

PLANNING COMMITTEE

MINUTES OF THE MEETING of the Planning Committee held on Wednesday, 11 September 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 Gerald Vernon-Jackson CBE (Chair) (except minute 120)
Judith Smyth (Vice-Chair)
Chris Attwell
Peter Candlish
Matthew Cordy
Nicholas Dorrington
Derek North
Mary Valley

Also in attendance

Councillor Russell Simpson to address the committee on Minute numbers 123 and 124).

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.

117. Apologies (AI 1)

Apologies for absence had been received from Councillors Asghar Shah and Hugh Mason.

118. Declaration of Members' Interests (AI 2)

Agenda Item 4 - 23/00863/FUL - Ex St Michael's Lodge Bounded by Silver Street, Stone Street & Gold Street, Southsea PO5 3BN

Councillor Vernon-Jackson declared a personal and prejudicial interest as he owns a property on the site. He would be making a deputation on this item and then leaving the meeting during the debate. Councillor Smyth as Vice Chair would Chair this item.

119. Minutes of previous meeting held on 21 August 2024 (AI 3)

RESOLVED that the minutes of the Planning Committee meeting held on 21 August 2024 be agreed as a correct record.

Planning Applications

The Supplementary Matters report (SMAT) is on the council's website at [Supplementary Matters report.pdf \(portsmouth.gov.uk\)](https://www.portsmouth.gov.uk/sites/default/files/2024-09/Supplementary%20Matters%20report.pdf)

Deputations (which are not minuted) can be viewed on the webcast at [Agenda for Planning Committee on Wednesday, 11th September, 2024, 10.30 am Portsmouth City Council](#)

120. 23/00863/FUL - Ex St Michael's Lodge Bounded by Silver Street, Stone Street & Gold Street, Southsea PO5 3BN (AI 4)

(Councillor Vernon-Jackson moved to the public gallery for this item and left the meeting after making his deputation. Councillor Judith Smyth chaired this item as Vice Chair).

Construction of 18No. dwelling (comprising 12No. houses and 6No. flats) with associated landscaping and parking and vehicular access from Diamond Street (Resubmission of 20/01493/FUL) Ex St Michael's Lodge bounded by Silver Street, Stone Street & Gold Street, Southsea

The Assistant Director for Economy, Planning and Transport introduced the report and referred the Committee to the Supplementary Matters report which corrected a typo and included a written deputation from Councillor Mark Jeffery who was unable to attend. A response to the points made were provided in the SMAT and the officer recommendation remained unchanged. The previous application was dismissed at appeal due to a failure to provide a legal agreement to secure affordable housing. The applicant has agreed to provide policy compliant affordable housing (six units).

Deputations

Mr Gerald Vernon-Jackson, objecting to the application.

Ms M Cole, objecting to the application.

Members' questions

In response to Members' questions, the Assistant Director provided the following information as clarification:

- Highways have looked at the width of Diamond Street and raised no concerns regarding the ability for large vehicles to turn into it.
- The provisions of EV charging points for new homes is a matter for building regulations. The regulations state that there needs to be the same amount of EV charging points as new homes, in this case it would be 18 EV charging spaces.
- There is no policy requirement that Swift boxes should be a form of ecological mitigation.
- The space between the blocks of flats and the first block in the new development is wider than the previous application.
- The loss of green space would be a material consideration. It is never a positive to lose public green space but this is weighed against the housing

need which has increased in the city. This is a good scheme that fully meets policy; the loss of green space is outweighed by gaining 18 new homes.

Members' comments

Concerns were raised about the loss of amenity with the loss of the green space, access to the site and how large vehicles would turn into the site and safety concerns about people using the nursery. Members were pleased that the application now included affordable housing.

Members were also concerned that the PCC Housing Department seemingly have carried out no consultation with residents about losing their outside space for this development. It was felt that the application should be deferred to allow for this to take place. The Assistant Director for Economy, Planning and Transport advised that this had been discussed with legal services and the housing department and advised that this is not a concern of the City Solicitor that the lack of consultation about selling a piece of land for this development would prejudice the housing department. He added that residents are fully aware of the scheme and its implications and his advice was the committee had no legitimate planning reason to defer the application. Members of the committee felt that they owed it to the residents and the housing department to defer the application to understand the implications of selling the land.

RESOLVED that the application be deferred to allow the Housing Department to carry out a full consultation and the consequences of the loss of open space have been reviewed.

121. 24/00391/FUL - 51 Paddington Road, Portsmouth PO2 0DU (AI 5)

(Councillor Vernon-Jackson returned to the meeting and took the Chair).

Change of use from first floor flat (Class C3) and existing 8-bedroom 12 person HMO (Sui Generis) into a 12-bedroom 1 person house in multiple occupation (Sui Generis)

The Assistant Director for Economy, Planning and Transport introduced the report.

