

PLANNING COMMITTEE

MINUTES OF THE MEETING of the Planning Committee held on Wednesday, 10 January 2018 at 1.00 pm in the The Executive Meeting Room - Third Floor, The Guildhall

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

Present

Councillors

Frank Jonas BEM (Vice-Chair)
Jennie Brent
Colin Galloway
Lee Hunt
Hugh Mason
Steve Pitt
Gerald Vernon-Jackson CBE
Luke Stubbs (standing deputy)
Scott Payter-Harris (standing deputy)

Also in attendance

Councillor D Sanders

Welcome

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

Guildhall, Fire Procedure

The chair, Councillor Jonas, explained to all present at the meeting the fire procedures including where to assemble and how to evacuate the building in case of a fire.

1. Apologies (AI 1)

Apologies for absence had been received from Councillor Fleming (who was represented by Councillor Stubbs) and Councillor Gemma New (who was represented by Councillor Payter-Harris).

2. Declaration of Members' Interests (AI 2)

Councillor Hugh Mason had discussed the application relating to the Shrubbery & Bay Tree Lodge with both the applicant and objector, but had not expressed an opinion, so this was non-prejudicial. He was also familiar with the Wimbledon Park Sports Centre car park having occasionally used it but this too was neither a pecuniary nor prejudicial interest.

Councillor Lee Hunt's partner had made a representation commenting on the Wimbledon Park application, but he had not expressed a view, so Cllr Hunt would participate in this discussion.

3. Previous Minutes - approval of 13 December and correction to 15 November 2017 minutes (AI 3)

RESOLVED (1) that the minutes of the meeting held on 15 November 2017 (approved and signed by the chair at the meeting of 13 December) be amended to correct the attendance record

(i) To include Councillor Gemma New in the list of those attending and

(ii) To remove reference to apologies having been tendered by Councillor Alicia Denny as she was in fact in attendance deputising for Councillor Jennie Brent;

(2) that the minutes of the meeting held on 13 December 2017 be agreed and signed by the chair as a correct record.

4. Appeal against non-determination at Brunel House, 42 The Hard, Portsmouth, PO1 3DS, planning application ref. 17/01181/FUL (AI 4)

Members of the committee were asked to consider the report before them and give their opinion expressing if they had been able to make a decision how they would have determined the application in relation to the officer's recommendation of conditional permission. The inspector would be given a list of the expected conditions. On this application after taking a vote the following position was indicated:

The committee indicated that for the purposes of the appeal their position would be to support the officer's recommendation of conditional permission.

5. 16/02047/PAMOD- Request to modify legal agreements attached to planning permissions 10/01247/FUL and 08/01941/FUL, being land adjacent to Queens Hotel Clarence Parade and Osborne Southsea (AI 5)

The Assistant Director of City Development reported that this item had been withdrawn from the agenda, with the applicant now going to appeal for non-determination (on which there would be a future report back) and therefore deputations were not taken on this item.

The Assistant Director of City Development reported that a number of questions had been raised and the applicant had taken the view and the officers were now recommending that this be withdrawn as the applicant's view was that due to the length of time taking this to committee and the high number of queries raised the applicant would not ask the Planning Committee to determine this but would seek an appeal for non-determination. The local planning authority would report back in due course. Councillor Jonas as chair said that this matter should not be open for debate.

However as a matter of clarification some members asked for information regarding the background to the withdrawal of this item from the agenda at short notice. Members wished to know how the appeal would be determined and any information on the nature of the appeal would be reported back to the committee. The Assistant Director of City Development also reported that following a notice of motion to full council she had been tasked with writing a report regarding viability statements and this would be reported back to the Cabinet Member with responsibility for Planning, Regeneration & Economic Development and it was anticipated that this would be considered at the end of February.

6. Appeal against non-determination at 1 Edmund Road Southsea PO4 0LL (AI 6)

The committee indicated that if they were the determining authority for this matter they would be of a mind to support the officer's reported recommendation of refusal.

7. Appeal against non-determination at 59 Liss Road Southsea PO4 8AS (AI 7)

The committee indicated that if they were the determining authority for this matter they would be of a mind to support the officer's reported recommendation of refusal.

8. Appeal against non-determination at 30 Hudson Road Southsea PO5 1HD (AI 8)

The committee indicated that if they were the determining authority for this matter they would be of a mind to support the officer's reported recommendation of refusal.

