out how development schemes can provide a mitigation package to remove this effect and enable the development to go forward in compliance with the Habitats Regulations.

Based on the methodology in the SPD, an appropriate scale of mitigation would be calculated as £181. As a result, it is considered that with mitigation and payment through an agreement under S111 of the Local Government Act there would not be a significant effect on the SPAs. The requirement for this payment to secure mitigation would be both directly related to the development and be fairly and reasonably related in scale to the development.

RECOMMENDATION Refuse

- 1) The proposed change of use of the building to a seven-person, seven-bedroom House in Multiple Occupation (Sui Generis) would fail to support mixed and balanced communities by further imbalancing an area already imbalanced by a high concentration of HMO uses (C4 C3/C4 and Sui Generis HMO uses). The proposal is therefore contrary to Policy PCS20 of the Portsmouth Plan and the supporting Houses in Multiple Occupation Supplementary Planning Document (Nov 2017).

- 2) Without appropriate mitigation the development would be likely to have a significant effect on the Portsmouth Harbour and Chichester and Langstone Harbours Special Protection Areas and so is contrary to Policy PCS13 of the Portsmouth Plan and the Conservation of Habitats and Species Regulations (as amended).

PRO-ACTIVITY STATEMENT

Notwithstanding that the City Council seeks to work positively and pro-actively with the applicant through the application process in accordance with the National Planning Policy Framework it was not considered that the harm arising from the proposal could be overcome and the application has been refused for the reasons outlined above.

19 POWERSCOURT ROAD PORTSMOUTH PO2 7JE**CHANGE OF USE FROM PURPOSES FALLING WITHIN CLASS C3 (DWELLING HOUSE) TO A 7 PERSON, 7 BEDROOM HOUSE IN MULTIPLE OCCUPATION (SUI GENERIS)****Application Submitted By:**Town Planning Experts
FAO Mr Jonathan McDermott**On behalf of:**

Woodhenge Property Ltd

RDD: 22nd November 2017**LDD:** 18th January 2018**SUMMARY OF MAIN ISSUES**

This application is being represented at Planning Committee as a result of a standing call-in request for all Sui-Generis HMO Applications.

The main issues to be considered in the determination of this application are the appropriateness of such a use in the context of the balance of uses in the surrounding area and whether it would have a detrimental impact on the living conditions of adjoining and nearby residents. Other considerations are whether the proposal complies with policy requirements in respect of SPA Mitigation, car and cycle parking, and the storage of refuse and recyclable materials.

The Site

This application relates to a two-storey mid-terraced dwelling with integral basement located on Powerscourt Road close to its intersection with Havant Road in the Nelson Ward. The property is set back from the highway by a small forecourt and benefits from a larger garden area to the rear.

The site is located in close proximity to a range of shops and services on Kingston Road and is located in close proximity to a high frequency bus corridor also located on Kingston Road.

Proposal

This application seeks planning permission to change the use of the property from C3-Residential to a 7 person, 7 bedroom house in multiple occupation (Sui Generis).

Relevant Planning History

In regards to relevant planning history, planning application reference: 17/01148/FUL was refused at Planning Committee in November 2017 for the following reason: "The proposed change of use to a House in Multiple Occupation (Sui Generis) would, as a result of the poor layout at lower ground floor level to accommodate shared communal facilities (kitchen/living facilities), fail to provide an adequate standard of living accommodation for future occupiers by virtue of a lack of natural light and ventilation and would represent an overintensive use of the site. The proposal is therefore contrary to Core Planning Principles of the National Planning Policy Framework and Policy PCS23 of the Portsmouth Plan and the emerging (revised) House in Multiple Occupation Supplementary Planning Document (draft, September 2017)."

POLICY CONTEXT

The relevant policies within the Portsmouth Plan would include: PCS17 (Transport), PCS20 (Houses in Multiple Occupation (HMOs)), PCS23 (Design and Conservation),

In addition to the National Planning Policy Framework, the relevant policies within the Portsmouth Plan would include: PCS17 (Transport), PCS20 (Houses in Multiple Occupation (HMOs)) and PCS23 (Design and Conservation). The Houses in Multiple Occupation (HMOs) Supplementary Planning Document (November 2017) and the Parking Standards SPD would also be material to this application.

CONSULTATIONS

Private Sector Housing

Summary

-4 Storeys

-7 Bedrooms

This property would require to be licenced under Part 2, Housing Act 2004. Based on the proposed plans submitted there are no adverse comments to make.

Basement

Based on the supplementary information provided by the applicant any previous concerns regarding the basement have been mitigated.

Kitchen

Please note the following facility requirements:

The kitchen must be a minimum of 11m² for the exclusive use of cooking, food preparation and storage.

A kitchen must have the following facilities for 7 individuals sharing:

- 2 x conventional cookers (a combination microwave may be used in lieu of a second cooker)
- 1 x double bowl sink and integral drainer (a one and a half bowl sink is acceptable where a dishwasher is provided)
- 2 x under the counter fridge and a separate freezer or 2 x equivalent combined fridge/freezer
- 4 x 500mm base units and 2 x 1000mm wall units with doors or equivalent
- Worktops 2500mm (l) x 500mm(d)
- 3 x twin sockets located at least 150mm above the work surface

Personal hygiene

A shower room must be a minimum of 2.74m² and include a WC, bath/shower, wash hand basin, heating and ventilation. The layout of the bath/shower room must be suitable to provide a usable changing and drying area.

