

PLANNING COMMITTEE

MINUTES OF THE MEETING of the Planning Committee held on Wednesday, 12 January 2022 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)
Dave Ashmore (Standing Deputy)
Terry Norton
John Smith
Judith Smyth
Lynne Stagg
Linda Symes (Standing Deputy)
Daniel Wemyss (Standing Deputy)
Rob Wood (Standing Deputy)

Also in attendance

Councillors Kimberley Barrett, Ben Dowling, Darren Sanders Jeanette Smith and Gerald Vernon-Jackson.

Welcome

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

Guildhall, Fire Procedure

The Chair explained to all present at the meeting the fire procedures including where to assemble and how to evacuate the building in case of a fire.

126. Apologies (AI 1)

Apologies had been received from Councillors Matthew Atkins (Standing Deputy Councillor Daniel Wemyss) Chris Attwell (Standing Deputy Cllr Dave Ashmore), George Fielding, Robert New (Standing Deputy Councillor Linda Symes) and Councillor Gerald Vernon-Jackson (Standing Deputy Councillor Rob Wood).

127. Declaration of Members' Interests (AI 2)

Councillor Lee Hunt declared that he is a member of the Keep Milton Green Facebook Group but he had not made any comments on the St James' Hospital application and had kept an open mind.

Councillor Dowling, who was present as a depute, declared that he is a trustee of the St James' Park Memorial Trust and a committee member on the Milton Neighbourhood Forum and Milton Forum. Councillors Barrett, Smith and Sanders who were present as deputees also declared the same interests.

128. Minutes of the previous meeting held on 8 December 2021 (AI 3)

RESOLVED that the minutes of the Planning Committee held on 8 December 2021 be agreed as a correct record.

129. Updates on previous planning applications (AI 4)

The Assistant Director of Planning & Economic Growth reported that several appeals had been received:

- 51 Farlington Road for an HMO which found the space standards to be acceptable.
- 125 Fawcett Road for an enforcement notice which was upheld subject to some variation.
- A householder application for a single storey extension which was approved contrary to refusal by the Council.
- An enforcement notice at 2 Sea View which followed a refusal and appeal which was dismissed, and planning permission was granted for the scheme previously refused by the Inspectorate.
- 18 Pains Road for an HMO application which was approved as the Inspector found the space standards to be acceptable.
- 9 Cockleshell Gardens a householder appeal outstanding and an outcome on this was awaited.

All of the appeal decisions have been circulated to members.

130. 20/00204/FUL - St James Hospital, Locksway Road, Southsea, PO4 8LD (AI 5)

Redevelopment of former St James' hospital comprising the conversion of listed buildings and listed chapel to provide 151 dwellings and associated works including demolition of extensions and ancillary buildings, construction of new 2 and 3 storey housing to provide 58 dwellings, retention of cricket pitch, club house and changing rooms, provision of car parking, associated landscaping and other works (phased development) (amended scheme).

The Chair read out a proposal to suspend standing orders for this item as follows:

Due to a high level of interest in the St James' Hospital applications from members of the public and Members of the Council, I have consulted with the Monitoring Officer on the basis that Item 1 affects more than 1 ward and therefore any Member should be able to make a deputation on this issue in accordance with Standing Order 24(c)(i).

Additionally, in light of the public interest in this application I consider that it is right that the objectors and supporters are allotted more than the usual total of 12 minutes to make comments to the Committee.

Therefore, for the purposes of Item 1, concerning the Planning Application at St James' Hospital, I propose a motion to suspend Standing Orders 24(d)(ii)-(iii) and 55(c) so that:

Firstly, each depute wishing to object to the application shall have a maximum of 6 minutes to speak; and,

Secondly, that deputees wishing to speak in favour of the application, namely the Applicant and their agent, may have a total maximum amount of time to speak of 30 minutes [or a longer period if more than 5 objectors register to make deputations], that being equal with the total maximum amount of time given to those objecting; and,

Thirdly, that Ward Members shall have 6 minutes each to speak.

This was voted on by the Committee and this was agreed and therefore standing orders 24(d)(ii)-(iii) and 55(c) were suspended for this meeting .

