

City of Portsmouth MEMBERS' INFORMATION SERVICE

NO 9

DATE: FRIDAY 2 MARCH 2012

The Members' Information Service produced in the Customer, Community & Democratic Services Unit by Joanne Wildsmith has been prepared in three parts -

Part 1 - Decisions by the Cabinet and individual Cabinet Members, subject to Councillors' right to have the matter called in for scrutiny.

Part 2 - Proposals from Managers which they would like to implement subject to Councillors' right to have the matter referred to the relevant Cabinet Member or Regulatory Committee; and

Part 3 - Items of general information and news.

Part 1 - Decisions by the Cabinet

The following decisions have been taken by the Cabinet (or individual Cabinet Members), and will be implemented unless the call-in procedure is activated. Rule 15 of the Policy and Review Panels Procedure Rules requires a call-in notice to be signed by any 5 members of the Council. The call-in request must be made to JOANNE WILDSMITH (Local Democracy Officer) and must be received by not later than 5 pm on the date shown in the item.

If you want to know more about a proposal, please contact the officer indicated. You can also see the report on the Council's web site at www.portsmouth.gov.uk

NB: There are no Part One items this week.

PLANNING APPLICATIONS TO BE DETERMINED BY HEAD OF PLANNING SERVICES

APART FROM THE PLANNING APPLICATIONS, THERE ARE NO PART TWO ITEMS THIS WEEK.

The Head of Planning Services will exercise his powers to determine the following applications in accordance with the proposed decision for each application unless a Councillor requests the application be referred for decision to Committee.

Your request should be made to the **Head of Planning Services** by telephoning **Julie Watson** (☎023 9283 4826 or 023 9283 4339 answerphone) and must be received by not later than **5 pm on Friday 9 March 2012**. You can also make contact by letter or by e-mail to - planningreps@portsmouthcc.gov.uk - If you wish to know more about a particular application, please contact the Case Officer indicated.

Item No	Application No Ward	Location Description of Development	Planning Officer's Comments	Case Officer Proposed Decision
1	12/00061/FUL St Thomas	42-44 Great Southsea Street Southsea PO5 3BY Change of use from residential care home (Class C2) to purposes falling within Class C4 (house in multiple occupation) or Class C3 (dwellinghouse)	<p>Three representations have been received from residents of Great Southsea Street raising objection to: (a) too many houses in multiple occupation in the area; (b) noise, general disturbance and litter; (c) impact on conservation area, and; (c) parking issues.</p> <p>Having regard to the aims and objectives of PCS20, the introduction of a level of flexibility that would enable an interchange between Class C3 and C4 uses would not result in an unacceptable imbalance or concentration of such a use in the context of the surrounding area. It is considered that the proposed change of use would not have a significant impact on the character and appearance of Great Southsea Street or Castle Road conservation area.</p> <p>Whilst the concerns of the objectors relating to negative social and environmental impacts of the use are noted, it is considered that the change of use from a 5 bedroom residential care home to a Class C3 or Class C4 use would not significantly affect the living conditions of the occupiers of neighbouring properties. 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 that the site is in an area of medium peak accessibility to public transport (within 800 metres of Fratton railway station), it is considered that an objection on car parking standards could not be sustained.</p>	<p>Nicola Frampton</p> <p>Tel: 023 9283 4305</p> <p>Conditional Permission</p>