The wall finishes and flooring shall be readily cleanable, the flooring well fitted and non-absorbent, and a suitable lock provided to the door.

WC's must be a minimum of 1.17m² and include a wash hand basin

REPRESENTATIONS

One representation has been received objecting to the development on the grounds of:

- (a) cramming development;
- (b) no bicycle storage included on plan;
- (c) increased parking demand;
- (d) facilities are inadequate.

COMMENT

The determining issues for this application relate to the suitability of the proposed HMO use within the existing community and its potential impact upon the living conditions of adjoining and neighbouring residents. Other considerations are whether the proposal complies with policy requirements in respect of SPA mitigation, car and parking.

Principle of the Use

Planning permission is sought for the use of the property as a seven person, seven bedroom Sui Generis HMO. The property has a lawful use as a Class C3 Residential Dwelling.

Policy PCS20 of the Portsmouth Plan states that applications for the change of use to a HMO will only be permitted where the community is not already imbalanced by a concentration of such uses or where the development would not create an imbalance. The adopted Houses in Multiple Occupation SPD (HMO SPD November 2017) sets out how Policy PCS20 will be implemented and details how the City Council will apply this policy to all planning applications for HMO uses.

Based on information held by the City Council, of the 75 properties within a 50 metre radius of the application site, none are considered to be in lawful use as a HMO. Therefore, as the granting of planning permission would increase the proportion of HMOs to 1.33%, it is considered that the community is not already imbalanced by a concentration of HMO uses and this application would not result in an imbalance of such uses.

Having regards to the balance of uses in the surrounding area, it is considered that the community is currently balanced by a concentration of residential properties and HMO's uses therefore the proposal can be considered acceptable in principle.

Standard of Accommodation

In terms of internal living conditions, the property benefits from the following:

Area:	Provided:	Required Standard: (HMO SPD-NOV 2017)
Bedroom 1 (Ground Floor)	9.5m ²	7.5m ²
Bedroom 2 (Ground Floor)	9.1m ²	7.5m ²
Bedroom 3 (First Floor)	9m ²	7.5m ²
Bedroom 4 (First Floor)	9.5m ²	7.5m ²
Bedroom 5 (First Floor)	14.50m ²	7.5m ²
Bedroom 6 (Second Floor)	8.5m ²	7.5m ²
Bedroom 7 (Second Floor)	12.5m ²	7.5m ²
Kitchen/Dining (Lower Ground Floor)	35.55m ²	27m ²
Lounge (Ground Floor)	9.18m ²	11m ²

Ensuite 1 (Ground Floor)	2.72m ²	Not defined
Ensuite 2 (Ground Floor)	2.70m ²	Not defined
Ensuite 4 (First Floor)	2.72m ²	Not defined
Ensuite 5 (First Floor)	2.72m ²	Not defined
Ensuite 7 (Second Floor)	4.94m ²	Not defined
Bathroom (Second Floor)	3.06m ²	3.74m ²
W/C (Ground Floor)	1.92m ²	Not defined

In accordance with the requirements outlined on pages 8 and 9 of the HMO SPD (November 2017), the property is considered to provide an adequate standard of living accommodation to facilitate 7 persons sharing.

It is worth noting that the shared bathroom provided at second floor level is slightly undersize (0.68m²), however it is the view of the Local Planning Authority that this shortfall is acceptable given the overall compliance of the proposal. There are a total of five ensuite's and a shared W/C. As a result this bathroom at second floor would be shared by the residents of bedroom 3 and bedroom 6.

The property would provide adequate internal floor areas, exceeding the standard required to allow for social activities that would be expected for individuals living as a group, as well as a safe environment for the cooking and consuming of food.

The Private Sector Housing Department have raised no adverse comments in regards to the usability of the lower ground floor basement as a kitchen/dining area and have confirmed the property would require to be licensed under Part 2, Housing Act 2004.

The licensing process would also ensure adequate fire safety measures and could provide assistance should the property not be managed appropriately. In addition, other legislation is available beyond the planning system to address concerns relating to any anti-social behaviour at the property.

Notwithstanding the comments from Private Sector Housing, the LPA is not bound by the requirements of the Housing Act 2004. The planning system will generally seek to improve upon the bare minimum (as demonstrated by the minimum bedroom floor area set out within the Technical Housing Standards at 7.5sq.m.) to provide a good quality of living environment for future occupants, whether that be within a dwellinghouse (Class C3) or within shared accommodation (Class C4 & Sui Generis HMOs).

Each of the proposed bedrooms exceed the minimum space standard (7.5m²) and would have an acceptable degree of natural light, ventilation and outlook.

Therefore, in light of the assessment above, it is considered that the proposed use of the property by seven persons would provide an adequate standard of living accommodation for future occupiers.

Impact on Residential Amenity

It is generally considered that the level of activity associated with the use of any individual property as a HMO is unlikely to be materially different to the use of a single household as a Class C3 dwellinghouse occupied by either a single family or other groups living as a single household. This issue has been considered in previous appeals where Inspectors have taken the view that properties used as HMOs within Class C4 would be occupied by similar numbers of occupiers to a C3 use. In dismissing an appeal at 82 Margate Road (APP/Z1775/A/12/2180908) the Inspector opined that "The level of activity generated by a large

family would be comparable to that arising from the current proposal. Therefore, concerns over noise and disturbance would not justify rejection of the appeal. Other legislation is available to address concerns relating to anti-social behaviour".

