

MINUTES OF THE MEETING of the Planning Committee held on Wednesday, 13 April 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)  
Chris Attwell (Vice-Chair)  
George Fielding  
Robert New  
Terry Norton  
John Smith  
Judith Smyth  
Lynne Stagg  
Linda Symes  
Gerald Vernon-Jackson

Also in attendance: Councillor Benedict Swann

### **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.

#### **47. Apologies for absence (AI 1)**

Councillor Chris Attwell gave apologies as he had to leave at 12 noon for another commitment. Councillor Gerald Vernon-Jackson gave apologies as he could not arrive until 12 noon.

#### **48. Declarations of interest (AI 2)**

Councillor Vernon-Jackson sought advice from the Legal Advisor about a possible interest in agenda item 10 (Workshops and Offices, Northern Road, Portsmouth, PO6 3EP) as council owned land comes under the Leader's portfolio. The Legal Advisor advised that land ownership is not a material planning consideration and Portsmouth City Council's ownership should not bar his sitting on the item.

#### **49. Minutes of previous meeting held on 23 March 2022 (AI 3)**

**RESOLVED that the minutes of the Planning Committee held on 23 March 2022 be agreed as a correct record.**

#### **50. Update on planning applications (AI 4)**

Members noted that an update will be circulated to members of the Committee following the meeting. Members agreed with the Assistant Director of Planning

& Economic Growth's suggestion that the update be removed from the agenda as a standing item as they now receive a weekly update. However, if members request an update on a specific previous decision, such as the Parade Tea Rooms (agenda item 7), it can return to the Committee.

**51. Compton Road - Definitive Map Modification Order (AI 5)**

Application for a Definitive Map Modification Order to record a public footpath between Compton Road and Battenburg Avenue.

Andrew DiMarco, Principal Active Travel Officer, and Harry Goodchild from Hampshire County Council, introduced the report.

Members' questions

In response to questions, officers explained that cycling was probably prohibited because the route is narrow and circuitous and does not lend itself to be used by both pedestrians and cyclists. The signage is historic and officers do not know when it was placed on the route.

There were no comments.

**RESOLVED that**

- 1. that authority is given for the making of a Definitive Map Modification Order to record a public footpath with a width of 1.4 and 2.7 metres as shown between Points A and B on the attached plan (Appendix A). The route will commence at a junction with Compton Road and terminate at a junction with Battenburg Avenue in Hilsea, as outlined in the Hampshire Report (Appendix B).**
- 2. To delegate authority to the Director of Regeneration for them to, as necessary, either:**
  - a) confirm (bring into legal force) the said Definitive Map Modification Order in the event of no objections being made in the subsequent consultation (or withdrawal of all objections); or,**
  - b) pursue confirmation of the Definitive Map Modification Order before the Secretary of State/Planning Inspectorate in the event objections are received and not withdrawn where the Director of Regeneration in his sole discretion believes confirmation should be pursued; or,**
  - c) return to Planning Committee in the event that objections are received and consequently the Director of Regeneration in his sole discretion believes that the Order should not be confirmed.**

**52. 21/01828/FUL - 297 Powerscourt Road, Portsmouth PO2 7JL (AI 6)**

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

The Assistant Director of Planning & Economic Growth introduced the report and drew attention to the Supplementary Matters report which provided the following additional information:

*There is an error in paragraph 5.19 of the officer report. It should read: 'It is therefore considered that an objection on car parking requirement cannot be sustained on refusal'.*

*Clarification is necessary for paragraph 5.29 of the officer report. It is understood external works have commenced on site, however, based on the plans provided as part of this application, the Local Planning Authority (LPA) is satisfied those works are permitted development and therefore do not require planning permission.*

Deputations were made by:

- Simon Hill on behalf of the applicant in support of the application
- Councillor Benedict Swann objecting to the application

Deputations are not minuted but can be viewed on the Council's website at: [Agenda for Planning Committee on Wednesday, 13th April, 2022, 10.30 am Portsmouth City Council](#)

#### Members' questions

In response to members' questions, the following points were clarified:

