

PLANNING COMMITTEE

MINUTES OF THE MEETING of the Planning Committee held on Wednesday, 21 February 2024 at 1.00 pm 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)
Darren Sanders (Vice-Chair) (except minute 28 and 29)
Peter Candlish
Raymond Dent (minute 25 on)
Asghar Shah (minute 20 to 29 only)
John Smith
Judith Smyth
Gerald Vernon-Jackson CBE (minute 25 on)

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.

20. Apologies (AI 1)

Apologies for absence were received from Councillor Vallely. Apologies for lateness were received from Councillor Dent and Councillor Vernon-Jackson.

21. Declaration of Members' Interests (AI 2)

Agenda Item 9 - 23/01332/FUL - 66 Milton Road, Portsmouth PO3 6AR

Councillor Sanders said he would withdraw from the committee for this item as he had objected to the application and wished to make a deputation on this item.

Agenda Item 10 - 23/01414/FUL- 6 Copnor Road, Portsmouth, PO3 5AQ

Councillor Sanders said he would withdraw from the committee for this item as he had objected to the application and wished to make a deputation on this item.

Agenda Item 11 - 23/01496/FUL - 29 Greenwood Avenue, Portsmouth, PO6 3NP

Councillor Shah had met with his residents to discuss this application and felt that this could be seen as bias, so would withdraw from the committee for this item.

Agenda Item 12 - 23/01288/HOU - 8 Highbury Way, Cosham, PO6 2RH

Councillor Shah would withdraw from the committee for this item as he has a disclosable pecuniary interest in this item. He has beneficial interest in the property and is the applicant for the application.

22. Minutes of previous meeting held on 31 January 2024 (AI 3)

RESOLVED that the minutes of the Planning Committee meeting held on 31 January 2024 be agreed as a correct record.

Planning Applications

The Supplementary Matters Report can be seen on the council's website at <https://democracy.portsmouth.gov.uk/documents/s50749/SMAT%20list.pdf>

Deputations, which are not minuted, can be viewed on the webcast for the meeting at [Planning Committee 21 February 2024 \(youtube.com\)](https://www.youtube.com/watch?v=...)

23. 23/00904/FUL - 19 Peronne Road, Hilsea PO3 5LD (AI 4)

Erection of two storey side and rear extensions to create 6no. 2-bedrom flats and associated works (amended description).

The Assistant Director for Planning and Economic Growth presented the report and drew attention to the information in the SMAT.

Deputations

Deputations were made by:
Mr James Potter (Agent)

Members' questions

In response to Members' questions, officers clarified:

- Ensuring there is adequate setting and amenity for future residents is covered by the policies for good design and living standards. Officers are satisfied that the amount of open space available is appropriate for 6 flats in this location.
- More than 10 units are needed to require a contribution to affordable housing.
- The national design space standards must be adopted locally, and Portsmouth have adopted these space standards for general dwellings.
- The applicant is proposing a significant soakaway including a cellular block system to maintain a soakaway and drainage on site. Condition 14 states that the final drainage scheme needs to be approved by officers.
- Condition 10 covers the requirement for a landscaping scheme for approval and officers will hold the applicant to the highest standards.
- Solar panels are covered under building regulations.
- The requirement for 6 flats would be 9 parking spaces.
- The parking would be an unassigned parking space system.

Member's comments

Concerns were raised regarding the significant shortfall in parking standards. Members liked the design and the circular corner feature.

RESOLVED

- (1) That delegated authority be granted to the Assistant Director of Planning & Economic Growth to grant conditional permission subject to 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.**
- (2) That delegated authority be granted to the Assistant Director of Planning & Economic Growth to add/amend conditions where necessary.**
- (3) That delegated authority be granted to the Assistant Director of Planning & Economic Growth to refuse planning permission if a legal agreement has not been satisfactorily completed within three months of the date of this resolution.**

24. 23/01201/HOU - 12 Wilberforce Road, Southsea PO5 3DR (AI 5)

Construction of a 3-storey front extension; addition of a second floor including the remodelling of the rear elevation (with Juliet balconies at first and second floor); new natural slate roof incorporating photovoltaic 'slates' and a raised ridge; single storey rear extension; air source heat pump in rear garden (resubmission of 23/00335/HOU).

(Councillors Dent and Vernon-Jackson joined the meeting during this item but did not discuss or vote on the application as they were not present from the start of the item). Both confirmed that they did not have any declarations of interest to make.

