

## **PLANNING COMMITTEE**

MINUTES OF THE MEETING of the Planning Committee held on Wednesday, 8 April 2015 at 5.00 pm in the Executive Meeting Room - 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  
Sandra Stockdale

Also in attendance:

Councillors Michael Andrewes & Linda Symes

### **Welcome**

The chair welcomed members of the public and members to the meeting.

### **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.

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

Apologies for absence had been received from Councillor Lee Mason.

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

Councillor Fuller made a non-prejudicial declaration regarding 14 Park House, Clarence Parade, in that he had spoken to the applicant at the Lord Mayor's recent charity bike event but had told him that he would not make up his mind until he had heard both sides at committee.

Councillor Stockdale made a non-prejudicial declaration in that she recognised a depute regarding 2 The Garden View Apartments, 2 St.Vincent Road, but only to say "hello" to in the local shops.

Councillors Ellcome and Jonas would not take part in the discussion of the item relating to 112 Lidiard Gardens which was owned by a party colleague.

### **27. Minutes of Previous Meeting - 11 March 2015 (AI 3)**

RESOLVED that the minutes of the Planning Committee meeting held on 11 March 2015 be approved and signed by the Chair as a correct record.

**28. Change in date of May meeting (matter of urgent business) (AI )**

The Chair brought up a matter of urgent business requesting the moving of the proposed committee date of 27 May to allow sufficient time for publication of the agenda and new member training after the annual council meeting. It was suggested that this be moved to Wednesday 3 June.

RESOLVED that the scheduled meeting of 27 May be moved to the following Wednesday 3 June.

**29. Appeal decision - 30 Goodwood Road, Southsea (AI 4)**

RESOLVED that the report be noted.

**30. 14/01523/FUL - ROKO Health & Fitness Club Copnor Road Portsmouth - Construction of up to 3 metre high fencing with 5 metre high netting above 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 (report item 1) (AI 5)**

It was noted that consideration of this item be deferred at the request of the applicant to enable further consultation with local residents.

**31. 15/00039/FUL - 22 Inglis Road Southsea - Construction of 2 semi-detached dwelling houses after demolition of existing building (amended scheme) (Report item 2) (AI 6)**

The City Development Manager's Supplementary Matters list reported two further objections have been received raising matters referred to in other objections and addressed in the main agenda report. Also that following a recent ministerial statement, some of the outcomes of the Housing Standards Review have come into force. As a result a number of the conditions set out in the agenda need to be revisited and potentially amended. As a full review of the changes is ongoing, delegated powers would be sought to amend and add conditions as required.

A deputation was made by Mr Brown, objecting, whose points included:

- The demolition of the Gospel Hall would blight his life, and he would lose light in his garden
- Whilst he accepted there would be redevelopment he questioned whether this is the best design for the Conservation Area? He saw little change to the façade of the building from the original application which had been criticised at appeal as "bland and inappropriate".
- He was concerned that the windows could be replaced in the future and there would be overlooking
- It was overbearing and had amenity impact and was not supported by the neighbours, and it could be improved upon.

Mr Oliver made a deputation in support as the applicant's agent, whose points included:

- The original application had been more modern and this design was more appropriate for the area and he had worked with the Planning Authority on this.
- He had addressed the Inspector's concerns of privacy/overlooking and had lost the 3<sup>rd</sup> bedroom as a compromise and the windows were fixed shut and obscure glazed
- A parking survey had been undertaken which indicated that there were not parking problems in the area and the Gospel Hall community use generated more traffic.

Councillor Andrewes then spoke as a ward councillor, whose points of objection included:

- The Inspector had upheld the previous refusal on amenity grounds in a Conservation Area and this looked like a similar application;
- There were parking issues in the area and this was not an area with high access to public transport - it looked as if only 1 car could be parked outside rather than 3 so it did not meet the SPD on parking.

#### Members' Questions

It was asked how many cars could be parked outside; in response the City Development Manager estimated 2 cars. The size of the footprint of the building in comparison to earlier applications was questioned; it was confirmed that this is a smaller building addressing the Inspector's comments on scale and bulk.

