

## PLANNING COMMITTEE

MINUTES OF THE MEETING of the Planning Committee held on Wednesday, 14 October 2015 at 5pm in 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  
David Fuller  
Colin Galloway  
Scott Harris  
Hugh Mason  
Sandra Stockdale  
Gerald Vernon-Jackson

Also in attendance

Councillor Robert New on behalf of Councillor Ellcome.

### 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.

#### 96. Apologies (AI 1)

Councillor Ken Ellcome sent his apologies.

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

No interests were declared.

#### 98. Minutes of previous meeting - 16 September 2015 (AI 3)

**RESOLVED** that the minutes of the Planning Committee held on 16 September 2015 be approved as a correct record and signed by the chair.

#### 99. Updates by the Assistant Director of Culture and City Development (AI 4)

There were no updates.

#### 100. Technical Housing Standards - Nationally Described Space Standards (AI 5)

**RESOLVED** that the update be noted.

#### 101. 15/00862/FUL - 94 Napier Road, Southsea PO5 2RB - Change of use from dwelling house (Class C3) to purposes falling within class 3 (dwellinghouse) or C4 (house in multiple occupation). (AI 6)

The Assistant Director of Culture and City Development introduced the report and advised that one further letter of objection had been received but it raised no new issues.

Joshua Stewart, the applicant, included the following points in his deputation:

- He expressed concern that the matter had been predetermined.
- If the HMO figure of 10.22% had been rounded down to the nearest whole number it would be at 10%.
- He questioned the definition of a House in Multiple Occupancy (HMO).
- Good quality housing is respected by the tenants.
- He was regularly contracted to make temporary repairs to HMOs by landlords who wanted only the minimum maintenance carried out.
- This premises would be of high quality with wider doorways to enable bicycles to be wheeled through to the storage area, USB sockets in the rooms and a separate lounge and dining room; exactly the type of house that the policy encourages.
- The extension was built based on verbal permission which has since been revoked.

The Chair informed Mr Stewart that nothing had been predetermined.

Councillor Linda Symes included the following points in her deputation:

- She was pleased that the number of HMOs had been reassessed.
- It is important to look at the neighbourhood as a whole.
- No overprovision.
- Students often leave their cars on the road for weeks on end without being moved.
- The proposed HMO would have a detrimental impact on the quality of life for residents.

#### Members' Questions

Members sought clarification regarding the two additional HMOs that had been identified since the previous meeting and the 10% threshold for HMOS in an area.

#### Members' Comments

Members acknowledged the work that had been carried out at the property but saw no reason to deviate from the council's policy.

**RESOLVED that the application be refused.**

#### **102. 15/01417/FUL - 10-14 Grove Road South, Southsea, PO5 3QT - change of use from retail (A1 Class) to restaurant (A3 Class) (AI 7)**

The Assistant Director of Culture and City Development introduced the report and added that 5 letters had been received as reported in the Supplementary Matters List and subsequently an additional recommended condition was added relating to cycle provision.

Allan Smith included the following points in his deputation:

- This would degrade the predominantly residential area.
- It would be out of character.

- It would cause noise, smell and litter problems, particularly with smokers standing outside the premises.
- He imagined that alcohol and music would be provided at a later stage which would cause more nuisance.
- There are already ten restaurants/ cafes within 4 minutes walking distance.
- The adjoining building that is owned by the applicant has a take-away licence.

Trevor Goodman included the following points in his deputation:

- This is a pleasant residential area close to amenities.
- The proposed premises would cause litter, parking and noise problems.
- The application is speculative, ill-thought out and contains little detail.
- It would be easy for the restaurant to be combined with the take-away.
- A full restaurant menu would not be offered.
- He questioned how the restrictions would be monitored. These would be likely to be abused as other premises had done.

Tracey Upton included the following points in her deputation:

- Her bedroom and front room look out over the front of the premises.
- There are already problems with litter and dog mess.
- There are 52 food outlets within five minutes walking distance.
- Smokers gathering outside the premises would block the narrow pavement.
- Delivery vehicles would block the road and make crossing the road dangerous.
- The bins are taken to the front of the premises for collection.
- Customers would not come by bicycle.

Mark Smith included the following points in his deputation:

- This premises is not in keeping with the residential area.
- The problems with noise, parking and traffic would be exacerbated.

