

## **PLANNING COMMITTEE**

MINUTES OF THE MEETING of the Planning Committee held on Wednesday, 11 February 2015 at 5.00 pm in The Executive Meeting Room - Third Floor, The Guildhall

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

### **Present**

Councillors Aiden Gray (Chair)  
Frank Jonas (Vice-Chair)  
Ken Ellcome  
David Fuller  
Colin Galloway  
Terry Hall  
Stephen Hastings  
Les Stevens  
Sandra Stockdale

Also in attendance Councillors L Hunt & L Stubbs

### **Welcome**

The chair welcomed members of the public and members to the meeting. He welcomed Councillor Terry Hall to her first Planning Committee meeting, following her recent appointment replacing Councillor Gerald Vernon-Jackson.

### **Guildhall, Fire Procedure**

The chair, Councillor Gray, 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.

### **9. Apologies (AI 1)**

Apologies for absence had been received from Councillor Lee Mason.

### **10. Declaration of Members' Interests (AI 2)**

Councillor Jonas declared a personal interest in agenda item 6, Roko Health & Fitness Club, Copnor Road as he is a shareholder in Portsmouth Football Club.

Councillor Ellcome declared a personal interest in agenda item 6 Roko Health & Fitness Club, Copnor Road as a season ticket holder for Portsmouth Football Club.

Councillor Hall declared a personal interest in agenda item 7, 151 Fawcett & 3 Heyward Road, Southsea as she is a patient of Heyward Road doctor surgery.

Councillor Fuller declared a personal interested in agenda item 5, Coffee Van site, Eastney esplanade as he visits the café.

**11. Minutes of previous meeting - 14 January (AI 3)**

**RESOLVED that the minutes of the meeting of the Planning Committee held on 14 January 2015 be approved as a correct record and signed by the Chair.**

**12. Updates provided by the City Development Manager on previous planning applications (AI 4)**

There were no updates from the City Development Manager.

**13. 14/01663/ADV - Coffee Van Site Eastney Esplanade Southsea - Display of 3 illuminated fascia signs and 1 non illuminated fascia sign (AI 5)**

The City Development Manager introduced the report and reported in the supplementary matters list that 6 further objections had been received. Their concerns are 1) the development is not subtle and in keeping with the local environment and 2) it will not enhance the area. An objection had also been received by Councillor Winnington. 4 further support comments had been received. Their reasons for support are 1) it will make the building more attractive 2) it will bring more life to the area like it was in the 1960's/70's.

A deputation was made by Mr Holland, objecting to the proposal whose points included:

- It was his personal view that the Coffee Cup building did not conserve or enhance the area and was a blot on the landscape.
- Sympathise with owners but regret the choice of location and design of the building.
- Views of the sea obstructed by the building.
- Other café's in Southsea flourish without the need for illuminated signs therefore illuminated signage is not needed.
- Quiet location and residents do not deserve this proposal.

A deputation was made by the applicant Mr Parsons who circulated photos of current coffee cup illuminated signs and other illuminated signage along the seafront. His points included:

- This was a welcome addition to the seafront and they had made sure the building was not out of place by using natural materials.
- Large glass windows so views of the seafront can still be viewed.
- Carried out pre application discussions with officers to make sure the right procedures were followed.
- He referred to page 1 of the photos showing illuminated signs at the Coffee Cup signage in Portchester and Clarence Pier and explained that unlike these the signage for the seafront location would just be to light up the letters which would be internally lit with halo lights.

- Feel there is a business need to be illuminated after dark.
- The area is already well illuminated with signage (as shown in the photographs) so this proposal would not add to the urbanisation of the area.
- The majority of people asked would like to see the signs illuminated and they have carried out a petition which generated 293 signatures and 64 online signatures in favour of this proposal.
- The building closes at 10pm so the lights would be turned off at this time.
- Had offered councillors the option of viewing what the signs would look like, this offer had not been taken up but this offer was still available.

A deputation was made by Councillor Luke Stubbs, ward councillor who asked the committee to be mindful of the appeal decision at Southsea Leisure Park for external illuminated signage which was refused by the committee. The applicant had appealed the decision and the Inspector had dismissed the appeal saying that it would have added to the feel of urbanisation of the area. This is a similar area therefore the same logic should apply for this application as there is no difference between the two locations.

