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## PLANNING COMMITTEE

MINUTES OF THE MEETING of the Planning Committee held on Wednesday, 2 October 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)  
Judith Smyth (Vice-Chair)  
Chris Attwell  
Peter Candlish  
Matthew Cordy  
Nicholas Dorrington  
Hugh Mason  
Derek North  
Mary Valley

Ward Councillors George Madgwick (Minute no 132), Chris Attwell (Minute no 133) and Lee Hunt (Minute no 135) were present to address the Committee on applications indicated by the minute number.

The Chair changed the running order with 57 Queens Road, being heard before 85 Copnor Road but for ease of reference the minutes will remain in the order as presented on the agenda.

### 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.

### 129. Apologies (AI 1)

Apologies had been received from Councillor Asghar Shah.

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

For transparency, Councillor Chris Attwell declared that as he would be giving a deputation on agenda item 5, 24 Sussex Road, he would leave the meeting following his deputation and would take no part in the decision as he had already formed a view on the application.

### 131. Minutes of previous meeting held on 11 September 2024 (AI 3)

**RESOLVED** that the minutes of the Planning Committee meeting held on 11 September 2024 be agreed as a correct record.

Planning Applications

The Supplementary Matters report (SMAT) is on the Council's website at [Supplementary Matters Report 2 October 2024](#)

Deputations (which are not minuted) can be viewed on the webcast at [Webcast Planning Committee 2 October 2024](#)

**132. 23/00514/OUT - Site of 140 Southampton Road, Portsmouth (AI 4)**

The Development Management Lead introduced the report which was an outline application for the construction of a four-storey building comprising up to 27 retirement apartments (principles of access, scale and design to be considered). He drew Members' attention to the Supplementary Matters Report.

Deputations

Deputations were made by Liam Watford (Agent) in support of the application, Danielle Lombard (objecting) and Helen Potter (objecting).

Members' questions

In response to Members' questions, the planning officer provided the following information as clarification:

- There was no condition stating the development was for retirement living only. The officer expanded significantly on his answer noting the information that had been provided by the applicant was very limited although the application stated it was for retirement living which typically leads to occupants giving up their cars as they grow older. He noted National guidance gives four categories of specialist housing for the elderly and considered this application would fall into the first category which was defined as for 55 years plus with some element of shared amenities.
- The different shadow lengths provided by the building during different times of the year was considered in more detail by reference to the plans.
- The affordable housing cost of £550k had been worked out carefully and appropriately by the Affordable Housing Officer. The sum of money would be spent in different ways having been pooled with other affordable housing sums from other schemes, such as providing improvements to existing affordable housing.
- The parking standards SPD, for this type of category one retirement living allows for 1 space per 2 units, so 13.5 spaces plus one for resident staff (of which there were none), 0.5 for non-resident staff (for which no figure had been provided) and 10% for visitor parking - around 17 parking spaces.
- No communal spaces or somewhere for visitors to stay had been included in the application plans.
- There were no parking spaces for electric vehicles or ambulance space, but this was not a planning requirement.

- The building would be red brick with some areas of buff brick on the side elevations and the roof would be clad in a grey type of material. The officer was unsure whether the windows would be UPVC or aluminium framed.
- The planning agent and Environment Agency had been in discussion about the potential flooding risks on the low-lying area. The solution had been to raise the levels at the ground floor by about 590mm out of the danger area. This had not raised the whole building, as each floor to ceiling height within the building had been squeezed lower by about 20cm. No bedroom accommodation would be allowed on the ground floor were it too low, but this change had raised the ground floor up to the required level.
- The 13 parking spaces were of standard size and would need some adjustment to be suitable for wheelchair access should that be required.
- Should the staff rooms later be converted to an additional flat it would require separate permission. The current application was for up to 27 flats and that was the amount shown on the plans.

#### Members' Comments

Members made the following observations:

- The staffing accommodation did not provide for any overnight stay of staff which would change the category of retirement accommodation.
- The application plans were giving mixed messages as to what type of accommodation was being provided.
- There was not sufficient parking provided which would lead to overspill into the local area. The amount of parking required would depend on the type of retirement accommodation it was which was not clear.
- A recommendation was made to either defer the application to seek clarity on what kind of retirement accommodation it was and how that related to the parking requirements, parking need and staffing accommodation or to refuse.
- Another motion was put to refuse the application as it did not meet the standards required. This was seconded.

The officer clarified the difference between a deferral and refusal.

**RESOLVED that the application be refused on the following grounds:**

- 1. The lack of communal facilities in accordance with PCS23.**
- 2. Inadequate parking provision.**
- 3. The lack of a legal agreement for affordable housing.**
- 4. The lack of a legal agreement for mitigation for the Solent Special Protection Area.**

**133. 24/00671/HOU - 24 Sussex Road, Southsea PO5 3EX (AI 5)**

The Development Management Lead introduced the report which was for the construction of two-storey workshop ancillary to 24 Sussex Road (following demolition of garage 22-22a Sussex Road) with changes to boundary treatments. He drew Members' attention to the Supplementary Matters Report.

