

PLANNING COMMITTEE

MINUTES OF THE MEETING of the Planning Committee held on Wednesday, 4 December 2013 at 2.00 pm at the Council Chamber - The Guildhall

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

Present

Councillors David Fuller (Chair)
Les Stevens (Vice-Chair)
Darron Phillips
Jacqui Hancock
Sandra Stockdale
Ken Ellcome
Frank Jonas
John Ferrett
Gerald Vernon-Jackson (Standing Deputy) (In place of Margaret Foster)

Welcome

The chair welcomed members of the public to the meeting.

Guildhall, Fire Procedure

The chair, Councillor Fuller, 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.

135. Apologies (AI 1) (AI 1)

Apologies for absence were received from Councillors Margaret Foster and Lee Mason. Councillor Foster was represented by Councillor Gerald Vernon-Jackson.

136. Declaration of Members' Interests (AI 2) (AI 2)

Councillor Darron Phillips declared that he had formed a pre-determined view relating to item 10 - Land adjacent to East Lodge Playing Fields, Farlington - in that it is protected open space and he cannot advocate development of any kind. He agreed to leave the room during discussion of this item.

Councillor Ken Ellcome declared that he was appearing as a deputation on item 10 - Land adjacent to East Lodge Playing Fields, Farlington - so would leave the room after making his deputation on that item and would not be part of the committee.

Councillor David Fuller declared a personal and pecuniary interest in item 3 - 240 Fratton Road, Portsmouth - in that he knows the applicant. He agreed to vacate the chair and the room for this item and would not be part of the committee. He also

declared a pecuniary interest in item 10 - Land adjacent to East Lodge Playing Fields, Farlington - in that he manages a residential care home specialising in dementia. He agreed to vacate the chair and the room for this item and would not be part of the committee.

Councillor Rob Wood, who was appearing as a deputation on items 1 and 2 - Point Battery, Broad Street, Portsmouth - declared that he had sought legal advice and that he did not have a pecuniary interest and was able to represent local residents.

137. Minutes of the Planning Committee meeting held on 6 November 2013 (AI 3) (AI 3)

(TAKE IN MINUTES)

Councillor Ken Ellcome referred to an email sent from Councillor Wemyss to the City Development Manager regarding information relating to the two Havant Road applications which had not been reflected within the minutes.

The City Development Manager advised the committee that this matter was being dealt with by the Chief Executive. The senior solicitor (Planning) advised that members had to decide today as to whether or not the minutes reflect the debate held and the reasons put forward for refusal.

RESOLVED that the minutes of the meeting of the Planning Committee held on 6 November 2013 be agreed as a correct record and signed by the chair.

138. Updates provided by the City Development Manager on previous planning applications (AI 4) (AI 4)

There were no updates.

139. Planning appeal decision at Southsea Leisure Park, Melville Road, Southsea, Portsmouth, PO4 9TB (AI 5) (AI 5)

(TAKE IN REPORT BY THE CITY DEVELOPMENT MANAGER)

RESOLVED that the report be noted.

Planning applications (AI 6)

(TAKE IN REPORT BY THE CITY DEVELOPMENT MANAGER)

140. Planning Applications - 13/01017/FUL - Point Battery, Broad Street, Portsmouth (Report item 6) (AI 6)

The City Development Officer reported in the supplementary matters list that the following paragraphs provide further points of clarification/amendments to the report.

- Under the 'Highways issues' heading, the paragraphs should be replaced with the following:

The application site does not benefit from off street parking and there is no scope for any to be provided. The application does include 40 short stay cycle stands (to be used by visitors and workers) and four long stay cycle stands (to be used by workers at the site).

The applicant has submitted a report in support of the application demonstrating the level of parking available in nearby public car parks (Broad Street and the Camber). In addition, it must be recognised that there are also existing public (pay and display) and disabled parking spaces immediately adjoining the site in Broad Street and a residents parking zone (KA - Old Portsmouth) covering the streets surrounding the site. Having regard to the scale and nature of the proposed uses, the availability of on-street parking and in nearby public car parks, and in the absence of any robust evidence against the level of parking available, it is considered that the proposed uses in their own right would not create a significant increase in traffic or demand for parking that would be likely to adversely affect highway safety. It is therefore considered that a refusal on parking grounds could not be sustained.