The Planning Officer introduced the report. The Assistant Director of Planning & Economic Growth then drew attention to the Supplementary Matters which reported that:

Further to the Published Officer Report, matters pertaining to habitats, conditions, Public Health, and the marketing of the chapel are addressed as follows:

Habitats

Nitrates: The Officer Report stated in paragraph 7.13 that the Applicant may secure Nitrates mitigation from the Council's own Nitrates Credit bank, or other open-market third party providers. The Applicant has since confirmed that third party sources are currently problematic and so they would wish to secure credits from the Council. Also in paragraph 7.13, Officers noted that they did not consider the Applicant's position on a 'fall-back position' (offsetting previous hospital water use against future residential use) to be sufficiently robustly demonstrated, and consequently that mitigation for the entire proposed development would be required. That amounts to 162.6 kg per year. It is always subject to availability, but the present credits trajectory would accommodate the Applicant's required mitigation amount, and intended commencement of development date (summer 2022). As such, there remains sufficient and reasonable certainty of required mitigation being achieved in order to satisfy the Habitats Regulations, subject to the relevant conditions and legal agreement. Natural England have confirmed they are satisfied with this.

Amended and further conditions are required to complete work on Nitrates:

Time Limit condition: the published Condition 1 (Timescale in which to implement the consent) shall be changed from the standard three years, to one year. This shortened timescale is to align with the availability of mitigation credits in the Council's 'Nitrates Credit Bank', and has been agreed by the Applicant. The amended condition is set out in full in Appendix C to this Supplementary Matters Report (SMAT).

While the securing of nitrates mitigation would be addressed via the Legal Agreement, two standard conditions are also required:

Water efficiency: this element of the condition is directly related to nitrates, to achieve lower water use in-tandem with the general mitigation. It is a standard condition that also has an element relating to energy efficiency. The condition was not included in the published officer report and is set out in full in in Appendix C.

Trigger point for nitrates mitigation: this requires mitigation arrangements to have progressed prior to occupation of the development. The condition was not included in the published officer report and is set out in full in in Appendix C.

Lastly, to correct a minor typo in the published report, additional words are inserted into Recommendation I with respect to the Council's Nitrates Credit Bank.

Milton Common: A late response (11/1/22) has been received from Natural England. They request further information to determine impacts on, and mitigation for, the Special Protection Area (SPA), with respect to Milton Common and its Management Framework. Officers remain confident in the positive resolution of the Appropriate Assessment, and therefore this can be achieved in-tandem with the further work already set out in the Officer Report for the progression of the legal agreement for habitats mitigation. This is confirmed in the adjacent column.

Conditions

Condition 2: Plan numbers to be updated, as set out in Appendix C.

Condition 3: Material samples - at the request of the Applicant, change the trigger-point for details to be submitted for approval, from 'no development', to 'no development above slab level', as set out in Appendix C. It is not necessary for the materials to be agreed for works below ground.

Condition 24: Parking provision - the last sentence in this condition states "the maximum number of car parking spaces will be 144 spaces of which 9 shall be designed for people with disabilities". This is incorrect and instead should read: The maximum number of car parking spaces will be 344 spaces for the residential scheme and 26 for the cricket club.

Public Health

To update Paragraph 7.41 of the Officer Report, Public Health replied as follows: 'there are still reservations on the vehicle trip generation and potential impact on air quality, but appreciate that not much by way of regulatory framework to argue the point further'. This requires no further action.

Marketing of the chapel

An additional obligation will be added to the S106 agreement which requires the marketing of the listed chapel for a community based use for a minimum of a 12 month period in compliance with PCS16.

Appendix C

St James Hospital, Planning application 20/00204/FUL

Amended Condition 1, Time limit

The development hereby permitted shall be begun before the expiration of 1 year from the date of this planning permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 and to prevent an accumulation of unimplemented planning permissions given the limited supply of Council 'credits' forming the SPA nitrates mitigation.

Extra condition, Nitrates

No residential occupation of the converted buildings shall take place, and no development works other than those of demolition, or construction of the new buildings' foundations, shall take place until a scheme for the mitigation of the effects of the development on the Solent Special Protection Area arising from the discharge of nitrogen and phosphorus through waste water, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall make provision for the delivery of nutrient neutrality in accordance with the published mitigation strategies of the Council. In the event that the proposal is for the physical provision of mitigation to achieve nutrient neutrality, that provision shall be provided in accordance with the approved scheme before the first residential unit is occupied.

Reason: To ensure that the development, either on its own or in combination with other plans or projects, would not have an adverse effect on the integrity of a European site within the Conservation of Habitats and Species Regulations 2017 [as amended] and the Wildlife and Countryside Act 1981.

