

PLANNING COMMITTEE

MINUTES OF THE PLANNING COMMITTEE held on Wednesday 17 July 2013 in the Executive Meeting Room, floor 3, The Guildhall, Portsmouth.

(NB These minutes should be read in conjunction with the agenda and associated papers for the meeting.)

Present

Councillors David Fuller (Chair)
Les Stevens (Vice Chair)
Ken Ellcome
John Ferrett (left at 5.25pm)
Margaret Foster
Jacqui Hancock
Darron Phillips
Sandra Stockdale
Luke Stubbs (Standing Deputy) (left at 6.40)
April Windebank (Standing Deputy)

Welcome and Fire Procedure

The chair welcomed members of the public to the meeting and explained the Guildhall fire evacuation procedures.

84 Apologies for Absence (AI 1)

These had been received from Councillor Frank Jonas (who was represented by Standing Deputy Councillor April Windebank) and Councillor Rob New (who was represented by Councillor Luke Stubbs).

85 Members' Interests (AI 2)

Councillor Luke Stubbs declared a prejudicial interest in main agenda item 6 relating to South Parade Pier and would be speaking on this as a resident rather than as a councillor and then withdraw from the room as he lived near the site. He also lived near the site of the Royal Beach Hotel (report item 3) so made a declaration of interest that could be prejudicial and would also withdraw from the room during discussion of this item.

Councillor Sandra Stockdale made a non-prejudicial interest in report item 7 regarding 130-136 Elm Grove when there was mention of international students in that her husband was a lecturer. This was not felt to be prejudicial.

86 Minutes of the Planning Committee Meeting held on 19 June 2013 (AI 3)

(TAKE IN MINUTES)

RESOLVED that the minutes of the Planning Committee meeting held on 19 June 2013 be agreed as a correct record and signed by the chair.

87 Updates provided by the City Development Manager on previous planning applications (AI 4)

The City Development Manager gave an update regarding the two applications relating to Tipner at the last meeting for which delegated authority had been given to officers to add conditions and these had been added regarding recreational mitigation and the controlling of waters. She confirmed that the RSPB had been written to to inform them of the Section 106 agreement and to inform them of the conditions attached to the permissions.

88 Enforcement appeal decision at 8 Tipner Green, Portsmouth (AI 5) (Information Report)

(TAKE IN REPORT BY CITY DEVELOPMENT MANAGER)

RESOLVED that the report be noted.

89 South Parade Pier - Expediency of enforcement action in relation to replacement of bull nose profile to edge of pier (AI 6)

(TAKE IN REPORT BY CITY DEVELOPMENT MANAGER)

The City Development Manager's supplementary matters report advised that Councillors Terry Hall and Matthew Winnington were unable to attend the committee meeting due to previous engagements but had expressed that they were in agreement with the recommendation to serve a listed building enforcement notice requiring the specified work to be carried out satisfactorily within three months. The chairman asked the deputations to keep their representations confined to the matters contained within the City Development Manager's report regarding the proposed enforcement action.

Deputations were then made firstly by Mr Reiss and Mr Higgins both supporting the officer's recommendation and representing the views of East Southsea Neighbourhood Forum asking that enforcement action be taken as this was essential to ensure that a satisfactory replacement bull nose profile be provided to the edge of the pier. They also asked that the notice be legally enforceable on the owners and directors of the pier and that monthly progress updates be provided on the work. Mr Luke Stubbs then made a deputation (as an individual and not as a councillor) asking that works be undertaken to a high standard. He then withdrew from the room during discussion of this item. A deputation was then made by Mr Nash (supported by Mrs Randall) representing the directors of the company that run and own the pier whose points included that they were waiting for an officer's visit to discuss the works and were happy to comply with the requirement to provide a suitable replacement so they did not wish to be in legal conflict with the city council and they wished to open the pier to the public and were having the works undertaken by a specialist firm.

Members of the committee then asked questions regarding the need for enforcement action and the reasonableness of the timescale and the City Development Manager confirmed that the notice if approved would be served on the correct people and would require works to be completed within three

months of service and the legal adviser advised that the conservation officer was giving advice on the type of work being undertaken and if this resulted in a variance to the resolution of a three months' timescale, the committee would be updated. Members of the committee hoped that negotiations would continue between officers and the owners but felt that enforcement action would be proportionate in this case.

