

PLANNING COMMITTEE

MINUTES OF THE MEETING of the Planning Committee held on Wednesday, 21 July 2021 at 10.30 am in the Council Chamber - The Guildhall

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

Present

Councillors Lee Hunt (Chair)
Chris Attwell (Vice-Chair)
George Fielding
Judith Smyth
Dave Ashmore (standing deputy, until 12pm)
Darren Sanders (standing deputy)

Welcome

The chair welcomed everyone to the meeting and introductions were made.

56. Apologies (AI 1)

Apologies for absence were received from Councillors Lynne Stagg (who was represented by Councillor Darren Sanders) and Gerald Vernon-Jackson (who was represented by Councillor Dave Ashmore).

Apologies were also received from Councillors Matthew Atkins, Jo Hooper, Robert New and John Smith.

57. Declaration of Members' Interests (AI 2)

Councillor Sanders declared a personal and non-prejudicial interest for agenda items 5 & 6 (13 and 15 Shadwell Road) and advised that he lives in a HMO.

58. Minutes of the previous meeting held on 29 June 2021. (AI 3)

RESOLVED that the minutes of the Planning Committee held on 29 June 2021 be approved as a correct record.

59. Update on planning applications. (AI 4)

The Head of Development Management advised that they had received three appeal decisions from the Planning Inspectorate and further details were given:

- (1) Application for advert consent at 28 Marmion Road, that was refused and the appeal dismissed for adverse impact on heritage assets and public safety.
- (2) HMO appeal at 15 Montgomerie Road was dismissed by the Planning Inspector for inadequate indoor communal space and lack of satisfactory mitigation with regard to effect on the Solent Special Protection Areas.

- (3) 251 Twyford Avenue - Change of use from mixed use retail A1 to residential C3 and purposes falling within C4 dwelling house. This appeal was allowed by the Planning Inspector as the on-street parking would not have an adverse impact on public safety.

There were two new householder appeals for 225 Havant Road and 17 Craneswater Park, Southsea.

The Head of Development Management added that the authority had further received updates from the Ministry of Housing, Communities and Local Government regarding the updates to the NPPF. References to the NPPF 2019 should now read as NPPF 2021. Changes to the NPPF yesterday have been reviewed by officers and no changes to any recommendations were required. The new paragraph 96 of the NPPF highlights the importance of delivery of essential public services such as hospitals so was relevant to the Queen Alexandra application on the agenda today. He wished to assure the committee that pre application advice was given to the applicant and proactive work undertaken with the hospital to resolve key planning issues.

60. 20/00485/FUL 13 Shadwell Road, PO2 9EH (AI 5)

The Chair advised that he had been asked by Councillor Ryan Brent to defer this item due to the Conservative members not being able to attend this meeting. The Chair advised it was for the Committee to determine the application today and any deferral would be a matter for the committee.

The Development Management Team Leader presented the report and drew attention to the Supplementary Matters which reported that:

One further letter of objection has been received since the agenda was published raising concerns regarding parking and increase in antisocial behaviour. The representation raises no new material planning considerations and the matters raised have been addressed within the officer's report.

The recommendation remained unchanged.

Deputations were made by:

- Kevin Wood (objecting)
- Written Deputation by applicant Mr Christian Reynolds in support, read out by the planning officer.

Deputations are not included in the minutes but can be viewed on the livestream on the following link <https://livestream.com/accounts/14063785/planning-21jul2021>

Members' Questions

In response to questions from members, officers explained that:

- A planning officer visited number 17 Shadwell Road and the property provides supported living for three people providing 24 hour care. The property is owned and managed by Clarion Housing Group. The use class of no. 17 was therefore C3(b) and not C4 so it cannot be classified as a HMO.

- The building is currently vacant. The planning officer did not know how many people lived in the property in 1977.
- The existing ground floor has two studios and a one bedroom flat on the first floor.
- The studio has connection to a kitchen and the other studio flat has its own kitchen to the rear.
- The bedrooms in the proposal all have en-suite bathrooms.
- The proposal comprises a 4 bedroom HMO. In planning terms a C4 use would allow occupation for up to 6 individuals. The room sizes have been assessed against the space standards for a 6 bedroom HMO. There could be up to 6 people living in the property.
- If they were to exceed numbers this would be a breach of planning.
- The existing use requires three parking spaces but the proposed use only requires two, so there is a reduction in the need for parking for the new development. The planning officer did not believe there are no restrictions in parking in the area.
- The communal space included the communal living area and the study and exceeded the required space standards.

