

PLANNING COMMITTEE

MINUTES OF THE MEETING of the Planning Committee held on Wednesday, 22 July 2015 at 5.00 pm in the 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)
Stephen Hastings (Vice-Chair)
Jennie Brent
Ken Ellcome
David Fuller
Colin Galloway
Scott Harris
Hugh Mason
Sandra Stockdale
Darren Sanders (Standing Deputy)

Also in attendance
Councillors D Ashmore & L Stubbs

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.

69. Apologies (AI 1)

Councillor Gerald Vernon-Jackson had sent his apologies for absence and was represented by his Standing Deputy, Councillor Darren Sanders.

70. Declaration of Members' Interests (AI 2)

The following non-pecuniary interests were declared at the meeting:

Councillor Hugh Mason declared that whilst he had previously objected to an application for 22 Inglis Road he was keeping an open mind on the revised plans and would take part in the discussion.

Councillor David Fuller reported that people had spoken to him about 106 & 108 Queens Road but he had directed them to Councillor Ashmore and not discussed the application with them.

Councillor Ken Ellcome reported that regarding the B&Q application at the Pompey Centre he had been involved in previous discussions on the site as Cabinet Member for Traffic & Transportation which he did not believe relevant to this application (this application was not discussed by the committee at this meeting, being dealt with under delegated powers).

Councillor Sandra Stockdale withdrew from the room for 5 St Andrews Road/18 St Ursula Grove having objected to the application.

71. Minutes of Previous Meetings - 24 June & 7 July (special) 2015 (AI 3)

RESOLVED that the minutes of the Planning Committee meetings held on 24 June and 7 July 2015 be approved as correct records and signed by the Chair.

72. Updates from the City Development Manager on Previous Planning Applications (AI 4)

There were no updates on previous planning applications.

73. Savoy Buildings (AI 5)

Claire Upton-Brown, City Development Manager, presented her information report which set out the Inspector's consideration of the committee's reasons for refusal before concluding that the appeal be allowed. Work would soon be starting on revising the Portsmouth Plan which would address the allocation of sites.

Councillor Sanders welcomed paragraph 3.5 of the report which explained why this site was not in the Seafront Masterplan. The Chairman requested that this report be made available to all members of the City Council.

RESOLVED that the report be noted.

74. 15/00821/FUL - Zurich House Stanhope Road Portsmouth PO1 1DU - Change of use of existing 'Zurich House' building from offices (Class B1A) to 405-bed student accommodation (Halls of residence Class C1); construction of a part 9/11/12 storey extension to the existing building (known as Zurich House) to form 595-bed student accommodation (Halls of residence Class C1) with 186sqm of retail floorspace (Class A1) on the ground floor; the provision of surface and basement level car parking and the creation of a landscaped pedestrian link from Stanhope Road to Victoria Park & other associated landscaping (Report item 1) (AI 6)

Deputations were made, firstly by Mr Jillings as the applicant's agent in support of the application, whose points included:

- this application was in line with planning policy framework
- there had been extensive pre-application discussions in which the applicant had sought to respond to comments
- the design respected the landmark building and key gateway site and would improve the city centre

- there had been a public consultation exercise in November where there was support expressed for student accommodation at this site to help free up housing elsewhere in the city

Councillor Luke Stubbs, the Cabinet Member for Planning, Regeneration & Economic Development then spoke to make comment, whose points included:

- this site had been the subject of 2 previous applications which had been the subject of criticism, however this represented a better design solution
- this would make a positive contribution to the city centre and would bring back into use a derelict building
- there is not the demand for office use although employment use would be welcomed
- student use would free up housing elsewhere and would help the University of Portsmouth to compete
- he was critical of the current CIL regulations which meant that via a loophole there would be less return from this site (£1.7m rather than £3m)

Members' Questions

Members asked if the 29 car parking spaces would be sufficient for the development for 1000 students; it was reported that development was located in perhaps the most accessible part of the city with good bus and rail links and in close proximity to the main university buildings. Tenants would be advised that there is no parking available to them and, given the local on-street parking controls, limited alternative parking facility. Policy provided for the approval of car-free developments within this locale although spaces were to be provided to meet the demands of students with mobility needs and for staff parking. The species of replacement tree (it was suggested this be evergreen) was queried and their location in the park.

Members asked about the city-wide student accommodation provision and the University's desire for providing hall accommodation for all 1st year students and it was reported there is also a demand for 2nd and 3rd year students, and in 2014 it was calculated that only 75% of 1st years were in halls, but there were other schemes with approval, some of which were under construction, so the current estimate was for 90% in hall.

