

PLANNING COMMITTEE

MINUTES OF THE MEETING of the Planning Committee held on Wednesday, 31 May 2023 at 10.30am in the Council Chamber, the Guildhall, Portsmouth

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

Present

Councillors Chris Attwell (Chair)
Peter Candlish
Raymond Dent
Asghar Shah
John Smith
Judith Smyth
Mary Vallely
Gerald Vernon-Jackson CBE

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.

60. Apologies (AI 1)

Apologies were received from Councillors Hannah Brent and Lee Hunt.

61. Declaration of Members' Interests (AI 2)

Agenda item 9: Councillor Gerald Vernon-Jackson stated that he is a Director of the applicant. He will leave the meeting when this item is discussed.

Agenda item 6: Councillor Raymond Dent declared a personal and prejudicial interest and would leave the meeting when this item is discussed.

Agenda item 9: Councillor Judith Smyth declared a non-personal, non-prejudicial interest as she is a member of the Port Advisory Board.

62. Minutes of the previous meeting held on 12 April 2023 (AI 3)

RESOLVED that the minutes of the Planning Committee meeting held on 12 April 2023 be agreed as correct records.

Planning Applications.

The Supplementary Matters report and the deputations (which are not minuted) can be viewed on the council's website at: [Planning Committee, 31 May 2023 on Livestream.](#)

The Chair advised that he would be amending the order of the agenda slightly. The applications were considered in the following order:

- Item 4: Tipner East, Land off Twyford Avenue and Tipner Lane, Portsmouth.
- Item 7 Request by coastal partners to have their discharge of condition applications on Southsea frontage determined by planning officers.
- Item 5: Former Royal British Legion, Sixth Avenue, Portsmouth PO6 3PD.
- Item 6: 360 Copnor Road, Portsmouth PO3 5EN.
- Item 8: West Battery Field, Clarence Esplanade, Southsea PO5 3PA.
- Item 9: Car park, Prospect Road, Portsmouth PO1 4QY
- Item 10: The Spinnaker Tower, Gunwharf Quays, Portsmouth PO1 3TT.
- Item 11: 2-6 Spencer Road, Southsea PO4 9RN.

However, for ease of reference the minutes will be kept in the original order.

63. 21/01357/FUL - Tipner East, Land off Twyford Avenue and Tipner Lane, Portsmouth (AI 4)

The Development Management Team Leader presented the report and drew members' attention to the information in the Supplementary Matters report.

Deputations.

Jeffery Hector, resident on behalf of residents who had submitted a petition.
Mark Chevis, Land Director, West Division of Bellway Homes.

Members' Questions.

In response to members' questions, officers clarified that:

- Tipner Lane serves 45 units in the scheme. Target Road is pedestrianised. The Highways Authority reported a number of improvements to these roads.
- Parking provision would be at or below the council's standard for spaces per unit. There is no on-street parking in this road. Officers were told that this was built to adoptable standards to allow for the provision of a bus route.
- A circular route would be in place with Tipner and Twyford Avenue.
- Apart from signage, there would be no enforcement of the pedestrianised road.
- A contribution to the bus route could be negotiated with developers.
- The Environment Agency carried out an assessment of the scheme on its own merits, recommended appropriate conditions and raised no objections.
- It was asked whether a condition could be imposed to prevent occupation of this development until the completion of flood defences on the larger, Vivid site to the north under a separate planning permission. The Committee was advised that the Environment Agency had not recommended this as a condition when assessing this site on its own merits, meaning that it was unlikely to be a "necessary" condition to require and therefore it would be unlawful to impose it.
- The height of the floors is deemed to be sufficient and takes into account sea level rise due to climate change.
- A condition could be added to install a gate or rising bollards for buses.
- Run-off water from the scheme would be directed into Tipner Lake with adequate tide blocking system so that there is no two-way flow.

In response to a question from the committee, Mr Chevis explained that the road was widened after consultation with the council to enable it to be used as a bus route. A temporary bollard would be installed. A bus gate midway may be the best solution to prevent cars from using the road.

Members' Comments

Members raised significant concerns regarding:

- Flood risk and the height of the floors of the properties particularly considering high tides and Spring tides.
- Not knowing when the seawall will be built poses a significant risk. They considered that perhaps a condition could be put in to ensure residents do not move into the properties before the seawall defences are built.

Members felt that they could not determine this application without the following information:

- The flood risk mitigation particularly if the sea wall is not built.
- Predicted traffic volumes.
- Clearer, colour maps showing the locations of high buildings, two-bedroom properties, flats, green areas and hard landscapes.
- An option clarifying the developer's original proposals regarding traffic.

It was agreed that the application would come back to the committee on 12 July.