9. Appeal against non-determination at 36 Campbell Road Southsea PO5 1RW (AI 9)

The committee indicated that if they were the determining authority for this matter they would be of a mind to support the officer's reported recommendation of refusal.

10. Update on Previous Applications by the Assistant Director of City Development (AI 10)

There were no further updates given.

PLANNING APPLICATIONS

Deputations are not minuted in full as these are recorded as part of the web-cast of this meeting which can be viewed here:

<https://livestream.com/accounts/14063785/Planning-10Jan2018>

11. 17/01373/HOU - 3 Paignton Avenue Portsmouth PO3 6LL - Construction of first floor rear extension (Report Item 1) (AI 11)

A deputation of objection was made by Miss B Murphy, relating to the impact on her property.

Councillor Sanders had sent comments for the Supplementary Matters List in case he was not well enough to attend but was present to give a deputation. Councillor Stagg had been due to bring drawings to the meeting but they were both grateful for the site visit. Councillor Sanders supported Miss Murphy in her request that a small extension would be more acceptable and that this application should be refused.

Members' Questions

The City Development Manager clarified the fact that the application was not by the current owners was not a material planning consideration.

Members' Comments

Members were mindful of the sense of enclosure caused by this application. They were also grateful for the site visit which had been useful in viewing from the different properties in considering the potential loss of light.

RESOLVED that the application be refused on the following grounds:

The proposed extension by reason of its siting, scale and design would result in an adverse effect in terms of overshadowing; loss of light; sense of enclosure; and a loss of privacy to the neighbouring property, No 5 Paignton Avenue, to the detriment of the amenity of the neighbouring occupiers. The proposals are therefore considered contrary to Policy PCS23 of the Portsmouth Plan (2012).

12. **17/01104/FUL - 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 (Report Item 2) (AI 12)**

The City Development Manager reported that a site visit had been undertaken as requested when this item had previously been deferred.

Deputations were heard from Ms Bastow objecting due to the impact on her property and from Mr Fielder the applicant in support of the application, setting out the amendments to the previous scheme.

Members' Questions

Questions were raised regarding the measurements regarding the outer wall and proximity to adjacent property.

Members' Comments

It was felt that the site visit had been useful in assessing the potential sense of enclosure. There was discussion regarding the removal of the plum tree and it was noted that this could not be requested to be replaced in the back garden. It was noted that the extension would not go against the boundary wall.

Those members who had not been able to attend the site visit did not wish to participate on the voting on this item.

RESOLVED that conditional permission be granted as per the conditions as set out in the City Development Manager's report.

- 13. 17/01105/LBC - 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 (Report Item 3) (AI 13)**

The City Development Manager reported that a site visit had been undertaken as requested when this item had previously been deferred.

Deputations were heard from Ms Bastow objecting and from Mr Fielder the applicant in support of the application as per the previous items as these items were considered together, and the questions and comments were considered as part of the previous item.

Those members who had not been able to attend the site visit did not wish to participate on the voting on this item.

RESOLVED that conditional consent be granted as per the conditions as set out in the City Development Manager's report.

- 14. 17/01804/FUL - 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) (Report Item 4) (AI 14)**

A deputation was made by Ward Councillor Stuart Potter who wished to seek a deferral as he did not believe there had been enough notification of this item and he wished to give the opportunity for residents to come along to make representation.

Members' Questions

Members asked if the process of notifying objectors of the meeting had differed from other applications and it was clarified that this had not been handled in any different way. The only request to make a deputation had been from Councillor Potter and a site notice had been displayed.

Members' Comments

Discussion took place regarding the notification process and the wording used which the City Development Manager would review to ensure that the language was clear to explain the process. Members wished to debate the item at this meeting rather than defer. As this was an HMO application, members felt there was enough information to proceed as the only items due for consideration were whether or not it was in a Conservation Area (which it wasn't), the room sizes which they were felt were adequate and the 10% rule which was not breached.

RESOLVED that conditional permission be granted for the conditions as set out in the City Development Manager's report.

The City Development Manager undertook to do a briefing note for members of the Planning Committee regarding the notification processes used and this would be circulated by email.

15. 17/01817/FUL - 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) (Report Item 5) (AI 15)

Deputations were made by Ms Bramble, Mr Blaber and Mr Moss, all objecting due to the impact on local residents, and Mr Heywood spoke in support of his application and management of the property.