It is however, recognised that the overall nature of the proposal is to provide a range of uses that add to the existing visitor/tourist attractions in Old Portsmouth and the wider Seafront, and that it will encourage visitors to stay and enjoy the area for longer. It is anticipated that visitors to the site will arrive by various transport modes (walking, cycling, public transport and by car) as they do now and that these visitors will contribute to the demand for parking in the area. It is considered however, on balance, that the potential increase in demand for parking by visitors is outweighed by the securing of a long term use for the building and the wider regeneration benefits of the proposal. It is also considered, given the scale of the proposal, that it would be unreasonable and disproportionate to require this application to provide mitigation measures to issues of transport and parking, such as providing a Park and Ride scheme, which are being addressed at a city wide level.

The local highways authority raises no objection to this application.

- Under the 'Flood Risk' heading, the 4th paragraph should be replaced with the following:

In addition, the applicant has addressed the issue of 'residual' risk (through overtopping or breach of the defences) through the design of the scheme (such as raised floor levels) whilst accepting the constraints of this important heritage asset, and the safe dry access and egress already provided by the upper floor of Point Battery (providing safe passage as far as Clarence Pier). In addition, and although it is not appropriate to secure it through a planning condition (as it would not meet the tests for imposing conditions), the applicant has stated that it would sign up to the Environment Agency's flood watch scheme. This scheme would provide advance warning of a flood event allowing the various studios and restaurant/cafes to be evacuated in advance and remain closed during a potential flood event.

Deputations were heard from Mr Clapham, Mr Ross and Mr Davenport, all objecting to the proposal, who included the following points in their representations:

- Loss of historical ambience and car parking;
- The generation of income is to continue to pay for the structure but artists are self-employed;
- The Hot Walls café made a loss of £19k last year;
- This proposal is set to go the same way;
- Night time economy and the Arches will attract the wrong sort and will become like Palmerston Road area;
- English Heritage are capable of making wayward decisions, leaving council's to fund projects;
- The objections are from residents' who are mostly affected by the proposal;

- Casemates are not the local residents' but the whole city but the use of them does affect local residents;
- There is a strong local opinion to celebrate what they are but this use will cause significant harm to the historical assets;
- With A1 and A3 uses it could become a shopping mall;
- The reasons for the conditions all refer to 'protection' for local residents;
- There is no justification for this proposal;
- This is the most important conservation area in the city;
- The aim is to stimulate light industrial/business use and create revenue;
- This proposal neither preserves or enhances the conservation area;
- The Hot Walls café failed this could also be a serious drain;
- There is no contingency plan and could turn into a low grade retail centre;
- 0700-2300 opening hours are unacceptable, unsocial hours;
- There is no plan to address the increase in parking;
- We have already lost over 50 parking spaces;
- Fonteroy House was refused recently on the grounds of parking but for far less;
- This project will significantly harm the character of the conservation area;
- This is not a suitable site for this project.

Deputations were also heard from Mr Halloran (Friends of Old Portsmouth), Mr Pitt (The Culture Partnership), Claire Looney (City Development and Culture) and Mr Frost (Parity Trust) who all spoke in support of the application and included the following points in their representations;

- This proposal will be good for Portsmouth;
- It will bring in jobs but feel it should be phased in, with 4-5 of the casemates being used first and then build on that success;
- PCC strategy is to reduce travel but you'll be bringing in more traffic;
- Should have a shuttle connection to the Park & Ride;
- You need some security and CCTV;
- Pebbles and glass don't mix;
- Should have seasonal hours;
- Same number of toilets as previous and yet there will be more people;
- Should have a Plan B and a sinking fund;
- Need to ensure the conservation area is preserved and enhanced;
- The monuments are not being managed in their current form;
- Need rapid growth;
- Proposal enables low impact community scheme;
- Art and leisure sit together;
- The casemates are currently being used as a toilet/shelter;
- There has been a lot of scaremongering about this changing to a supermarket;
- This monument is already a tourist attraction, this will make the visitor experience enjoyable;
- This is a sympathetic change and is part of the seafront masterplan;
- The proposal will maintain the historical environment and will be tailor made to the site;
- We need to secure the future of the monument;
- Our application for external funding is in the 'scrutiny' stage;
- We will continue to be the landlords and will be responsible;
- This proposal will improve the quality of life for local people;
- Will create opportunities for local artists and students;
- It will create additional jobs and employment opportunities;
- Will encourage businesses from outside of the city to invest in the city;
- It will increase tourism which in turn supports local businesses in the area;

- It will make Portsmouth a better place to live.