Deputations

Mr D Brewer (for the applicant)

Members' questions

There were no questions.

Members' comments

Members were happy to propose the officer recommendation.

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 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.

122. 24/00474/HOU - 4C Wilson Grove, Southsea, PO5 1PD (AI 6)

Installation of vehicle hardstanding and dropped kerb after partial removal of front boundary wall and installation of gate.

The Assistant Director for Economy, Planning and Transport, introduced the report and drew attention the supplementary matters list.

Deputations

Dr N Holman, objecting to the application
Ms L Corrigan, Applicant.

Members' questions

In response to questions the Assistant Director for Economy, Planning and Transport detailed the access to the property on the plans and explained it would be a short area of dropped kerb to allow for a single parking space in parallel with the boundary. There were no highway safety concerns to this proposal. There would be little ability to prevent two cars parking on the hardstanding, however they would have to bump over a kerb and there may be other cars parked on the road limiting the ability to manoeuvre a second car onto the hardstanding.

Members' comments

It was felt that walls in this conservation are very important to the landscape of Southsea. If this application had been presented with a single gate exactly where one car could fit and if there had been a landscaping offer to compensate for the existing tree in the corner of the site, and if it was guaranteed that the hardstanding was permeable, they would feel much happier with this proposal. There were also concerns about the proposed railings not being sympathetic with the area. One member felt that the loss of the wall will not adversely affect the conservation area.

The Assistant Director for Economy, Planning and Transport explained that planning permission was granted in 1975 for the six houses on the site but the wall was already there and has heritage value in its own right. In 2010 Article 4 Directions were imposed which restrict what can and cannot be done in conservation areas as permitted development. Not all of the conservation areas front walls have been listed in the Article 4 Direction; this boundary wall was not included.

Members also had concerns that two vehicles could park on the hardstanding and did not feel that the proposal preserves or enhances the conservation area.

RESOLVED to refuse the application for the following reason:

The loss of a continuous wall, and loss of visual enclosure of the front garden of the property, which are considered to be essential characteristics of the Conservation Area, and its replacement with the proposed railings which are considered to be of inappropriate design, is considered to be harmful to the character of this area contrary to policy PCS23.

123. 24/00809/FUL - 26 Fearon Road, Portsmouth, PO2 0NJ (AI 7)

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

The Assistant Director for Economy, Planning and Transport, introduced the report.

Deputations

Mr O Farr, Agent

Cllr Russell Simpson, ward councillor

Members' questions

In response to questions the Assistant Director for Economy, Planning and Transport advised that the rooms are all single occupancy rooms. Officers were satisfied that the communal area has an acceptable light level.

Members' comments

A member asked whether a site visit could be arranged for this property to check the rooms meet the space standards and help members make more informed decisions in the future. The Assistant Director of Planning & Economic Growth said it would be in the committee's gift however felt that it would be poor practise to withhold planning permission as the photographic and drawing evidence clearly states that the rooms do meet the space standards.

Other members felt that a site visit for this application was not necessary as the officers have carried out the necessary measurements and they had enough information to make a decision today. The committee felt that it would be helpful to see some completed HMOs to help inform them when considering future HMO applications. The Assistant Director advised that the applicant has previously extended an invitation to committee members to view completed HMO properties to get a feel of the spaces and he could follow this up outside of the meeting.

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 residential development on Solent Special Protection Areas (recreational disturbance and nutrients) by securing the payment of a financial contribution and conditions listed in the report.**

- (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.

124. 24/00612/FUL -94 Oriel Road, Portsmouth PO2 9EQ (AI 8)

Change of use from a dwellinghouse (Class C3) to an 8-bed/8-person house in multiple occupation

The Assistant Director for Economy, Planning and Transport, introduced the report and drew attention the supplementary matters list which corrected a typo.

Deputations

Mr O Farr, Agent

Cllr Russell Simpson, ward councillor

Members' questions

There were no questions.

Members' comments

There were no planning reasons to refuse the application and members were happy to propose the officer's recommendation for approval.

RESOLVED

- (1) That delegated authority be granted to the Assistant Director of Planning & Economic Growth to Grant Conditional Permission subject to: (a) satisfactory completion of a Legal Agreement necessary to secure the mitigation of the impact of the proposed residential development on Solent Special Protection Areas (recreational disturbance and nitrates) by securing the payment of a financial contribution and conditions listed in the report.
- (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

125. 24/00515/FUL - 231 Laburnum Grove, Portsmouth PO2 0HE (AI 9)

Change of use from dwellinghouse (Class C3) to a 7-person/7-bed house in multiple occupation.

