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## PLANNING COMMITTEE

MINUTES OF THE MEETING of the Planning Committee held on Wednesday, 31 January 2024 at 10.30 am 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)<br>Peter Candlish<br>Raymond Dent<br>Asghar Shah<br>John Smith<br>Judith Smyth<br>Mary Vallely<br>Gerald Vernon-Jackson CBE |
|-------------|---|

### Also in attendance

Simon Turner, Planning Officer  
Edward Chetwynd-Stapylton, Planning Officer  
Kieran Laven, Planning Solicitor

### 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.

### 11. Apologies (AI 1)

There were no apologies for absence.

Councillor Vernon-Jackson joined the committee from part minute 14 on and did not take part in the decision on that item.

Councillor Asghar Shah joined the committee from part minute 14 on and did not take part in the decision on that item.

### 12. Declaration of Members' Interests (AI 2)

#### **Item 19 23/01383/FUL - Homeheights House, Clarence Parade, Southsea**

Councillors Smyth, Candlish and Smith declared a personal, non-prejudicial interest as they lived close to the property and would benefit from the improved 5g signals from the masts. The legal advisor advised he considered this a de-minimis interest.

**13. Minutes of previous meeting held on 10 January 2024 (AI 3)**

**RESOLVED that the minutes of the Planning Committee meeting held on 10 January 2024 be agreed as a correct record.**

Planning Applications

The Supplementary Matters report (SMAT) can be seen on the council's website at: [Agenda for Planning Committee on Wednesday, 31st January, 2024, 10.30 am Portsmouth City Council](#)

Deputations, which are not minuted, can be viewed on the webcast for the meeting at: [Agenda for Planning Committee on Wednesday, 31st January, 2024, 10.30 am Portsmouth City Council](#)

**14. 23/00798/FUL North Portsea Island phase 5 Coastline between Portsbridge car park (south) in the west to Althorpe Drive in the east (including all compounds and access to the public highway (AI 4)**

The Development Management Team Leader presented the officer's report. He explained that the key issues in the determination of the application were whether the principle of development was acceptable and whether the submitted Environmental Statement adequately assessed the significant environmental impacts of the proposed scheme having regard to the international, national, and local nature conservation designations in and around the area. He noted other important issues included the design of the proposed scheme, heritage impacts, highway impacts, impacts on residential amenity and impacts on mineral resources as identified in the Hampshire Minerals and Waste Plan.

He drew attention to the additional information in the SMAT and the full draft conditions detailed in Appendix 1, page 8 of the SMAT.

Deputations

A deputation was made by Nicola Reid, for the North Portsea Coastal Erosion Scheme.

In response to a member question regarding the railway crossing, Caroline Timlick from the North Portsea Coastal Erosion scheme was invited to respond. She advised that the railway bridge creates a weir where flood water can come over because it is slightly lower than the proposed sea defences. She further advised that up to 2045 there would be regular inundation of the railway line and national rail would have issues operating the lines at the point of a 'one in 200-year event'. Discussions were ongoing with Network Rail who were aware they need to replace their bridge. Up to 2045, the moat behind the bridge will be able to take the flood water as there is a limited area of it coming over and there is an outfall when the tide goes down. There is a limited amount of time the tide is high. Up to 2064 there may be too much water coming over which would be a risk. The Environment Agency, Portsmouth City Council and Network Rail are aware of the risks. The team are

working with Network Rail to either put in place flood protection across the line or they will need to rebuild the bridge.

#### Members' questions

In response to Members' questions, officers clarified:

- Draft condition 13 in the SMAT, states that no development may take place until a detailed drainage strategy has been submitted to and approved by the Local Planning Authority in order to protect existing drainage apparatus and to reduce the risk of flooding by the proposed development to accord with Policy PCS12 of the Portsmouth Plan and the aims and objectives of the NPPF.

#### Members' comments

Members noted that there would still be a gap in the defences at Tipner.

Members considered the scheme to be a good quality scheme for the north of the city which would enhance the area and create a good link across the top of the city. The scheme would make the city safer and improve the amenity and use of the area.

#### **RESOLVED:**

**That planning consent be granted, and that delegated authority be granted to the Assistant Director of Planning & Economic Growth to finalise the wording of the conditions as per the list of condition headings below, within one month of the committee resolution:**

1. Time limit
2. Approved plans and documents
3. Construction environmental management plan
4. CEMP implementation
5. Soft Landscaping scheme
6. Public Realm - Features and Materials
7. Construction Traffic Management Plan
8. Biodiversity mitigation and enhancement plan
9. Heritage mitigation strategy
10. Archaeology mitigation strategy
11. Contaminated land verification report
12. Contaminated land - Previously unidentified contamination
13. Drainage
14. Heritage benefits and interpretation statement

#### **15. 23/01377/FUL - 4 North End Avenue, Portsmouth, PO2 9EB (AI 5)**

The Development Management Lead presented the officer's report. He explained it had been brought before the Committee due to the 7 objections received. He noted the main issues for consideration in the determination of the applications were the principle of development including compliance with policy, impacts on amenity including parking and other material considerations.

### Deputations

Pawan Bhatt, objecting.

Carianne Wells, agent for application.

