

## **PLANNING COMMITTEE**

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

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

### **Present**

Councillors Stephen Hastings in the chair (Vice-Chair)  
Ken Ellcome  
David Fuller  
Colin Galloway  
Hugh Mason  
Sandra Stockdale  
Gerald Vernon-Jackson

### **Also in attendance**

Councillors Luke Stubbs and Matthew Winnington

### **Welcome**

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

### **Guildhall, Fire Procedure**

The vice-chair, Councillor Hastings, 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.

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

Apologies for absence were received from the chair, Councillor Aiden Gray and Councillor Jennie Brent. The vice-chair, Councillor Stephen Hastings took the chair for this meeting. Apologies were also received from Councillor Robert New who was due to attend as a standing deputy for Councillor Brent.

Apologies for lateness were received from Councillor Scott Harris who arrived at the meeting after the planning officer had given the presentation on the one planning application for consideration, and was therefore unable to partake in the proceedings.

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

Councillor David Fuller declared a personal but non-prejudicial interest in relation to agenda item 5 - planning application , 48 Festing Grove, Southsea - in that he knew Mrs Sayed, one of the deputations.

### **106. Minutes of the Previous Meeting - 14 October 2015 (AI 3)**

Councillor Gerald Vernon-Jackson referred to minute number 102/2015 - 10-14 Grove Road South, Southsea - and mentioned that when he had requested further information during the debate one of the members of the Planning Committee had sworn at him. He asked the chair of the meeting what action would be taken on the matter? In response the chair agreed to speak to the member concerned and suggested that the three of them meet up outside of the meeting.

RESOLVED that the minutes of the meeting of the Planning Committee held on 14 October 2015 be agreed as a correct record and signed by the chair.

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

There were no updates.

### **108. 15/01422/FUL - 48, Festing Grove, Southsea PO4 9QD (AI 5)**

This application was deferred at the previous meeting of the Planning Committee held on 14 October to investigate potential HMOs within the area surrounding the application site beyond those previously identified and discounted.

It was reported in the supplementary matters that following publication of the committee report, one further letter of representation had been received from a local resident expanding on points previously raised. Whilst the majority of these points had been addressed within the committee report, it was also suggested that internal works at the premises may have commenced. Internal alterations to the building would not require the express permission of the Local Planning Authority and, if works have commenced, these would not be material to the determination of this planning application.

The planning officer also reported that an additional nine properties have been investigated which had been raised as potential HMOs within representations and by ward councillors. No evidence was found to substantiate the claim that six of the identified properties were occupied as HMOs, and two that were found to be in use as HMOs were situated outside of the 50m search area. The one remaining property was found to be occupied by a number of individuals within a sub-divided building. Following a site visit on 22 October 2015 it has been established that the use of that property is unlawful and the matter has been passed on to the planning enforcement and private sector housing teams to consider further action. Therefore, notwithstanding the current occupation of that property, on the basis that its use cannot be regarded as lawful, it cannot be included as an HMO within the 'count' data for this planning application.

#### Deputations

Deputations were heard from Mr Thomas and Mrs Sayed, residents of Festing Grove objecting to the proposal, who included the following points in their representations:

- Impressed by this experience of local democracy.
- The 10% rule is to be applauded.
- The fact that HMOs need to be regulated by the Local Authority is a positive.
- Have lived in my property for many years and brought up all my children here.

- Feel like a rat in a trap.
- There are three vans and three cars associated with one of my neighbours. I can rarely park near my home.
- This proposal will have nine extra cars with nine people.
- There is rubbish everywhere. Next doors have a sofa in the forecourt.
- This is not a nice residential area anymore. Really sad that these areas are taken over like this.

A deputation was also heard from Mr Barrett, the applicant, who included the following points in his representation:

- Landlord is responsible for ensuring the tenants don't cause problems for residents.
- Don't accept students or those on benefits.
- Majority of our tenants are not car owners.
- We buy substandard accommodation, make improvements and then put tenants in, most of whom are working professionals.
- Will be clearing the rear access which is currently blocked with rubbish.
- Granting permission for this property will not take it over the 10% rule.

A deputation was also heard from Eastney and Craneswater ward Councillor Luke Stubbs who included the following points in his representations:

- Would ask that bin and cycle storage be included as conditions if members are mindful to grant permission.
- Having nine permanent residents will create more noise and disturbance than nine guests.
- The other property counts as unlawful but it is operating as an HMO without consent and therefore this means that you will be pushing this one above the 10% threshold.
- Referred to a previous application, albeit it being outside of the 50m radius, which was for 14 rooms and had been refused for a number of reasons which included out of character, over intensive, unneighbourly, increase in noise and detrimental to the local amenities, all of which apply to this application.

Eastney and Craneswater ward Councillor Matthew Winnington also gave a deputation which included the following points:

- We know there are enough HMOs in the area which would take this one over the 10%. Only one isn't licensed.
- The character of the road is being affected.
- An additional HMO in this area will have an impact on this road.
- We do need to have robust conditions relating to cycle and bin storage.
- You need to think about the precedent you are setting and the character of this road with a nine-bed HMO.

The Assistant Director of Culture and City Development advised that the unlawful HMO does not have any permission so it cannot be considered. Residential amenity is a material planning consideration however the property's current use as a guesthouse would inevitably result in a level of activity that would be more intensive than a family dwellinghouse. It was felt that the use of the property as a nine bedroom HMO would not result in a greater level of activity, noise or disturbance.

With regards to car parking, it was felt that the demand for parking is unlikely to increase given the nature of the residential nature of the proposal.

Members' questions

Members sought clarification on the robustness of the HMO policy particularly in relation to 'lawful and unlawful' use and asked how far outside of the 50m radius Nos. 31 & 33 Salisbury Road were, which are also HMOs. Members also sought further clarification on the investigation and whether a response had been received from the owner of the property to date.

Members' comments

Members were mixed in their comments, some felt that an unkempt guesthouse would be brought back into life, although were not happy with the use and the noise and disturbance which would come about from the nine occupants. Some members expressed concern about the number of occupants and therefore the likelihood of additional cars. Members requested an additional condition relating to bin storage.

RESOLVED that

- A) Delegated authority be granted to the Assistant Director of Culture & City Development to grant conditional permission subject to first securing a planning obligation or an agreement for payment of a financial contribution of £348 to mitigate the impact of the proposed residential development on the Solent Special Protection Areas, and also subject to the conditions outlined within the committee report and the additional condition relating to bin storage.
- B) Delegated authority be granted to the Assistant Director of Culture & City Development to refuse planning permission if the agreement referred to in recommendation A has not been secured by 26<sup>th</sup> November 2015.

The meeting concluded at 6.30 pm.

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Signed by the Chair of the meeting