- In response to questions from members, officers are confident the database of houses of multiple occupation (HMOs) is as up-to-date as it can be although inevitably there are gaps. This is why extra effort to check accuracy within the 50m radius is made for each application. Planning and Housing work together so if officers become aware of HMOs they will be added; properties no longer used as HMOs will be removed. There are no concerns about the robustness of the relevant evidence for HMOs in the 50m radius.
- The other two HMOs in the 50m radius are 328 Powerscourt Road and 315 Queens Road with another one just outside the radius so a total of 3 HMOs out of 74 properties. There have been no complaints about any other HMOs being in the radius. Officers acknowledged the colour coding on the diagram of the 50m radius was a little confusing.
- Information on HMOs comes from different sources. If additional licensing of HMOs goes ahead it will capture more HMOs and increase robustness of data. The 2021 census is considering HMO usage of properties as a variable. Census data is due to be published in the summer which could help inform the register. Officers also use their own records such as enforcement action. Tracking HMOs is labour intensive which is why officers focus on the robustness of data for individual applications so members can have confidence when making decisions.

#### Members' comments

- Smaller properties which become HMOs under permitted development rights are more likely to cause problems.
- Portsmouth has policies to create mix and balanced communities which many other areas do not have.
- Parking is difficult in the area, particularly in the evening, when it is almost impossible to park. Rat runs are created and Copnor Road is increasingly busy. Officers advised that an objection on parking standards would not sustain a refusal, as noted in the SMAT.

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

**53. REPORT BACK TO COMMITTEE - 20/01167/FUL - The Parade Tearooms, Western Parade, Southsea PO5 3JF (AI 7)**

Retrospective application for change of use of part of building to form café (class A3) to include external alterations and single storey extensions after removal of existing canopy (amended scheme 15/00380/FUL).

The Development Management Lead introduced the report, which was an update requested by members at the previous meeting.

Members' questions

In response to members' questions, the following points were clarified:

- It is not for the Committee to stipulate terms for leases but officers will double-check Councillor Vernon-Jackson's comments on parking have been passed on to the Property team.
- The Legal Advisor did not know if the lease had been signed as he is not involved with property matters. Whether the landlord's consent has been sought for use of an open space is a matter for the Property team.

Members' comments

Members thanked officers for investigating the enforcement-related matters so quickly.

**RESOLVED to note the update report.**

**54. 21/01191/VOC - The Parade Tearooms, Western Parade, Southsea PO5 3JF (AI 8)**

Application to remove condition 4 of application 16/00497/PLAREG to allow external kitchen door to remain open for ventilation as required.

The Development Management Lead introduced the report.

Michael Hogan (the applicant's father) gave a deputation in support of the application.

Members' questions

In response to questions from members, officers clarified that the kitchen door opens outwards. It may not be necessary for the door to be open if the extraction system works but Environmental Health have not objected to it being opened.

Members' comments

Members wanted to support a successful business. One of the ward councillors had had no representations about the door. The staff need to get fresh air from time to time.

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

**55. 18/00848/OUT - The Invincibles, 6 Wickham Street, Portsmouth PO1 3EF (AI 9)**

Outline application for construction of a twelve-storey building (3,317SQM GEA) to provide 76no. 'Co-living' bedspaces with shared communal facilities comprising gymnasium, kitchens, laundry and residents' lounges; together with external amenity areas (sui generis) (principles of appearance, layout, access and scale to be considered).

The Assistant Director of Planning & Economic Growth introduced the report and explained that co-living is a new approach to shared accommodation, which falls between HMOs and flats, and the application is the first of its type in Portsmouth. Members have to judge whether the application meets overall planning policy requirements and if the quality of living environment is satisfactory. He drew attention to the Supplementary Matters report which provided the following additional information:

*The following paragraphs are amended for consistency to clarify that the building is in fact 12 stories tall across 11 floors.*

*Paragraph 3.1 should read:*

*The development proposal seeks Planning Permission in Outline form for the approval of appearance, layout, access and scale on this compact site by the construction of a substantial 12-storey building (11 floors) for 76no. 'co-living' bedspaces (sui generis) with communal facilities.*

*Paragraph 8.16 should read:*

*The significance and impact of the proposal on heritage assets has been assessed by officers. The height and scale/massing of the proposed twelve-storey building would be appreciably greater than existing on the site, which is mainly three-stories in height.*

*Paragraph 9.1 should read:*

*The use of the site for a co-living form of residential development is considered appropriate to the city centre location. The 12-storey building is considered to be well enough designed in order to satisfactorily integrate within the site's prominent location.....*

A deputation in support of the application was made by Tom Vail (applicant).