Old Portsmouth ward Councillor Rob Wood also gave a deputation and included the following points in his representations:

- Both petitions show the strength of feeling and what this proposal means to a lot of people across the city;
- This area is totally packed in the summer months but giving the Artches to the artists it will take this away from visiting school children for example who come to sit by and view the monument;
- People will be excluded from the open space;
- Residents are concerned as to who will fund this project if it fails;
- There is nothing in the report about this area being a dangerous area despite the flood risk and water safety element;
- Parking is a problem in the area and throughout Portsmouth;
- D1 use, the local community could use those rooms and display things in them;
- Concerned about the generation of rubbish with the A3 use.

Councillor Lee Hunt, the Cabinet Member for Culture, Leisure and Sport also gave a deputation and included the following points in his representations;

- English Heritage believes that this project has huge potential and will financially secure the ancient monument for the future;
- This will redefine the area;
- Need to emphasis the potential for this area;
- Parking, don't foresee this as a problem as this will just add to the tourists enjoyment already visiting the area;
- The pubs in Old Portsmouth are open until 0100 hours so do not see a problem with the closing times;
- The closing times are very reasonable in comparison;
- This is another string to our cultural bow;
- The University are supportive in the hope that graduates remain in the city rather than moving to London;
- Need to make these fortifications self-supporting and remain in the future;
- This will create jobs.

The City Development Manager advised the committee that the business plan, the issue of open space, future management of the monument and a sink fund are not material considerations.

Members' questions

Members sought clarification on; the materials for the new frontages to the casemates; whether the windows facing the beach would have shutters; amenities for the casemates; the size of the retail unit and the size of the extension to the Hot Walls Café.

Members' comments

Members felt that this use would give an historical building a new life, that it would turn it into a far more vibrant and enhanced visitor attraction. They welcomed the regeneration that this project would provide and the jobs created from such a project.

RESOLVED that conditional permission be granted subject to the conditions outlined within the City Development Managers report.

141. 13/01018/LBC - Point Battery, Broad Street, Portsmouth (AI 7)

As the officer presentation for report item 1 also related to report item 2, the deputations were given another opportunity to add any comments they may have relating to the Listed Building Consent application.

Councillor Hunt, addressed the committee as Cabinet Member for Culture, Leisure and Sport and included the following points in his representations;

- There are very strict conditions surrounding the protection of the monument and the materials to be used;
- The shutters to the front of the casemates will be bespoke to protect the windows.

Members' comments

Members acknowledged that the ancient scheduled monument has a higher level of historical protection and that English Heritage had granted their approval on the basis of the stringent conditions.

RESOLVED that subject to the Secretary of State not requiring the application to be referred for determination, conditional consent be granted, subject to the conditions outlined within the City Development Managers report.

142. 13/01071/FUL - 4 Malvern Road, Southsea (AI 9)

A deputation was heard from Mr Collighan, objecting to the application, who included the following points in his representation;

- Have been a resident in Malvern Road for 17years;
- We have seen an increase in traffic flow since the closing of Palmerston Road;
- No adequate parking is being provided;
- This will have a detrimental impact on residents of Malvern Road;
- A new build had to have allocated parking for its occupants;
- The applicant has not outlined a parking solution;
- Only 2 parking spaces are being provided for 6 guestrooms;
- Malvern Road has become a 'cut through';
- There is an issue of highway safety.

A deputation was also heard from Mr Sutton, the applicant, who included the following points in his representation;

- If the parking is as bad as the deputation says then I would never have considered opening up another hotel;
- Clients want parking, not being able to park is not a happy client;
- 3 bedrooms is the net difference as I have one parking space available at the Florence Hotel;
- The other hotel is only trading at 68-79% which equates to 2.8 beds on a daily basis and I am providing 3 parking spaces;
- Visitors come in all modes of transport, not always in their own vehicles;
- Have 22 spaces in total within 'the Group';
- Often groups of people will arrive in one mode of transport.

RESOLVED that conditional permission be granted subject to the conditions outlined within the City Development Managers report.