### Members' questions

In response to Members' questions, officers clarified:

- The dormer window in the roof was a side dormer which came under permitted development and did not require planning permission.
- In relation to the count of HMOs in the area, from observation, applicants were being careful to find gaps within the 50-metre radius and would probably continue to do so until such time as the 10% limit was reached.
- HMO data was sourced from licensing, council tax, planning history and from councillors and neighbours. Officers were confident the data was good and reliable.
- The application was for 8 people. The combined living space was 25.1 square meters, exceeding the 22.5 square meters required by policy, because all of the bedrooms, were above 10 square meters. It provided a good standard of accommodation and was fully compliant with the guidance.

The Development Lead responded to some points raised in Mr Bhatt's deputation:

- There may be other HMOs further away in the area, but they were outside of the 50 metre radius. Within the radius there were no other HMOs and one application under appeal.
- The extension at the rear and in the roof could be built by a family under permitted development rights and was common in homes across the country. This was not just a consequence of HMO applications.
- A family could also own two or three cars, and this was not necessarily a particular material difference for HMOs.
- In relation to the party wall and noise, modern building regulations would be applied to the extension and building which may improve the situation.
- Problems with drink and drugs cannot be affiliated with an HMO any more than it would to family use of a house.
- Profit is not a planning consideration.

### Members' comments

Members considered the communal area to be quite small and considered that the roof dormer may breach Policy PCS23 in terms of design as it was only slightly recessed back from the front of the property.

The legal advisor advised that this was an application for a change of use, and it had been made clear that the dormer was within permitted development so PSC23 was not engaged in this instance.

It was proposed to refuse the application on the basis that the communal area was not large enough to meet the needs of the tenants.

A further proposal was moved to grant the application as it was fully compliant with planning policy. This proposal was seconded.

Members commented on the possible congestion on this small corner of the road leading to overwhelming amenity overload. The first proposal was seconded.

The legal advisor noted the second proposal achieved a seconder first so a vote would be taken to accept the officer's recommendation to approve with the conditions attached.

**RESOLVED to approve in accordance with the officer's committee report.**

**16. 23/01466/FUL - 29 Shadwell Road, Portsmouth, PO2 9EH (AI 6)**

The Development Management Lead presented the officer's report which had been brought before the Committee due to the blanket call-in by Councillor Vernon-Jackson for this type of proposed change of use. He noted the main issues for consideration in the determination of the application were the principle of development including compliance with development plan policy, impacts on amenity including parking and internal space and other material considerations.

He drew attention to the additional information in the SMAT. In particular, it was noted that the development description must change, as the property was still in Class C3 dwellinghouse use, and not the purported Class C4 HMO use.

Deputations

A deputation was made by Simon Hill for the applicant.

Members' questions

In response to Members' questions, officers clarified:

- The measured size of the room on the second floor, excludes the area below 1.5m height - the measured area was 13.58 square meters, and the requirement was 10 square meters. There were three rooflights at the front of the room which were low enough to be able to open and see out.

The depute was invited by the Chair to comment and advised that as there had to be a minimum of 75% of the floor area over a certain height that had led to an area of the room being wasted space to comply with planning.

Member's comments

Members noted the application had a large kitchen, dining/living room despite the bedrooms being very near to the regulation 10 square meters.

**RESOLVED to approve in accordance with supplementary matters report as it supplements the officer's report.**

**17. 23/01118/FUL - 43 Derby Road, Portsmouth, PO2 8HW (AI 7)**

The Development Management Lead presented the officer's report which had been brought to the Committee at the request of Councillor Vernon-Jackson. He advised

the main issues for consideration in the determination of the application were the principle of development including compliance with policy, impacts on amenity including parking and other material considerations.

He drew attention to the additional information in the SMAT.

#### Deputations

A deputation was made by Carianne Wells, agent.

#### Planning Permission

Members noted and unanimously agreed that the application was in an area of terraced housing where there was already significant pressure on parking and litter and the increase in occupancy would lead to increased pressure on parking, litter, potential anti-social behaviour and was therefore considered development and required planning permission.

#### Members' questions

There were no questions.

**RESOLVED to grant conditional permission as per the officer's recommendations.**

### **18. 23/01420/FUL - 25 Tottenham Road, Portsmouth, PO1 1QL (AI 8)**

The Development Management Lead, drew attention to the information contained in the SMAT which detailed the reasons for the application being withdrawn from the agenda. He advised that should the application be kept live, amended, or supplemented in any way it may come back to the committee for determination.

### **19. 23/01383/FUL - Homeheights House, Clarence Parade, Southsea PO5 3NN (AI 9)**

The Development management Lead presented the officer's report which had been brought to the Planning Committee as it had received nine objections and one support. He advised the main issues for consideration were siting and appearance and its impact on heritage assets and amenity and other issues.

He drew attention to the additional information in the SMAT.

#### Members' questions

In response to members' questions, officers clarified:

- The mast probably could not be pulled closer to the lift uprun as it may interfere with coverage due to the parapet wall. Coverage would be quite low down on the common, so the masts needed to be a certain height.
- The masts were light grey, and a condition was imposed to that effect.
- There was no need for antenna on all four corners of the building as the coverage to the north-east was already good. The antennae have a certain coverage arc, so they face forward for maximum improved coverage.

**RESOLVED** that conditional permission be granted as per officer recommendations.

The meeting concluded at 12.30 pm.

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Signed by the Chair of the meeting  
Councillor Chris Attwell

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