Item No	Application No Ward	Location Description of Development	Planning Officer's Comments	Case Officer Proposed Decision
2	12/00099/FUL St Jude	<p>Barham Manor 32 Western Parade Southsea</p> <p>Construction of infill extension to rear at 2nd and 3rd floor levels, external alterations and conversion to form student halls of residence with 42 study/bedrooms</p>	<p>This application relates to a substantial four-storey building, with basement, situated at the southern end of Western Parade, adjacent to its junction with Duisburg Way, that has been previously occupied as a hostel with the benefit of a personal permission. Having changed hands the new owner seeks approval for the use of the building as a halls of residence.</p> <p>Four letters/emails have been received from the occupiers of the adjoining building, Martlett House, including one signed by the occupiers of ten of the units within the building and one from the Southern Housing Group which manages the accommodation. The grounds of objection relate to the likely anti-social behaviour and noise and disturbance associated with the occupation of the application site as a halls of residence.</p> <p>Western Parade is characterised by multiple occupation with a significant proportion of properties in flats and maisonettes. In land-use terms the proposed use of the building as a halls of residence would represent an appropriate use in this locality and would not adversely affect the character of the Sea Front conservation area. The applicant is proposing to address the concerns of the occupiers of the adjoining building by providing an on-site warden and enforcing a management agreement. In these circumstances it is not considered that the proposed use would have a significant impact on the amenity of the occupiers of the adjoining building. The infill extension to the rear would not adversely affect the appearance of the building or the amenity of the occupiers of the adjoining property to the east.</p>	<p>Ian Parkinson Tel: 023 9283 4301</p> <p>Conditional Permission</p>

Item No	Application No Ward	Location Description of Development	Planning Officer's Comments	Case Officer Proposed Decision
3	12/00115/FUL St Thomas	47 South Street Southsea PO5 4DP Change of use from dwellinghouse (Class C3) to house in multiple occupation (Class C4)	<p>One representation has been received raising an objection on the following grounds: i) loss of property value; ii) noise pollution; iii) increased traffic on stairways; and iv) increased parking congestion.</p> <p>This application relates to a 3-bedroom (second floor) flat located within a three-storey block of purpose-built flats. It is considered that the use of the property as a small HMO within Class C4 would be unlikely to generate a significant increase in noise or disturbance over and above that which could be associated with the current use of the flat by a family. The property does not have any car parking available and none can be provided. Having regard to the accessibility of the site to public transport and the Albert Road & Elm Grove District Centre it is considered that a refusal on highway grounds could not be justified. Loss of property value is not a material planning consideration.</p>	<p>Simon Barnett Tel: 023 9284 1281</p> <p>Conditional Permission</p>
4	12/00139/FUL Cosham	5 Vectis Way Portsmouth PO6 3BW Construction of an additional storey at roof level to form 3 new flats	<p>One objection has been received, on the grounds of: no parking provision; restriction of view; overlooking; and environmental impact of building works. A further representation has been received commenting on the need for scaffolding, affecting use of garden.</p> <p>The application comprises an existing four storey building containing 11 flats. Planning permission was granted in November 2009 for a similar roof extension to provide 2 (two-bedroom) flats. That permission has not been implemented and remains extant until November 2012. This application seeks permission for a similar roof extension to form 3 (one-bedroom) flats. The principle of development is therefore considered acceptable. The positioning of windows to serve the proposed flats would be similar to that previously approved and therefore it is considered that there would be no significant loss of privacy to neighbouring properties. Whilst no car parking is being proposed, the site is located in Cosham District Centre and is very close to the railway</p>	<p>Simon Barnett Tel: 023 9284 1281</p> <p>Conditional Permission</p>

Item No	Application No Ward	Location Description of Development	Planning Officer's Comments	Case Officer Proposed Decision
4	(Cont'd)		<p>station and bus interchange. Furthermore the previous permission did not make any provision for car parking. Accordingly it is considered that the proposal accords with the aims and objectives of the Residential Car Parking Standards SPD. Any construction work inevitably brings some inconvenience and degree of disturbance to neighbouring properties; however, this cannot represent justification for withholding permission.</p>	