143. 13/01098/PLAREG - 6 & 7 Grand Division Row, Henderson Road, Southsea (AI 10)

This application had been brought to the Planning Committee at the request of Councillor Mike Hancock.

The City Development Manager reported in the supplementary matters list that in the policy section of the report the Conservation Area guidelines referred to should be those for the 'St Andrews Church' Conservation Area and not 'Craneswater and Eastern Parade'. There is a typographical error in that a reference to the site being on the northern side of Henderson Road should read the southern side of Henderson Road.

The City Development Manager also reported that written submissions had been received from ward Councillors Hall, Winnington and Stubbs and Councillor Mike Hancock CBE MP, which were attached as an appendix to the supplementary matters list. A further representation in support of the application had also been received from an occupier at Grand Division Row.

Deputations were heard from Miss Powell and Mr Edwards, the applicants, who included the following points in their representations;

- There are huge oak trees which house a large squirrel community and many birds;
- Our cars are covered in bird and animal droppings, and sap from the trees;
- We have tried bird scaring devices;
- Had the trees cut back;
- We have tried gazebo's and tarpaulin, which blew away;
- We cannot use our allocated parking spaces;
- Contacted the planning department in October 2012 with regards to the carport, didn't hear anything back so assumed it was ok;
- The car port was installed in January 2013;
- We used high quality materials which can withstand strong winds;
- If members do not think the car ports are aesthetically pleasing then would ask for advice as to how we can change them;
- We have exhausted all avenues;
- The trees are protected by TPOs;
- The church is already massively obscured;
- Not received any complaints from our neighbours;
- We legally own this land and the parking spaces;
- If the structures were any lower then the public walking past would be able to see the bird and animal droppings;
- Any water run off comes onto our land not the pavement;
- We regularly clean the tops of the car ports;
- We feel the impact to the conservation area is minimal.

Members' questions

Members sought clarification on the materials used and asked what advice had been given pre application stage.

Members' comments

Members felt that the structures were a good solution to the problem and were not out of keeping in the conservation area.

RESOLVED that permission be granted.

144. 13/01086/FUL - Building South of Gas Engine House, 199 Henderson Road, Southsea (AI 11)

This application had been brought to the committee at the request of Councillor Terry Hall.

The City Development Manager reported in the supplementary matters list that the appropriateness of Condition 6 relating to an environmental plan had been reviewed. It was recommended that the condition be deleted from the resolution and a suitable informative added in its place.

A deputation was heard from Ms McNamara, the applicant, who circulated photographs of the dogs currently being looked after and two letters, one from her current landlord and one from Somerville Stone in support of the application, and included the following points in her representations;

- Dogs will be dropped off between 8-9am daily;
- The dogs are then taken for a walk;
- They return to day care and are then walked again in the afternoon;
- After their return to day care, then customers start to pick the dogs up;
- Don't take on any aggressive dogs;
- I am fully trained and will be taking on a full time dog walker;
- Insist on positive reinforcement with all the dogs;
- Dogs do not foul on site as they are walked twice a day. If they do then the area is washed down with eco friendly products;
- Have been running the business for over 5years and never had any complaints;
- Do not take on any more than 10 dogs at a time;
- Currently only have 7 dogs and do not take on any aggressive ones.

Members' comments

Members were in support of the proposal and felt it was a good enterprise. One member raised their concern about the noise from the dogs reacting to the noise from the other uses nearby.

RESOLVED that conditional permission be granted subject to the conditions outlined within the City Development Managers report, and subject to the deletion of Condition 6 as referred to above.

145. 13/01147/FUL - 34 Playfair Road, Southsea (AI 12)

This application was brought to the committee at the request of Councillor Rob Wood.

A deputation was heard from Mr Broyd, the applicants agent, who circulated a property price guide and a plan indicating the number of HMOs within a 25m and 50m radius to the property, and who included the following points in his representations;

- No objections have been received;
- Mr Clements shocked to find out about this policy as he has never been notified of other HMOs;

- When he submits his application his neighbour is notified;
- There are similar C4s in the area;
- The only tenant Mr Clements can find is probably a family on benefits;
- The Clements family will be locked into their property as there are HMOs behind, in front and either side of their home;
- They are well and truly land locked;
- Please allow this application as the damage has already been done in this area with the number of HMOs.