Councillor Linda Symes included the following points in her deputation:

- This premises would have a detrimental impact on residents' quality of life.
- The nearest house is only five or six feet away.
- Smokers hanging around outside would cause a noise nuisance to residents.
- In this area the restaurants are only open during the day. The Parlour was open in the evenings but was not able to survive and the Portland Hotel has permission for 100 covers outside but has not used it.
- Lorries parking outside the premises would block the road.

Martin Critchley included the following points in his deputation:

- He thanked the planning officers for their assistance with the preparation of this application.
- He apologised for the lack of detail in the application and explained that he did not have a restaurateur client. The intention was to market the tenancy with Class A3 planning permission.
- The location is ideal as Southsea is a major tourist destination where people like to eat out and the building would convert easily.
- The building requires refurbishment.
- The building is owned by a trust and not used as a take away.
- Delivery vehicles do park outside currently when unloading heavy goods.

- Residents chose to live in this tourist resort.
- This would be a less aggressive use of the premises.

#### Members' Questions.

Members sought clarification regarding permitted development that requires no planning permission, the weight given to the potential impact due to this change of use and possible extraction methods.

In response to a question, Mr Critchley said that he would be happy to bring a more detailed application to the committee at a future date.

#### Members' Comments

Members discussed the location of the building, parking and waste disposal.

**RESOLVED that this application be deferred to enable the applicant to bring more details to a future meeting**

### **103. 15/01422/FUL - 48 Festing Grove, Southsea, PO4 9QD - change of use from guest house (Class C1) to 9 bed house in multiple occupation (sui generis) (AI 8)**

The Assistant Director of Culture and City Development introduced the report and added that nine further letters of representation had been received as stated in the supplementary matters list raising objections on similar grounds to those previously reported and addressed within the main Planning Committee Report. Additional concerns relate to (a) loss of the guest house; and (b) Impact on property value. In addition, Councillor Winnington has identified a number of additional properties that may be in use as HMOs but have not included within the 'count' data.

Mrs G Sayed included the following points in her deputation:

- She has lived there with her family for 32 years.
- It is a sought after area.
- She has had problems with noisy neighbours.
- Over the last two to three years there have been problems with mice and rats.
- Her daughter works eight hour shifts.
- She does a lot to keep the area clean and tidy.
- Parking is an issue.

Julian Thomas included the following points in his deputation:

- The 10% limit on HMOs is key to this issue.
- Of the 39 buildings, there are 31 HMOs.

James Berry included the following points in his deputation:

- He often has to park 200m from his house, which can be difficult with two three year olds.
- The 50m boundary is disingenuous.
- There would be more rubbish generated from a HMO than a guest house.
- He questioned whether there would be adequate space for bicycles and bin storage.
- There had recently been a fire at a HMO four doors down.

Gavin Barrett, the applicant included the following points in his deputation:

- He is confident that his HMO would be kept in good condition as he has a team of gardeners and cleaners who are fully accredited and often recommended by the council.
- It would be the same size occupation levels.
- This would help with the high demand for housing.
- He would be happy with the proposed conditions.

Councillor Luke Stubbs included the following points in his deputation:

- The 10% HMO rule applies. There is plausible evidence from looking at the electoral register that there might be a couple of HMOs.
- A precedent was set when two applications were recently refused due to the potential impact from the increased intensity of usage. A HMO with more than six people would have more of an impact on an area.
- The building does not have the capacity for nine residents as there is insufficient natural light for the rooms.

Councillor Matthew Winnington included the following points in his deputation:

- He gave the Planning Team information regarding possible additional HMOs in this area. He asked the committee to defer taking a decision on this application until this had been investigated.
- Young professionals would not be interested in sharing a house with eight other people.

#### Members' Questions.

Members sought clarification regarding other possible HMOs, the investigation process and the HMO database.

The planning officer explained that after receiving information from Councillor Winnington that morning, he looked through the licensing, council tax and planning records and attempts were made to talk to the tenants.

#### Members' Comments.

Members discussed the usefulness of further investigation, the process for dealing with owners of properties being used as HMOs unlawfully.

**RESOLVED that this application be deferred to enable to the Planning Department to investigate further the number of HMOs in the area.**

The meeting concluded at 5.05pm.

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Signed by the Chair of the meeting  
Councillor Aiden Gray