Extra condition, Sustainable construction

Unless otherwise agreed in writing by the Local Planning Authority, the dwellings hereby permitted shall not be occupied until written documentary evidence has been submitted to, and approved in writing by the Local Planning Authority demonstrating that each of the dwellings has:

- a) achieved a minimum of a 19% improvement in the dwelling emission rate over the target emission rate, as defined in The Building Regulations for England Approved Document L1A: Conservation of Fuel and Power in New Dwellings (2013 Edition). Such evidence shall be in the form of an As Built Standard Assessment Procedure (SAP) Assessment, produced by an accredited energy assessor; and*
- b) Achieved a maximum water use of 110 litres per person per day as defined in paragraph 36(2)(b) of the Building Regulations 2010 (as amended). Such evidence shall be in the form of a post-construction stage water efficiency calculator.*

Reason: To ensure that the development as built will minimise its need for resources and be able to fully comply with Policy PCS15 of the Portsmouth Plan (2012).

Amended Condition 3: Materials

No development above slab level shall take place in Phase 2 of the development (Refer dwg. No. 127-00-117-F) until a sample panel of the materials to be used in the construction of the external surfaces of the new build housing has been prepared on site for inspection and approved in writing by the Local Planning Authority. The sample panel shall be at least 1m x 1m and show the proposed material, bond, pointing technique and palette of materials (including roofing, cladding and render) to be used in the development. The development shall be constructed in accordance with the approved sample, which shall not be removed from site until the completion of the development.

Reason: In the interests of the visual amenities of the area and to accord with Policy PCS23 of the Portsmouth Plan (2012) and NPPF.

Amended Condition 24: Parking

24. Prior to first occupation of the dwellings the proposed car parking shown on approved drawing no. 127-00-1112 Parking Rev D in a combination of in-curtilage spaces, garages, parking courts and on-street (visitor) provision shall be surfaced, marked out and made available

for use; and the approved parking facilities, including garages, shall thereafter be retained at all times for the parking of vehicles. The maximum number of car parking spaces will be 344 spaces for the residential scheme and 26 for the cricket club.

Reason: To ensure the development is implemented in accordance with the permission granted and accords with Policy PCS17 of the Portsmouth Plan (2012) and NPPF.

Amended Condition 2, Approved Plans

Unless otherwise agreed in writing by the Local Planning Authority, the permission hereby granted shall be carried out in accordance with the following approved drawings;

- 127-00-1001 Location Plan Rev A*
- 127-00-1002 Existing Topo Plan, Sheet 1 Rev A*
- 127-00-1003 Existing Topo Plan, Sheet 2 Rev A*
- 127-00-1004 Existing Topo Plan, Sheet 3 Rev A*
- 127-00-1005 Existing Site Plan Rev A*
- 127-00-1006 Demolition Site Plan Rev B*
- 127-00-1101 Proposed Site Plan Rev E*
- 127-00-1102 House Types Site Plan Rev E*
- 127-00-1103 Refuse & Parking Plan Rev E*
- 127-00-1105 Boundary Treatment Plan Rev F*
- 127-00-1107 Phasing Plan Rev F*
- 127-00-1109 Cricket Pitch Rev E*
- 127-00-1111 Vis Splay Plan Rev C*
- 127-00-1112 Parking Rev C*
- 127-00-1113 Refuse 1 of 3 Rev C*
- 127-00-1114 Refuse 2 of 3 Rev C*
- 127-00-1115 Refuse 3 of 3 Rev C*
- 127-00-1116 Car Swept Path Rev C*
- 127-00-1117 Fire Tender 1 of 2 Rev C*
- 127-00-1118 Fire Tender 2 of 2 Rev C*
- 127-00-1119 Publicly Accessible Open Space Rev B*
- 127-00-1120 Public Cycle Routes Rev C*
- 127-01-10LG SJH - Existing Plans LGF Rev A*
- 127-01-1000 SJH - Existing Plans GF Rev A*
- 127-01-1001 SJH - Existing Plans FF Rev A*
- 127-01-1002 SJH - Existing Plans SF Rev A*
- 127-01-1010 SJH - Turner Proposed Plans Rev C*
- 127-01-1011 SJH - Goddard Proposed Plans Rev C*
- 127-01-1012 SJH - Lowry Proposed Plans Rev B*
- 127-01-1013 SJH - Fenhurst Proposed Plans Rev C*
- 127-01-1014 SJH - Exbury Proposed Plans Rev D*
- 127-01-1015 SJH - Overton Proposed Plans Rev B*