Members' questions

Members sought clarification on the number of HMOs within the 50m radius and whether members had any discretion within the HMO SPD.

The City Development Manager responded by saying that the recommendation has been made on policy grounds and that legally members may deviate from their policy if there are material grounds to do so.

Members' comments

Although members felt some sympathy for the applicant they did not feel able to go against the HMO SPD by adding to the over balance already in the area.

RESOLVED that planning permission be refused for the reasons outlined within the City Development Managers report.

146. 13/01123/FUL - Land rear of Portland Hotel, Tonbridge Street, Southsea (AI 14)

The City Development Manager reported that permission for the construction of a four-storey building comprising a coffee shop (Class A3) to the ground floor and six flats above was refused in September 2013. This refused scheme is now the subject of an appeal.

The City Development Manager reported in the supplementary matters list that comments had been received from the Coastal Partnership who raised no objection to the proposal.

A deputation was heard from Ms Kilshaw, objecting to the proposal, who included the following points in her representations;

- Have lived in Portland Terrace for 6 years;
- My kitchen overlooks this proposed development;
- Our fire escape backs onto this parking area;
- Would there be sufficient room for a fire engine to access our property from the rear?
- Where would our bins/refuse store go if this development goes ahead?
- Only 5 spaces have been allocated and two are to be used by staff at the clinic;
- Is there a need for such a clinic;
- Will this run alongside other practices or be in addition?
- The use could be changed to a coffee shop in the future;
- Have been informed that the site had been sold on but obviously not the case;
- Not convinced anything has changed.

A deputation was also heard from Mr Heppell, on behalf of the applicant, who included the following points in his representations;

- The two projects are linked and must be run together, as previously mentioned back in the summer;
- There are two key changes to the design of the scheme;
- The proposal will complement the street scene in Tonbridge Street;
- Change of use at ground floor will be a chiropodist, dentist use not a doctor's surgery;
- Will positively enhance the area;
- There will be no loss of light to residents.

Deputations were also heard from St Jude ward Councillors Peter Eddis and Michael Andrewes who included the following points in their representations;

- Tonbridge Street is a tip and is often cluttered;
- On street parking is an issue;
- Agree this will improve the setting in Tonbridge Street;
- The proposal will take away light from Portland Terrace residents;
- It is 4-storeys high;
- There is no on street parking for visitors at the medical centre;
- Large delivery vehicles need access to the rear of Palmerston Road properties and to be able to turn;
- Could have potential to affect residents amenity;
- Almost identical application as previous;
- There will be a significant loss of amenity to residents;
- Not appropriate for a residential area;
- Cramped development and inappropriate streetscene;
- The proposal would neither enhance or preserve the conservation area;
- There will be an increased sense of enclosure to residents at the rear of the proposal;
- Lack of any provision for the healthcare staff;
- Highway engineer has concerns;
- Have concerns that they will not be able to fill the D1 use, will build it and then come back with an A3 use on the ground floor;
- There will be a loss of amenity to residents and want to see better in a conservation area.

Members' questions

Members sought clarification on the link between the two applications and the distance from the rear of the proposal to the rear of Portland Terrace.

The City Development Manager explained to members that this is a stand-alone application and that the applicant had been invited to provide information relating to a financial link between the two but this had not been forthcoming.

Members' comments

Members felt that it was up to other business owners to improve the area and that the answer is not a 4-storey building. They felt it was out of keeping, it would have a detrimental impact on the residents of Portland Terrace and that the scheme had changed little.

RESOLVED that permission be refused for the reasons outlined within the City Development Managers report.

147. 13/00371/OUT - 156, 158 and Land to rear of 154-172 Southampton Road, Portsmouth (AI 13)

The City Development Manager reported in the supplementary matters list that the use of the Country Park for the translocation of the small slow worm population has since been clarified and cannot now be achieved. An alternative site, potentially at Farlington Triangle, and will therefore need to be found. Condition 7 deals with the translocation of the slow worm population and allows for the location of the translocation site to be agreed.

The Environment Agency had clarified the need for the second condition in their consultation response.