Part 3 - Information and News Items

FRIDAY 2 MARCH 2012

	WARD		OFFICER CONTACT
5	All	<p>Consultation on Draft Sex Establishment Licence Policy</p> <p>Views are being asked for on a new draft sex establishment policy, which will regulate sex shops, sex cinema and sexual entertainment venues in Portsmouth.</p> <p>The council has reached the preliminary conclusion that there is no place within Portsmouth in which it would be appropriate to licence a sex establishment.</p> <p>Following a meeting on Friday 24 February, Portsmouth City Council's Licensing Committee approved the proposed draft sex establishment licence policy, which will now be open for public consultation for the next six weeks.</p> <p>On 22 March 2011 the council decided to adopt Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 so that it can regulate sexual entertainment venues in the city. On 21 September 2011 the Licensing Committee further considered its preferred approach in the formulation of its draft sex establishment licence policy should be written on the basis of identifying pre-determined localities and on controlling the number of establishments that are granted licences.</p> <p>The consultation poses the following questions:</p> <ul style="list-style-type: none"> • <i>Do you agree with the Council's proposed policy considerations in respect of situations where the grant of a licence would be inappropriate having regard to the use of the premises in the vicinity as set out in paragraphs 7.13 and 7.14 of the draft policy?</i> • <i>Do you agree with the Council's proposed preliminary conclusion that there is no place within the City of Portsmouth of which it could be said that it was situated in a locality in which it would be appropriate to licence a sex establishment as set out in paragraph 7.10 of the draft policy?</i> • <i>Do you think that existing sex establishment premises should be allowed to continue to trade so long as they comply with the law and other policy considerations?</i> 	<p>Nickii Humphreys Licensing Manager Legal, Licensing & Registrars Tel: 9283 4604</p>

	WARD		OFFICER CONTACT
5	(Cont'd)	<ul style="list-style-type: none"> Do you have any other comments to make regarding the draft policy? <p>The draft policy will be accessible at: http://www.portsmouth.gov.uk/living/licensing.html and copies will also be available at all libraries, the Licensing Section and the City Helpdesk. In addition, a copy of the draft policy will also be available in each of the Members Rooms.</p> <p>Comments on the draft policy should be sent via email, post or fax to the following address:</p> <p>The Licensing Manager Legal, Licensing & Registrars Portsmouth City Council Civic Offices Guildhall Square Portsmouth PO1 2AL Email: licensing@portsmouthcc.gov.uk Fax: 023 9283 4811</p> <p>Comments must be received by no later than 12 April 2012</p>	
6		<p>Licensing Policy Committee – 24 February 2012</p> <p>The committee agreed the following:</p> <ul style="list-style-type: none"> Sex Establishment Licensing – Consideration of proposed draft policy for consultation. Schedule 3 Local Government (Miscellaneous Provisions) Act 1982 as amended by section 27 of the Policing and Crime Act 2009. The committee approved the draft policy as the consultation document for the purposes of the Local Government (Miscellaneous Provisions) Act 1982 and approved the proposed questions as set out in paragraph 6.4 of the report as part of the consultation process. <p>After excluding the press and public, the committee considered:</p> <ul style="list-style-type: none"> Local Government (Miscellaneous Provisions) Act 1976 and Town Police Clauses Act 1847. Consideration of Driver's Licence – Mr R. The committee noted the report and authorised the Head of Legal, Licensing and Registrars to extend the licensing period in respect of the hackney carriage driver licence issued to Mr R until 30 April 2012. 	<p>Lucy Wingham Customer, Community & Democratic Services Tel: 9283 4662</p>

	WARD		OFFICER CONTACT
7		<p>Employment Committee – 1 March</p> <p>The committee considered the following items:</p> <ul style="list-style-type: none"> • Sickness, Well Being and Occupational Health Report • Workforce Matters Review (People Management Strategy 2010/13) • Localism Act – Pay Policy Statement 	<p>Vicki Plytas Customer, Community & Democratic Services Tel: 9283 4058</p>
8		<p>Cabinet Member for Community Safety – 6 March</p> <p>The Cabinet Member for Community Safety will meet on Tuesday 6 March at 10am in Conference Room A to consider the report on:</p> <ul style="list-style-type: none"> • the adoption of an improved risk based assessment programme for food business operators. 	<p>Jane Di Dino Customer, Community & Democratic Services Tel: 9283 4060</p>
9		<p>Cabinet Member for Culture Leisure and Sport’s special decision meeting on Friday 9 March 2012 at 1.00pm in the Executive Meeting Room, The Guildhall, Portsmouth</p> <p>Councillor Lee Hunt, the Cabinet Member for Culture Leisure and Sport will make decisions on the following item:</p> <ul style="list-style-type: none"> • Hilsea Splashpool 	<p>Karen Martin Customer, Community & Democratic Services Tel: 9283 4052</p>
10		<p>Governance & Audit Committee – 9 March</p> <p>A meeting of Governance & Audit Committee will be held on Friday 9 March 2012 at 3pm in Conference Room A, Civic Offices, Portsmouth when the following items will be considered:-</p> <ul style="list-style-type: none"> • Update report from the District Auditor • Audit Plan 2011/12 from the District Auditor • Certification of Claims and returns – annual report from the District Auditor • Internal Audit Performance Status Report to 6 February for Audit Plan 2011/12 • Update on the Council’s Compliance with its Equality Duty and Equality Impact Assessment Process • Information Commissioner's Office Data Protection Report 	<p>Vicki Plytas Customer, Community & Democratic Services Tel: 9283 4058</p>