It is accepted that the application seeks permission for seven individuals rather than six, however, Inspectors have also taken the view that this would be comparable to a large family and that there is insufficient evidence to demonstrate that the use of a given property by eight individuals would result in material harm to the living conditions of local residents or unbalance the local community. (11 Baileys Road - Appeal ref.APP/Z1775/W/16/3159989, February 2017; 37 Margate Road APP/Z1775/W/16/3159992 - Feb 2017 & 80 Margate Road APP/Z1775/W/16/3159993 - Feb 2017).

Whilst the accommodation of any additional occupants would lead to a more intensive occupation of the property which could result in the transmission of noise and disturbance to the adjoining occupiers, regard must be made to the lawful use of the property that could allow for a family of un-restricted size to occupy this house.

Parking

The application site does not benefit from any off-street parking and none is proposed as part of this application (the constraints of the site are such that none can be provided). However, given the current lawful use of the property, the view of the planning Inspector detailed above and the sites proximity to local shops, services and transport facilities, it is considered that an objection on car parking standards could not be sustained.

In addition, the City Council's Parking Standards SPD sets the level of off-road parking facilities for new developments within the city. It is noted that the number of parking spaces required for a Sui Generis HMO with four or more bedrooms, is the same as would be required for a Class C4 HMO with four or more bedrooms or a Class C3 dwellinghouse with four or more bedrooms.

SPA mitigation

The Conservation of Habitats and Species Regulations 2010 [as amended] and the Wildlife and Countryside Act 1981 place duties on the Council to ensure that the proposed development would not have a significant effect on the interest features for which Portsmouth Harbour is designated, or otherwise affect protected species. The Portsmouth Plan's Greener Portsmouth policy (PCS13) sets out how the Council will ensure that the European designated nature conservation sites along the Solent coast will continue to be protected.

The Solent Special Protection Areas Supplementary Planning Document (SPD) was adopted in April 2014. It has been identified that any development in the city which is residential in nature will result in a significant effect on the Special Protection Areas (SPAs) along the Solent coast. Paragraph 3.3 of the SPD states: 'Mitigation will generally not be sought from proposals for changes of use from dwellinghouses to Class C4 Houses in Multiple Occupation (HMOs) as there would not be a net increase in population. A change of use from a Class C4 HMO or a C3 dwellinghouse to a sui generis HMO is considered to represent an increase in population equivalent to one unit of C3 housing, thus resulting in a significant effect and necessitating a mitigation package to be provided'. The SPD sets out how development schemes can provide a mitigation package to remove this effect and enable the development to go forward in compliance with the Habitats Regulations.

Based on the methodology in the SPD, an appropriate scale of mitigation would be calculated as £181. As a result, it is considered that with mitigation and payment through an agreement under S111 of the Local Government Act there would not be a significant effect on the SPAs. The requirement for this payment to secure mitigation would be both directly related to the development and be fairly and reasonably related in scale to the development.

RECOMMENDATION A: That delegated authority be granted to the Assistant Director of Culture and City Development to grant Conditional Permission subject to first securing a planning obligation or an agreement for payment of a financial contribution of £181 to mitigate the impact of the proposed residential development on the Solent Special Protection Areas.

RECOMMENDATION B: That delegated authority be granted to the Assistant Director of Culture and City Development to refuse planning permission if the agreement referred to in Recommendation A have not been secured within two weeks of the date of the resolution pursuant to Recommendation A.

RECOMMENDATION Conditional Permission

Conditions

- 1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.
- 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: Location Plan (1:1250), Site Plan (1:500) and 109078.
- 3) Prior to first occupation of the property as a House in Multiple Occupation within Use Class C4, secure and weatherproof bicycle storage facilities for 4 bicycles shall be provided at the site and shall thereafter be retained for the parking of bicycles at all times.
- 4) Prior to the first occupation of the property as a seven person (Sui-Generis) House of Multiple Occupation, two 360L refuse bins and one 360L recycling bin shall be provided and thereafter retained in the forecourt of the property (or such other waste arrangements as may be submitted to and approved by the Local Planning Authority in writing).
- 5) The premises shall only be used as a house in multiple occupation for a maximum of seven residents.

The reasons for the conditions are:

- 1) To comply with Section 91 of the Town and Country Planning Act 1990.
- 2) To ensure the development is implemented in accordance with the permission granted.
- 3) To ensure that adequate provision is made for cyclists using the premises in accordance with policies PCS17 and PCS23 of the Portsmouth Plan.
- 4) To ensure that adequate waste provision is made for future occupiers residing in the premises in accordance with policy PCS23 of the Portsmouth Plan.
- 5) To ensure adequate amenity facilities with suitable natural light, ventilation and outlook are provided and retained for seven persons sharing in accordance with Policy PCS23 of the Portsmouth Plan.

PRO-ACTIVITY STATEMENT

Notwithstanding that the City Council seeks to work positively and pro-actively with the applicant through the application process in accordance with the National Planning Policy Framework, in this instance the proposal was considered acceptable and did not therefore require any further engagement with the applicant.