#### Members' Comments

Members felt that this represented a better scheme, and to protect privacy it was suggested that a condition on the obscure windows be included.

RESOLVED that conditional permission be granted, subject to the conditions outlined in the City Development Manager's report, with an additional condition relating to the fixed and obscure windows to prevent overlooking, and with delegated power be given to the City Development Manager to amend or add conditions as appropriate.

### **32. 15/00063/VOC - Nursery 232 Southampton Road Paulsgrove Portsmouth - Application to vary condition 2 of Planning Permission A\*10252/AE-1 to allow up to 20 children to use the external grounds/gardens at any one time (resubmission of 14/01426/VOC) (Report item 3) (AI 7)**

As part of the officers' presentation of this item the Environmental Health Manager explained more about the noise nuisance investigation and concluded that there was a detrimental impact caused by the noise emanating from the nursery garden. The City Development Manager explained that the Ofsted instruction on outdoor activities is not a planning policy and should be balanced with the harm caused to residents by the noise.

A deputation was made by Mr Knight, objecting on behalf of his son in Hopkins Close whose points included:

- The noise is already at an intolerable level and causes problems for his son who works shifts;
- The existing limit of 10 children in the garden was not being adhered to;
- The nursery is a bad neighbour with noise at weekends too when cleaning takes place with open windows and loud music and staff parking in neighbouring roads;
- It is not a suitable site for a nursery.

Mrs Parker-Whalley, the manager, spoke in support of the application, whose points included:

- The nursery had 52 children and wants to increase the numbers in the garden to encourage outdoor play and use of the creative and natural area;
- Children do make noises but the staff had stopped them banging pots in response to neighbours' complaints;
- They would restrict the hours to cover sociable hours and they were looking at noise restricting measures and making use of the summerhouse.
- Children need exercise and access to the outdoor area.

#### Members' Questions

It was asked how many noise complaints had been received and it was confirmed as one complainant. Further questions were asked of the Environmental Health Manager regarding how the noise monitoring was undertaken and the findings. It was noted that the nursery could not be required to take the children to the park.

#### Members' Comments

Members commented on the noise complaint only coming from one address, and that the nursery staff were working to address the noise levels. They were mindful of this established nursery business and the importance of offering the children the opportunity to exercise, learn and play outdoors. However the number of children allowed at any one time should be monitored and enforced.

RESOLVED that the variation of condition of planning permission A\*10252/AE-1 to allow up to 20 children to use the external grounds/gardens at any one time be permitted.

### **33. 15/00129/PLAREG - 190 Chichester Road Portsmouth - Retrospective application for construction of single storey rear extension (Report item 4) (AI 8)**

Mr Clapson had registered to make a deputation to object, but was not present at the meeting. A deputation was made by Mr Oliver as the applicant in support, whose points included:

- He explained the mistake made by the builder using rope and bricks to measure, leading to the extra 20cm width of a brick and the space between, for which he apologised.

The City Development Manager clarified that the problem was the 20cm extra height.

#### Members' Questions

Members asked if Building Control had visited and would have noticed the error? The City Development Manager explained that Building Control officers might notice an error but it was not part of their responsibilities in checking compliance with building regulations.

#### Members' Comments

Members felt that the impact was minimal.

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

### **34. 15/00147/ADV - 351-353 Copnor Road Portsmouth - Display of three externally illuminated fascia signs and various window vinyl signs (Report item 5) (AI 9)**

Mr & Mrs Richardson had registered to speak to object but were not present at the meeting when this was considered. A deputation was made by Mr Garcha (supported by Mr Sandhu) to support the application and to represent the shop whose points included:

- Another sign on the lamp-post had been taken out of the proposal as they were trying to work with the neighbours to minimise the impact and a trough light was being used so the lighting would not disturb other residents;
- There had been major investment in this business and felt the objections had been made about the contents of the business rather than the signage.

#### Members' questions

Reflecting on a representation made by an objector it was asked if other works had been carried out without permission and the response was that there had been no evidence of this.

