

## PLANNING COMMITTEE 12.04.2023

### SUPPLEMENTARY MATTERS TO BE CONSIDERED AS PART OF THE REPORT BY THE ASSISTANT DIRECTOR - PLANNING AND ECONOMIC GROWTH ON PLANNING APPLICATIONS

<u>ITEM NO</u>	<u>REF NO</u>	<u>LOCATION</u>	<u>COMMENTS</u>	<u>RECOMMENDATION</u>
1		<b>HMO DECISION ON LANE PROPERTIES</b>		
2	21/00941/FUL	<b>14 HUDSON ROAD SOUTHSEA PO5 1HD</b>	The description of development is unclear and given the existing use of the property it should be described as the:  Change of use from a 6 bedroom/6 person House in Multiple Occupation to a 7 bedroom/7 person House in Multiple Occupation	Officer recommendation unchanged.
3	22/00963/FUL	<b>101 OXFORD ROAD SOUTHSEA PO5 1NP</b>	The description of development is incorrect, given the existing use of the property it should be described as the:  Change of use from a 5 bedroom/5 person House in Multiple Occupation to a 8 bedroom/8 person House in Multiple Occupation	Officer recommendation unchanged.
4	22/01166/CPL	<b>59 MANNERS ROAD SOUTHSEA PO4 0BA</b>	The description of development is incorrect, certificates of lawfulness, in particular have to be clear about the current and future use of properties and given the last lawful use of the	Officer recommendation unchanged.

			<p>property it should be described as the:</p> <p>Application for certificate of lawful development for the proposed change of use from a 5 bedroom/5 person House in Multiple Occupation to a 8 bedroom/8 person House in Multiple Occupation</p>	
5	22/01101/FUL	<b>24 NORMAN ROAD SOUTHSEA PO4 0LP</b>	<p>The description of development is unclear and given the existing use of the property it should be described as the:</p> <p>Change of use from a 6 bedroom/6 person House in Multiple Occupation to a 7 bedroom/7 person House in Multiple Occupation</p>	Officer recommendation unchanged.
6	22/01142/FUL	<b>160 CHICHESTER ROAD PORTSMOUTH PO2 0AH</b>	<p>The description of development is unclear and given the existing use of the property it should be described as the:</p> <p>Change of use from a 5 bedroom/5 person House in Multiple Occupation to a 7 bedroom/7 person House in Multiple Occupation</p> <p>Typographical error in para 5.12 '...1 additional occupant...', should read '...2 additional occupants..'</p>	Officer recommendation unchanged.
7	22/01484/FUL	<b>57 HUDSON ROAD SOUTHSEA PORTSMOUTH</b>	<p>The description of development is unclear and given the existing use of the property it should be described as the:</p> <p>Change of use from a 6 bedroom/6 person House in Multiple Occupation to a 7 bedroom/7 person</p>	Officer recommendation unchanged.

			House in Multiple Occupation	
8	22/01494/FUL	<b>98 BERESFORD ROAD PORTSMOUTH PO2 0NQ</b>	<p>The description of development is unclear and given the existing use of the property it should be described as the:</p> <p>Change of use from a 6 bedroom/6 person House in Multiple Occupation to a 7 bedroom/7 person House in Multiple Occupation</p>	Officer recommendation unchanged.
9	22/01552/FUL	<b>32 KINGSLAND CLOSE PORTSMOUTH PO6 4AL</b>	<p>Upon further review it is considered that the last lawful occupation of the property was as a 5 person HMO (given the license granted in 2019, with no further license sought). The proposal seeks permission for the use of the property as an 8 person HMO and therefore represents an increase in 3 occupants.</p> <p>The description of development is therefore incorrect, given the last existing use of the property it should be described as the: Change of use from a 5 bedroom/5 person House in Multiple Occupation to an 8 bedroom/8 person House in Multiple Occupation</p> <p>This change of use would result in a more significant change in usage which in the Officers view would represent a material change in the use of the property and therefore would require Planning Permission. This is seen through the likely difference in impact that the additional occupants would represent and which is</p>	<p>Officer recommendation changed from Unconditional Permission to:</p> <p><b>RECOMMENDATION I -</b></p> <p>That delegated authority be granted to the Assistant Director of Planning &amp; Economic Growth to Grant Conditional Permission subject to: (a) satisfactory completion of a Legal Agreement necessary to secure the mitigation of the impact of the proposed development on Solent Special Protection Areas (recreational disturbance and nitrates) by securing the payment of a financial contribution.</p>