WIMBLEDON PARK SPORTS CENTRE TASWELL ROAD SOUTHSEA PO5 2RG**CONSTRUCTION OF SINGLE STOREY EXTENSION (AFTER REMOVAL OF EXISTING FRONT PROJECTION); INSTALLATION OF COVERED CYCLE STANDS; AND ALTERATIONS TO VEHICLE PARKING.****Application Submitted By:**

Footprint Architects Ltd
FAO Mr Mike Ford

On behalf of:

BH Live
FAO Mr Kevin Ladner

RDD: 23rd August 2017

LDD: 2nd November 2017

SUMMARY OF MAIN ISSUES

This application has been referred to Committee due to an objection raised by the Highway Officer in respect of parking and highway safety issues.

The main issues for consideration are as set out below:

- Whether the proposal would contribute to the achievement of sustainable development in accordance with national and local planning policy;
- Whether the proposed development is acceptable in design and amenity terms; and
- Whether the proposed development would be acceptable in highway terms.

Site Description

The application relates to the Wimbledon Park Sports Centre, which lies on the northern side of Taswell Road, adjacent to St Swithun's Catholic Primary School and Wimbledon Park, which lie to the south-east and east of the application site. A public alleyway runs along the eastern boundary, providing access to the park. The site is bordered to the north and west by residential properties in Wimbledon Park Road and Taswell Road respectively, which back on to the sports centre site.

The sports centre building is positioned in the northern half of the site, with the rear elevation of the building sited adjacent to the northern site boundary. The vehicular access lies on the southern elevation, with the existing car park area positioned to the south of the building.

The existing building is quite modest in appearance, with painted white render to the external walls and grey profiled metal sheeting on the roof. There are a limited number of windows in the front elevation, which has a large ramped structure with railings as well as a small series of steps, both providing access to the main entrance which is a pair of double doors.

The Proposal

The application seeks permission for a single storey extension to the front elevation of the building, following the demolition of the existing flat roof front extension. The proposed extension would extend across approximately half the width of the front elevation of the building, with new steps to the proposed entrance and the provision of an access ramp. The extension would have

a slightly irregular rectangular footprint and would project between 6.6m and 10.4m from the existing front elevation. The extension would measure between 15.8m and 21.4m in width and would have a flat roof form, measuring approximately 10.6m in height and would adjoin the existing sports centre building at eaves level.

The proposed extension would allow the reconfiguration of the facilities within the building, with the extension itself providing a new reception, office and open plan gym area. The proposals would also allow for the reconfiguration of the internal layout of the existing building, with alterations to the female changing rooms and store rooms. The proposals would result in an overall increase in the floor area of the building, allowing the sports centre to accommodate a greater number of users as well as a greater range of equipment and facilities. The existing building has a floor area of approximately 751sqm - this would increase to approximately 893sqm as a result of the proposed extension, an increase of 142sqm.

In terms of external appearance, the extension would be clad in a combination of different types of cladding - there would be dark grey metal cladding around the new entrance and lower sections of the access ramp. The extension itself would have perforated orange metal cladding and translucent polycarbonate cladding which would combine to create a light box effect to the extension, which would have a soft glowing appearance due to internal illumination, during opening hours.

The application is supported by the following documents:

- Design and Access Statement
- Tree Survey & Tree Protection Plan
- Transport Survey

Relevant Planning History

- 09/00325/FUL - Alterations and extension to existing ramp to south elevation - Permitted, May 2009

POLICY CONTEXT

The National Planning Policy Framework (NPPF) sets out the presumption in favour of sustainable development that means approving development proposals that accord with development plan policies without delay, as outlined in paragraph 14.

In addition, the application should be assessed against the development management policies and other relevant paragraphs within the NPPF and in particular, Chapters 1 (Building a strong competitive economy, 4 (Promoting Sustainable Transport) and 7 (Requiring Good Design).

The relevant policies within The Portsmouth Plan (2012) include the following:

- PCS12 - 'Flood Risk' sets out the methods to be adopted to reduce flood risk when considering development proposals.
- PCS13 - 'A Greener Portsmouth' sets out the ways in which the green infrastructure network will be protected, enhanced and provided in the assessment of development proposals
- PCS14 - 'A Healthy City' sets out the Council's aims for creating a healthy city and improving the well-being of its residents by measures such as the provision of open space, recreation and leisure facilities, improving air quality and improving access to public transport services.

- PCS15 - 'Sustainable Design and Construction' states that all development must contribute to addressing climate change by complying with specified standards in respect of energy efficiency.
- PCS17 - 'Transport' sets out the Council's aims for the delivery of a strategy that will reduce the need to travel and provide a sustainable and integrated transport network.
- PCS23 - 'Design & Conservation' states that all new development must be well designed and in particular, respect the character of the city. It sets out a number of expectations for new development, including excellent architectural quality, the protection and enhancement of the city's historic townscape, an appropriate scale, density, layout, appearance and use of materials in relation to the context and the protection of amenity and a good standard of living environment for neighbouring and future residents.

Saved Policy DC21 (Contaminated Land) of the Portsmouth City Local Plan would also be a material consideration.