- 127-01-1016 SJH - Langstone Proposed Plans Rev B
- 127-01-1017 SJH - Beaton, Proposed Plans Rev C
- 127-01-1018 SJH - Hall, Proposed Plans Rev D
- 127-01-1019 SJH - Turner Proposed LGF Rev B
- 127-01-1020 SJH - Proposed Plans GF Rev C
- 127-01-1021 SJH - Proposed Plans FF Rev C
- 127-01-1022 SJH - Proposed Plans SF Rev C
- 127-01-1023 SJH - Proposed Plans TF Rev C
- 127-01-1024 SJH - Proposed Plans Roof Rev B
- 127-01-1101 SJH - Existing Elevations, Turner Wing, 1 of 2 Rev A
- 127-01-1102 SJH - Existing Elevations Turner Wing 2 of 2 Rev A
- 127-01-1103 SJH - Existing Elevations Goddard Wing Rev A
- 127-01-1104 SJH - Existing Elevations Lowry Rev A
- 127-01-1105 SJH - Existing Elevations Fenhurst Rev A
- 127-01-1106 SJH - Existing Elevations Exbury Rev A
- 127-01-1107 SJH - Existing Elevations Overton Rev A
- 127-01-1108 SJH - Existing Elevations Langstone Rev A
- 127-01-1109 SJH - Existing Elevations Beaton Rev B
- 127-01-1110 SJH - Existing Elevations, Hall Rev A
- 127-01-1111 SJH - Proposed Elevations, Turner Wing, 1 of 2 Rev C
- 127-01-1112 SJH - Proposed Elevations, Turner Wing, 2 of 2 Rev A
- 127-01-1113 SJH - Proposed Elevations, Goddard Wing Rev A
- 127-01-1114 SJH - Proposed Elevations, Lowry Rev A
- 127-01-1115 SJH - Proposed Elevations, Fenhurst Rev B
- 127-01-1116 SJH - Proposed Elevations, Exbury, 1of2 Rev B
- 127-01-1117 SJH - Proposed Elevations, Exbury, 2of2 Rev C
- 127-01-1118 SJH - Proposed Elevations, Overton Rev A
- 127-01-1119 SJH - Proposed Elevations, Langstone Rev A
- 127-01-1120 SJH - Proposed Elevations, Beaton Rev C
- 127-01-1121 SJH - Proposed Elevations, Hall Rev C
- 127-01-1501 Typical Window to Door Details Rev A
- 127-01-1502 Typical Floor Details Rev A
- 127-01-1503 Typical Wall Details Rev A
- 127-01-1504 Typical Roof Details Rev A
- 127-02-1001 Shaws Trust - Existing Plans and Elevations Rev A
- 127-02-1002 Shaws Trust - Proposed Plans and Elevations Rev B
- 127-03-1001 Chapel - Existing Plans and Elevations Rev A
- 127-03-1002 Chapel - Proposed Plans and Elevations Rev C
- 127-10-1001 Fairfield - Proposed Plans & Elevations Rev B
- 127-11-1001 Claybury - Proposed Plans & Elevations Rev B
- 127-15-1001 Earlsleigh - Proposed Plans & Elevations Rev B
- 127-20-1001 Braithwaite - Proposed Plans & Elevations Rev A
- 127-21-1001 Oxlade - Proposed Plans & Elevations Rev A
- 127-22-1001 Harrison - Proposed Plans & Elevations Rev A
- 127-23-1001 Newton - Proposed Plans & Elevations Rev A
- 127-25-1001 Cartwright - Proposed Plans & Elevations Rev A
- 127-26-1002 Bin & Cycle Store Rev B
- Tree Protection Plan 19140-BT6
- 29324-RG-L-08 Landscape Masterplan Rev F
- 29324-RG-L-08-1 Landscape GA Sheet 1 Rev F
- 29324-RG-L-08-2 Landscape GA Sheet 2 Rev F

- 29324-RG-L-08-3 Landscape GA Sheet 3 Rev F
- 29324-RG-L-08-4 Landscape GA Sheet 4 Rev F
- 29324-RG-L-08-5 Landscape GA Sheet 5 Rev

Reason: To ensure the development is implemented in accordance with the permission and in the interests of the visual amenities of the area in accordance with Policy PCS23 of the Portsmouth Plan (2012) and NPPF.

See Appendix C above for new and amended conditions.