#### Members' questions

In response to a question officers advised that if the committee were minded to they could restrict the timings the signs are illuminated by adding a condition. In response to a question regarding the level of lighting officers confirmed this was low level lighting and the collective view of the planning officers was that this is appropriate for this location. In response to a question about how the sign would look when illuminated, officers replied that it would only be the white letters that would be lit up.

#### Members' comments

Some members felt that as the internal lights would be on during the evening, having illuminated signage would not be too dissimilar. Members felt it was appropriate to add a condition to ensure that the illuminated signs are switched off between 10pm and 6am. Councillor Hall proposed that the application be deferred until members had visited the site to see the signs illuminated however there was no seconder for this proposal.

**RESOLVED that conditional permission be granted conditional subject to the condition outlined within the City Development Manager's report and an additional condition that the illuminated signs are switched off between 10pm and 6am.**

- 14. 14/01523/FUL - Roko Health & Fitness Club Copnor Road Portsmouth - Construction of up to 3m High fencing with 8m High netting to enclose 2 additional football pitches on land to the east of Roko/Portsmouth FC training ground; siting of 2 storage containers and water storage tank (AI 6)**

The City Development Manager's supplementary matters report set out that a further consultation response has been received from Sport England confirming the amended plan re-siting the fence line overcomes their objection relating to the effect

on the usability of the cricket pitches to the north and recommending a condition be imposed to secure a Community Use Agreement for the pitches to be enclosed by the fencing the subject of this application. The applicant has confirmed their willingness to enter into a Community Use Agreement.

The officer's recommendation had been amended to include the following condition and informative:

3. No part of the development hereby permitted shall be commenced (unless otherwise agreed in writing by the Local Planning Authority) until a Community Use Agreement, to secure effective community use of the existing pitches, has been agreed with the Local Planning Authority. The Community Use Agreement shall include (but not be limited to) details of any pricing policy, hours of use, access by non-club members, management responsibilities and a mechanism for review. The provisions of the Community Use Agreement shall apply until such a time as the existing pitches are no longer enclosed by the fencing hereby permitted.

REASON: To secure the retention of community access to the existing pitches in the interests of the continued promotion of sporting activities and the health benefits thereof in accordance with Policies PCS13 and PCS14 of the Portsmouth Plan.

#### Informative

The applicant is advised that any Community Use Agreement should be prepared in consultation with Sport England and your attention is drawn to the guidance on preparing Community Use Agreements which is available from Sport England's website: <https://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/community-use-agreements/>. The Community Use Agreement should include details of when/how the pitches will be available to the public including community clubs.

A deputation was made by Mr Colvill objecting to the proposal. Mr Colvill also spoke on behalf of Mrs Grant. Their points included:

- If the planning application is refused, Portsmouth Football Club (PFC) can still use the pitches and the community would not use this green space which is vital.
- Unclear on diagram the height of the fence
- Would lose 1.5 hectares of the fields to PFC.
- Opportunity for members of the public to take part in sports would be reduced.
- Unclear why the netting is required
- He referred to page 98 of the Portsmouth Plan most homes are within 800m of play space and said that the proposed fencing would add an additional 150m for children to get to the play space.
- Potential conflict between the rugby club and children wanting to play on the field.
- Hilsea station used by 3,000 commuters a year and pathway also used for people using the industrial estate the other side of the railway. If fence put up

it will create an enclosed corridor effect and give members of the public no way of escaping if they encounter a dangerous situation.

- Pitches often flood and become boggy.

A deputation was made by Mr Garnett objecting to the proposal his points included:

- This would ruin the area.
- Takes away fields from public use and do not see why PFC need additional pitches.
- His property backs on to where the proposed storage tanks would be located and he would be able to see these from the back of his house.
- Issue with parking of numerous commercial vehicles in Devon Road/Wesley Road and surrounding roads often overhanging junctions. He suggested a strip of land 8 yards wide from the ROKO fence up to the field entrance in Devon Rd as an overnight parking area for all commercial vans with a permit to apply on Wesley Rd and Lovett Rd and Green Lane.