Members' Comments

Members' felt that it was unfortunate that this form of accommodation had been stigmatised over the years sometimes due to landlords not caring about what happens in their properties. There was no grounds to refuse this application as it met all the necessary space standards.

RESOLVED to grant conditional permission as set out in the officer's committee report.

61. 20/01540/FUL 15 Shadwell Road, PO2 9EH (AI 6)

The Development Management Team Leader presented the report.

The Chair advised that he had been asked by Councillor Ryan Brent to defer this item due to the Conservative members not being able to attend this meeting. The Chair advised it was for the Committee to determine the application today and any deferral would be a matter for the committee.

The Chair said that Councillor Daniel Wemyss wished to make a deputation on this item however was unable to attend today. It was noted that he made a representation when this item was considered at the previous meeting.

Deputations were made by:

- Kevin Wood (objecting)
- Written Deputation by applicant Mr Christian Reynolds in support, read out by the planning officer.

Deputations are not included in the minutes but can be viewed on the livestream on the following link <https://livestream.com/accounts/14063785/planning-21jul2021>

Members' Questions

In response to questions from members, officers explained that:

- The previous application had a combined living, dining and kitchen area. This application has a separate kitchen and a dining room/living room and there is no defined guideline within the SPD for that.
- This will be a 4 bed single occupancy HMO. 13 Shadwell Road was assessed against a 6 person HMO standard which is where the 34m² standard comes from. The SPD does not cover a combined dining room and lounge. The standard for a 6-10 person HMO for communal space is 22.5m².
- The property had the potential for 5-6 people to live there as a single family under C3 use.
- There is a condition about cycle storage in the report.
- As far as officers are aware the building is not locally or statutory listed or within a conservation area.
- The planning officer advised that the application is for a 4 persons HMO therefore a condition on occupancy of 4 person could be added. Occupancy is managed by the licensing regime.
- The legal advisor advised that use class C4 allows for up to 6 people and it would be unreasonable to have a condition limiting it to 4. However if the communal space is lower than that required for 6 it would be reasonable to add this as a condition.
- It would not be reasonable to have a condition requiring the landlords contact details being publicly available for local residents in case of any anti-social behaviour issues. If something were to go wrong the licensing regime would be activated.

Members' Comments

Some members felt that this application should be deferred however felt that adding the condition to limit the occupancy to no more than 4 people was very sensible and would add some level of security for neighbouring residents. It was also felt that landlord details should be circulated to neighbouring residents and that this be added as an informative.

RESOLVED to grant conditional permission as set out in the officer's committee report and an additional condition that limits to 4 [four] residents and users of the development hereby approved.

62. 21/00182/VOC Unit 1, Southdown View, PO3 5FS (AI 7)

(Councillor Ashmore left the meeting before the start of this item)

The Chair advised that he had been asked by Councillor Ryan Brent to defer this item due to the Conservative members not being able to attend this meeting. The Chair advised it was for the Committee to determine the application today and any deferral would be a matter for the committee.

The Development Management Team Leader presented the report and drew attention to the Supplementary Matters which reported that:

Subsequent to the publication of the main Committee report, it is considered the following, further Legislative background will assist: Section 73 of the Town and

Country Planning Act 1990 (TCPA 1990) provides for applications for planning permission to develop land without complying with previously imposed planning conditions. The Local Planning Authority (LPA) can grant permission unconditionally or subject to different conditions, or they can refuse the application if they decide the original condition(s) should be kept.

This application seeks to vary condition 6 of planning permission 16/01539/FUL, relating to the operating hours of Unit 1.

It should be noted that this does not alter the previously approved delivery times for all other commercial units on site. It is recommended to ensure these remain as approved, and will continue to be secured via planning condition.

If granted, this permission would provide a separate consent for the developer to implement. This will re-impose all necessary conditions attached to planning permission 16/01539/FUL, except for condition 6, which will allow the Veterinary Practice in unit 1 to operate 24 hours a day. As such, it is requested that delegated authority be given to Assistance Director of Planning and Economic Growth to prepare the wording of the decision notice, and to ensure all relevant conditions are imposed.