Deputations

Deputations were made by Chris Amster (for agent) and Steve Chafer (applicant) in support of the application, Rod Ward, Pete Fitzpatrick and Richard Lacey (objecting).

Members' Questions

In response to Members' questions, the planning officer provided the following information as clarification:

- Any business use of the existing or replacement building would require planning permission for change of use from residential to a business class use.
- Should the building be used for business purposes, it would depend on the degree of use and whether it could still be classed as ancillary to the residential property to determine whether a change of use requiring planning permission had occurred. Use of an outbuilding as a home office, for example, was reasonably common and may not constitute change of use, depending on the circumstances. Any concerns reported would be investigated which could lead to a retrospective planning application or enforcement action depending on the facts.
- The principal elements of the application were the demolition and replacement of the building and the replacement of the gates but it was all as one application to be decided on, not two as suggested.
- Timber gates painted black were a traditional feature with similar gates already installed further down the street on other properties.

Members' comments

Members made the following observations:

- A conservation area is made up of a variety of different buildings that reflect its history and anything to be demolished or replaced needs to enhance and preserve the area. The responsibility is not just to the current users/owners but also to future users/owners. The replacement building was considered to be of inappropriate design, colour, textures and materials which would reduce the quality of the conservation area and the demolition should not be approved.
- Conversely, it was also considered that the new building would enhance the street scene and whilst the building to be demolished was an historic building on the same footprint of the original building from the 1800s, it was a run-down old

garage which did not enhance the conservation area. The new building was considered a well-designed, well thought out matching building, appropriate for the area which would improve the street scene giving the impression of a well-cared for area.

- There was some concern about the heavy black timber gates being proposed and were not considered appropriate for the area.

The Development Management Lead noted there had been some incorrect references to the conservation area guidelines stating if a building was deemed to have a positive contribution it should not be demolished. The reference appeared to have come from the appendix to the conservation area guidelines which were an extract from the superseded local plan 2001 -11. The current guidelines did not entirely rule out a demolition.

He stressed that an application cannot be determined in fear of what owners may or may not do with a building once approved.

He stressed that if Members were concerned about the appearance of the gates, rather than refusing the application, a condition could be added in relation to the materials and/or colour.

**RESOLVED that the application be refused due to the loss of a historic building and the replacement of that building with a building that is modern and inappropriate for the street scene in a conservation area.**

The Committee adjourned at 13:17 and recommenced at 13:34.

The Chair, Councillor Gerald Vernon-Jackson left the meeting at 13:26 - Councillor Judith Smyth then took over the Chair as Vice-Chair of the Committee.

Cllr Derek North left during the break and Cllr Raymond Dent attended as his standing deputy. Councillor Dent had no declarations of interest.

#### **134. 23/01397/HOU - 12 Burbidge Grove, Southsea, PO4 9RR (AI 6)**

The Development Management Lead introduced the report which was for the construction of a single storey rear extension (following removal of the conservatory) and installation of a trio of rooflights to front.

##### Deputations

Deputations were made by Ursula Spraggs and Julian Childs (both objecting).

##### Members' questions

In response to Members' questions, the planning officer provided the following information as clarification:

- The widely accepted norm in town and country planning, for floor to window cill height is 1.7m.
- The development would allow looking out across the reasonably wide street, which provides approximately 16 metres between building faces.

- For planning purposes, it doesn't matter if they are called rooflights or a window. Rooflights fits better as they are in the roof and on the same plane as the roof.
- Rooflights are set further back and slightly further away than a window in a first floor bedroom but materially would not afford much difference in outlook.

#### Members' comments

Members considered the street scene contained a variety of rooflights and dormer windows both at the front and sides of the houses, so the application was not abnormal.

**RESOLVED to grant conditional permission subject to the following conditions - Time Limit, Approved Plans, Matching Materials & Central Pivot of Front Rooflights.**

#### **135. 24/00780/FUL - 85 Copnor Road, Portsmouth PO3 5AB (AI 7)**

The Development Management Lead, introduced the report which was for the change of use from a dwellinghouse (Class C3) to a 8-bed/8-person house in multiple occupation. He drew Members' attention to the Supplementary Matters Report.

#### Deputations

Deputations were made by Carianne Wells (agent) in support of the application, Ellie Magri (objecting) and Councillor Lee Hunt, on behalf of Tracey James (objecting).

#### Members' questions

In response to Members' questions, the planning officer provided the following information as clarification:

- The case officer had checked the data in relation to the number of HMOs in the area and was confident the information was correct.
- The practicalities of the building process such as party wall issues, were not a matter for the planning department. The agent offered to speak with the neighbour in relation to any problems.
- Any parking issues were a matter for the City Council parking enforcement team to deal with.
- The officer was confident that the room measurements were accurate.

#### Members' Comments

Members made the following observations:

- It was noted that any issues with building works affecting the party wall could be reported to the Building Control Partnership in Fareham would send out a building surveyor.
- The 8 bed HMO was an overdevelopment with very tight room sizes. It was considered the quality of life for the residents may be compromised.