A deputation was made by Mrs Hill objecting to the proposal her points included:

- PFC has enough land - they do not use the pitches they already have some days.
- Land is designated as public protected open space therefore this should be available for members of the public.
- The pathway alongside the pitches if proposed fence goes up will make the path too narrow and unsafe
- The recent drainage works have not improved the flooding issues.

A deputation was made by Mrs Burks objecting to the proposal. She said she completely agreed with all the points made by the other objectors and that it would be a great shame to lose the open space which is used by many.

A deputation was made by Mr Saunders, the applicant's agent and Mr Catlin, the applicant. Their points included:

- Two full sized pitches already and this application seeks permission to have two further pitches for the youth academy.
- Desire of fan base to grow PFC.
- Lack of football pitches in the area.
- The proposal will enclose the two pitches only and the remainder of the land will be open.
- Current pitches are poor quality and as people walk dogs on this land an issue with dog fouling so they are not fit for football. Enclosing them would ensure they are kept safe and fit for purpose.
- 3m high fencing with ball stop netting at 5m so a total of 8 metres.

- Willing to enter into a community use agreement
- £250,000 invested in pitches and they are integral to the future of PFC.
- Plans to improve drainage on the site.

A deputation was made by Councillor Robert New as ward councillor. His points included:

- A number of concerned residents had expressed their concern to him about this proposed application.
- When PFC had initially approached the Leader to discuss this it had not been advised that the pitches would be caged off and the Leader has still not been informed - assumed pitches would remain as open space for the public to use.
- The area is prone to being boggy.
- Fence so close to path so issues with safety to those using the path
- Alternative sites that could be used for pitches.

#### Members' questions

In response to a question about the hours that PFC would be using the pitches, the applicant advised that this would predominately be used during the day and also Saturday and Sunday mornings. There was no intention to use the pitches in the evenings. In response to a question about the community use agreement, officers advised that this would be for Sport England, officers and the applicant to discuss and agree to ensure that the pitches continue to be used for sport. The community use agreement is a planning condition and therefore this would be enforceable by the planning authority.

In response to a question regarding the storage containers, officers advised these would be single storey and the storage containers would mainly be visible from the upper floors of the properties that backed onto the site. Officers advised that the protected open space designation means that this space is kept green and there is no requirement under the policy that this space be publicly available.

#### Members' comments

Members were concerned about the potential loss of this land to members of the public. It was felt there were a number of unresolved issues relating to access to the site by the public and felt that these should first be resolved before considering the planning application.

**RESOLVED that consideration of this item be deferred to allow issues associated with restricting access to the site by the public be resolved.**

- 15. 14/01649/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 (AI 7)**

The City Development Manager reported in the supplementary matters list that Hampshire Constabulary's Crime Prevention Design Advisor has offered comments and made recommendations regarding the incorporation of crime prevention measures into the proposal.

Comments have been received from the Highway Engineer noting that this scheme is very similar to that proposed in the most recent application whose planning merits were considered generally acceptable by the Inspector who determined the last appeal in April 2014. Having regard to the foregoing it is considered that, subject to limiting the development to occupation as halls of residence, a car free development is acceptable on this site with cycle parking being provided in accordance with the adopted Car Parking SPD. No objection subject to provision and maintenance of cycle storage facilities.

Comments have been received from Southern Water which requests the imposition of a condition and informatives.

Three further objections have been received from local residents on similar grounds to those set out in the agenda and also relating to potential future uses of the proposed halls of residence.

Condition 6 as set out in the agenda includes a typographical error and should refer to Level 5 (not 4) of the Code for Sustainable Homes.

Officers advised that the recommendation was amended to include additional condition 17 - Development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to and approved in writing by the Local Planning Authority.

Condition 6 to be amended to require the residential element of the development to meet Level 5 of the Code for Sustainable Homes.

A deputation was heard from Mr Kennedy, objecting to the application whose points included:

- Traffic issues in the area - Fawcett Road is a bus route with bus stops opposite each other meaning traffic cannot pass easily. In addition blue badge holders park outside of the surgery it makes traffic difficult to pass.
- 40 students is too many for this area - many pubs, takeaways etc nearby and potential for trouble if too much to drink and older residents are already worried about going out at night.