			<p>considered to make a significant difference in the character, and scale of the activities resulting from the proposed use.</p> <p><u>Principle</u></p> <p>It is necessary to compare the factors, which have lead Officers to conclude many changes in occupancy from 6 to 7 do not constitute a material change of use, to the facts of the current application, which seeks a change in occupancy from 5 occupants to 8 occupants.</p> <p>When considering the impact on amenity it is noted that the change in occupation will increase 60%, from 5 to 8, compared to the insignificantly assessed 17%. However there is no evidence that a more intensely used HMO is likely to generate more complaints, regarding noise and anti-social behaviour, than a smaller HMO. Overall and notwithstanding that the occupation is proposed to increase by 60% Officers are of the opinion that there is no specific evidence or likelihood that this increase will lead to a significant difference in the character or impact of the use in respect of amenity.</p> <p>While the increase in waste water, and nitrates, will have a directly proportionate increase based in the additional occupants the relevance of this only occurs if planning permission is found to be needed and consequently it provides little direct evidence as to that question itself.</p>	<p><b>RECOMMENDATION II -</b></p> <p>That delegated authority be granted to the Assistant Director of Planning &amp; Economic Growth to add/amend conditions where necessary.</p> <p><b>RECOMMENDATION III -</b></p> <p>That delegated authority be granted to the Assistant Director of Planning &amp; Economic Growth to refuse planning permission if a Legal Agreement has not been satisfactorily completed within three months of the date of this resolution.</p> <p><b>Conditions</b></p> <p><b><u>Time Limit:</u></b></p> <p>1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.</p> <p>Reason: To comply with</p>
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			<p>Parking demand/stress is however considered to be more likely in the application scenario, increasing occupancy from 5 to 8. While adding a single occupant, likely on lower income is considered very unlikely to have a significant impact on the parking demands in an area, the addition of 3 occupants, the equivalent occupation of an average family dwelling, is considered to be far more likely to result in an increased likelihood of parking stress. It is noted that the application site is within a not unreasonable (around 650m) walking distance of facilities and bus routes on Allaway Avenue, however the 60% increase in occupation is, notwithstanding this, considered to lead to a likely associated increase in car ownership and associated identifiable impact on parking amenity and availability.</p> <p>In respect of waste and recycling, an increase in a single occupant is unlikely to result in any demonstrable, externally identifiable impacts, as it would not normally require any addition bin capacity to be provided. A 5 bed HMO has a capacity need of 480 litres (normally 1 x 240l bin for recycling, and 1 x 240l bin for residual waste). An 8 bed HMO has a capacity need of 860 litres (normally 1 x 360l bin for recycling, and 1 x 360l bin plus 1 x 140l bin for residual waste). This is a 79% increase in capacity. The slight disproportionality of this increase is due to the availability of different wheelie-bin sizes. It is considered that the front forecourt is of a sufficient size in order to store the additional waste storage facilities but this would mean that this additional</p>	<p>Section 91 of the Town and Country Planning Act 1990</p> <p><b><u>Approved Plans:</u></b></p> <p>2) 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 - Drawing numbers:</p> <p>Location Plan - TQRQM22306133813088;</p> <p>Block Plan - T QRQM22306133722698; and</p> <p>Plans and Elevations - PG.6180.21.6</p> <p>Reason: To ensure the development is implemented in accordance with the permission granted.</p> <p><b><u>Cycle Storage:</u></b></p> <p>3) Prior to first occupation of the property as a House in</p>
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			<p>waste storage would be readily visible.</p> <p><u>Standard of living accommodation</u></p> <p>On the basis of the information supplied with the application this detailed guidance is considered applicable and the resulting layout is considered to result in a satisfactory standard of living environment.</p> <p><u>Housing Land Supply</u></p> <p>The Committee's attention is drawn to the current 5 year housing land supply position within Portsmouth. In any planning application, the decision-maker will need to 'balance' any harms identified due the development against any benefits also arising. Principally, for this HMO application, the benefits are to the provision of housing through the provision of additional bedspace of occupation within the HMO. While this is a small contribution to the overall housing stock, the Council currently is unable to identify a 'five year supply' of housing, with only a 2.9 year supply currently identifiable. In this circumstance, the Council is directed to consider that the policies which are most important to determinations associated with housing provision within the Local Plan are out of date. The consequence of this is that decision takers are directed to apply a tilted balance to determinations so that permission is only withheld when the adverse impacts '...significantly and demonstrably outweigh the benefits...'. Any harm</p>	<p>Multiple Occupation, secure and weatherproof bicycle storage facilities for 4 bicycles shall be provided at the site and shall thereafter be retained for the parking of bicycles at all times.</p> <p>Reason: To ensure that adequate provision is made for cyclists using the premises in accordance with policies PCS17 and PCS23 of the Portsmouth Plan.</p>
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10	23/00189/FUL	<b>75 GROSVENOR STREET SOUTHSEA PO5 4JG</b>	<p>The description of development is unclear and given the existing use of the property it should be described as the:</p> <p>Change of use from a 6 bedroom/6 person House in Multiple Occupation to a 7 bedroom/7 person House in Multiple Occupation</p>	Officer recommendation unchanged.