The Assistant Director, for Planning and Economic Growth presented the report and drew attention to the supplementary matters list.

Deputations

Deputations were made by:
Mr Digby Nelson (objector)
Mr Peter Robson (agent)

Members' questions

In response to questions, officers clarified:

- A landscaping condition could be added, however as this is a small development this is not something that would usually be required.
- It is not a requirement of policy to have an air source heat pump and the noise produced by this is a matter dealt with by Regulatory Services. There are clear standards for installing an air source heat pump to meet the permitted development requirements. Condition 6 could therefore be amended with the precise wording to be delegated to officers but along the lines of that if the applicant did wish to install an air source heat pump, then acoustic screening would be required and demonstrate compliance with the MCS standards.
- The total scale is similar in size to number 10 Wilberforce Road however it may have a larger gross internal area. Due to the roof form from the street scene the proposed development will look smaller than the adjacent

properties. It has a much larger rear projection and utilises much more its plot than the existing dwelling.

Members' comments

Members felt that the proposal was sympathetic to the conservation area and proposed to amend condition 6 to include acoustic screening and ensure that it meets MCS standards if the applicant chooses to install an air source heat pump. It was also proposed to add a condition on landscaping to ensure that the rear garden is not completely paved over and that trees are retained or replanted. The Assistant Director Planning & Economic Growth advised the committee that the landscaping wording would be the same as number 10 Perrone Road which the committee had recently approved and is the standard landscaping condition. The wording of condition 6 could be delegated to officers to ensure that the wording is robust to ensure the MCS standards are met. He added that the government is currently consulting on amending permitted development rights and the size of air source heat pumps so officers would need to review that when drafting this condition to ensure a good quality of amenity protection for adjacent residents.

RESOLVED to grant conditional planning permission as set out in the officer's committee report and supplementary matters list. The committee delegated authority to officers to amend condition 6 relating to the air source heat pump and to add a condition on landscaping.

25. 23/01514/FUL - 56 Montague Road, Portsmouth PO2 0NF (AI 6)

Change of use from class C3 dwellinghouse to 8 person/8 bedroom house in multiple occupation.

(Councillors Dent and Vernon-Jackson were present for the start of this item)

The Assistant Director, for Planning and Economic Growth presented the report.

There were no deputations.

Members' questions

It was clarified that the bedroom without the en-suite would use the bathroom at the top of the stairs.

Members' comments

Concern was raised generally about planning works being carried out under Permitted Development as a pre cursor to becoming a HMO. Despite this there was no reason to refuse the application.

RESOLVED

(1) That delegated authority be granted to the Assistant Director of Planning & Economic Growth to grant Conditional Permission subject to:

- (a) First receiving 'no objection' from Natural England concerning the LPA's Appropriate Assessment for SPA mitigation, and;
 - (b) 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.
- (2) That delegated authority be granted to the Assistant Director Planning & Economic Growth to add/amend conditions as necessary.
- (3) That delegated authority be granted to the Assistant Director Planning & Economic Growth to refuse planning permission if a legal agreement has not been satisfactorily completed within three months of this resolution.

26. 23/01530/FUL - 170 Chichester Road, Portsmouth Po2 0AH. (AI 7)

Change in use from class C3 dwellinghouse to 8 person/8 bedroom house in multiple occupation.

The Assistant Director, for Planning and Economic Growth presented the report and drew attention to the update on the supplementary matters list.

Deputations

A deputation was made by:
Carianne Wells (agent)

Members' questions

There were no questions.

Members' comments

Members considered adding a condition restricting the maximum occupancy to 8 people. The Assistant Director of Planning & Economic Growth advised that it would be for licensing to control occupancy which would be more effective than adding a condition. In addition, under the adopted standards 22.5m² is also the combined living space standard for up to 10 occupants, therefore the occupancy condition for up to 8 would not meet the reasonableness test or follow good planning judgement. Concern was also raised about the additional pressure on the sewer system with the additional bathrooms however advice was given that this was not a reason to withhold planning permission.

RESOLVED

- (1) That delegated authority be granted to the Assistant Director of Planning & Economic Growth to grant Conditional Permission subject to (i) The receipt of 'no objection' from Natural England, within 21 days of the consultation sent to them, and; (ii) The completion of a Legal Agreement to secure mitigation of the development with respect to nitrates and to the recreational disturbance to birds in the Special Protection Areas;

(2) That delegated authority be granted to the Assistant Director of Planning & Economic Growth to add/amend conditions where necessary, and

(3) That delegated authority be granted to the Assistant Director of Planning & Economic Growth to refuse planning permission if a Legal Agreement to secure the mitigation of the development with respect to the Special Protection Areas pursuant to Recommendation I has not been completed within three months of the date of this resolution.