Defra confirmed that Schedule 3 of the Flood and Water Management Act 2010 when it comes into force in April 2014 cannot be applied where planning permission had already been granted. Surface water drainage records indicate that the site is served by a combined sewer. However, the matter of surface water drainage and a connection to public sewer can be resolved outside of the planning system under the provisions of the Water Act. Whilst it is not therefore considered necessary to impose a condition as recommended by the Environment Agency, an informative would nevertheless be added.

The City Development Manager requested that in recommendation 1 the deletion of "Subject to secure:" and replace it with "Delegated authority be granted to the City Development Manager to complete a section 106 Agreement that secures:".

Members' questions

Members sought clarification on the facilities available to the affordable properties and questioned why there were only 3 affordable housing properties in a development of this size.

Members' comments

Members were concerned about the proposed creation of a dedicated right turn lane and felt that the two lanes should be maintained, meaning vehicles should stop and indicate rather than reducing the lane. Members were concerned that a similar proposal had been installed outside 'Hendys' and later removed for highway safety reasons.

RESOLVED that conditional outline permission be granted and that;

- 1) **Delegated authority be granted to the City Development Manager to complete a Section 106 Agreement that secures:**
 - 1) **The provision of three units of Affordable accommodation [plot nos, 24, 25 and 26] ready for occupation by no later than the completion of fifteen open market dwellings.**
 - 2) **The review of the viability assessment at 18 months from the date of the outline permission if no fewer than 10 houses have reached core and shell.**
 - 3) **A commensurate uplift in the provision of affordable accommodation in the event that the viability has improved in the intervening period.**
 - 4) **The payment of a project management fee of £1000.**
 - 5) **A Skills and Employment Training Plan.**

- 2) **That delegated authority be granted to the City Development Manager to refuse planning permission of the legal agreement has not been completed within three months of the date of the resolution.**
- 3) **That the applicant enters into a S278 Highway Agreement to secure the provision of a bellmouth junction to Southampton Road.**

The chair, Councillor David Fuller, left the meeting at this point following his earlier declaration of interest and Councillor Les Stevens took the chair.

148. 13/01040/FUL - 240 Fratton Road, Portsmouth (AI 8)

The City Development Manager reported in the supplementary matters list that an additional representation has been received from ward Councillor Eleanor Scott supporting those residents who have objected to this application on the grounds that the reasons for previous refusal are still valid.

Following publication of the agenda, revised plans had been received that attempt to address and overcome the recommended reasons for refusal. The amended drawings show the relocation of the cycle and refuse stores associated with the permitted flats above the club from the communal hallway to an enlarged area removed from the club. The amendments also include restricted openings to the obscure glazed windows in the rear elevation. It is considered that these amendments do not address the issues raised by the Inspector and would fail to provide an appropriate standard of amenity for future occupiers of the proposed flats.

Permission for the construction of a four-storey building comprising a coffee shop (within Class A3) to the ground floor and six flats above was refused in September 2013. This refused scheme is now the subject of a current appeal.

The City Development also reported that Mr Jennings and Mr Llewellyn who were listed to appear as deputations had had to leave the meetings but asked that their displeasure the application was moved towards the end of the agenda be noted.

A deputation was heard from Mr Weston, on behalf of the applicant, who included the following points in his representations;

- The provision of refuse storage has been granted permission previously;
- All existing flats are subject to a lease and therefore should be subject to a resolution through the waste collector;
- Four flats would be subject to agreed waste management and the existing five flats would operate as they have for years using black bag collection;
- The previous reasons for refusal have been overcome and there are no reasons to refuse on policy grounds.

RESOLVED that planning permission be refused for the reasons outlined within the City Development Managers report.

149. 13/01124/FUL - Land Adjacent to East Lodge Playing Fields, Farlington, Portsmouth (AI 15)

Councillor Darron Phillips left the room following his earlier declaration of interest.

Councillor Ken Ellcome left the committee to appear as a deputation.

The City Development Manager reported in the supplementary matters list receipt of five additional objections from the occupiers of neighbouring properties on the following grounds:

- a) Development would be contrary to a PCC resolution on 1985 that the site would be retained as open space;
- b) Scale of proposal out of keeping with area;
- c) Design could be improved by hiping the roof;
- d) Development may exacerbate flooding issues and drainage proposals inadequate;
- e) Lighting of car park suggests 24 hour use which would affect local residents;
- f) Loss of privacy;
- g) Concern about use of gate to adjacent play area;
- h) Site access unsuitable for construction traffic and operation/servicing of care home;
- i) Access could be improved by providing dropped kerbs for existing properties;
- j) No details of extraction equipment for commercial kitchen; and
- k) Increased traffic will affect road and pedestrian safety.

