

## **PLANNING COMMITTEE**

MINUTES OF THE MEETING of the Planning Committee held on Wednesday, 29 January 2014 at 2.00 pm in 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)  
Darron Phillips  
Margaret Foster  
Sandra Stockdale  
Ken Ellcome  
Frank Jonas  
John Ferrett  
Donna Jones (Standing Deputy) (In place of Lee Mason)  
Hugh Mason (Standing Deputy) (In place of Jacqui Hancock)

### **Also in attendance**

Councillors Luke Stubbs  
Peter Eddis

### **Welcome**

The chair welcomed members of the public and members 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.

### **11. Apologies (AI 1)**

Apologies for absence had been received from Councillor Jacqui Hancock (represented by standing deputy Councillor Hugh Mason who apologised that he would not be able to stay for the whole meeting) and Councillor Lee Mason who was represented by standing deputy Councillor Donna Jones who would also have to leave before the end of the meeting.

### **12. Declaration of Members' Interests (AI 2)**

There were no declarations of members' interests at this meeting.

### **13. Minutes of Planning Committee held on 8 January 2014 (AI 3)**

(TAKE IN MINUTES)

**RESOLVED** that the minutes of the meeting of the Planning Committee held on 8 January 2014 be agreed and signed by the chair as a correct record.

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

There were no updates at this meeting.

**15. Planning appeal decision relating to 12 St John's Road (AI 5)**

(REFER TO REPORT BY CITY DEVELOPMENT MANAGER  
AS SET OUT ON AGENDA)

**RESOLVED** that the report be noted.

(TAKE IN REPORT BY CITY DEVELOPMENT MANAGER)

Planning Applications

The order of business of the planning applications was varied so that report item 5 was taken first.

**16. 13/01220/FUL - Crescent Snooker Club 136-138 Kingston Road Portsmouth Construction of part single, part two storey extension to form 7 flats above retained ground floor following demolition of existing first floor and alterations to ground floor to provide cycle & refuse stores (Report Item 5) (AI 10)**

The City Development Manager's supplementary matters report on planning applications reported three further objections which had been received from the occupiers of properties in St Stephen's Road on the grounds of exacerbation of existing parking problem, increased noise and disturbance, loss of light and privacy and noise, disturbance and dirt during building works.

The applicant has submitted further information in support of the application addressing the lack of information referred to by the Highway Engineer. The Highway Engineer had considered the applicant's submission and concluded that a car free development would be acceptable in this location and refusal on highway grounds cannot be justified. The Highway Engineer raises no objection to the proposal subject to the provision and retention of bicycle storage facilities.

A deputation was made by Mr McManus, the applicant's agent in support of the application whose points included:

- There is good access from the site to public transport and amenities, frequent bus services along Kingston Road and the railway station nearby.
- The development meets the requirements of the SPD on parking and is in accordance with the Portsmouth Plan and national standards.
- The mass of the development had been reduced from the boundaries with residential properties.

- There had been use of sympathetic materials, a slate roof and brick rendering on the boundaries and would be built to a high specification with external amenity areas with planted terraces.

### Members' Questions

These included clarification regarding the extent of the ground floor amusement arcade and licensing and planning conditions that would relate to noise.

### Members' Comments

Members believed it was a good use of the site and a good combination of business and residential units and were largely supportive of the design and scale of the development, their only concern relating to parking. Members were disappointed that the highways engineer was not present to explain the comments submitted.

**RESOLVED that conditional permission be granted subject to the conditions outlined in the City Development Manager's report.**

**17. 13/01506/PLAREG - Abbeville 26 Nettlecombe Avenue Southsea Retention of existing garage/home office to include reduction of barn hip to half hip to west roofslope (amended scheme to application 13/00093/PLAREG) (Report Item 1) (AI 6)**

The City Development Manager's supplementary matters report on planning applications reported that in addition to those previously reported, five further letters of representation have been received in respect of this proposal. This includes two letters of objection from the occupiers of an adjoining property and Ward Member Councillor Winnington raising concerns on the following grounds: (a) The outbuilding is out character with the surrounding area; (b) Overbearing impact on the surrounding properties; (c) Insufficient change from the previously refused proposal; (d) The outbuilding was built without the benefit of planning permission.

Points raised within three letters of support can be summarised as follow: (a) Outbuilding sympathetic to the main dwelling and enhances the character of the surrounding area; (b) The building is of a proportionate scale in relation to the main dwellinghouse; (c) The outbuilding represents an improvement on the previous outbuilding at the site. These points were addressed within the Committee Report.