27. 23/01174/FUL - 69 Kensington Road, Portsmouth PO2 0EA (AI 8)

Change of use from a class C3 dwellinghouse to a 7-bed/ 7-person house in multiple occupation

The Assistant Director, for Planning and Economic Growth presented the report.

Deputations

A deputation was made by:
Carianne Wells (agent)

Members' questions

There were no questions.

Members' comments

This application was compliant with policy.

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

28. 23/01332/FUL - 66 Milton Road, Portsmouth PO3 6AR (AI 9)

Change of use from C3 dwellinghouse to 7 bedroom / 7 person house in multiple occupation.

(Councillor Sanders was not present on the committee for this item as he has objected to the application. He made a deputation on this item)

The Assistant Director, for Planning and Economic Growth presented the report and drew attention to the supplementary matters list detailing two further objections.

Deputations

Deputation were made by:
Carianne Wells (agent)
Councillor Sanders, (ward councillor)

Members' questions

In response to questions the following matters were clarified:

- Residents who specifically advise the council that they want to make a deputation within their representation will be advised of the date that the application is going to a planning committee. All neighbouring properties are not notified of the date of the planning committee and this is made clear in the published guidance so there has been no error of process.
- The Council's adopted policy for parking permits is that each postal address receives two permits, consequently a HMO is only entitled to two parking permits. In this permit zone there are 394 spaces of which 321 permits are given.

Members' comments

One member commented that it was good to see a separate laundry room in the application.

Members were concerned that all residents who have made a representation to a planning application are not informed that the application is coming to committee unless they specifically ask to make a deputation within their representation. The Assistant Director of Planning & Economic Growth said that this is made clear in the published guidance approved by members and in the letters to residents, advising them to let officers know if they wish to make a deputation if it comes to committee. Members could seek to change this and this could be discussed with the team, Planning Committee chair and the portfolio holder to seek views on amending this process, noting that this would be an additional cost of officer time writing additional letters or emails.

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

29. 23/01414/FUL - 6 Copnor Road, Portsmouth PO3 5AQ (AI 10)

Change of use from dwellinghouse (class C3) to house in multiple occupation (class C4) (resubmission of 23/00048/FUL).

(Councillor Sanders was not present on the committee for this item as he has objected to the application. He made a deputation on this item)

The Assistant Director, for Planning and Economic Growth presented the report.

Deputations

A deputation was made by:

Councillor Sanders, (speaking on behalf of Mr and Mrs Brazier)

Members' questions

In response to a question it was clarified that the fire safety concerns raised in the deputation is one of the core purposes of building regulation approval as well as obtaining a licence from the licensing team who will ensure that certain elements of fire safety are included.

Members' comments

This is a policy compliant scheme so there was no reason to refuse this application.

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

30. 23/01496/FUL - 29 Greenwood Avenue, Portsmouth PO6 3NP (AI 11)

Change of use from dwellinghouse (class C3) to purposes falling within classes C3 (dwellinghouse) or C4 (house in multiple occupancy) (resubmission of 23/00875/FUL).

(Councillor Shah was not present for this item due to his earlier declared interest)

The Assistant Director, for Planning and Economic Growth presented the report.

Deputations

A deputation was made by:
Carianne Wells (agent)

Members' questions

There were no questions.

Members' comments

One member was concerned that the property was already operating as a HMO and felt that approving the application could be seen as 'rewarding' unlawful behaviour, however noted there was no planning reason to refuse the application. Other members felt that this application was a good example of where negotiations with planning have removed one bedroom and turned this into communal space following previous concerns by members. The Assistant Director Planning & Economic Growth said that deliberate breach of planning control is a grey area and there is some relevance in this instance, but it would not outweigh the benefits of providing additional housing for the city.

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

31. 23/01288/HOU - 8 Highbury Way, Cosham PO6 2RH (AI 12)

Enclosure of open courtyard with roof incorporating glass lantern.

(Councillor Shah was not present for this item due to his earlier declared interest)

The Assistant Director, for Planning and Economic Growth presented the report.

There were no deputations.

Members' questions

There were no questions.

Members' comments

Members were happy with the proposal.

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

The meeting concluded at 3.00 pm.

Signed by the Chair of the meeting
Councillor Chris Attwell