RESOLVED (1) that the owners of the pier are allowed a period of not more than three months to undertake works to the South Parade Pier which will provide a satisfactory replacement for the bullnose feature;

(2) to ensure that the works are completed in not more than three months it is considered expedient to issue and serve a Listed Building Enforcement Notice, which is authorised by the committee, requiring the replacement of the removed bullnose feature.

Planning Applications

- 90 13/00504/HOU - Cecil House, Peacock Lane, Old Portsmouth - Construction of single storey infill extension to front elevation, external alterations to include new door and window, alterations to parapet wall and installation of up to 1.1m high railings fronting Peacock Lane (Report Item 1)**

The City Development Manager's supplementary matters report advised that although initially described as uPVC the proposed windows were actually anodised aluminium as are the existing windows.

A deputation was made by Mrs Pottinger, the applicant in support of the application whose points included:

- The family need to improve the use of limited space.
- The better façade and improved visual amenity of the frontage and streetscene.
- The existing parking space was sub-standard and hard to use.

Members' Questions

Questions were raised regarding the corresponding listed building consent application which had now been received, and the inspector's decision regarding the car park space and it was confirmed that the space was 4.45m whereas these were usually nearer 6m.

Members' Comments

Members felt that the application improved the streetscene.

RESOLVED that conditional permission be granted as per the conditions outlined in the City Development Manager's report.

91 13/00518/FUL - Church Hall, 151 Fawcett Road & 3 Heyward Road, Southsea - Construction of part 3/4 storey building to form student halls of residence with 41 study/bedrooms; doctor surgery & pharmacy shop on ground floor & part basement (Report Item 2)

The City Development Manager's supplementary matters report advised that an additional objection has been received from a local resident on the grounds that the proposal will exacerbate existing parking problems in the locality.

An additional objection has been received from a local resident on the grounds that the proposal will exacerbate existing parking problems in the locality.

A further representation has been received from a previous objector reiterating their objection to the lack of parking and impact this would have on existing parking problems and suggesting parking should be incorporated into the development and providing cycle storage facilities is pointless as they do not get used.

Comments have been received from the Highway Engineer noting the restricted availability of on-street parking in Fawcett and Hayward Roads and an apparent increase in demand for on-street following the introduction of the residents' only parking in streets to the north. Having regard to the previous appeal decisions relating to the site the Highways Engineer raised no objection to this mixed use proposal as a car free development subject to the provision of cycle storage.

Deputations were then made firstly by Miss Barber objecting to the proposal whose points included:

- It was cramped and overcrowded accommodation which would have an impact on the area.
- The application for the development was too high whereas there are two storey buildings in the locality.
- There are already problems of an anti-social behaviour nature at Embassy Court.
- There would be an impact on parking as this was near a parking permit zone.
- It would be hard to implement students' usage of the accommodation without bringing cars.

A deputation was then made by Mr Kennedy, also objecting to the scheme whose points included

- The already changed nature of the area with the extension of the school at Hayward Road.

- Traffic chaos could be caused in the road by blue badge holders parking and by the deliveries of large lorries.
- The high number of students parking in the local roads.
- Water pressure and water treatment problems in the Southsea area.

A deputation was then made by ward Councillor Lee Hunt objecting to the proposal whose points included:

- The planning inspector had agreed with the committee's previous refusal and had not ordered costs against the city council at a recent appeal.
- Central Southsea is already the most densely populated part of the city. Further student accommodation was not wanted by residents in this area due to the impact of parking on the streets.
- It was the wrong application for the site and the symmetry of the development was wrong.

Members' Questions

Questions were asked regarding the design changes to the scheme previously granted in 2011 and regarding the university's recent application for their student accommodation, parking use for the doctor's surgery, the adequacy of cycle storage and servicing of the pharmacy.

Members' Comments

Comments were made regarding the overbearing nature of the development, the relationship of this application to the scheme previously permitted and the insufficient parking and cycle storage within the application.

RESOLVED that permission be refused for the following reasons:

- 1) The proposal would, by virtue of its inappropriate scale and appearance, represent an overdevelopment of the site which would not complement or enhance the established character and appearance of the locality. The proposal is therefore contrary to the principles of good design set out in the National Planning Policy Framework and policy PCS23 of the Portsmouth Plan.**
- 2) The proposed development makes insufficient provision for the parking of vehicles and cycles and is therefore contrary to policies PCS17 and PCS23 of the Portsmouth Plan.**

92 10/00194/FULR - The Royal Beach Hotel (East Wing), St Helens Parade, Southsea - Renewal of permission A*16676/AH to convert East Wing to form 9 maisonettes & 31 flats including construction of mansard roof to form additional floor & external alterations (after demolition of side (west) extension & removal of bar frontage) (Report Item 3)

Councillor Luke Stubbs reminded members of his declared interest and left the room so did not take part in discussion of this item.