Members' Questions

Information was sought regarding the issue of whether or not there was a fifth bedroom or whether this was a study area and it was confirmed that the plans circulated were for four bedrooms and this study was too small to be used as a bedroom (if anyone slept in the study room this would be a breach of the allowed use). It was noted that the covenant issue referred to by the deputations was not a planning consideration and that the sound insulation would be dealt with via Building Regulations. Members also asked whether the surveyed area of HMOs should include Oakdene and this clipped the curtilage and the City Development Manager reported that this did not include the main building and this was actually not a C3 use. It was noted that the conditions covered bike storage and the refuse storage would be similar to the use at a single family house so there was not a material change.

Members' Comments

It was noted that this application did not contravene the HMO policy. It was confirmed that the Oakdene is a C1 use as a residential health facility.

RESOLVED that conditional permission be granted as per the conditions outlined in the City Development Manager's report.

16. 17/01936/FUL - 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) (Report Item 6) (AI 16)

Mr Anthony Lane, the applicant had registered to speak did not appear as a deputation.

Members' Questions

Members asked regarding the provision of wash basins per unit and the details of this had not been confirmed.

<i>Ensuite 5 (First Floor)</i> 2.76m ²	<i>Not defined</i>
<i>Ensuite 7 (Second Floor)</i> 4.45m ²	<i>Not defined</i>
<i>Bathroom (Second Floor)</i> 2.83m ²	<i>3.74m²</i>
<i>W/C (Ground Floor)</i> 2.76m ²	<i>Not defined</i>

All bedrooms exceed the minimum standards identified in the newly adopted HMO SPD (November 2017) and the proposal also meets floorspace requirements for communal space.

It is worth noting that the shared bathroom provided at second floor level is slightly undersize (0.91m²), 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 six en-suites, a shared W/C and a shared shower room.

The proposed development would require a licence from the Private Sector Housing Department; no adverse comments have been raised in relation to compliance with licencing standards."

A deputation was made in support by Mr Venables as the applicant.

Members' Questions

Members asked if the size of the second floor bathroom was slightly undersized. It was confirmed it was but it was balanced by extra wash facilities elsewhere in the property. Clarification was sought on what had changed since the previous application had been refused, in particular the issue of light to the basement. The chair allowed the applicant to speak as a matter of clarification regarding the replacement of windows and lightwells above the basement which had been made clear to allow extra light and there was a glass fire escape.

Members' Comments

Discussion took place regarding the level of natural light to the communal living area in the basement and the fact that there was a communal lounge that could also be used by the occupants. The applicant had tried to improve the areas that had been of concern previously. Members were also mindful of the HMO policy.

RESOLVED

- (1) 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.**

(2) 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 Resolution (1).

18. 17/01496/FUL - 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 (Report Item 8) (AI 18)

The City Development Manager reported that an additional representation had been received since the printing of the supplementary matters report from Mr Adair which was read out at the meeting which made comment on the concern of residents who wished to be able to park at the centre without being charged. A copy of the parking layout was circulated that had been requested in advance by Councillor Pitt.

Members' Questions

The nature of the lease was questioned with the land being owned by PCC Leisure and it was noted that there was a partnership arrangement with BH Live to run the centre. The Assistant Director of City Development stated that whilst this was PCC land the car park was connected to the sports provision use so planning implications needed to be considered.

David Evans, the Leisure & Sports Facilities Manager was present at the meeting was asked to give some clarification and he reported that there had not been a change since before 1994 regarding the car park use and he specified there was a partnership agreement with BH Live. The representative of BH Live (who was present) was responsible for their facilities management and could not give further clarification of the lease agreement at the meeting.

The opening times of the facility was questioned and it was reported these were Monday to Friday 8.30 am to 10.00 pm and at the weekends 9.00 am to 5.00 pm.

The roofing membrane material and its safety implications were also queried and it was noted this was a Building Regulations matter. This would be addressed within the tender for the extension.

Members' Comments

Members were concerned regarding the layout of the parking spaces and whether the report reflected the true level of parking that may be lost and it was confirmed by the Highways Engineer that there were bollards that would be removed from the site. The Highways Engineer also explained his calculation that there would be a net increase of 12 spaces required on street through the increased usage associated with the development. He also stated that there was a need to recognise this as a private car park that the applicant could close to the residents should they wish to.

It was noted that there was extra demand at night time with 9.00 pm being a peak time for parking in the area.

Debate took place regarding the merits of a site visit (and who should attend it), so that members could look at the layout of the car park.

RESOLVED that consideration of this item be deferred to allow a site visit to be undertaken.

The meeting concluded at 4.30 pm.

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Signed by the Chair of the meeting