#### Members' questions

In response to questions from members, the following points of clarification were provided:

- With regard to affordability, the charge per m<sup>2</sup> is a matter for market delivery but is likely to be less than for one a one-bedroom flat. Charges are not a planning matter; however, the fact that the proposal does not contribute to affordable housing is a planning matter. If the proposal was for 76 flats a percentage of them would be required to be affordable homes in the line with the guidance in the National Planning Policy Framework (NPPF). It is more an absence of policy rather than being contrary to policy. A judgement has to be made between having a smaller number of flats (with some at affordable rent) and a larger number of cheaper units.
- A condition stipulating a percentage of affordable housing would not be feasible nor sustainable on appeal. There are several forms of affordable

housing - council housing, housing associations, registered social landlords, social rent, affordable rent (80% of the market value), shared ownership, private rented sector affordable properties (where rent is capped at 80% of the market value and is the closest comparator to the proposal). The NPPF and Portsmouth's Local Plan do not cover co-living although there is scope for discussion as this typology of housing may become more popular. The possibility of having affordable housing in co-living developments can be explored as part of preparation for Regulation 19 of the Local Plan.

- Plans of floor layouts are indicative only as the application evolves. All communal space is available to all residents so, for example, floors 7 and 8 have access to the roof terrace on floor 7.
- White goods and some kitchen equipment are provided.
- There is a condition requiring a management plan to ensure the accommodation is managed sufficiently well to provide a good standard of living. This type of housing is not licensed by the Private Sector Housing team as there is not that degree of control so officers feel as the Local Planning Authority (LPA) that they need to formally discharge management arrangements, for example, how the kitchens and visitors will be managed.
- There is no swipe entry system planned yet but it will be considered as part of the management plan along with matters such as access, locks and CCTV. There would be a manager on site but not a receptionist behind a desk.
- The only reserved matter is landscaping. Officers are satisfied with the proposals for design and appearance.

#### Members' comments

- Members thought the proposal offered flexibility and choice. It is a great idea for people moving to Portsmouth, particularly young professionals. The idea is exciting and fills a gap in the market.
- There was some concern the rooms were too small and might have a negative impact on residents' mental health. On the other hand, there are communal areas like a gym where people new to Portsmouth can meet each other, which would be good for their mental health.
- Members hoped the design of the outside of the building would be attractive and fit in with the area's maritime heritage.

**RESOLVED to grant outline planning permission and delegate authority to the Assistant Director of Planning & Economic Growth to secure necessary legal agreements and to add / amend conditions where necessary.**

Councillor Vernon-Jackson arrived at 11.56 am and Councillor Attwell left at 12.02 pm.

**56. 21/01613/FUL - Workshops and Offices, Northern Road, Portsmouth PO6 3EP (AI 10)**

Construction of a fire station with offices, training tower, training facilities, and associated car parking and landscaping (following demolition of existing buildings).

The Assistant Director of Planning & Economic Growth introduced the report and drew attention to the Supplementary Matters report which provided the following additional information:

*Condition 3: The Highways Authority have requested minor modifications to the wording, as follows: ' Prior to first occupation of the development, ~~the installation of~~ WIGWAG signal controls as defined in the DfT Traffic Advisory Leaflet 1/08 will need to be installed and integrated with the planned signalisation of the nearby pedestrian crossing to the south of the site. and that access direct onto the A3- Thereafter this junction shall only be used for egress directly to the A3 and shall be limited to liveried emergency service vehicles only."*

*At the request of the Applicant, and agreement of Officers, the following conditions shall be amended with text to be added underlined:*

*PCC Drainage*

*8) Prior to commencement of development, with the exception of site clearance and demolition, a full sustainable drainage strategy shall be submitted to and approved in writing by the Local Planning Authority....*

*Details of Earthworks*

*9) Development shall not commence, with the exception of site clearance and demolition, until details of earthworks have been submitted to and approved in writing by the local planning authority. These.....*

*Condition 13 currently reads as follows:*

*Tree Protection*

*13) No development shall commence on site until a scheme for the safeguarding of all trees, shrubs and other natural features not scheduled for removal during the course of the site works and building operations in accordance with Tree Protection Plan 19140-BT6 and Arbor-Call Arboricultural Assessment dated 21st July 2021 (Ref: MW.21.060.AIA) with British Standard:5837 (2005) has been submitted to and approved in writing by the Local Planning Authority. All trees, shrubs or features to be protected shall be fenced along a line to be agreed with the Local Planning Authority with:*