The recommendation is to approve, subject to delegation to the Assistance Director of Planning and Economic Growth the final wording of other appropriate planning conditions in accordance with the original grant of planning permission.

Deputations were made by:

- Sally Sines (Objecting)
- Moe Horswell (Objecting)

Deputations are not included in the minutes but can be viewed on the livestream on the following link <https://livestream.com/accounts/14063785/planning-21jul2021>

Members' Questions

In response to questions from members, officers explained that:

- The veterinary practice are offering an emergency veterinary service between the hours of 19:00 and 22:00 each night. The numbers in the report provided by the applicant were estimated as it was impossible to predict how many emergency visits would be required.
- There are three other emergency veterinary practices within the city.
- The veterinary practice does currently do not offer an emergency 24 hour service.
- Members raised concern about oxygen tanks being stored below the building in what was supposed to be a bin store. Officers said they would raise this issue with the appropriate authority. Councillor Sanders said this would be Mark Perry at Vivid Housing.
- There might be demand for parking spaces given the nature of the use of the emergency vets. As set out in paragraph 5.18, due to the limited number of customers, the local Highway Authority feel that there would be sufficient space to accommodate the additional parking on site and raised no objections. That was not to say there is not a wider parking issue in the locality.

- The Highways Authority anticipates there being 43 spaces available overnight.
- The veterinary practice is currently conditioned to close at 19:00. The proposal could result in an additional 7 vehicles in the period 19:00 to 07:00, this would be 0.6 vehicles an hour based on what the veterinary practice have told officers.

Members' Comments

Members' felt that there was an issue around parking and some members wanted to defer the application as Councillor Wemyss was not available today and additional information collated by the deputees had not been viewed by the committee. A discussion with Southdown view residents could also take place as the deputees said a number of residents had not been aware of the application.

There was also concerns raised about oxygen tanks being stored on the ground floor of the building. Other members were happy to proceed with making a decision today and felt that the officer recommendation should be approved as per the report. Members were sympathetic to the traffic issues in this area and felt this could be taken back through the relevant channels.

RESOLVED to delegate authority to the Assistant Director of Planning and Economic Growth to grant conditional permission as set out in the officer's committee report and supplementary matters list.

63. 21/00848/OUT Queen Alexandra Hospital, PO6 3LY (AI 8)

The Head of Development Management presented the report and drew attention to the Supplementary Matters which reported that:

Further consultee comments

Public Health Officer

The submitted Health Impact Assessment (HIA) does not recognise opportunities for broader health improvements in relation to the proposed development and wider development proposals at the Hospital. It is acknowledged that the developments offer opportunities to enhance biodiversity and improve active travel and these measures can have a significant positive impact on mental wellbeing and physical health, which could have been highlighted through an appropriately considered HIA.

Further information received

Supplementary Transport Note

In response to comments made by the Council's Highways Engineer, a Supplementary Transport Note (TN) has been provided which considers the potential increased traffic generation that could result from the reuse of the former Emergency Department (ED) as a ward block. At this stage it is noted that the Hospital Trust has not made a decision on what the former space would be used for, but a general purpose ward use is considered to be one of the most likely uses.

The TN states that the existing ED has a floorspace of 2,947m², approximately 2% of the total floorspace of the Hospital, and could accommodate approximately 72 bedspaces (similar to the new ward block approved on the North Car Park). This would represent a 6% increase in existing bed capacity in the hospital, and could generate a demand of around 30 vehicles on the peak weekday periods and 24 vehicles during peak weekend periods.

In terms of staff generation, it is predicted that a 72 bed ward could generate around 87 full time equivalent staff. The overall parking strategy for the hospital in the long term would result in a reduction in 98 parking spaces at the hospital as a whole. The proportion of staff and public spaces would also change, with public spaces increasing by 257, and staff spaces reducing by 345. The staff parking demand would be met at the Fort Southwick Park and Ride. Currently there are 886 spaces available at the Park and Ride, with around 400 - 450 spaces unused on a daily basis. Therefore, the impact of additional staff traffic to the hospital site would be minimal.