Mr Robertson spoke as the owner of number 28 Nettlecombe Avenue adjacent to the site in opposition to the proposal whose points included:

- The house had been bought as it had a good size garden and in 2003 the plan was for a garage 4 metres away from the wall which had now been rendered onto.
- There was support from the planning officers and the inspector to uphold the refusal for the current oversized garage in the grounds of number 26 which dwarfed other garages in the area which was densely populated.
- It was higher and bulkier than other garages and not in keeping with a conservation area.

- This gave a feeling of being hemmed in and overlooked from the garden of number 28.

A deputation was then made by Mr Gladston, the applicant in support of his proposal, whose points included:

- He had spent a lot of time and detail in liaising with the council's conservation officer on the designs whereas his neighbour had let out his property.
- The location of the garage is where there used to be shambling outbuildings when it was a guesthouse and there used to be a garage at number 28 against the wall.
- There had been a mistake made by the builders putting the roof on leading to the series of applications.
- The issues of mass scale and amenity were all subjective.
- There was an attempt to go to a half hip on the roof and other residents were not objecting to this.

Councillor Luke Stubbs then wished to speak to make a comment neither for nor against the proposal. He wished to speak regarding both applications before the committee relating to this property at the same time, regarding the street scene and impact upon neighbours as this was not a problem in Bembridge Crescent but did have an effect on number 28 Nettlecombe Avenue. Whilst he would oppose the first application there were more complications with the second application and he felt there was the potential to have a garage but the level of impact needed to be assessed by the committee. In response the City Development Manager clarified that the two applications needed to be discussed separately with separate decisions being made by the committee.

#### Members' Questions

These included regarding the repeated appeal process, what level of advice had been given to the applicant and the involvement of the enforcement officers. It was confirmed that there had been correspondence from the enforcement officer advising the applicant to reduce the height and width.

#### Members' Comments

Members were concerned that the changes were not significant enough to overcome the previous reasons for refusal especially due to the scale of the building and its impact on number 28 Nettlecombe Avenue.

**RESOLVED that the application be refused for the reasons outlined in the City Development Manager's report.**

- 18. 13/01507/PLAREG - Abbeville 26 Nettlecombe Avenue Southsea Retention of existing garage/home office to include reduction of barn hip to full hip to west roofslope and removal of south facing dormer (amended scheme to application 13/00093/PLAREG)(Report Item 2) (AI 7)**

The City Development Manager's supplementary matters report outlined five additional letters of representation received in respect of this proposal. This includes

four letters of support from local residents whose views can be summarised as follows: (a) The outbuilding is sympathetic to the main dwelling and enhances the character of the surrounding area; (b) The outbuilding is of a proportionate scale in relation to the main dwellinghouse; (c) The outbuilding represents an improvement on the previous outbuilding at the site; (d) The proposal would provide off-road parking.

One letter of representation has been received from the occupiers of an adjoining property objecting on the following grounds: (a) The outbuilding is out character with the surrounding area; (b) Overbearing impact on the surrounding properties; (c) The outbuilding was built without the benefit of planning permission.

These points had been addressed within the Committee Report.

Mr Robertson spoke objecting to the proposal due to the impact on his property at number 28 Nettlecombe Avenue whose points included:

- Little had been done to alleviate the issues of height, width and mass and the feeling of being hemmed in and restricted in his own garden and it was overdevelopment of the site.

Mr Gladston then spoke in support of his application whose points included:

- This application was as far as he could go with the alterations to the roof without having to tear down the garage which was lower than the previous outbuildings.
- He had tried to find a compromise with the neighbours and the ward councillors had withdrawn their previous objections.
- There would be more light and space within the garden with the removal of the dormer.
- It would be costly but would be kept in the period style through the alterations.

There was a short break whilst members of the committee looked at the photographs circulated by the applicant.

#### Members' Questions

These included the angle of the roof on the western elevation.

#### Members' Comments

There was concern regarding the unauthorised building within a conservation area, the impact on the neighbouring property at number 28 Nettlecombe Avenue. It was however acknowledged that it was a better solution for the neighbouring properties in Bembridge Crescent.

**RESOLVED that permission be refused for the reasons outlined in the City Development Manager's report.**

(Councillor Donna Jones left the meeting at this point.)

**19. 13/01478/HOU - 5 Marmion Avenue Southsea Construction of dormer windows to front and rear roof slopes (Report Item 3) (AI 8)**

A deputation was made by Councillor Peter Eddis who was speaking on behalf of residents at 18 Nelson Road and the block of flats opposite which were overlooked by the proposal who points included that this was against the guidelines for Owens Southsea conservation area and this would spoil the attractive terrace. There would be exacerbated overlooking due to the narrow road and proximity of properties.