Time Limit (Amended condition)

Nitrate mitigation (Extra condition)

Sustainable construction (Extra condition)

Materials (amended condition)

Parking (amended condition)

Approved plans: amended condition.

RECOMMENDATION I

Delegated Authority to grant Conditional Permission subject to the completion of a Section 106 Agreement in accord with the principles outlined in the report and this SMAT, including an appropriate level of mitigation set out within the Solent Recreation Mitigation Strategy 2017, Milton Common Local Nature Reserve Management Plan 2015, and via the Council's 'Nitrates Credit Bank' (so there would not be a significant effect on the SPA, the marketing of the listed chapel for a community based use for a minimum of a 12 month period, and subject to addressing the further information requested by Natural England re habitats and Milton Common.

RECOMMENDATION II

That delegated authority be granted to the Assistant Director of Planning and Regeneration to add/amend conditions where necessary.

RECOMMENDATION III

That delegated authority be granted to the Assistant Director of Planning and Regeneration to refuse planning permission if the legal agreement, and the information request of Natural England, has not been completed within three months of the date of the resolution.

The Assistant Director Planning & Economic Growth added that the Chapel is a residential conversion within the scheme and all statutory consultees and the planning authority are satisfied that is a reasonable use of the chapel and will preserve its heritage value. The local residents, through one of the trusts, have moved forward discussions with the applicant to look at alternative uses of the chapel. It has been suggested that a planning obligation could be imposed to require its marketing for a period of 18 months for alternative uses, before it reverts to residential use. This would give local groups and interested parties the chance to

promote alternative community-based activities within that listed space to the applicant. There is no requirement to provide community use of the chapel but this is not inconsistent with PCS 16 so officers have no concerns about including this as part of the S.106 agreement. Historic England have commented that the marketing should be a period of 12 months prior to the residential conversion commencing. The applicant has confirmed they are happy to accept this as an obligation.

The Assistant Director of Planning & Economic Growth explained that in terms of viability, the local planning authority must look very carefully about the impact imposed upon development through policy. Where there are policies preventing development coming forward, authorities are instructed to take steps accordingly. The Government is clear that development without affordable housing is preferable to no development at all. The applicants have put forward a detailed viability appraisal. The costs of works to a listed building is an abnormal cost and there is a significant cost due to the habitat issues. These all affect the overall viability of the scheme and the developer has concluded that there is insufficient money left over to fund the affordable housing. The assessment viability has been subject to rigorous review by officers and by external expert consultants who have agreed with the developer. A refusal on those grounds would consequently be unsustainable at appeal.

Deputations were then heard from the following people, all objecting to the proposals:

- Rod Bailey (Chair of Milton Neighbourhood Planning Forum)
- Janice Burkinshaw (Chair of Milton Neighbourhood Forum)
- Martin Lock (Keep Milton Green Campaigner)
- Steve Pitt (Chair of St James' Memorial Park Trust)

Deputations were then heard from Mr Richard Wilshaw (Applicant) and Mr Howard Williams (Owner, NHS Property Services).

Councillor Jeanette Smith made deputation as Baffins ward councillor and on behalf of some of her residents. Councillor Darren Sanders made a deputation as Baffins ward councillor and Cabinet Member for Housing and Preventing Homelessness.

Councillors Ben Dowling and Kimberley Barrett made a deputation as Milton ward councillors. Councillor Vernon-Jackson as Milton ward councillor also made a deputation as Milton ward councillor which was heard at the start of the meeting.

Deputations are not minuted, but can be viewed on the council's website at <https://livestream.com/accounts/14063785/planning-12jan2022>

Members' Questions

In response to questions, the following points were clarified:

- Officers are satisfied that the highways data is correct and robust. The historic data is included due to a need to benchmark against the lawful past use of the site. 2019 figures were used as the last couple of years did not provide an accurate representation. There are only two junctions that need improvement Locksway

Road/Milton Road and Milton Road/Goldsmith Avenue junctions that would be finalised in discussion with the applicant and the Local Highway Authority.