The City Development Manager's supplementary matters report advised that an email had been received from Councillor Terry Hall who had commented "The issues I raised have either been addressed in the report or have been rendered less relevant either through the passage of time, the changes in policies or the lapse of the outline permission for the north-west part of the site.

I would however request that the application should be considered by the planning committee due to the prominent position of the building on a landmark seafront site."

A deputation was made by Mr Heppell, the applicant's agent in support of the application whose points included

- These would be quality apartments to add to the city's housing stock.
- There was already permission for 46 flats.
- The changes had been made to ensure sustainable homes standard of accommodation.
- There was a proportion of three bed units to ensure family housing.
- There was a commitment to Section 106 and CIL agreements.

RESOLVED that conditional permission be granted subject to the conditions outlined in the City Development Manager's report.

93 13/00491/FUL - 230-232 Havant Road, Portsmouth - Change of use from shop (Class A1) to a restaurant (Class A3); external alterations to include installation of extract flue to rear elevation (Report Item 4)

There were no deputation requests regarding this item which was therefore taken near the end of the meeting. (Councillor Stubbs left the meeting at 6.40 pm so was not present for discussion of report items 4 and 5.)

Questions were asked by members regarding the treatment of odours and it was confirmed that a condition required details of extract equipment to be submitted.

RESOLVED that conditional permission be granted subject to the conditions outlined in the City Development Manager's report.

- 94 **13/00492/ADV - 230-232 Havant Road, Portsmouth - Display of illuminated fascia sign to front elevation (Report Item 5)**

RESOLVED that conditional consent be granted subject to the conditions outlined in the City Development Manager's report.

- 95 **13/00297/REM - West Wing & Maternity Block, St Mary's Hospital, Milton Road, Portsmouth - Construction of 33no 3-storey houses, 157no 2-storey houses and 1no 2-storey coach house with associated walls/fences, estate roads and car parking/garages; provision of public open space; vehicular access from Rodney Road and Milton Road; and landscaping works (Reserved Matters) (Report Item 6)**

A deputation was made by Mr Heppell, the applicant's agent in support of the application whose points included:

- The application for the care home would follow.
- There had been no objections from statutory consultees or local residents.
- There was an access path within the Section 106 agreement.
- There would be use of local labour for the scheme.
- Local residents would be informed of progress on site.
- There was an attractive landscape setting and planting of 144 new trees.

Members' Questions

Members asked regarding the discouragement of "rat running" by motorists and whether there would be traffic calming on the site and felt it would be beneficial to have the Highways Engineer present at the meeting; it was advised that the Highways Engineer had commented that there would be discouragement of this rat running through the layout making it difficult and the raised tables of the road.

Members' Comments

Members welcomed the scheme for houses rather than flats at this site and their only concern was regarding the possible traffic implications with other people accessing the development to avoid main roads.

RESOLVED that conditional approval be granted subject to conditions outlined within the City Development Manager's report.

96 13/00442/FUL - 130-136 Elm Grove, Southsea - Conversion of existing offices and health drop-in centre (D1) to form halls of residence within Class C1 (comprising 58 study bedrooms arranged as 13 cluster flats); alterations to external glazing and cladding, construction of cycle and bin stores with associated landscaping (Report Item 7)

The City Development Manager's supplementary matters report advised that one additional objection had been received from the occupier of a neighbouring property on the grounds that the proposal would lead to increased demand for parking in the surrounding streets.

Deputations were made by the following:

Mrs Stewart, objecting to the proposal whose points included:

- Over-cramming of the proposal and the effect on the amenity of local residents.
- Concentration of properties for students when there is already student accommodation which was causing problems at the previous Elm Grove library in the area.
- Concerns regarding noise and overlooking of gardens of families.
- The lack of car parking spaces on site.

A deputation was then made by Ms Brown on behalf of the applicant whose points included:

- The company had undertaken public consultation and she outlined how issues of noise and disturbance were dealt with through the management procedures.
- The Elm Grove library redevelopment had been for international students which was unique and more challenging for the management.
- The company met with tenants to remind them of their tenancy obligations and with the university and do have a 24 hour call handling service for residents to report any disturbances.
- There had been amendments to the plans and design to incorporate some parking and cycling storage.