RESOLVED that the application be deferred to the meeting on 12 July with the additional information requested by members.

64. 22/00226/FUL - Former Royal British Legion, Sixth Avenue, Portsmouth PO6 3PD. (AI 5)

The Acting Head of Development Management presented the report and referred members to the Supplementary Matters report.

Deputations.

Darryl Howells, agent.

Members' Questions.

In response to questions, officers explained that:

The profit is predicted at the application stage on the understanding that there are a number of factors that could be very different when the properties are sold months or years later. This means that the prediction may very well be inaccurate. It is possible for officers to engage with developers towards the end of the development to determine the profit achieved when there is a review mechanism. These are more important for larger developments.

Members' Comments.

Members expressed interest in a body of evidence being built up to see how accurate the viability predictions tend to be.

RESOLVED that delegated authority be granted to the Assistant Director of Planning & Economic Growth to grant permission subject to the conditions set out in the original officer report of 22nd March 2022.

65. 23/00079/FUL - 360 Copnor Road, Portsmouth PO3 5EN (AI 6)

Councillor Raymond Dent was absent for this item.

The Acting Head of Development Management presented the report and referred members to the Supplementary Matters report.

Deputations.

John Morris, objecting.

Lee Roberts, objecting.

Mr G Edwards, objecting.

Adam Yates, applicant.

Members' Questions.

In response to questions, officers explained that:

- Land ownership and double yellow lines are not matters of planning consideration.
- The building was not proposed for independent occupation forming a separate planning unit.
- It would offer in conjunction with the host property a satisfactory level of amenity for the occupier.

Members' Comments.

Members were concerned about amenity for the occupier of the proposed granny annex.

RESOLVED that the application be refused.

66. Request by coastal partners to have their discharge of condition applications on Southsea frontage determined by planning offices. (AI 7)

The Development Management Team Leader presented the report.

Members' Questions.

In response to questions, officers explained that:

- The usual publicity regarding the designs will be carried out.
- If the committee decides that applications submitted to discharge conditions 17, 23, 25, 27 and 38 can be delegated to officers, members' rights to call in any decisions would remain.
- There would be no public forum where the public could ask questions about the development.

Members' Comments.

- Public interest in the design details is very high.
- When this scheme was first discussed, the design was to be varied in different sections. However, it looks like it would now be a uniform design throughout.
- Public consultation is an important feature in our city.

- The seafront is the most important asset in the city, so it is essential that this is done right. The detail is as important as the underlying engineering.
- Members have made significant improvements to the scheme and if the next stages of the scheme do not continue to come to the Planning Committee, this area of challenge from Councillors and members of the public would be missed.

RESOLVED that the request be refused due to the committees' continued interest in discharging conditions under its planning permission and in view of the high public interest in this most important development.

67. 23/00325/CPL - West Battery Field, Clarence Esplanade, Southsea PO5 3PA (AI 8)

The Acting Head of Development Management presented the report.

Members' Questions.

There were no questions.

Members' Comments.

There were no comments.

RESOLVED to issue a Certificate of Proposed Lawful Development.

68. 23/00066/FUL - Car park, Prospect Road, Portsmouth PO1 4QY (AI 9)

Councillor Gerald Vernon-Jackson was absent for this item.

The Acting Head of Development Management presented the report.

Members' Questions.

In response to a question, officers explained that it would be a properly regulated industrial site with a range of materials and vehicles stored there.

Members' Comments.

There were no comments.

RESOLVED that conditional planning permission be granted.

69. 23/00558/ADV - The Spinnaker Tower, Gunwharf Quays, Portsmouth PO1 3TT (AI 10)

The Acting Head of Development Management presented the report.

Members' Questions.

There were no questions.

Members' Comments.

It was noted that this is for a very good cause.

RESOLVED that conditional consent be granted.

70. 22/00205/FUL - 2-6 Spencer Road, Southsea PO4 9RN (AI 11)

The Acting Head of Development Management presented the report and referred members to the Supplementary Matters report.

Members' Questions.

In response to questions, officers explained that:

- The proposed conditions could be strengthened to require an increase in the amount of permeable surface and that drainage of rainwater into the soft landscape be encouraged.
- Officers had visited the site on two evenings during termtime when the care home had already shut. On both occasions there was plenty of on-street parking available.

Members' Comments.

- The Local Plan should ensure that rainwater soaks away on developments.
- Providing only one parking space per property could exacerbate the area's parking problems.

RESOLVED to grant delegated authority to Assistant Director of Planning & Economic Growth to grant permission subject to the conditions and legal agreement set out in the report with amendments regarding permeability of the driveways and rain drainage into the soft landscape.

The meeting concluded at 1:15pm

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Signed by the Chair of the meeting
Councillor Chris Attwell