#### Members' Comments

Members supported the application.

RESOLVED that consent be granted.

### **35. 15/00155/TPO - 2 The Garden View Apartments, 2 St Vincent Road Southsea - Within Tree Preservation Order No 47 sycamores (T35 & T36) crown reduce western sector by 2.5m; limes (T33 & T34) crown lift of 2.4m (amended description) (Report item 6) (AI 10)**

The following deputations were made objecting to the application.

Mrs Rowe whose points included:

- The Victorian terrace gardens will be exposed and properties overlooked if the canopy is lifted;
- There had already been some surreptitious removal at the boundary;
- Crown lifting was not suitable for mature trees and could cause decay and instability;

- There would be disturbance of nesting birds in the trees and hedges.

Mr Rowe continued, whose points included:

- There is not strong support for the application and all the residents in Garden Terrace had objected to it.
- The trees were not close to the flats so are not encroaching on them.

Mrs Trehearne's objections included:

- This would alter the nature of the tranquil and green oasis;
- The area had already lost 5 trees and there had been development with the flats opposite;
- Residents were not objecting to maintenance but felt the crown lifting was inappropriate.

#### Members' Questions

It was asked if there were health and safety issues and advice was given by the Arboricultural Officer, Mr Knight, that the telecommunication cable could be snagged after further growth. It was asked if part of the application could be refused only regarding the lime trees; it was confirmed that part consent/refusal could be given. The extent of the works was examined and the Arboricultural Officer confirmed that the original application had been excessive so there had been re-negotiation, and whilst the branches did not currently touch the buildings it was likely that this would be the case in the next two growing seasons when if damage was caused these could be cut back without control being exercised by the planning authority.

#### Members' Comments

The value of the trees to the area was appreciated but members were also mindful of the advice regarding the application being beneficial to the trees in the long term.

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

#### **36. 15/00254/FUL - 14 Park House Clarence Parade Southsea - Alterations to roof to include enlargement of existing dormer window, removal of section of roof slope to form enlarged roof slope to form enlarged roof terrace and installation of hand rail (Report item 7) (AI 11)**

The City Development Manager's Supplementary Matters list reported that in addition to the 14 letters of support previously reported within the committee report, 15 further letters of support (29 in total) have been received from residents of Park House, local residents, Councillor Luke Stubbs and Councillor Linda Symes. Further to the points previously raised, it is suggested that the proposal would: (a) Improve/enhance the conservation areas; (b) Improve the economic mix of developments within the city; and (c) Improve the carbon foot print of the building. Points (a) and (b) are addressed within the Committee Report. In respect of point (c), no evidence has been submitted to indicate that the proposal would improve the thermal efficiency of the existing dormer.

Councillor Linda Symes spoke in support of the application, adding that the only building looking straight on to the application property was Homeheights whose residents had not opposed the application; there was little impact on the streetscene and this would provide premiere housing in the city.

..... Councillor Michael Andrewes also spoke in support of the application; he did not believe that the design was detrimental to the Conservation Area.

The applicant Mr West then spoke in support of his application, whose points included:

- The extension of the dormer would give better balance;
- There would be improved internal layout;
- There had been a lot of support for the application.

(There were no questions raised by members)

#### Members' Comments

Members noted the support locally for this application and felt that this would enhance the property.

RESOLVED that conditional permission be granted with an additional condition relating to provision of matching materials and with delegated power to be given to the City Development Manager to amend or add conditions as appropriate.

### **37. 15/00261/PLAREG - 112 Lidiard Gardens Southsea - Retrospective application for construction of single storey rear extension (Report item 8) (AI 12)**

Councillors Frank Jonas and Ken Ellcome left the room, due to their declaration of interest, so did not take part in the discussion of this item.

(There were no members' questions.)

#### Members' comments

It was noted that the scale of the extension was within permitted development rights but that the material was not, however the extension had not been objected to by neighbours and was not detrimental to their amenity.

RESOLVED that permission be granted.

The meeting concluded at 7.35 pm.

Signed by the Chair of the meeting  
Councillor Aiden Gray

