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## PLANNING COMMITTEE

MINUTES OF THE MEETING of the Planning Committee held on Wednesday, 12 December 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 Hugh Mason (Chair)  
Judith Smyth (Vice-Chair)  
Suzy Horton  
Donna Jones  
Gemma New  
Steve Pitt  
Lynne Stagg  
Luke Stubbs

### Welcome

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

### Guildhall, Fire Procedure

The Chair 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.

### 127. Apologies (AI 1)

Apologies for absence had been received from Councillors Jo Hooper and Claire Udy. Councillor Donna Jones apologised that she would have to leave the committee at 2.30pm to attend another meeting.

### 128. Declaration of Members' Interests (AI 2)

Councillor Luke Stubbs declared that as a member of the community group behind the Eastney Esplanade seafront shelter proposal he would leave the room and not participate in discussion of this item.

Councillor Donna Jones made a non-prejudicial and non-pecuniary interest in that she knew the depute for the Marmion road item, Mr Sparkes in a professional capacity, through her work as a magistrate.

Councillor Donna Jones had previously attended meetings, when Leader, regarding development at Lakeside Business Park, but this was neither a prejudicial nor pecuniary interest.

Several members of the committee recognised the depute Mr Reiss regarding the Eastney seafront shelter, but this was neither prejudicial nor pecuniary; Councillor Smyth had been to meetings with him and Councillor Pitt (as Cabinet Member for Culture, Leisure & Sport) had spoken with him but had not given a view on the proposal.

**129. Minutes of the previous meeting - 14 November 2018 (AI 3)**

**RESOLVED that the minutes of the Planning Committee held on 14 November 2018 be agreed as a correct record to be signed by the Chair.**

**130. Updates on previous planning applications by the Assistant Director of City Development (AI 4)**

There were no matters for the Assistant Director of City Development to report, however the Chair reported that there had been several recent appeal decisions that had been circulated by email.

Planning Applications

Deputations are not minutes 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-12Dec2018>

**131. 17/02064/FUL - 65 Marmion Road Southsea PO5 2AX - Conversion of all floors of no.65 to form single dwelling house, external alterations to include demolition of single storey extension (former shop front) fronting Marmion Road, reinstatement of ground floor bay window and erection of front boundary wall and piers with new access onto Marmion Road; demolition of single storey structures/workshop to rear; construction of a single storey extension to rear of no.65 and a new detached 1 bedroom single storey dwelling to rear (north) of site (Report Item 1) (AI 5)**

A deputation was made by Mr Sparkes, objecting on behalf of himself and residents in Marmion Avenue, regarding the impact on their properties in the Owens Southsea Conservation Area.

Members' Questions

In response to members' questions the following issues were clarified:

- The cladding being used, whilst not being typical to the area, was not considered harmful to the setting
- The impact of shadowing, whilst not specifically measured, was not believed to be significant enough to sustain a refusal and the committee would need to consider the relationship between the buildings to consider the impact and whether the height was unacceptable
- The right to light was not a material planning consideration

- The highway access was considered acceptable and similar layouts were seen further east on Marmion Road
- Members questioned the Permitted Development rights on the site for outbuildings if Unit 2 were not in the proposal, and whether Permitted Development (PD) rights could be removed via condition? It was stressed that this was hypothetical as the application included both Units 1 & 2, and there would need to be a reason to remove PD rights (and was usually used in new residential developments) and officers confirmed that given the site's Conservation Area location there were no permitted changes of mixed use building to residential, so therefore any proposal would require a planning application.
- The raised floor levels had been requested by the Environment Agency, so that in the event of flooding it would be safe to stay in the dwelling

#### Members' Comments

Members discussed whether this was a suitable scheme or overdevelopment of the site, and the impact there would be on neighbours in Marmion Avenue, and how it fitted into the Owen's Southsea Conservation Area. There would be an improvement to the Marmion Road frontage but there was some concern regarding the use of garden space and the amenity impact on Marmion Avenue.

**RESOLVED that consideration of this application be deferred to allow further discussion with the applicant, to discuss the possibility of removing the single dwelling at the rear and to look at possible redesigning of the roof on the eastern boundary to reduce the impact on neighbours in Marmion Avenue.**

#### **132. 18/01452/FUL - Eastney Esplanade Southsea PO4 9GE - Installation of Seafront Shelter (Report Item 2) (AI 6)**

(Councillor Luke Stubbs withdrew for the room for this item in accordance with his earlier declaration of interest.)

A deputation was made by Mr Drake, to object due to the impact on the beach and as a resident of a nearby property due to possible anti-social behaviour. A deputation was then made by Mr Reis as the applicant in support of the community project regarding the benefits of installing the shelter.

#### Members' Questions

The following points were raised for clarification:

- The consideration of the siting - the best location had been discussed with Planning Officers and it should not constrain the future sea defences. The Assistant Director of City Development advised that once permission was granted the siting could not be changed, but the disabled access to the beach would be dealt with internally by the Planning Department.
- Drainage issues would be dealt with via Building Control approval.
- The ecological management plan was for implementation over 5 years, and it was felt that better species of vegetation would be replanted.

## Members' Comments

Members were supportive of this community project.