- Everyone has a different perception on the amount of open space and the access to that open space. This development would provide equal to/more open space for the public.
- There is a condition proposed (condition 6, page 54) which would require the approval of detailed landscaping including the schedules of planting noting species, plant sizes and proposed numbers/densities. An opportunity would be taken to get as appropriate mature tree planted as is possible.
- There is a requirement within the scheme to manage surface water drainage. There would be no increase of flooding on or off the site as part of the scheme. Officers could not say whether there is a net increase/decrease of Co2 or water capture. All surface water drainage issues will be managed on site.
- There are several cycle stores throughout the development. The new build housing has gardens and therefore space to store bicycles.
- The developer is proposing to meet the Council's sustainable development policy requirements through the performance of the proposed buildings and the installation of photovoltaics on the roofs of the new build dwellings. The applicant has clarified that each shared parking court will provide 20% of the spaces with a charging point. Infrastructure will be put in place for more electric vehicle charging points when there is the demand.
- CIL will be paid on net increases in floor space. As there is substantive demolition it is likely there will be no CIL liable for that. Officers would double check this though with the applicant.
- The recommendation to the committee is to delegate the Section 106 to officers. This includes current assumption that the developer will be paying their full nitrates requirements as detailed in the report.
- The site was allocated in the 2012 Local Plan and forms part of the emerging Plan and the Milton Neighbourhood Plan which is going forward for examination currently.
- Officers are satisfied that there is no requirement for affordable housing that can be sustained and therefore a reason for refusal on that basis would not be sustainable on appeal.
- Officers are recommending a condition is attached that requires the applicant to provide further details on accessible housing and how people with disabilities will be able to move safely around the development.
- With regards to carbon emissions, the policy requirement is a 19% improvement. The applicant is proposing to install photovoltaic panels so this, , will result in a 33.89% improvement upon Part L1 2016 across the whole site.
- The 278 agreement will require the preparation of a detailed design for the of site mitigation works which would be subject to a safety audit and would need to be signed off by the highway authority.
- Officers are confident that the degree of impact with regards to loss of light would be acceptable.

Members' Comments

Members felt that the applicants had worked very closely with officers to address concerns and submitted a very good application that was almost acceptable. Concerns were, however, raised by members about the increased traffic the development would cause within the area. Members commented that there would be at least as much, if not more open space with this development.

The Chair made a proposal to refuse the application on the following grounds:
That the loss of the protected trees will reduce the beneficial evapotranspiration and photosynthesis and will have an adverse impact on the City Council's carbon policies. The lack of affordable housing, loss of the protected trees and traffic capacity on the already congested roads and junctions which will not be resolved by the installation of traffic lights described. The need for a robust traffic scheme for that quarter of the town. The design of the housing is uninspiring and not excellent architectural quality. This would harm the historic setting of the St James site and the listed buildings. There is also insufficient detail about the disabled access on the site.

Some members proposed that the application be deferred to give the applicant the opportunity to address the concerns of the committee. It was felt that the viability assessment needed to be revisited and a more comprehensive analysis of traffic flows was needed taking into account all the new developments in the city. Officers advised that fixing a timeframe to bring the application back to committee was not appropriate as some things were out of their control.

The Assistant Director of Planning & Economic Growth gave members some advice on the suggested reasons for refusal provided by the Chair and said that some of the statements were not accurate. Further clarification from the Chair on several matters was received.

RESOLVED that the application be deferred for the following reasons:

To revisit affordable housing provision, the design of the new build elements, the retention and replacement of protected mature trees and the highway implications of the scheme.

131. 20/00205/LBC - St James Hospital, Locksway Road, Southsea, PO4 8LD (AI 6)

Conversion of main hospital, mortuary building and the chapel, including external alterations - demolition of boiler house, storage wings, service room and 20th century buildings, window and door alterations, recessed and projecting dormers, new stairs; internal alterations to include alterations to walls, doorways and staircases. construction of new housing; provision of parking and landscaping (amended scheme)

RESOLVED that the application be deferred for practical case management to be heard at the same time as the planning application for this site.

132. 21/01161/FUL - Flathouse Quay, Portsmouth, PO1 3NS (AI 7)

Installation of low-level aggregate handling plant.

The Assistant Director Planning & Economic Growth introduced the report and drew attention to the Supplementary Matters which reported that:

Further information is now provided concerning highway matters, and heritage, as follows.

The Applicant has confirmed that the Flathouse Quay area has historically been used for the importation, storage and onward transportation of fruit, and more recently the importation, storage and onward transportation of shipping containers and the export by road of aggregates imported by vessel. The handling of shipping containers has generated an average of 256 trips per day. The proposed development would reduce the average daily trip number to 145, reducing the impact on the highway.