- In the surrounding area, 10 or 12 of the properties had been converted into flats and there was very limited parking in the area.

**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 nitrates) by securing the payment of a financial contribution and conditions.
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 and Economic Growth to refuse planning permission if a Legal Agreement has not been satisfactorily completed within three months of the date of this resolution.

**136. 24/00799/FUL - 57 Queens Road, Fratton, Portsmouth PO2 7LT (AI 8)**

The Development Management Lead, introduced the report which was for change of use from a Class C3 dwellinghouse to a 7-bed/7-person house in multiple occupation. He drew Members' attention to the Supplementary Matters Report.

Deputations

A deputation was made by Carianne Wells (Agent) in support of the application.

Members' questions

In response to Members' questions, the planning officer provided the following information as clarification:

- It was possible to add a condition that should the garage be retained it should be retained for uses ancillary to the property - for example, bin or cycle storage.
- There had been no suggestions as to the use of the extra room in the basement.
- The applicant could apply, in the future, to turn the basement cinema room into a bedroom and that would be assessed on its own merits at that time.

Members' comments

Members observed this was a sizeable, spacious house, with 2 - 3 parking spaces, rooms in excess of guidelines with some en-suites, good communal areas, a good size garden and plenty of room for bikes.

**RESOLVED subject to the updates in the SMAT:**

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 nitrates) by securing the payment of a financial contribution and conditions.
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 and Economic Growth to refuse planning permission if a Legal Agreement had not been satisfactorily completed by or on 9<sup>th</sup> October 2024.

**137. 24/00871/FUL - 10 Manchester Road, Portsmouth PO1 5ED (AI 9)**

The Development Management Lead, introduced the report which was for change of use from a dwellinghouse (Class C3) to purposes falling within Class C3 (dwellinghouse) or Class C4 (house in multiple occupation). He drew Members' attention to the Supplementary Matters Report.

Deputations

A deputation was made by Nick Rowe (applicant) in support of the application.

Members' questions

In response to Members' questions, the planning officer provided the following information as clarification:

- The standard for the communal living space in a 6 bedroom HMO was 34 square meters and 24 square meters for a 5 bedroom HMO.
- Should the dining room be converted to a 6<sup>th</sup> bedroom, resulting in communal space that was not up to standards, the matter would be investigated under enforcement powers by planning and licensing.
- Bin storage would depend on the size of bin and could be a material consideration for the members to take into account.

Members' comments

Members made the following observations:

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- The standard of the application was not great and would attract low end clientele and falling into disrepair very quickly.
- It was considered it may turn into a 6 bed HMO although the application was only for 5 bedrooms and there were no germane facts to reject the application.

**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 nitrates) by securing the payment of a financial contribution and conditions.**

- 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 and Economic Growth to refuse planning permission if a legal agreement had not been satisfactorily completed by or on 9<sup>th</sup> October 2024.**

**138. 24/00292/FUL - 80 Chichester Road, Portsmouth PO2 0AH (AI 10)**

The Development Management Lead, introduced the report which was for change of use from a 6-bed/6-person house in multiple occupation to a 7-bed/7-person house in multiple occupation. He drew Members' attention to the Supplementary Matters Report.

Deputation

A deputation was made by Carianne Wells (Applecore PDM Ltd) in support of the application.

Members first considered if the application required planning permission. They considered it was a development requiring planning permission due to the amenity impact on neighbour residents including parking, and the density of HMOs in the area which would result in an inadequate standard of living for the residents.

Members' questions

There were no questions.

Members's comments

Members observed that the application met all the requirements, was completed to a high standard and would attract a good clientele with a good standard of living.

**RESOLVED that:**

- 1. Planning permission is required for this development due to the amenity impact on neighbouring residents including parking, and the density of HMOs in the area which would result in an inadequate standard of living for the residents.**
- 2. To grant condition permission with conditions to address: Time Limit, Approved Plans, Water Efficiency, Cycle Storage and completion of a legal agreement 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 financial contributions.**

Councillor Nick Dorrington left the committee at 15:15

**139. 24/00854/FUL - 87 Chichester Road, Portsmouth PO2 0AG (AI 11)**

The Development Management Lead, introduced the report which was for change of use from a Class C3 dwellinghouse to a 7-bed/7-person house in multiple occupation and construction of rear extension. He drew Members' attention to the Supplementary Matters Report.

Deputations

Deputations were made by Carianne Wells (agent) in support of the application and Councillor Lee Hunt.

Members' questions

In response to Members' questions, the planning officer provided the following information as clarification:

- A condition could be added to require the proposed side rear extension is built before the HMO could come into operation.

Members' comments

Members considered it a good size house which was well equipped and could see no reason not 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) 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.**
- 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 and Economic Growth to refuse planning permission if a Legal Agreement has not been satisfactorily completed by or on 14<sup>th</sup> October 2024.**

The meeting concluded at 3.27 pm.

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