Members' Questions

It was asked if there were any dormers within the current terrace at the front of the properties (as it was confirmed that there were none presently however it was unknown as to whether there were any at the rear) and it was asked if Velux windows could be put in a conservation area which was confirmed.

Members' Comments

Members felt that there would not be grounds to object to the rear dormers but discussion took place regarding the impact at the front of the property and the impact on the Victorian street scene of the terrace. The level of overlooking was discussed.

**RESOLVED that conditional permission be granted subject to the conditions outlined in the City Development Manager's report.**

**20. 13/01510/HOU - 44A Craneswater Park Southsea Construction of dormer windows to front and rear roofslopes and single storey extension to front/side elevation to garage (Resubmission of 13/01202/HOU) (Report Item 4) (AI 9)**

The City Development Manager's supplementary matters report included a request for referral to the committee from Councillor Luke Stubbs and reported that five further representations had been received from residents of Craneswater Mews maintaining their objections to the proposed dormers and suggest that rooflights are installed to the rear.

A deputation was made by Mr Greener objecting to the proposal whose points included:

- The impact on his own property with the proximity of the dormer window to his own main bedroom window
- the loss of privacy and the overlooking that would be caused to this property as well as to the communal garden
- the risk of precedent being set.

Councillor Stubbs then made a deputation objecting as ward councillor stressing that there were small back gardens in the area and if this was granted it would be close to the boundaries and the communal gardens, causing overlooking problems. He felt this could be suitable for a site visit.

There were no members' questions.

## Members' Comments

Members were concerned regarding the impact of overlooking into the garden and properties to the rear and loss of privacy to the neighbouring properties. There was also concern regarding the design and rhythm of the roofs.

### **RESOLVED that permission be refused for the following reasons:-**

The rear dormers would have an unacceptable relationship resulting in overlooking and a loss of privacy to the properties in Craneswater Mews and would therefore be contrary to policy PCS23 of the Portsmouth Plan.

(Councillor Mason left the meeting at this point.)

#### **21. 13/01450/VOC - Petrol Station 144-160 Milton Road Portsmouth Application to remove condition 1 of planning permission 13/00604/VOC to allow premises to remain open 24hrs daily (Report Item 6) (AI 11)**

The City Development Manager's supplementary matters list reported that within the consultation section of the report (page 27), the Environmental Protection Officer recommends that the wording of conditions 2 and 3 of 13/00604/VOC are included on any new planning permission issued in connection with the current application. For clarity, these are worded the same as Conditions 9 and 10 of the original permission (B\*20326/AB) and are included as Conditions 2 and 3 within the recommendation for the current application. They read as follows:

##### Condition 2

The car wash and car vac shall only be operated between the hours of 8.00am to 8.00pm Mondays to Saturdays and 9.00am to 7.00pm on Sundays.

Reason: In the interests of the amenities of occupiers of nearby residential properties, in accordance with policy PCS23 of the Portsmouth Plan.

##### Condition 3

Noise from operations conducted on the premises shall not exceed either 45 dB(A) between 0800 and 1800 hours on Monday to Saturday, and 35 dB(A) at any other time - as measured inside any noise sensitive premises; or 55 dB(A) between the hours of 0800 and 1800 hours on Mondays to Saturday, and 45 dB(A) at any other time - as measured one metre outside the facade of any noise sensitive premises.

Reason: In the interests of the amenities of occupiers of nearby residential properties, in accordance with policy PCS23 of the Portsmouth Plan.

A deputation was made by Mr Kirby acting as agent on behalf of the applicant whose points included:

- that the management company were experienced nationally in running 24 hour garage sites

- there was the mixed commercial area siting made the application suitable as a site
- there had only been one objection of disturbance and there had been no complaints during the current operation of the garage
- there would be employment opportunities through the extended opening hours
- It was also reported that a site management plan was being submitted with the application which would address issues such as tannoy announcements, delivery hours to protect the amenities of neighbours.

#### Members' Questions

These included the impact of refuelling and delivery of goods.

#### Members' Comments

It was felt that a temporary approval would be appropriate so that the operation and the level of complaints could be monitored.

**RESOLVED that conditional temporary permission be granted subject to the conditions outlined in the City Development Manager's report and supplementary matters report and also subject to an additional condition relating to an approved Management Plan.**

The meeting concluded at 4.00 pm.

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Signed by the Chair of the meeting  
Councillor David Fuller