Supplementary Planning Documents

The following Supplementary Planning Document (SPD) is also applicable to the proposal:

- Parking Standards and Transport Assessments (July 2014)

CONSULTATIONS

Arboricultural Officer

No objection - dated 16.10.17

Looking at these, some of the RPA's are already beneath the existing structure. The remaining RPA's fall outside the development and therefore pose no problem to the proposal.

I am aware that several of the trees within the park are damaged - sadly they have fallen prey to the local vandals on more than one occasion. These will be dealt with IDC.

Contaminated Land Team

I have reviewed the above application and the site is located on the Great Morass, a historic tidal inlet from the sea which has previously been associated with a significant thickness of peat and localised gas generation. However, the accuracy of the historical mapping of this edge feature is inherently inaccurate and imprecise as tidal channels change considerably over time. As this feature has been mapped within the development boundary, there is the potential for both contamination and ground gases to be present. Also to satisfy Building Regulations, the Building Control Surveyor may require a trench to be dug in the location of the footings to assess whether the Great Morass will directly impact upon the development.

To ensure safe development, the records from the inspection by the Building Control Surveyor should be submitted to this Office so that we can assess whether a site investigation is required, and although the works are relatively limited they have the potential to create new pathways for ground gases (if present) to enter the building. As such as a precaution appropriate ground gas protection should be incorporated into the building design.

Environmental Health

Further to the above application I can confirm that we have no comments or recommendations regarding the proposed development.

Coastal and Drainage

No comment - dated 13.11.17

Environment Agency

no comments received to date

Highways Engineer

Initial comments - objection - 10.10.17

I have reviewed the Design and Access Statement (DAS) and drawings submitted in support of this application which proposes the construction of single storey extension (after removal of existing front projection); installation of covered cycle stands; and alterations to vehicle parking and would make the following observations:

Taswell Road and the surrounding streets are largely residential access roads. Few of the properties on these roads have off street parking provision. Consequently the demand for parking on street particularly in the evenings, overnight and at weekends exceeds the space available.

The DAS explains at paragraph 4.05 that 'the proposal seeks to enhance the facilities by increasing the floor area to allow for the site to accommodate more people and a greater range and quality of gym equipment' increasing the GIA by 141.6sqm. I infer that the intention is to increase the user numbers although no indication of the exiting number of users of the facility is given nor is assessment of the quantum of additional use made in the DAS.

At paragraph 5.00 it is explained that the current parking capacity of 47 spaces will be reduced by 3 spaces to accommodate 20 covered cycle stands.

The supporting documentation does not include any survey information relating to the respective travel mode share, use of the car park or numbers of users choosing to cycle to the site nor assessment of the increased parking demand likely to arise from the improved offer on site as is required in the Supplementary Planning Document relevant to parking.

In the absence of any evidence base to the contrary it is my view that the reducing in car parking provision combined with the intention to increase the number of people using the facility is likely to result in the demand for parking exceeding the space available on site, in an area where there is insufficient space to accommodate any additional shortfall on street.

I am not satisfied that will be adequately compensated for by the increase in cycle parking spaces and as a consequence I must recommend that this application be refused on that basis.

Additional comments - 21.12.17

Thank you from confirming that it is not the applicant's intention to exclude non gym users from the car park as I had inferred from the TN. In that light I can confirm that the TN finds the effect of the proposal will be to generate an increase in parking demand associated with the gym of typically an addition 5 or 6 spaces and an extra 10 spaces at peak demand whilst also reducing the on site parking capacity from 48 to 44 spaces.

The parking survey included with the TN found up to 46 vehicles parked in the and as a consequence at peak demand the effect of the proposal would be to increase the on street parking capacity by 12 spaces in an area where the demand for on street parking significantly exceeds the space available. This is likely to lead to indiscriminate parking at junctions and in controlled areas potentially obstructing access and visibility.

In that light I must recommend that the application be refused on that basis.

If the LPA is minded to approve the application contrary to this recommendation then please impose conditions as suggested in my representation of 19/12/17 above on any consent.

REPRESENTATIONS

To date, four representations have been received, raising the following concerns:

Principle

- Would like to see money spent on improving whole building, not just the frontage
- Will this work prolong the life of the building and safeguard a vital community asset?

Amenity Issues

- What is the proposed schedule for the works - times/dates?
- How many works vehicles will be driving down Taswell Road and parking?
- Parking is such a big issue
- Whilst supporting improvements, concerned about the impact this will have on quality of life whilst work is underway
- wall next to 32 Taswell Road is damp, rusty and in poor state of repair - informed Sports Centre of issues with the wall and they confirmed building is suffering from damp. Should money not be spent to resolve these issues as well?

Highway Issues

- any moves to reduce parking space numbers would adversely impact on already dire parking situation around the gym, leaving no space to park in surrounding streets for local residents
- residents parking permits would improve this parking situation, as would reducing number of HMOs in the area
- close location of St Swithun's Primary School means that parking is vital during the morning and afternoon rush hours or surrounding streets would be clogged at school opening/closing times
- will reduce the number of parking spaces available to local residents
- Sports centre car park provides valuable overnight overspill parking
- Proposed site plan details additional parking spaces, No 14 and 15 that are already used as parking spaces, albeit not recognised as such in the existing plan
- The space on either end of the block parking, spaces 28 to 44, will often have an additional car parked either end
- Block 17 to 24 likewise often has a car parked next to space 17 and two cars next to space 24
- Proposed site plan shows 44 spaces versus existing 47, a loss of 3 spaces - however, if unmarked but currently used spaces are included, the true loss is 10 spaces
- There are informal spaces next to spaces 1, 17, 28, 34 and 24 and two adjacent to 13 - therefore the effective total is 54, meaning there is a loss of 10 spaces
- Has been used as overflow parking for local residents for substantial number of years - generally all 54 spaces are full each evening and overnight
- On street parking in the surrounding area is full and no parking scheme operates in immediate area

COMMENT

Principle

The application site lies on the northern side of Taswell Road, adjacent to St Swithun's Catholic Primary School and Wimbledon Park, with the Sports Centre building positioned within the northern half of the site. The site lies outside of the defined city centre and is not subject to any specific policy designations.