The Traffic Engineer was questioned about the likely traffic generation and impact on the Unicorn Gate junction, especially on the student change-over days; in response it was reported that it was estimated that the student use would generate less traffic in peak periods than the previous office use and was well related to sustainable transport modes. Whilst there was a concern regarding student changeover this is a relatively infrequent occurrence and a specific management plan with contingency arrangements had been requested and would form part of the Section 106 agreement.

In response to questions regarding whether the amenity harm to Victoria Park could be a reasonable reason for refusal the City Development Manager reminded members that this was a judgement of balancing the perceived harm with the benefits of the whole scheme. The movement and layout of pathways within the park was also questioned; two paths were being re-sculptured to tie in with the new access path.

The impact on local health services and the uncertain future of the Guildhall Walk walk-in centre was raised, as well as the capacity of the sewerage services.

The acceptability of the design was explored and the complementary nature of the two buildings and its junction; the design had evolved from the 3 options that had been consulted upon.

Members' Comments

Whilst members were supportive of the application there was discussion regarding whether to add extra conditions. They welcomed the bringing back into use of the currently derelict building which was an eyesore. There were some concerns regarding sewerage, traffic on changeover days and the impact on the pathways if needed to be realigned within the park. It was reported that the developer would pay for the access to the park and the changes to the footpaths around the focal tree and that the Parks Manager did not support an additional footpath change that would be at the expense of the local authority. The committee wished to register its displeasure at the CIL restrictions which limited the financial benefit of the scheme.

Members welcomed the use of the site for student accommodation which would free more homes for families in the city and felt that the benefits of the scheme outweighed any negative impact on the park. The conditions were not amended but the City Development Manager undertook to alert members regarding the discharge of conditions relating to the sewerage.

RESOLVED:

- (1) That delegated authority be granted to the City Development Manager to grant Conditional Permission* subject to first securing the completion of a legal agreement (pursuant to Section 106 of the Town and Country Planning Act 1990 and Section 278 of the Highways Act 1980) with principal terms as outlined in the report and such additional / amended items as the City Development Manager considers reasonable and necessary having regard to material considerations at the time the legal agreement is issued;**
- (2) That delegated authority be granted to the City Development Manager to add / amend conditions where necessary:**
- (3) That delegated authority be granted to the City Development Manager to refuse planning permission if the legal agreement, pursuant to Section 106 of the Town and Country Planning Act 1990, has not been completed within six weeks of the date of the resolution pursuant to Resolution 1.**

*(Conditions as set out in the City Development Manager's report.)

- 75. 15/00286/TPO - 5 St Andrews Road And 18 St Ursula Grove Southsea PO5 1EP - Within Tree Preservation Order 210 - felling of Sweet Chestnut (T1), and removal of all basal and epicormic growth to the main stem and deadwood to Sweet Chestnut (T2) (report item 2) (AI 7)**

Councillor Stockdale withdrew from the room due to her declaration of interest.

The City Development Manager's Supplementary Matters List reported that one further representation from a neighbour has been received. This representation suggests amendments to the recommended conditions set out within the committee report to include changes to the standard timescales for implementation, a requirement for the agreed replacement tree to be satisfactorily established prior to felling of T1, and the re-instatement of the boundary wall.

The timescales already suggested are appropriate for this type of application; the retention of T1 until its replacement has been planted and is satisfactorily established would prohibit the planting of the replacement tree within the same vicinity; a requirement for the re-instatement of the boundary wall is outside the remit of a TPO application.

Deputations were made, firstly by Ms Mair, objecting, whose points included:

- She represented 31 people objecting in the neighbourhood on the grounds of quality of life and the environment
- The tree should be respected and should have 10 years of life left in it
- Other trees in the road had already been lost and there are benefits from trees acting as the 'lungs of a city' and their importance is reflected in the Portsmouth Plan
- As there is a need for a replacement tree could this go in first to be established

Mr Cross then spoke to also object, whose further points included:

- A replacement tree should be nearer the corner of the road and he also asked that it be put in before the diseased tree was removed as the report said this had 10 years life.
- The applicant had felled a previous tree and there is the need to ensure a replacement is provided.

Mr Harmer the applicant spoke in support of his application whose points included:

- The primary concern is of public safety and the recommendations of experts were being followed to fell the tree which overhangs public highway and presents danger to the nearby building
- Neighbours were able to plant trees in their own gardens
- If it stayed and caused damage who would indemnify him?