**RESOLVED that conditional permission be granted, subject to the conditions set out in the report by the Assistant Director of City Development.**

**133. 17/01171/FUL - Land At Lakeside Business Park Western Road Portsmouth - Construction of a two-storey building for car dealership use comprising showroom, valet facilities, workshop and MOT testing, with provision of car parking, associated infrastructure and landscaping (Report Item 3) (AI 7)**

The Assistant Director of City Development's Supplementary Matters report contained the following information:

### **Drainage**

*After receipt of the updated Drainage Strategy on drawing no.P16-495-200B (24/10/17), PCC's Coastal and Drainage Team confirmed support for the drainage strategy aspect of the proposal.*

### **Agent comments**

*The assessment (from p.42) under "Principle of car dealership use/protected site for offices" omits the following matters:*

*"a. the fact that despite the outline planning permission class B1(a) and active marketing, office development has not been forthcoming in the 8 years since it was approved. The rebuttal to the original planning policy consultation response we submitted on 18 October 2017 included a report by Vail Williams which includes an explanation of trends in the wider office-market since 2009 as well as specific examples of significant office occupiers in the Solent sub region downsizing (including IBM); this having the effect of reducing the demand for office floorspace. The report also describes and quantifies the existing and anticipated extent of vacant office space in the existing offices at Lakeside Campus and explains the specific challenges being faced in attracting significant office occupiers to Lakeside Campus, in particular those that require or justify new-build space, not least due to the amount of surplus floorspace.*

*b. the employment benefits of the proposal which is envisaged to include the provision of 120 full time roles on site, approximately 35% of which would be office-based, in addition to directly and indirectly supporting other local jobs."*

### **Ecology**

*The final comments of PCC's ecologist are attached as an Appendix. It references the applicant's proposal summarised in their submitted 'SWBGS site P138 Mitigation Plan' (that is described in the 'Nature Conservation' and 'Conclusions' sections of the report). It states "...the proposed contribution will be effective in mitigating the effect on site integrity it was developed to address... that PCC can conclude that there is no adverse effect on the integrity of the site(s) in accordance with the Conservation of Habitats & Species Regulations 2017, in line with the advice received from Natural England." This advice is accepted and the SINC Mitigation Strategy by financial*

contribution secured as a planning obligation is assessed to ensure no adverse effect.

### **PCC's Archaeology adviser comments**

*To sum up, the site has a significant layer of made ground (1.9m) over what would have previously been a harbourside environment. This environment has a high archaeological potential but it is unclear what, if any, impact there will be that will penetrate the thick layer of made ground.*

*In the absence of a described impact below 1.9m (the depth of the made ground) a precautionary approach is recommended and an archaeological condition be attached to any planning permission that should secure a scheme of archaeological work to monitor and record archaeological remains exposed during groundworks (that exceed the depth of the made ground). This is to ensure that archaeological remains encountered are recognised and recorded.*

*In anticipating that the condition will refer to the submission of a written scheme of investigation (WSI) to be agreed it is acknowledged that the WSI might describe 'no further archaeological work' if the impacts do not exceed the made ground, or the impacts are too small in scale to make sensible archaeological observation or the impacts are of a nature that archaeological observation is not possible. Any WSI must set out the impact of the development (currently lacking from the existing submitted information) and cogently justify the selected archaeological mitigation in light of impact (or lack of impact).*

The Assistant Director of City Development's recommendation remained unchanged, subject to an additional (archaeology) condition.

### Members' Questions

Arising from members' questions the following matters were clarified:

- The Ecology Appraisal had not specified the need for protective hoardings during the construction phase to minimise disruption to the protected wildlife, but the Assistant Director of City Development would give this further consideration to see it was required
- It was confirmed that a proposal for a private hospital a Lakeside was not currently being pursued.
- There were no adjoining residential properties with the nearest being in Wymering, so site notices had advertised the application

### Members' Comments

This proposal was seen to be a case for flexibility as a departure from the Portsmouth Plan for the employment site, which would attract jobs.

### **RESOLVED**

- (1) **Delegated Authority was given to grant Conditional Permission subject to the completion of a Section 106 Agreement in accord with the principles outlined in the report including habitats**

mitigation/compensation (so there would not be a significant effect on nature conservation interests) and employment and skills plan.

- (2) Delegated authority was granted to the Assistant Director of City Development to add/amend conditions where necessary.
- (3) Delegated authority was granted to the Assistant Director of City Development to refuse planning permission if the legal agreement has not been completed within three months of the date of the resolution.

**134. Enforcement Action Update (information item) (AI 8)**

The information item was noted.

**135. Dates of Planning Committee meetings in 2019 (AI 9)**

The committee approved the dates for the first half of 2019 as:

Wednesday 9<sup>th</sup> January  
Wednesday 6<sup>th</sup> February  
Wednesday 6<sup>th</sup> March  
Wednesday 10<sup>th</sup> April  
Thursday 23<sup>rd</sup> May

And noted provisional dates for the second half of 2019 as Wednesdays:

19<sup>th</sup> June, 17<sup>th</sup> July, 14<sup>th</sup> August, 11<sup>th</sup> September, 9<sup>th</sup> October, 6<sup>th</sup> November and 4<sup>th</sup> December

Members took the opportunity to express their gratitude to Niall McAteer for his assistance and wished him well on his departure.

The meeting concluded at 2.50 pm.

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Signed by the Chair of the meeting  
Councillor Hugh Mason