	WARD		OFFICER CONTACT
10	(Cont'd)	<ul style="list-style-type: none"> • Performance Management Update (Quarter 3 2011-2012) - corporate performance in the transforming organisation • Annual Governance Statement 2011/12 development update • Treasury Management Policy for 2012/13 (information only) • Procurement Management Information (exempt appendices) 	
11	Nelson	<p>Land Rear of 98 London Road Portsmouth PO2 0NA – Planning Appeal</p> <p>Appeal Ref: 10/00192/ENF Appeal Start Date: 10TH February 2012</p> <p>An appeal has been lodged against the serving of an enforcement notice that alleges that without planning permission the construction of a shelter on land at the rear of 98 London Road.</p> <p>This appeal will be dealt with by the written representation procedure.</p>	<p>Simon Barnett Planning Services Tel: 9284 1281</p>
12	All	<p>HM The Queen’s Diamond Jubilee Celebrations - Extension to licensing hours for pubs etc.</p> <p>The Government have made an Order under the Licensing Act 2003 so as to extend the hours for the sale of alcohol in public houses etc during Her Majesty’s Diamond Jubilee celebrations.</p> <p>The Order extends the opening hours for premises, which are already licensed, so that they can sell alcohol for consumption ON the premises (pubs, restaurants and member’s club etc.)</p> <p>Premises will have their hours extended (if they are not already licensed for these hours) from:</p> <ul style="list-style-type: none"> • 11pm on Friday 1st June until 1am on Saturday 2nd June 2012 and from • 11pm on Saturday 2nd June until 1am on Sunday 3rd June 2012. <p>It will also extend any already licensed regulated entertainment to the same hours and allow the sale of late night refreshment (hot food or hot drink) in those premises.</p> <p>The Order does NOT extend to ‘off’ licences or takeaways as these are specifically excluded.</p>	<p>Richard Chalmers Licensing Section Tel: 9268 8642</p>

	WARD		OFFICER CONTACT
13		<p>Planning Committee – 29 February</p> <p>The committee made the following decisions:</p> <ul style="list-style-type: none"> • 11/01044/HOU – 10 Eastlake Heights, Horse Sands Close, Southsea – The construction of single storey rear extension incorporating balcony above and dormer to rear roof slope to include alterations to existing balcony was granted conditional permission subject to conditions. • 11/01203/HOU – 62 Drayton Lane, Portsmouth – The construction of 2 storey rear/side extension & garage (after removal of existing detached garage) was granted permission subject to conditions. • 11/01318/FUL – 14 Jubilee Terrace, Southsea – The change of use from dwellinghouse (Class C3) to house in multiple occupation (for more than 6 persons) was refused. • 12/00023/FUL – 91 Copythorn Road, Portsmouth – The change of use from dwelling house (Class C3) to Class C4 (house in multiple occupation) was refused. • 11/01309/FUL – Market House Tavern, 472 Mile End Road, Portsmouth – The change of use to hotel (Class C1); external alterations to include construction of 3 no. two storey extensions, new boundary wall/railings and landscaping was granted conditional permission subject to conditions. • 11/01310/LBC – Market House Tavern, 472 Mile End Road, Portsmouth – The three, two-storey extensions, internal alterations (following demolition of existing single storey additions) was granted conditional listed building consent subject to conditions. • 11/01316/FUL – 155 Elm Grove, Southsea – Delegated authority for the Head of Planning Services to grant conditional permission subject to the completion of planning obligations, and subject to conditions, for the conversion of existing library (Class D2) and offices (Class B1) to form halls of residence within Class C1 (comprising 19 study bedrooms arranged as five cluster flats) and construction of cycle and bin stores with associated landscaping was approved. 	<p>Lucy Wingham Customer, Community & Democratic Services Tel: 9283 4662</p>

