

REPORT TO PLANNING COMMITTEE - 31 MAY 2023

REQUEST BY COASTAL PARTNERS TO HAVE THEIR DISCHARGE OF CONDITION APPLICATIONS ON SOUTHSEA FRONTAGE DETERMINED BY PLANNING OFFICERS

The purpose of this report is to seek Planning Committee's approval that applications submitted to discharge Conditions 17 [soft landscaping], 22 [external lighting], 23 [street furniture and walls], 25 [hard surfacing materials], 26 [feature walls], 27 [roads and footpaths], and 38 [public art and / or interpretation boards] of Planning Application ref.19/01097/FUL can be delegated back to officers.

The above request is made because the determination of applications to discharge conditions is almost always carried out by Officers. However, following the determination by the Planning Committee in December 2019 of application ref. 19/01097/FUL Southsea Seafront from Long Curtain Moat in the West to Eastney Marine Barracks in the East, the Committee minuted that:

'It was also agreed that an informative note be added to the minutes that it is the opinion of this committee that the planning aspects of matters referred to in conditions 17, 22, 23, 25, 26, 27 and 38 should be brought back to this committee and supported by a report about the consultation on those matters'

The main driver for this decision was that there was only minimal (but acceptable) detail of public realm features and highway layouts contained within that particular planning application. Since this original application, however, the detailed design process has continued and the Coastal Partners have submitted two subsequent applications for amended proposals under Section 73. Both of these applications (one for Sub-Frontage (SF) 4 at Southsea Castle and one for SF5West at The Pyramids/Speakers Corner) have contained much more detail than the original application.

To date, Coastal Partners have completed Phase 1 of construction at SF1 (Long Curtain Moat) and this has received positive feedback from the community, stakeholders and Members. Coastal Partners are also progressing well with Phase 2 (SF4 Southsea Castle) and both of these phases had the conditions approval applications determined by the Planning Committee, where Members approved the proposed details.

Whilst Coastal Partners are happy to continue on this basis, given the progression of the scheme, the positive public response and that Coastal Partners are seeking a coherent approach to the public realm along the whole seafront, they are requesting, through your officers, whether Members of the Planning Committee would still like each condition application to come before them, or whether they are happy to delegate this decision back to officers, as per the usual process.

Members of Planning Committee should note that the general hard surfacing, street furniture, planting approach, and lighting will be very similar across all frontages. Coastal Partners will also be submitting Section 73 planning applications for all subsequent frontages as the detailed design progresses. The highway layout, including the provision of parking, a two-way cycle lane, promenade and single carriageway will therefore come before Members for approval. These future applications will contain similar level of detail as those for SF4/SF5West.

To aid members on this issue, the relevant conditions and the reasons for imposing them are listed out below:

17 - Soft Landscaping	
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<p>No development shall take place within each approved phase until there has been submitted to and approved by the Local Planning Authority a scheme of tree and any other relevant soft landscaping works; the scheme shall specify species, planting sizes, spacing and numbers of trees/shrubs to be planted in the area of that phase. The approved tree works (and other planting where relevant) shall be carried out in the first planting season following the completion of the development within each approved phase. Any trees or plants which, within a period of 5 years from the date of planting in each approved phase, die, are removed or become seriously damaged or dis-eased shall be replaced in the next planting season with others of similar size and species.</p>	<p>Reason: In the interests of visual amenity, to protect the biodiversity of the site and preserve the character and appearance of the 'listed' park/conservation areas and the setting of other heritage assets, in accordance with policies PCS13 and PCS23 of the Portsmouth Plan (2012) and the aims and objectives of the NPPF (2019).</p>
<p>22 - External Lighting</p> <p>No development shall take place in each approved phase until details (including siting/alignment, type and appearance including materials/finishes) of the proposed external lighting (including any proposed decorative/festoon feature lighting) in the area of that relevant phase have been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried in strict with the approved details.</p>	<p>Reason: To preserve the character and appearance of the listed park and conservation areas and the setting of other designated heritage assets across the whole of the site addressing an existing uneven distribution along the promenade and enhancing the sense of safety for all users by sub-frontage, in accordance with policies PCS9, PCS17 and PCS23 of the Portsmouth Plan (2012) and the aims and the objectives of the NPPF (2019).</p>
<p>23 - Street Lighting and Walls</p> <p>No development shall take place in each approved phase until details (including siting/alignment, type and appearance including materials/finishes) of the proposed street furniture and secondary defence walls (including include refuse bins, signage, seating, bollards, railings and other means of enclosure) in the area of that relevant phase have been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried in strict with the approved details.</p>	<p>Reason: To preserve the character and appearance of the listed park and conservation areas and the setting of other designated heritage assets across the whole of the site, in accordance with policies PCS9 and PCS23 of the Portsmouth Plan (2012) and the aims and the objectives of the NPPF (2019).</p>
<p>25 - Hard Surfacing Materials</p>	