The introductory section of the Local Plan sets out the context for the policies contained within it and the challenges facing the City over the plan period. Paragraph 1.33 states that there are

'high incidences of health problems such as obesity and heart disease in the city as a whole.' It goes on to state that 'helping residents to achieve healthier lifestyles is a key challenge for the city over the next 20 years'. This is reflected in Policy PCS14 'A Healthy City', which states that the Council will work to create a healthy city and improve the health and well-being of its residents by increasing the opportunities for formal and informal exercise through providing recreation and sport and leisure facilities, amongst other criteria.

The supporting 'Design & Access Statement' indicates that the proposed expansion will allow the sports centre to provide modern gym facilities to a larger number of community and gym members, encouraging more people to obtain healthier lifestyles. The provision of enhanced recreational facilities at this site is therefore considered to be acceptable in principle and in accordance with the aims of Policy PCS14 of the adopted Local Plan.

Design Issues

Policy PCS23 (Design and Conservation) echoes the principles of good design set out within the NPPF, stating that all new development must be well designed and in particular respect the character of the city. It sets out a number of criteria which will be sought in new development, including excellent architectural quality, public and private open spaces which are clearly defined, safe, vibrant and attractive, appropriate scale, density, layout, appearance and materials in relation to the particular context, creation of new views and juxtapositions that add to the variety and texture of a setting, amongst others.

As noted above, the existing building is quite modest in appearance, with painted white render to the external walls and grey profiled metal sheeting on the roof. The existing flat roof extension to the front of the building appears somewhat at odds with the main building, with the frontage dominated by the steps, raised terraced area and railings. The eastern side elevation of the building, adjacent to the footpath and the park is covered with graffiti. The supporting 'Design & Access Statement' states that the existing building is a pre-fabricated structure, which was designed to be temporary and is therefore in need of replacement. It goes on to explain that the aim of the proposals is to "...provide the local community with modern single storey gym facilities and a welcoming entrance, visually improving the area and providing a more secure site in the aim to prevent vandalism".

The proposed extension has been designed to be markedly different to the existing building in terms of its form and appearance, in order to create a focal point on the front elevation of the building, directing users towards the entrance. The combination of the proposed flat roof box form and use of coloured and translucent cladding materials will result in a contemporary, innovative and striking addition to the building, lifting the overall appearance of the sports centre. The 'lightbox' effect will add a further degree of visual interest and again, will assist in the legibility of the building, with the extension and new entrance area being the most prominent section of the sports centre in visual terms.

Overall, the proportions and height relate well to the existing building, with the extension being attached to the front elevation at eaves level. The main bulk of the existing sports centre will still be visible, with the extension appearing as subservient in scale. Similarly, in views from the adjoining park to the east, the extension will sit comfortably against the existing building, with the proposed cladding providing a contrast to the existing white render to the side elevation of the building. To ensure a high quality finish to the scheme, a condition is recommended to require full details and samples of the proposed materials to be submitted for approval. Subject to this condition being applied, the proposals are considered to comply with Policy PCS23 of The Portsmouth Plan and the aims of the NPPF and would result in a positive, well designed addition to the existing sports centre.

Residential Amenity

Policy PCS23 (Design & Conservation) also lists a number of criteria against which development proposals will be assessed, including the need to protect amenity of neighbouring and local occupiers, as well users of the development. With regards to existing residents, consideration needs to be given to the potential impact in terms of any potential overlooking, loss of privacy, loss of light/outlook and general noise and disturbance issues.

As noted above, the proposed extension would be internally illuminated, with the polycarbonate translucent cladding on the roof area and higher sections of the front and side elevations, creating a light box appearance to the extension. This effect would be most noticeable in the evenings and as such, the potential for light pollution therefore needs to be considered. The proposed extension is positioned in the eastern half of the site and would be set back approximately 14.4m from the western site boundary and approximately 19m from the rear elevations of the neighbouring properties within Taswell Road. The extension area would only be illuminated during opening hours - these being 8.30am to 10pm Monday to Friday and 9am to 5pm on Saturdays, Sundays and Public Holidays. To ensure this restriction is complied with, a condition is recommended to ensure that the lighting is switched off outside of these hours. Given the separation distance to the neighbouring properties and the restriction to the hours during which the extension would be lit, it is not considered that there would be any adverse impact to the amenities of the neighbouring properties. As such, the proposals are considered to comply with Policy PCS23 in this respect.

Due to the siting and design of the proposed extension, the proposals are not considered to result in any adverse impact in terms of loss of privacy, overlooking or overshadowing to the neighbouring residential properties and again, are considered to be in accordance with Policy PCS23 in this respect.