A deputation was then made by Councillor Jason Fazackarley as Cabinet Member for Traffic & Transportation whose points included the adverse impact on parking in the local area and the negative impact on quality of life of local residents due to the displacement of parking in the area and high demand already experienced due to the high concentration of students in the area.

Councillor Mike Andrewes then spoke as a ward councillor objecting to the proposal whose main concerns were issues of noise and the overlooking of residents and the high intensity of use with low space standards for the students and the height of the building by the conservation areas. He was also concerned regarding noise emitted from the property and suggested consideration of frosted glass.

Members' Questions

It was asked if there was any smoking area provided which there was not, regarding the number of cycle spaces (22), the waste storage provision on site and how the out of hours telephone service worked to ensure that the management company responded to residents' concerns.

Members' Comments

Members were concerned that the parking, cycle and refuse storage was insufficient. It was appreciated there was a need for student accommodation but felt that this was not necessarily a suitable site. The City Development Manager undertook to have a dialogue with the University of Portsmouth regarding their accommodation strategy for the city and report back to members on this.

RESOLVED that the application be refused for the following reasons:

1) The proposed conversion would, by reason of its over-intensive nature, give rise to an unacceptable level of noise and disturbance harmful to the residential amenities of the occupiers of neighbouring residential properties. Furthermore the proposed alterations to the building would fail to complement or enhance the appearance of existing building. The proposal is therefore contrary to policy PCS23 of the Portsmouth Plan.

2) The proposal fails to make adequate provision for the storage of cycles and refuse/recyclable storage contrary to policy PCS23 of the Portsmouth Plan.

(Councillor Ferrett left the meeting at this point.)

- 97 13/00552/OUT - Darby House, Skye Close, Portsmouth - Outline application for the construction of 8 dwelling houses with associated car parking to include new access for Children's Home from Skye Close (after demolition of existing building) (principles of access and layout to be considered) (Report Item 8)**

The City Development Manager's supplementary matters report advised of two further objections that had been received from the residents of Skye Close relating to the impact of road alteration on a protected tree in grassed area opposite the site; the impact of lights from vehicles using proposed new accesses; the exacerbation of existing parking problems; and the proposed access arrangements being unsafe and impractical. A further objection has been received from the occupiers of a property within Heights estate objecting to the loss of the protected trees within the site.

Two representations had been received from the occupiers of properties in Orkney Road supporting the application.

A written submission on behalf of the residents of Skye Close objecting to this application had been received and was appended to the Supplementary Matters List.

Deputations were then heard firstly from Mr Ironmonger whose points included:

- The Skye Close residents felt this was the wrong application and there had been problems with the clients of the children's home and the staff would not be able to see what the children were doing due to the sight lines.
- Skye Close was used as a play area and the new access would cause problems with sight lines here with visitors exiting the home not being able to see children playing therefore this was not the best solution.

A deputation was then made by Mrs England also of Skye Close whose points included

- Nothing had changed since the application had been heard two years ago.
- This road was narrow and difficult to use.
- There would be damage to trees covered by tree preservation orders.
- The children's home clients would use this as a hiding place.
- This would change the nature of the close.

A deputation was then made by Mrs Bromly of Orkney Road representing the Heights Residents' Association and Mr Brian Sandy who welcomed the development and looked forward to the run down site being improved. She circulated a hand-out from Mr Sandy and countered the points made regarding the sight lines and felt that access here was the safest option.

Members' Questions

Members were mindful that there was another application with a different layout but the officers advised that each application had to be considered independently as there was no formal connection between the two applications. Members asked questions regarding the routes of the footpaths.

Members' Comments

Members were concerned regarding the location of the car park and for some anti-social problems associated with it and the effect on the amenity of local residents.

RESOLVED that permission be refused for the following reasons:

The proposal would, by reason of the siting of the car parking area to serve the adjacent children's home, be likely to give rise to an unacceptable level of noise and disturbance harmful to the residential amenities of the occupiers of neighbouring residential properties. The proposal is therefore contrary to policy PCS23 of the Portsmouth Plan.

(Post meeting note - the application was withdrawn by the applicant after the committee meeting).

98 13/00553/OUT - Darby House, Skye Close, Portsmouth - Outline application for the construction of 8 dwelling houses with associated car parking to include new access for Children's Home from Orkney Road (after demolition of existing building) (principles of access and layout to be considered) (Report Item 9)

The City Development Manager's supplementary matters report advised of three representations received from residents of Skye Close in support of the application.