A deputation was heard from Mr Bloomfield, the agent whose points included:

- previous appeal decision unsuccessful for 1 reason which was because the former owner of the doctors' surgery was unwilling to sign the S106 agreement.
- New owners are fully supportive of the proposals and welcome the mixed use development.
- 51 spaces for cycles which is considered adequate to comply for parking standards

A deputation was heard from Dr Laly on behalf of the applicant whose points included:

- Development would benefit whole community
- Current doctors facilities not meeting CQC standards
- Positive dialogue between Portsdown Group
- If development doesn't go ahead it could mean doctors practice might cease.

A deputation was heard from Councillor Lee Hunt, ward councillor, whose points included:

- Residents thoroughly object
- Proposed building is out of character of surrounding area
- Would welcome a walk-in centre that would benefit whole community
- Lack of green space in the ward and a large increase in homes over the last few years

#### Members' questions

In response to a question about disabled facilities, the applicant advised there was a lift up to the upper floors and the bedrooms would be large enough to accommodate wheelchair users. In response to a question regarding ensuring that the proposed rooms would be filled, officers advised that the university is looking to increase its competitiveness and therefore needs to provide quality student accommodation and also is looking to have a range of different types of accommodation for foreign students who may wish to bring their families with them. The university also has a mass under provision of university accommodation for first year students. In response to a question the applicant confirmed the management structure would ensure that residents would be provided with contact details to report any issues with disruptions in the halls of residence during out of hours.

#### Members' comments

Members had some concerns about the effect of the application on existing residents but felt that additional homes for students would free up other houses in the cities for families.

### **RESOLVED**

**(1) That delegated authority be granted to the City Development Manager to grant Conditional Permission subject to first securing a planning obligation by deed in accordance with Section 106 Town and Country Planning Act 1990 to secure:**

- **the restriction of the occupation of the residential accommodation to students of a recognised educational establishment;**
- **a financial contribution of £705.20 to mitigate the impact of the proposed residential development on the Solent Special Protection Areas;**
- **the preparation and implementation of an Employment and Skills plan to cover the construction of the proposal; and**
- **the payment of a Project Management Fee of £620.00.**



**(2) That delegated authority be granted to the City Development Manager to refuse planning permission if the legal agreement has not been completed within eight weeks of the date of the resolution pursuant to Recommendation 1.**

- 16. 14/01387/FUL - Coastline between Ports Creek Railway Bridge and Kendall's Wharf Portsmouth - construction of new coastal defences consisting of raised earth embankments with rock armour on the seaward side, together with wave walls to abut the A2030 Eastern Road Bridge to tie into the new embankments (along the alignment of the existing coastal defences), and associated landscaped works including a shared footpath constructed along the full length of the new embankment (AI 8)**

The City Development Manager introduced the report.

Members' questions

In response to questions officers advised that at compound B there was plentiful vegetation that would need to be cleared to carry out the works and there was no intention to fill in the section of water that goes into Kendall's wharf. Officers confirmed that extensive consultation had taken place and they had received only one response that raised no objections.

Members' comments

No comments were made.

**RESOLVED**

**(1) That delegated authority be granted to the City Development Manager to grant Conditional Permission subject to the conditions set out in the City Development Manager's Report and recommendations 2 and 3 set out below;**

**(2) Instructed the City Development Manager to notify the Secretary of State, Marine Management Organisation and Natural England of the committee's decision and recommended conditions;**

**(3) That delegated authority be granted to the City Development Manager to add / amend conditions in consultation with the Marine Management Organisation and Natural England where necessary.**

**(4) The Committee confirmed that in making their decision that they had taken into account:**

- **The environmental information as required by Regulation 3(4) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011;**
- **All matters referred to in the City Development Manager's report including comments received from statutory consultees and other interested parties, and**
- **All other material considerations.**

- 17. Review timing of future meetings (AI 9)**

Councillor Gray, as Chair, reminded the committee that the six month trial period of having Planning Committee meetings start at 5:00pm had now ended. He was minded to keep meetings at this time for the rest of the municipal year as this was in

line with other authorities and residents had informed him the later start time was more convenient for them to attend. This could be reviewed again if necessary in the new municipal year. This was agreed by the committee.

The meeting concluded at 8.00 pm.

---

Signed by the Chair of the meeting  
Councillor Aiden Gray