The Assistant Director for Economy, Planning and Transport, introduced the report. He drew attention that the numbers on the plan for bedrooms 1 & 2 were incorrectly labelled; bedroom 1 is the larger room.

Deputations

Mr O Farr, Agent

Members' questions

In response to questions, the Assistant Director for Economy, Planning and Transport explained:

- The corridor on the ground floor was included in the 25.7m² of the communal area kitchen dining area; it excluded it would reduce it down to 22.27m².
- There is side access so bicycles would not have to enter through the kitchen to get to the bicycle storage.

Members' comments

Members felt that this application falls below the standards in terms of usable space in the communal if the corridor is excluded. The Assistant Director Economy, Planning and transport reminded members that 'planning by numbers' should not be a reason for refusal; the numbers are a guide not a definitive point.

The vote was tied and the decision was made on the Chair's casting vote:

**RESOLVED that the application be refused for the following reason:
The proposal by virtue of the provision of insufficient communal living space will fail to result in an acceptable living environment for future residents contrary to Policy PCS23 of the Portsmouth Plan.**

126. 24/00598/FUL - 275 Laburnum Grove, Portsmouth PO2 0EY (AI 10)

Change of use from 6-bed/6-person house in multiple occupation to 7-bed/7- person house in multiple occupation

The Assistant Director for Economy, Planning and Transport, introduced the report.

There were no deputations.

Members' questions

In response to questions, the Assistant Director for Economy, Planning and Transport explained the guidance states that if all bedrooms do not exceed 10m², the required standard for the communal area would be 34m².

Members' comments

Members felt that the as all not all bedrooms are 10m2 therefore it does not benefit from the reduction of communal space and is therefore below the 34m2 requirement and therefore the application should be refused. the Assistant Director for Economy, Planning advised that bedroom 7 is existing and has been consented by this planning authority to be a bedroom been used as a bedroom. The communal area is a generous size.

Another member felt that the living area was very narrow and the usability of this would be lower than the numbers suggesting.

The vote was tied and the decision was made on the Chair's casting vote:

RESOLVED

- (1) That the proposal is considered to be a development requiring planning permission due to intensification of use, density of HMOs in the area and amenity impact upon neighbouring residents including parking, environmental and anti-social behaviour.**
- (2) That the application be refused for the following reason.
The proposal by virtue of the provision of insufficient communal living space will fail to result in an acceptable living environment for future residents contrary to Policy PCS23 of the Portsmouth Plan.**

127. 23/01181/FUL - 101 Oxford Road, Southsea PO5 1NP (AI 11)

Change of use from a 6-bed/6-person house in multiple occupation to a 7- bed/7- person house in multiple occupation (resubmission of 22/00963/FUL)

The Assistant Director for Economy, Planning and Transport, introduced the report.

There were no deputations.

Members' questions

There were no questions.

Members' comments

Members felt that this property had good space on the ground floor. Members wanted to add conditions relating to the provision of bicycle storage facilities and a condition stating that no more than 7 residents shall occupy the HMO at any one time.

RESOLVED

- 1) That the proposal is considered to be a development requiring planning permission due to intensification of use, density of HMOs in the area, and amenity impact upon neighbouring residents including parking, environmental anti-social behaviour.**
- (2) To grant Conditional Planning Permission subject to the imposition of conditions requiring implementation of the additional occupancy within 3- years (a time limit condition), requiring the development to be carried out in accordance with plans submitted (an Approved Plans condition), the provision of bicycle storage facilities (cycle storage condition), occupancy condition**

stating that no more than 7 residents shall occupy the HMO at any one time, and requiring that increased occupancy should not occur until an appropriate scheme of mitigation is submitted and approved to mitigate any impact on the Solent Special Protection Area.

128. 24/00583/FUL - 44 Percival Road, Portsmouth PO2 7RX (AI 12)

Change of use from 6 person/6 bedroom house in multiple occupation to 7 person/7 bedroom house in multiple occupation.

The Assistant Director for Economy, Planning and Transport, introduced the report and drew attention to the supplementary matters list.

There were no deputations.

Members' questions

There were no questions.

Members' comments

There were no comments.

RESOLVED

1) That the proposal is considered to be a development requiring planning permission due to intensification of use, density of HMOs in the area, and amenity impact upon neighbouring residents including parking, environmental anti-social behaviour.

(2) To grant Conditional Planning Permission subject to the imposition of conditions requiring implementation of the additional occupancy within 3-years (a time limit condition), requiring the development to be carried out in accordance with plans submitted (an Approved Plans condition), and requiring that increased occupancy should not occur until an appropriate scheme of mitigation is submitted and approved to mitigate any impact on the Solent Special Protection Area.

The meeting concluded at 12.58 pm.

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Signed by the Chair of the meeting
Councillor Gerald Vernon-Jackson CBE