Members Questions

It was asked regarding the suitability of replacement species and whether a semi-mature sweet chestnut could be specified. Also what would be the best location in the road; the condition specified that the best location was to be agreed, so this could be moved further to the East. The Arboricultural Officer explained the technical terms used within the report and his assessment of the condition of the tree which had showed a problem at the root, giving instability. The Legal Adviser advised that the legal responsibility was with the owner of the land and the City Development Manager explained that should there be further deterioration the tree could be required to be removed and the owner can request an assessment of its condition by the local authority.

Members' Comments

Members understood the concern of residents for the loss of this tree and the need for a replacement to be enforced. They were mindful of the dangerous condition of the current tree and asked that the officers ensure a suitable replacement species and location.

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

- 76. 15/00544/FUL - 1 Plymouth Street Southsea PO5 4HW - Conversion and extension of former public house (class A4) to sixteen bedroom house in multiple occupation (sui generis) (report item 3) (AI 8)**

The City Development Manager's Supplementary Matters report updated the committee that the applicant had requested that consideration of this application be deferred and therefore this item was withdrawn from the agenda.

- 77. 15/00595/FUL - Unit 4 The Pompey Centre Fratton Way, Southsea - Sub-division of Unit 4 (B&Q) into not more than four retail units, of a minimum size of 2,000 sqm net, of which not more than 2,100 sqm net shall be used for the sale of food and convenience goods, and not more than 4,200 sqm net shall be used for the sale of household goods in addition to the goods specified in Condition No.17 of planning permission Ref A*37086/AA dated 7th March 2001 (report item 4) (AI 9)**

The City Development Manager's Supplementary Matters list reported that this application had been withdrawn from the agenda. She explained that this application would have been dealt with under delegated powers but Councillor Vernon-Jackson has requested it come to committee but he had since withdrawn his request to deputise on this, so determination would proceed under delegated powers, with the agreement of the Chair. It was however requested that members of the committee be informed of why reservation 17 regarding foodstores had been dealt with, and the City Development Manager undertook to write to the committee members with this information.

- 78. 15/00686/FUL - 106 &108 Queens Road Fratton Portsmouth PO2 7NE - Construction of part 2/3-storey building to form 7 flats including rooflights, rear dormer window and roof alterations to adjoining house at no 108 Queens Road with associated cycle/refuse stores (after demolition of existing building) Re-submission A*38988/AA (report item 5) (AI 10)**

Councillor Dave Ashmore made a deputation to represent the objections of local residents, whose concerns included:

- impact on the drainage system
- the potential for anti-social behaviour caused by occupants of a HMO
- the impact of demolition works
- inaccurate information on parking demand in the area as parking was the main concern of residents in this densely populated part of the city, and

- should be appropriate to the size of development and residential use would generate more parking demand than the previous commercial use of the site
- loss of light, overlooking and loss of privacy caused by this taller building
 - the larger frontage being out of character with the area
 - the contaminated land team should undertake a desk-top survey.

Members' Questions

Questions were raised regarding the access route and layout for the cycle storage through the building and the proximity of windows to adjacent buildings which may cause overlooking; it was reported that properties were approximately 10m away and the windows were at 45 degree angle so should not cause overlooking.

Members' Comments

Members were mindful of the previous planning permission which had been allowed by the Inspector and its similarity to this application.

RESOLVED:

- (1) That delegated authority be granted to the City Development Manager to grant Conditional Permission subject to first securing a planning obligation or an agreement for payment of a financial contribution of £1,218 to mitigate the impact of the proposed residential development on the Solent Special Protection Areas.**
- (2) That delegated authority be granted to the City Development Manager to refuse planning permission if the agreement referred to in Resolution 1 have not been secured within two weeks of the date of the resolution pursuant to Resolution 1.**

79. 15/00863/FUL - 22 Inglis Road Southsea PO5 1PB - Construction of 2 semi-detached dwelling houses after demolition of existing building (Amended Scheme) (report item 6) (AI 11)

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

- This was an improved application with the building moved further away from the other buildings by making it a squarer building
- There was therefore less overlooking and obscure glazing was being used
- The application was for needed family accommodation with 3 bedrooms

Mr Brown was due to make a deputation to object but was not present at the meeting when this was discussed. No questions were raised by members.

Members' Comments

Members felt that this application represented an improvement and would therefore support it.

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

80. Date of next meeting (AI)

It was agreed that the next meeting be brought forward from the original date of 19 August to the new date of Wednesday 12 August.

The meeting concluded at 7.45 pm.

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Signed by the Chair of the meeting
Councillor Aiden Gray