

PLANNING COMMITTEE 13.03.2024

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	23/01089/FUL	ST JOHNS COLLEGE GROVE ROAD SOUTH SOUTHSEA	<p>Para 10.142 - Officers have reviewed this paragraph and noted that it appears to suggest that an additional mechanism within the required Parking Management Plan is needed to prevent prospective residents applying for parking permits. For clarity it is confirmed that no additional control is needed. The LHA have confirmed that the application site falls outside the adjacent Resident Parking Zone (MD and KD) the and future residential occupiers would therefore not be eligible for permits</p> <p>Para 10.195 - Officers have reviewed this paragraph and would clarify that 'final agreement' in respect of the FRA would be a decision of the council in consultation with Coastal Partners, not an agreement by Coastal Partners itself.</p> <p>5 further representations have been received since finalisation of the agenda. All material</p>	

			<p>planning matters have however already been covered in the officer report.</p> <p>In addition to this two supplementary representations from a resident at Thicket Cottage, The Thicket have also been provided. These two representations repeat concerns regarding overlooking from residential windows and asks that the application be deferred for further consideration of the Human Rights Act, insofar as it relates to the neighbour's suggestion that the degree of overlooking from the proposed development to neighbouring properties would constitute a nuisance. The neighbour has suggested that a 2023 Supreme Court case [<i>Fearn v Tate Gallery Trustees</i> [2023] 2 W.L.R. 339] is relevant to this consideration.</p> <p>The Tate Gallery case was a case seeking an injunction against nuisance wherein the court concluded that the use of a viewing terrace which allowed "hundreds of thousands" of visitors to look into windows of neighbouring flats was an exceptional visual intrusion above the use of land in the 'common and ordinary way' expected from an art gallery in a residential or mixed use area. It is clearly a very different scenario than that caused by the application before committee.</p> <p>The Officers' report considers the reasonableness of any overlooking causing a loss of privacy or visual intrusion created by the proposal and has found it to be acceptable. The report also considers the</p>	
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1	23/01074/LBC	LINNHOLM HOUSE & THE CASTLE ST JOHNS COLLEGE GROVE ROAD SOUTH	<p>See above for additional representations and submissions from the applicant</p>	<p>No change to recommendation.</p>

2	23/01549/DOC	SOUTHSEA SEAFRONT FROM LONG CURTAIN MOAT IN THE WEST TO EASTNEY MARINE BARRACKS IN THE EAST		
3	24/00012/FUL	ADVENTURE PLAYGROUND STAMSHAW PARK NEWCOMEN ROAD	<p>Cllr Lee Hunt has provided a representation in respect of the application: <i>'Having been to the public consultation at Stamshaw Playpark to see the plans and listen to officers proposals; I can report the enthusiasm of local residents present and since then, for the reports and request for planning consent before LPA tomorrow.</i></p> <p><i>I'd very much like to be with you all but have ongoing dental treatment underway with a 10:50 appointment; even so will attend to speak if I can.</i></p> <p><i>This is very much a good news story for the local community helping keep youngsters involved in useful activities. This coupled with Stamshaw & Tipner Community Centre and its groups including 'Golden Gloves' Boxing Club, the Playpark and ball courts is giving more young people more to do.</i></p> <p><i>Best wishes,</i></p> <p><i>Cllr Lee Hunt'</i></p>	No change to recommendation.
4	23/01592/FUL	350-352 LONDON ROAD HILSEA		
5	20/00944/FUL	32 MONTGOMERIE ROAD SOUTHSEA PO5 1ED	Elevation plans have been provided since report publication, Dwg. Ref. PG.02. These shall be included in the Presentation to the Committee.	No change to recommendation.

6	23/01220/FUL	19 TAMWORTH ROAD PORTSMOUTH PO3 6DL	<p>Plan ref. no: The floor plan ref. no. has been updated (to Proposed Layout Ground Floor (Dated 26/01/2024); and Proposed Layout First Floor (Dated 26/01/2024)). There is no change to the plans themselves since publication of the Officer Report.</p> <p>Further objection comment: Following publication of the report, one of the objectors has provided a further comment, querying the accuracy of the stated external measurements of the ground and first floor. This has been reviewed and clarification sought from the agent. It has been confirmed that the property was measured internally, with the external measurements calculated by adding the average wall thickness to the internal measurements. A minor discrepancy of 0.03m identified by the objector is therefore explained due to variation in wall thickness within the building. The plans have been re-measured, and the Officers are satisfied the internal measurements stated on the plans are correct.</p> <p>Cllr Sanders have also provided a further representation in respect of the application: <i>'I thank members for reconsidering this application. I know you were all concerned about the discrepancies in room sizes that emerged last time. I remain concerned about the impact of this development on this unique road. Tamworth is one-sided - the park is on the other side - and a no-through road. Therefore, parking is even more valuable than normal as vehicles can only pass via the turning circle at the bottom.</i></p> <p><i>Therefore increasing parking, as this application will do, will have a disproportionate impact on</i></p>	Update Condition 2 as per the adjacent column.
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7	23/01420/FUL	25 TOTTENHAM ROAD PORTSMOUTH PO1 1QL	Location plan Ref HD0049-PL05 updated to HD0049-PL05 RevA to reflect change to extension from original submission .	No change to recommendation.
8	23/01544/FUL	82 CHICHESTER ROAD PORTSMOUTH PO2 0AH		
9	23/01584/CPL	73 MARGATE ROAD SOUTHSEA PO5 1EY		
10	23/01599/FUL	165 LABURNUM GROVE PORTSMOUTH PO2 0HF	Amended plans were submitted that label the previously unlabelled rooms 6 and 7, and confirmation received from the applicant that the works will have no impact on the tree outside the adjacent property (163). A written submission has been provided by Cllr Benedict Swann and is appended to the SMAT	No change to recommendation.