Trees & Landscaping

Policy PCS13 (A Greener Portsmouth) outlines the ways in which the Council will work to protect, enhance and develop the green infrastructure network, which includes ensuring that development 'is informed and influenced by the presence of trees on site, particularly those protected by a TPO or within a conservation area'. The application is supported by a Tree Survey and Tree Protection Plan.

Whilst there are no trees within the proposed footprint area of the extension, there are a number of trees which lie around the perimeter of the car park area, notably adjacent to the south-east corner, as well as a number of trees within the park to the east of the application site, all of which make a positive contribution to the character and appearance of the locality. Following initial queries as to the position of the proposed extension to the trees within the park, the applicants submitted a detailed Tree Survey and Tree Protection Plan. These details confirm that the proposed extension lies outside of the root protection area of the adjacent trees within the park area. Having considered the details submitted, the Council's Arboricultural Officer has confirmed no objection to the proposals. As such, the proposals are considered to comply with Policy PCS13 in respect of trees.

Highway Issues

Policy PCS17 (Transport) states that the Council will work with its partners to deliver a strategy that will reduce the need to travel and provide a sustainable and integrated transport network, which, amongst other criteria, will include promoting walking and cycling. Parking standards for new development are set out within the Council's 'Parking Standards and Transport Assessments' SPD. It is noted that a number of concerns have been raised by local residents regarding the potential impact of the proposed development on parking issues within the area.

The current car park layout provides 47no marked out car parking spaces, including three disabled spaces provided adjacent to the entrance steps/ramp. In order to accommodate the footprint of the proposed extension, the application includes alterations to the layout of the car park area. A total of 44no spaces are proposed, again including the provision of 3no disabled spaces positioned adjacent to the access ramp to the new entrance. The proposal would therefore result in the loss of 3no parking spaces. The proposed site layout also includes the provision of 20no covered cycle storage spaces within the car park area.

As outlined above, the Highway Officer raised initial concerns regarding the proposals, stating that the reduction in car parking provision combined with the intention to increase the number of people using the facility would result in the demand for parking exceeding the capacity on site, in an area where there is insufficient space to accommodate any additional on-street parking. Similar concerns have also been raised by local residents, again as outlined above, with reference being made to the resulting shortfall being more than 3 spaces, due to informal parking spaces being used within the car park and residents using the car park as 'overspill' parking, due to the shortage of on-street capacity.

The applicants have now submitted a 'Transport Note' (TN) in response to these concerns. The car park itself is unrestricted and is therefore available for both gym users as well as local residents to use, at any time of day. A parking survey was undertaken on a weekday evening, between 5pm and 10pm, at ten minute intervals. The results of this survey show that as the evening progressed, the number of spaces in use by non-gym users increased from 0% at 5pm to 53% (29 spaces) at 10pm. In contrast, the number of spaces being used by gym users ranged from between 17 and 37 of the 44 spaces available, suggesting that the car park has sufficient capacity to cater for the existing level of gym usage. The peak time for parking spaces was found to be during the 10-minute window at 8pm, when 46 vehicles were parked in the car park.

In order to assess the impact of the additional floor space, the numbers of car park spaces in use by gym users were factored up by 26%, to reflect the 26% increase in overall floor space. The survey results showed that the percentage of the car park in use ranged from 97% at 5pm, falling to a low of 53% in the early evening and reaching 92% at 10pm, when the sports centre closes. Again, this suggests that the car park would have sufficient capacity at all times, excluding the peak period at 8pm, which was considered to be as a result of finish/start times of classes.

A travel survey was also undertaken to establish when gym customers use the facilities. The results of this survey are set out within the TN and indicate two peak periods, one in mid/late morning and a second in the evening, 6pm to 8pm. The TN concludes that there would be sufficient capacity within the car park to accommodate the parking demand for both these peak periods and that the proposed development would not have a 'significant impact on the operation or safety of the local highway network'.

Having considered the submitted TN, the Highway Officer has maintained an objection to the proposals, stating that the proposals will generate an increase in parking demand whilst reducing the on-site parking capacity to 44 spaces, a loss of 3 spaces, with the consequence being an increased demand for on-street parking in an area where demand exceeds availability.

However, paragraph 4.2 of the 'Parking Standards and Transport Assessment' SPD states that the Council has not set standards for acceptable levels of parking for non-residential development. Paragraph 4.2 goes on to state that this is because 'parking needs are considered to vary significantly for each individual site and land use and developers should establish the parking requirement and demonstrate why the proposed parking solution is the right one for that development'.

Whilst the proposals would result in a reduction of the number of formal car parking spaces provided on the site, the survey work undertaken by the applicant indicates that there would still be a sufficient level of car parking provision available on site to meet the demands of gym users, taking into account the increased floor space provision and anticipated increased use of the facility. No evidence has been provided to indicate that existing users of the gym have difficulties parking at the site. The proposals also deliver 20no covered cycle spaces within the car park, encouraging users to travel to the site by more sustainable modes of transport and helping to reduce the demand for car parking spaces.