The proposal would create 10 full-time employment opportunities and a total of 8 parking spaces would be provided for staff and occasional visitors, two of which would include electric car charging points, together with 5 bike spaces. Therefore, Officers conclude that the proposed development would not result in an unacceptable impact on highway safety, and the residual cumulative impacts on the road network would not be severe. The Local Highway Authority was re-consulted with the Applicant's further information and raised no objection subject to a condition securing the proposed car parking provision, as set out in the Recommendations column adjacent:

The Conservation Officer has reviewed further information submitted in respect of impact on heritage assets and confirmed that the condition (no.5 in the published report) securing a conservation method statement is no longer required.

No change to Recommendation to Approve, with amendments to three conditions as follows:

Extra Condition, for car parking:

The development hereby approved shall not be brought into use until spaces have been laid out and provided for the parking of vehicles in accordance with the approved plans. These spaces shall thereafter be reserved for such purposes at all times.

Reason: In the interest of highway safety and in accordance with Policy PCS17 of the Portsmouth Plan (2012).

Amended Condition, for the car parking:

2) Unless agreed in writing by the Local Planning Authority, the permission hereby granted

shall be carried out in accordance with the following approved drawings - Drawing numbers:

o PORT/018 rev B Location Plan, floor plan and car parking layout

o PM/020 rev A Elevations

o Planning, Design and Access Statement

o Air Quality Note by Air Quality Consultants (July 2021)

o Heritage Statement by Andrew Josephs Associates (March 2021)

o Landscape and Visual Assessment by Bright & Associates Landscape and Environmental Consultants (July 2021)

o BS 4142 Noise Assessment by WBM Acoustic Consultants (July 2021)

Reason: To ensure the development is implemented in accordance with the permission granted.

Deleted condition:

5) (a) Unless otherwise agreed in writing with the Local Planning Authority, no works pursuant to this permission shall commence until a Conservation Method Statement, covering construction details of the internal retaining wall and a method statement for the removal of any existing structures has been submitted to and approved in writing by the

Local Planning Authority.

(b) The development shall be carried out in accordance with the approved method statement pursuant to part (a) of this condition and shall continue for as long as construction works are taking place at the site, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the integrity of the Fredericks Battery Listed Building Grade II in accordance with Policy PCS23 the Portsmouth Plan (2012).

Members' Questions

In response to questions, the following points were clarified:

- Officers had proposed condition 6 to limit the operating hours of the processing plant to 07:00 and 23:00 hours daily to limit noise.
- The Quayside would be cleared to make space for the works which is partly moveable, partly fixed. The aggregate importation is already taking place, the fixed plant on the open space is what the applicant is seeking permission for.
- The handling of shipping containers has generated an average of 256 trips per day. The proposed development would reduce the average daily trip number to 145, reducing the impact on the highway. The Highways Authority is now satisfied and has no objection.
- The aggregate sorting can have significant implications for dust and particulates which is managed through wetting of the materials which goes into recycling processes in the plant itself. Officers were satisfied that the dust implications would not have any significant impacts off site

Members' Comments

Members felt that this was a good application.

RESOLVED

- **Delegated authority was granted to the Assistant Director of Planning & Economic Growth to Grant Conditional Permission subject to the conditions listed in the report and on the supplementary matters list.**
- **Delegated authority was granted to the Assistant Director of Planning & Economic Growth to add/amend conditions where necessary.**

133. 21/00908/HOU - 37 Worsley Street, Southsea, PO4 9PR (AI 8)

Construction of first floor rear extension above existing ground floor rear projection

The Assistant Director Planning & Economic Growth introduced the report.

Members' Questions

There were no questions.

Members' Comments

There were no comments.

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

134. 20/00882/FUL - 247 Queens Road, Portsmouth (AI 9)

Change of use from C3 to C3/C4.

The Assistant Director Planning & Economic Growth introduced the report and drew attention to the Supplementary Matters list which reported that there was an additional written deputation received from the applicant. Members confirmed that they had all read this.

Members' Questions

In response to questions, the following points were clarified:

- C3/C4 properties can swap between the two uses. Officers include the 'worst case scenario' when accounting for the number of HMO properties in an area as a precautionary approach. If they can be an HMO it is counted within the HMO issue.

Members' Comments

Members noted that there were no planning reasons to refuse this application.

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

135. 20/00813/FUL - 98 Beresford Road, Portsmouth (AI 10)

Change of use from dwelling house (class C3) to purposes falling within class C4 (house in multiple occupation) or class C3 (dwelling house).