The TN concludes that the overall impact of the potential increased traffic generation from the reuse of the former ED would be minimal in relation to the overall traffic generation at the hospital and would not have a material impact on the local highway network.

The TN is under review by the Council's Highway Engineer and an update on any further comments will be provided at the planning committee.

Construction traffic information

The applicants have provided a draft Traffic Management plan for the construction phase of the development. This would include measures such as:

- *Provision of a delivery lay-by for construction vehicles to park and unload;*
- *Deliveries to be booked in advance;*
- *Delivery times to be agreed outside of peak hospital times;*
- *Off site park and ride likely to be used for contractor parking.*

It is estimated that the construction would generate an average of around 10 deliveries per week during the construction period, and would comprise a mix of 26T rigid and 7T rigid and transit sized vehicles. It is noted that the recommendation for permission includes a condition for a Construction Management Plan to be submitted and approved before any work commenced.

Amended Condition 2

Reference to the 3D axonometric drawing has been removed from Condition 3.

Summary

Recommendation unchanged other than amendment to Condition 3.

Deputations were made by:

- Mr McFarland (Agent) supporting the application.

Deputations are not included in the minutes but can be viewed on the livestream on the following link <https://livestream.com/accounts/14063785/planning-21jul2021>

Members' Questions

In response to questions from members, officers explained that:

- The proposal would include a link corridor from the new Emergency Department to the main hospital situated on level B.
- The case officer had undertaken a number of discussions with the hospital regarding transport to the hospital. There will be a shuttle bus from the park and ride to the hospital for staff use. It was not thought that discussions had taken place to improve public transport to the site.

Members' Comments

Members' were fully in support of this proposal and the Chair added that he had been informed that the Conservative members of the committee were also in support of this proposal. Members commented that there is a huge increase in parking spaces for the public, and concerns were raised that there had been no discussion about improving public transport to the hospital, particularly in those areas outlined in the objections. Members suggested that given there is an increase in car parking spaces and therefore more income from parking charges, that the Trust consider how to reduce car parking charges for the public. It was agreed that this be added as an informative.

RESOLVED to grant conditional permission as set out in the officer's committee report and supplementary matters list with an additional informative about car parking charges.

64. 21/00631/FUL Queensbury House, PO6 1SE (AI 9)

The Development Management Team Leader presented the report and drew attention to the Supplementary Matters which reported that:

Amended condition 5

An acceptable Construction Management Plan has been received in relation to traffic management and materials storage etc. There remains a requirement to provide noise mitigation details to protect the adjacent SPA and therefore Condition 5 has been updated as follows:

5. a) Within 6 weeks of the date of this permission, details of the measures and procedures to be employed during construction to avoid or mitigate noise and visual impacts on nearby high tide roosts for birds associated with the Chichester and Langstone Harbours Special Protection Area, shall be submitted to and approved in writing by the Local Planning Authority;

b) The development shall be carried out in accordance with the details approved under part (a) of this condition, and in accordance with the Construction Management Plan Rev. 1 (Marbank Construction Limited), dated 14 July 2021, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of highway safety and to protect the adjacent SPA, in accordance with Policies PCS13 and PCS17 of the Portsmouth Plan (2012).

Amendment to conditions 3 (no longer required) and condition 4 needs to be updated in light of that, and 5.

Recommendation otherwise unchanged.

Members' Questions

In response to questions from members, officers explained that:

- There is a proposed area of wildflower planting but there was not a huge amount of scope to improve ecology in this area. Bird and bat boxes were proposed to be installed on the south east side of the building. This would be secured by condition.
- The applicant could later apply for solar panels if they wished. Condition 10 requires the BREEAM standard to be complied with.
- As the building is orientated north/south and with its domed roof, it may not be the optimal orientation for solar panels. Solar panels operate effectively within approximately 45 degrees facing south and there would be very little south facing roof slope on this building.

Members' Comments

Members' felt that it was important that developers are encouraged to think of renewable energy sources for new developments including solar panels. Members' agreed that this should be added as an informative that the applicant strongly consider renewable energy sources for the development.

RESOLVED to delegate authority to the Assistant Director of Planning and Economic Growth to grant conditional permission as set out in the officer's committee report and supplementary matters list

The meeting concluded at 12.53 pm.

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Signed by the Chair of the meeting
Councillor Lee Hunt