It is understood that local residents benefit from the ability to make use of the available car parking provision at the moment and are doing so. However, use of the car park could be restricted to gym users only without the need for planning permission and as such, that change could be made at any time, meaning that there could be increased demand for on-street provision, regardless of any alterations to the sports centre itself. As such, it is not considered reasonable to impose a condition to require the car park to be restricted to gym users only, as there is considered to be sufficient capacity to meet the demands of the site and it is not the responsibility of the applicants to resolve any existing parking issues which may exist in the surrounding roads. Similarly, it is not considered that a refusal of permission on the grounds of increased demand for on-street parking spaces could be justified in this instance, as the use of the car park could be restricted at any time, resulting in the same potential impact.

There would be a short term impact in terms of parking provision during the construction process and the works required to reconfigure the car park layout. As such, a condition is recommended to require a construction management plan, including details of contractors' parking, storage of materials and how the car park and access to the building would be managed during the construction process.

It is noted that the Highway Officer has requested that conditions be imposed to limit the number of gym users/staff on site to 55 people at any one time and to require a 20 minute gap between classes starting/finishing, to reduce the pressure on the parking provision. However, it is not considered that such restrictions would be reasonable or necessary to make the proposal acceptable in planning terms. It cannot be assumed that all users/staff members will travel to the site by car or that all users are attending a specific exercise class and imposing a limit on the number of people is at odds with the provision of the improved and additional facilities/floor space proposed by the application.

It is also noted that the proposals will deliver improved leisure and sports facilities, helping to meet the Council's aim of 'helping residents to achieve healthier lifestyles', as outlined in paragraph 1.33 of the Local Plan and the provision of dedicated cycle storage spaces contributes towards the aim of promoting walking and cycling set out within Policy PCS17. The wider public benefits are therefore considered to outweigh any potential impact that may arise from the loss of three parking spaces on site and overall, the proposals are considered to comply with the aims of PCS17 and the Council's 'Parking Standards and Transport Assessments' SPD.

Flooding & Drainage

The application site lies within Flood Zone 3. The supporting 'Design & Access Statement' confirms that the ground floor level of the proposed extension will match that of the existing building which lies at 1.870m AOD. This is between 0.6m and 1.2m above the ground floor level of the site. As such, it is not considered that proposed development would result in any increased risk of flooding. The proposals are therefore in accordance with Policy PCS12 of the adopted Local Plan.

Conclusion

Overall, it is considered that the proposed extension would result in an innovative and well-designed addition to the existing sports centre, which will deliver improved leisure and sports facilities, helping to meet the Council's aim of 'helping residents to achieve healthier lifestyles', as outlined in paragraph 1.33 of the Local Plan. The provision of dedicated cycle storage spaces within the car park area will contribute towards the aim of promoting walking and cycling set out within Policy PCS17. Whilst the concerns raised in respect of the loss of parking provision are noted, the wider public benefits of the scheme are considered to outweigh any potential impact that may arise from the loss of three parking spaces on site.

The proposals are therefore considered to comply with Policies PCS13, 17 and 23, the Council's 'Parking Standards and Transport Assessments' SPD and the aims of the NPPF and it is recommended that planning permission be granted subject to the conditions set out below.

RECOMMENDATION

Conditions

1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

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:

Existing Site Location & Proposed Block Plan - drawing 2_P001

Proposed Site Plan - drawing 2_P003

Proposed Ground Floor Plan - drawing 2_P005

Proposed South West Elevation - drawing 2_P009

Proposed South East Elevation - drawing 2_P010

Proposed North West Elevation - drawing 2_P011

3) No development shall commence on site until full details and samples of the types and colours of external materials to be used have been submitted to and approved by the Local Planning Authority in writing. The development shall be carried out in accordance with the approved details.

4) The extension hereby permitted shall only be internally illuminated during the Sports Centre opening hours and at no time outside of those hours.

5) Prior to the commencement of the development hereby permitted, a detailed Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include site office and contractors' parking areas, access arrangements to the site and car park management details for the construction period and areas for the storage of materials. Implementation shall be in accordance with the approved details.

6) Prior to the commencement of the development hereby permitted, full details of the proposed cycle storage shall be submitted to and approved in writing by the Local Planning Authority. Implementation shall be in accordance with the approved details and provision made on site prior to the first use of the development hereby permitted, and thereafter retained in perpetuity.

The reasons for the conditions are:

- 1) To comply with Section 91 of the Town and Country Planning Act 1990.
- 2) To ensure the development is implemented in accordance with the permission granted.
- 3) In the interests of visual amenity in accordance with Policy PCS23 of the The Portsmouth Plan (2012).
- 4) To safeguard the amenities of neighbouring residential properties, in accordance with Policy PCS23 of The Portsmouth Plan (2012).
- 5) To minimise the potential for conflict with or hazard to existing users of the site and surrounding highway network and neighbouring residential properties, in accordance with Policies PCS17 and 23 of The Portsmouth Plan (2012).
- 6) To ensure satisfactory cycle storage provision is made on site, in accordance with Policy PCS17 of The Portsmouth Plan (2012) and the Council's 'Parking Standards and Transport Assessments' Supplementary Planning Document (2014).

PRO-ACTIVITY STATEMENT

Notwithstanding that the City Council seeks to work positively and pro-actively with the applicant through the application process in accordance with the National Planning Policy Framework, in this instance the proposal was considered acceptable and did not therefore require any further engagement with the applicant.

Assistant Director of Culture and City Development
2nd January 2018