*The wording shall be amended to the following:*

*13) All trees, shrubs and other natural features not scheduled for removal during the course of the site works and building operations will be safeguarded in accordance with Tree Protection Plan 19140-BT6 and Arbor-Call Arboricultural Assessment dated 21st July 2021 (Ref: MW.21.060.AIA) with British Standard:5837 (2005). All trees, shrubs or features to be protected shall be fenced along the agreed lines with: ....*

A deputation in support of the application was made by Tony Parker (Senior Construction Project Manager), Hampshire & Isle of Wight Fire & Rescue Service. He was accompanied by Ben Christian (Planning Consultant, Vail Williams), Dave Cotterill (Contractor, Morgan Sindall) and Lee Sheen (Station Commander, Cosham Fire Station).

There were no questions from members.

### Members' comments

Members welcomed the application as part of the economic regeneration of Cosham and would be interested in visiting the new fire station. They were pleased with the requirement to meet the BREEAM (Building Research Establishment's Environmental Assessment Method) "Excellent" standard and the proposed access arrangements. They placed on record their thanks to the HFRS for their good consultation with the public.

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

**57. 19/00747/OUT - Clockhouse, Spur Road, Portsmouth PO6 3DY (AI 11)**

Outline application for construction of part 2/3/4/5/7 storey building to form student halls of residence (Class C1) comprising 44 study studios and associated facilities (principles of access, appearance, layout and scale to be considered), following demolition of the existing site building (amended description).

The Development Management Lead introduced the report and advised that a response from Natural England was still needed before consent can be granted. He drew attention to the Supplementary Matters report which provided the following additional information:

*The first bullet point of Recommendation II addresses the use of the site by Students. It should be augmented to clarify that the legal agreement shall also secure the sorts of measures already proposed by the Applicant, principally relating to site security and management.*

*An extra condition is required for boundary treatment:*

*Prior to the occupation of the development hereby permitted, a scheme of boundary treatments (including any gates) for the site and building shall be submitted for written approval of the Local Planning Authority. The approved scheme shall be implemented prior to first occupation, and maintained as approved during the lifetime of the development, unless otherwise agreed in writing.*

*Reason: In the interests of visual amenity and site/building security, in accordance with Policy PCS23 of the Portsmouth Plan (2012), and the aims and objectives of the National Planning Policy Framework (2021).*

### Members' questions

In response to questions, officers clarified that

- With regard to concerns about flooding in the underpass and at the bottom of Cosham High Street, the relevant organisations have considered drainage. The proposed new surface will have a better run-off rate than the current one. Southern Water have examined the proposal and have not objected. Condition no.10 will consider sewage and drainage requirements in more detail. The Water Management Act deals with how utility companies engage with developers. They are required to provide adequate connections as a statutory undertaking and can levy charges but it is not a planning matter. As wastewater is managed by separate legislation, the application cannot be refused on these grounds.

- The accommodation is intended for student nurses at QA Hospital, hence the location.
- It is hoped solar panels would be part of the package but it is up to the applicant as to how they choose the measures necessary to obtain the level of sustainability required by Condition no.19 (Sustainable Design & Construction). There is no policy requiring every building to have photovoltaic panels and some sites are unsuitable for them. There are other methods of microgeneration. Members could set a policy in the Local Plan that a percentage of energy is to be generated by microgeneration. Any member can request any item to return to the Committee to see how an applicant is intending to discharge their sustainability requirements.
- Officers acknowledged members' concerns over the climate emergency but advised it would be better to consider the sustainability measures when they are made rather than pre-judge them. Officers explained how the BREEAM "Excellent" standard works. It covers construction of buildings as well as occupation and has a scoring system bespoke to the building. Sustainability can be achieved in different ways according to the building and its use.

**RESOLVED to grant outline planning permission and delegate authority to the Assistant Director of Planning & Economic Growth to secure necessary legal agreements and to add / amend conditions where necessary, with Condition 19 subject to discharge by committee.**

58. **21/01409/FUL - 63 Dorking Crescent, Portsmouth PO6 2QL (AI 12)**  
Change of use from a dwellinghouse (C3) to a house of multiple occupation for up to 6 people (C4).

The Assistant Director of Planning & Economic Growth introduced the report. Paul Heywood, the applicant, was present.

There were no questions or comments from members.

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

The meeting concluded at 12.48 pm

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Signed by the Chair  
Councillor Lee Hunt