	WARD		OFFICER CONTACT
13	(Cont'd)	<ul style="list-style-type: none"> • 11/01328/FUL – Public House, 38 Kent Road, Southsea – The conversion of upper floors into 16 flats including new entrance & external staircase to east elevation, modification of boundary wall to include railing inserts and freestanding refuse/cycle store in car park adjacent to Tonbridge Street was refused. • 11/01329/LBC – Public House, 38 Kent Road, Southsea – External & internal alterations to facilitate conversion to upper floors into 16 flats including new entrance & external staircase to east elevation, removal of external staircase & changes to boundary wall facing Kent Road & Portland Road was refused. • 12/00045/FUL – The Dame Judith Professional Centre, Sundridge Close, Cosham, Portsmouth – Delegated authority for the Head of Planning Services to grant conditional permission subject to the completion of planning obligations, and subject to conditions, for the construction of 30 houses in part 2/2½-storey buildings and 16 flats in part 3/4 storey building with associated parking, landscaping and alterations to existing access, after demolition of existing buildings was approved. • 11/01246/FUL – Alexandra Lodge, Wyllie Road, Portsmouth – The construction of part 3/4 storey building to form 80 'extra care' flats, including communal facilities, and 20-bed Assessment and Re-ablement facility (Class C2) with associated parking, external works and new electrical sub-station was granted conditional permission subject to conditions. 	

LICENSING ACT 2003 – APPLICATIONS RECEIVED BY THE LICENSING AUTHORITY

The Licensing Authority has received the following applications in accordance with the Licensing Act 2003. The table below outlines the premises location, a brief description of the application and the closing date by which responsible authorities or interested parties may make representations. An interested party is defined as either a *person* living in the vicinity of the premises, a *body* representing persons who live in that vicinity, a *person* involved in a business in that vicinity, a *body* representing persons involved in such businesses or a *member* of a relevant licensing authority.

Members should be aware that representations may only be made on the grounds of one or more of the licensing objectives. These are: “the prevention of crime and disorder”, “the prevention of public nuisance”, “public safety” and “the protection of children from harm”. Any representation must be in writing and should include evidence to support the licensing objectives.

If you have any queries relating to any of the applications outlined below, please contact the Licensing Section, Telephone number: 023 9283 4607 or email: Licensing@portsmouthcc.gov.uk.

Item No	Ward	Licence No:	Premises Name and Address	Brief description of application:	Closing date for representations:
14	St Jude	12/02310/LAPRMV	Ashby's Gastropub and Boutique Hotel 4 Auckland Road West Southsea PO5 3NY	To remove the following condition from the premises licence:- Children under 18 years of age will only be permitted entry to the premises under adult supervision and only until 18:00 hours. Replace with:- Children under 18 years of age will only be permitted entry to the premises under adult supervision.	9 March 2012
15	St Thomas/ St Jude	12/02324/LAPRMV	Clarence Pier Long Curtain Road Southsea Hants PO5 3XX	Alterations to the premises. No change to the licensable activities.	7 March 2012
16	Copnor	12/02367/LAPRMV	Harvester Great Salterns Mansion Eastern Road Copnor Portsmouth Hants PO3 6QB	To vary the opening commencement hour to 09:00 Monday to Sunday (currently 10:00). No change to existing licensable activity hours.	14 March 2012