A further representation had been received commenting on the incorrect map supplied by Southern Water with their consultation response. Clarification has been sought and received from Southern Water that this was an error and that their comments do relate to the application site.

Comments have been received from the East Solent Coastal Partnership who raise no objection to the proposal based on the submitted Flood Risk Assessment.

Comments have also been received from the Council's Ecologist advising that the application is accompanied by a thorough and professional Extended Phase 1 Ecological Survey Report which concludes that the development would have any adverse impacts to biodiversity. The Ecologist agrees with the report's conclusions and has no concerns regarding the proposal.

Further investigation into the history of the site has established it was compulsory purchased to provide a school which was never constructed. Subsequently the site of the proposed care home has been rented as grazing land and appears never to have been publicly accessible. An extensive search of the Council's records has not revealed any details of the resolution in 1985 referred to in some of the representations. The representations also make reference to the proposed care home being sited at St James Hospital. This issue is not material to the determination of this planning application.

Having regard to the proposed care home having a commercial kitchen it is considered appropriate to add a condition requiring details of noise and odour mitigation to be agreed prior to the care home being brought into use. There is a typographical error in Condition 9 (relating to Sustainable Design and Construction) which should make reference to 60 credits, not 59 or 61 as set out in the agenda.

A deputation was heard from Mr Coe, on behalf of the Agents, who included the following points in his representations;

- The care home is for older persons with dementia with the emphasis on personalised care;
- The home will offer modern and appropriate care facilities;
- Each wing will have 12 rooms with communal rooms;
- Staff accommodation will be located in the core;
- The development achieves appropriate location with neighbouring dwellings;
- There will be landscaping at the front;
- Residents gardens will receive maximum sun/day light;
- Following consultation this is now the preferred layout;
- Have responded to concerns/objections raised;
- Car parking is being provided for 36 spaces;
- The access via East Lodge has been improved;
- Vehicle size and delivery will be sympathetic;
- Currently drawing up scheme with Southern Water regarding drainage;
- The brick and treatment has been agreed and there will be 'thoughtful' landscaping;
- The core element has been reduced following residents' concerns and the security and lighting has now been addressed.

A deputation was also heard from Councillor Leo Madden, as Cabinet Member for Health and Social Care, who included the following points in his representations;

- The proposal is part of our social care accommodation strategy;
- Will ensure our older and vulnerable residents can live in state of the art residential care;
- This is in the north of the city and is city owned;
- Loss of open space has been raised but there will be more open space than less;
- Originally had 3-storey building, that has now been reduced to 2-storey due to public consultation;
- East Lodge Park road is particularly difficult to access but have addressed this;
- Parking is a problem but 36 spaces for staff and visitors will be more than adequate.

A deputation was also heard from ward Councillor Ken Ellcome who included the following points in his representations;

- Accept there is a demand for residential care homes but doesn't mean it has to be here;
- Previously housing on this site was turned down;
- This scheme is infinitely better than the previous proposed scheme;
- The site is being used for grazing, as of this morning, and there were plenty of cars parked there;
- Support Councillor Phillips view that we shouldn't develop on any open space;
- Residents have been frightened off by having a residential care home instead of 'social housing';
- Concerned about the potential for flood;
- Traffic is going to increase as currently a cul-de-sac;
- Worried about the level of car parking;
- Residents tend to park with 2 wheels on the pavement which works well;
- Residents accept this proposal but would rather have nothing;
- Mr Lewis did promise East Lodge Park would not be subject to double yellow lines.

Councillor Ellcome left the room following his deputation and did not take part in the decision.

Members' questions

Members sought clarification with regards to the northern boundary of the proposal and questioned how long the build is expected to take.

Members' comments

Members welcomed this development to the north of the city and felt that it was modern and much needed.

RESOLVED that conditional permission be granted subject to the conditions outlined within the City Development Managers report.

The meeting concluded at 6.35pm.

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Signed by Councillor Fuller and Councillor Stevens, who shared
chairmanship during the meeting

The meeting concluded at 6.40 pm.