<p>No works shall take place at each approved phase which involves the provision of promenade or other hard surfacing materials until details of the materials to be used in the relevant area have been submitted for the prior written approval of the local planning authority. Thereafter the works shall be fully implemented in accordance with the approved details. The details for approval shall include a detailed scheme of (a) type/texture/colour finishes (including any samples as may be necessary) including natural stone blocks at key public realm and historic areas; and (b) the proposed pattern treatments to add local distinctiveness within the floorspace at key public realm areas.</p>	<p>Reason: To preserve the character and appearance of the listed park and conservation areas and the setting of other designated heritage assets across the whole of the site and deliver attractive textural interest to the public realm by sub-frontage, in accordance with policies PCS9, PCS17 and PCS23 of the Portsmouth Plan (2012) and the aims and the objectives of the NPPF (2019).</p>
<p>26 - Feature Walls</p> <p>Prior to the installation of the Feature Walls as shown in the approved drawings details of the final surface treatment including details of the pattern, text or picture treatment including type/texture/colour finishes, and any samples as may be necessary, for the wall's surface shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried in strict with the approved details.</p>	<p>Reason: To ensure the feature walls are delivered with differing finishes to soften their appearance and add local distinctiveness to enhance the character and appearance of the listed park and conservation areas, to preserve the setting of other designated heritage assets across the whole of the site and deliver attractive textural interest by sub- frontage, in accordance with policies PCS9, PCS17 and PCS23 of the Portsmouth Plan (2012) and the aims and the objectives of the NPPF (2019).</p>
<p>27 - Roads and Footpaths</p> <p>No development shall take place on each approved phase at the site until the following details, relevant to the area within that phase, have been submitted to and approved in writing by the Local Planning Authority:-</p> <ul style="list-style-type: none"> (i) a specification of the type of construction for the roads and footpaths, including all relevant horizontal cross-sections and longitudinal sections showing the existing and proposed levels, together with details of materials, sightlines and kerbs, street lighting and the method of disposing surface water; (ii) a programme for constructing the roads and footpaths; and, (iii) details and specifications for the proposed works to car parks, including final finished levels and layout of spaces. 	<p>Reason: To ensure that the roads/footpaths are constructed to an appropriate standard in the interests of highway safety, to create a safe and attractive environment and to preserve the character and appearance/setting of the array of designated heritage assets across the site, to accord with policies PCS17 and PCS23 of the Portsmouth Plan (2012) and the aims and the objectives of the NPPF (2019).</p>

<p>38 - Public Art and/or interpretation boards</p> <p>Within 12 months of the completion of each approved phase details of the proposed measures for public art and/or interpretation of heritage assets and the timetable for the design/delivery of the measures by approved phase shall be submitted to and approved in writing by the local planning authority; and the approved public art and interpretation measures shall be carried out in full accordance with those approved details and thereafter retained (unless otherwise agreed in writing by the local planning authority).</p>	<p>Reason: To ensure proposed public heritage benefits make a positive contribution to outweighing the substantial harm of development effecting a nationally important scheduled monument and less than substantial harm to other heritage assets, to enhance or better reveal their significance, in accordance with policy PCS23 of the Portsmouth Plan (2012) and the aims and objectives of the NPPF (2019).</p>

Your Planning Officers note that there is now a higher level of knowledge of the character, quality and consistency of design than when the first application was determined in December 2019. They also note the need for efficient decision-making, to aid the overall Planning Service and of course the delivery of the coastal defences. Your Officers consider the Coastal Partner's request to be fair and reasonable for the reasons set out above and one that also accords with the aims and objectives of determining planning applications in a timely manner.

It is noted that any Member can still call-in a particular Section 73 application or a Discharge of Condition application for determination by the Planning Committee. These applications are advertised in the Weekly List of new applications circulated to Members.

RECOMMENDATION

That Planning Committee agree that the determination of further application(s) submitted to discharge the above conditions can be delegated to officers, subject to the usual procedures regarding publicity, the number of representations received, the responses of statutory consultees, and the ability of any Member to call-in any individual application, etc..