Seven additional objections have been received from residents of 'The Heights' estate on the grounds that the proposed access to Orkney Road is too close to a bend in the road and would be dangerous and to the loss of protected trees within the site.

A written submission on behalf of the residents of Skye close in support of this application has been received and was appended to the Supplementary Matters List.

Deputations were then made firstly by Mrs Bromly objecting to this proposal as whilst the residents' association welcomed the development they objected to this location as felt it was a sharp and blind bend which would be unsafe and there would be danger caused by vehicles accessing and egressing.

Deputations were then made supporting the application by Mr Ironmonger and Mrs England whose points included:

- This provided a safer access arrangement
- Clients could be seen from the home.
- There would be less disturbance to local residents by this layout and the Orkney Road residents already had adequate parking.
- A provision of a gate at the back of the home would be advantageous.
- The Highways Engineer had commented that this was a safe option.
- They welcomed the development of the eyesore site.

Members' Questions

Questions were asked regarding the car parking spaces on Orkney Road and whether this would affect the entrance to the site.

Members' Comments

Members welcomed the redevelopment of the site and with some concerns regarding the issue of the car parking spaces and the safety of accessing and egressing the site.

RESOLVED that subject to completion of a Section 106 agreement to secure a financial contribution in lieu of provision of two units of affordable housing (on site or on an alternative site), conditional outline permission was granted.

99 13/00525/FUL - 8 Surrey Street, Portsmouth - Construction of part 16-18 storey 228-bedroom hotel (Class C1) of up to 13,190sqm of gross floor space fronting Station Street (Report Item 10)

The City Development Manager's supplementary matters report advised that amended plans had been received dealing with sustainable design and construction (where cycle parking forms a component of this); as a consequence, conditions 2 (plan numbers) and 16 (minimum score of 65 in the Building Research Establishment's Environmental Assessment Method - BREEAM - including two credits in issue ENE 05 and two credits in issue TRA 03, rather than 'Excellent') requires updating to reflect the amendments.

A letter of support had been received from the applicant/development team and is attached as an Appendix.

The recommendation remained unchanged, subject to updating of conditions 2 (plan numbers) and 16 (minimum BREEAM requirements).

A deputation was made by Mr Tennant, the applicant's agent in support of the application whose points included:

- The revision to the previous hotel scheme of 2008/2009 due to the change in economic position and this reflected the hotel market with more services in each room and a contemporary look and this was a new hotel brand which was expanding throughout the UK.
- They would hope to open the hotel in July 2015 and this would provide local jobs.
- The design had been well received by the local panels.
- They were meeting policy objectives of providing hotel beds in the city.
- This was a landmark development which would revitalise the city centre.

Members' Questions

Questions were raised regarding the non-provision of car parking on site and the arrangements with local car parks, and also regarding the service entry via Surrey Street. Questions were also asked regarding the maintenance provisions for the building and this could be added as a condition to request details.

Members' Comments

Comments were made regarding the design of the building.

RESOLVED (1) that subject to the applicants first entering into a Section 106 Agreement, for (a) use only has an hotel in Class C1 and not for flats (Class C3) and restrict period for same person to occupy any suite/guest room; (b) prepare and implement Employment and Skills plans (to help develop resident workforce skills and provide a route to employment for local people) before development commences; (c) prepare, implement and monitor a Travel Plan: with submission of contact details of the Travel Plan Coordinator and identification of interim targets upon first use of the hotel to be submitted and agreed in writing by the Local Planning Authority, baseline travel survey to be undertaken within 6 months of first use of the hotel, and submission of the Travel Plan within 12 months of first use of the hotel to be submitted and agreed in writing by the Local Planning Authority (for assessment/ monitoring of achievement of the targets) and thereafter monitored in accordance with surveys in years 3 and 5 (with monitoring fees of £5,500, to cover a 5 year period, payable upon submission of the details of the Travel Plan Coordinator/interim targets when the hotel is first brought into use); (d) project management fee of £1,000 payable upon implementation of planning permission, grant Conditional Permission

(2) that delegated authority be granted to the City Development Manager to refuse planning permission if the legal agreement has not been completed within three months of the date of the resolution

The meeting concluded at 6.50pm

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Chair
Councillor David Fuller

JW/DMF
15 July 2013
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