The Assistant Director Planning & Economic Growth introduced the report and drew members attention to the written deputation included on the SMAT list which members confirmed they had read.

Members' Questions

- The maximum occupancy of this property in the future would depend on what extensions and alterations the applicant decides to do further down the line. A change of use application would be needed to increase this to a 10-person sui generis HMO and would need to confirm to the private sector housing requirements.

- The applicant could choose to utilise the lounge as a single occupancy bedroom which would increase the occupancy from 5 to 6 persons. The current communal spaces are fit for that purpose in accordance with the SPD and licensing requirements and the applicant would have to cover this off in their HMO licence.
- It is likely that the occupants will own a similar number of cars as a household a similar size and consequently there is no policy requirement to provide for additional parking.
- There is a policy to seek mixed and balanced communities with up to 10% of properties being HMOs. There is no reason why HMOs cannot be built into heritage assets. The change to the character of this area is not considered to be detrimental.
- Officers had no data to confirm that the property will be used for ex-offenders, and it was up to the landlord who they let to. The impacts of property values are not a planning consideration.
- The SPD parking policy has a requirement for two parking spaces for C4 HMOs and the general housing policy recognises a requirement for two parking spaces for four bed dwelling houses so there is no increase.
- There is currently limited policy guidance on electric vehicle charging points for HMOs. The overall parking guidance for C4 HMOs and 4 bed C3 is the same and there is no reason to presume there would be a higher requirement for C4 occupants to have electric vehicle charging points than C3 occupants.

Members' Comments

It was noted that there is bicycle storage at the rear of the property, and this could be accessed through the house. There was sufficient space to get a bicycle through the house which was welcomed.

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

136. 19/01323/FUL - Plot E Lakeside Business Park, Western Road, Portsmouth, PO6 3PQ (AI 11)

Construction of a two-storey building and ancillary single storey buildings for car dealership use comprising showroom, workshops, valet facilities and MOT testing, with provision of car parking, associated infrastructure and landscaping (amended description and amended plans received).

The Assistant Director Planning & Economic Growth introduced the report and drew members attention to the written deputation included on the SMAT list:

It is considered that the requirement for an employment and skills plan can be dealt with by condition rather than a legal agreement. The following additional condition is therefore suggested:

16. No development shall commence on site until an Employment and Skills Plan has been submitted to and approved in writing by the Local Planning Authority, to include arrangements for working with local employment and/or training agencies and provisions for training opportunities and initiatives for the workforce employed in

the construction of the development. The Employment and Skills Plan shall thereafter be implemented in accordance with the approved details.

Reason: To enhance employment and training opportunities for local residents in accordance with Policy PCS16 of the Portsmouth Plan (2012) and the Achieving Employment and Skills Plans Supplementary Planning Document (2013).

Change to recommendation:

RECOMMENDATION I: That delegated authority be granted to the Assistant Director of Planning & Economic Growth to grant Conditional Permission subject to completion of an agreement / legal mechanism to secure the following:

a) Mitigation area of 1.93ha to be retained, protected and in accordance with SINC Mitigation Strategy;

RECOMMENDATION II: That delegated authority be granted to the Assistant Director of Planning & Economic Growth to add/amend conditions where necessary.

RECOMMENDATION III: That delegated authority be granted to the Assistant Director of Planning & Economic Growth to refuse permission if the Legal Agreement has not been completed within three months of the date of the resolution.

Members' Questions

- There is a management plan associated with the mitigation and it does require it to be delivered in advance of the development.
- The BREEAM standard required under condition 12 is an overall standard by the Building Research Establishment. The planning authority requires the applicant to demonstrate compliance with that overall standard and it will be for them to propose how they will integrate all of the different aspects of sustainable design to meet that standard in accordance with best practice.

Members' Comments

There were no comments.

RESOLVED

(1) That delegated authority be granted to the Assistant Director of Planning & Economic Growth to grant Conditional Permission subject to completion of an agreement / legal mechanism to secure the following:

a) Mitigation area of 1.93ha to be retained, protected and in accordance with SINC Mitigation Strategy;

(2) That delegated authority be granted to the Assistant Director of Planning & Economic Growth to add/amend conditions where necessary.

(3) That delegated authority be granted to the Assistant Director of Planning & Economic Growth to refuse permission if the Legal Agreement has not been completed within three months of the date of the resolution.

The meeting concluded at 4.38 pm.

Signed by the Chair of the meeting
Councillor Lee Hunt