

DEVELOPMENT CONTROL COMMITTEE

19 DECEMBER 2007

2 PM CONFERENCE ROOM A CIVIC OFFICES

REPORT BY THE CITY PLANNING OFFICER ON PLANNING APPLICATIONS

ADVERTISING AND THE CONSIDERATION OF PLANNING APPLICATIONS

All applications have been included in the Weekly List of Applications, which is sent to City Councillors, Local Libraries, Citizen Advice Bureaux, Residents Associations, etc, and is available on request. All applications are subject to the City Councils neighbour notification and Deputation Schemes.

Applications, which need to be advertised under various statutory provisions, have also been advertised in the Public Notices Section of The News and site notices have been displayed. Each application has been considered against the provision of the Development Plan and due regard has been paid to their implications of crime and disorder. The individual report/schedule item highlights those matters that are considered relevant to the determination of the application

REPORTING OF CONSULTATIONS

The observations of Consultees (including Amenity Bodies) will be included in the City Planning Officer's report if they have been received when the report is prepared. However, unless there are special circumstances their comments will only be reported VERBALLY if objections are raised to the proposals under consideration

APPLICATION DATES

The two dates shown at the top of each report schedule item are the applications registration date- 'RD' and the last date for determination (8 week date - 'LDD')

HUMAN RIGHTS ACT

The Human Rights Act 1998 requires that the Local Planning Authority to act consistently within the European Convention on Human Rights. Of particular relevant to the planning decisions are *Article 1 of the first protocol- The right of the Enjoyment of Property*, *Article 6- Right to a fair hearing* and *Article 8- The Right for Respect for Home, Privacy and Family Life*. Whilst these rights are not unlimited, any interference with them must be sanctioned by law and go no further than necessary. In taking planning decisions, private interests must be weighed against the wider public interest and against any competing private interests Planning Officers have taken these considerations into account when making their recommendations and Members must equally have regard to Human Rights issues in determining planning applications and deciding whether to take enforcement action.

Web: <http://www.portsmouth.gov.uk>

1 07/01875/FUL

176 LONDON ROAD HILSEA PORTSMOUTH HAMPSHIRE

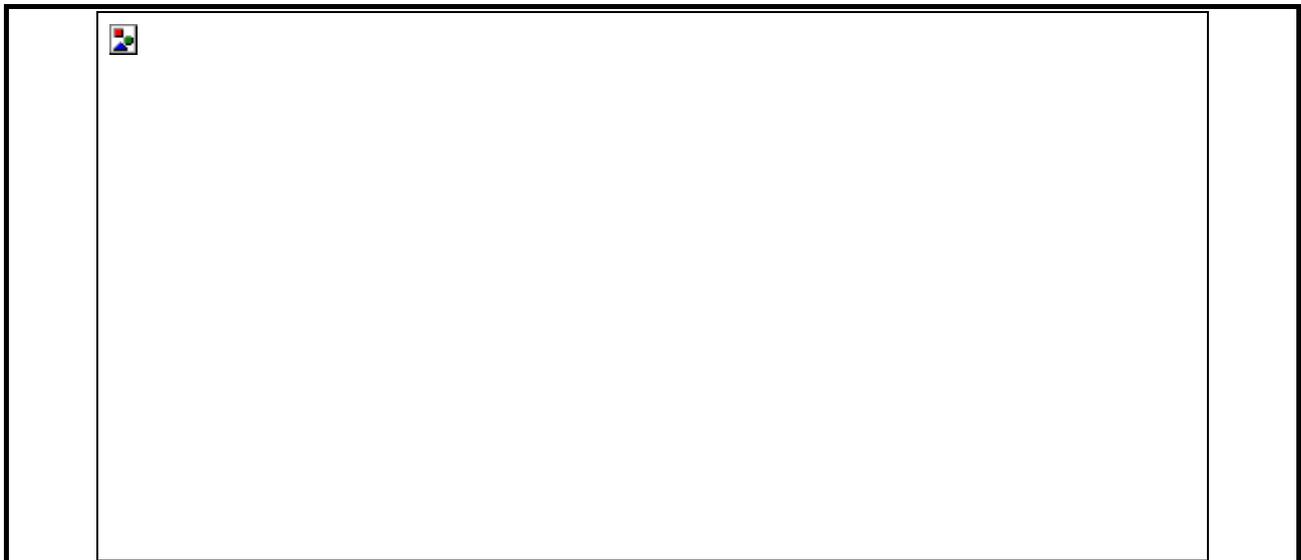
CONSTRUCTION OF ADDITIONAL FLOOR TO FORM 2 APARTMENTS (INCLUDING ALTERATIONS TO EXTEND BIN AND CYCLE STORAGE) FOLLOWING REMOVAL OF PLANT/TELECOMS EQUIPMENT

Application Submitted by:
PLC ARCHITECTS

RDD: 26th September 2007
LDD: 21st November 2007

On behalf of:
TRISTMIRE LTD

MAP OF THE SITE



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SITE, PROPOSAL AND RELEVANT PLANNING HISTORY

The application site is located on the east side of London Road at the junction with Thurbern Road. The site consists of a part two-/part five-storey building, with the two storey element projecting to the east and directly fronting Thurbern Road, which provides an undercroft to allow vehicular access. The building has numerous telecommunications equipment and other structures at roof level. Works are currently being undertaken on the site, with the cladding having been stripped off of the building, which is believed to be the implementation of a previous permission granted at appeal. Thurbern Road includes a mix of terraced and semi-detached properties which are two storeys in height. London Road is more varied in terms of the mix of residential and commercial uses and the building types and heights.

There have been a number of planning applications relating to telecommunications and the conversion of the building to residential and office space. Planning application A*37202/AF related to such a conversion to 12 flats on the upper floors with office space at ground floor, and this application was allowed at appeal in December 2005.

Planning permission is sought for the erection of an additional storey to the main building to form 2 flats bringing the total number of floors to 6. Balconies would be provided to the flats, with solid screens erected to the east elevation. Windows to 3 bedrooms, 2 bathrooms and a

stairwell are proposed to the east elevation with an obscure glazed balcony screen to the building edge. Cycle storage and refuse storage would be provided at ground floor within extended stores.

POLICY CONSIDERATIONS

The relevant policies within the Portsmouth City Local Plan 2001-2011 would include:- DC1 (Design Principles), DC5 (Amenity and Pollution), DC21 (Contaminated Land), DC25 (Transport Issues in New Development), DC27 (Contributions Towards Transport Imprvmnts), DC28 (Parking Standards), DC46 (Public Open Space in New Res Development), DC47 (Residential density),

CONSULTATIONS

Sustainable Transport Engineer

No comments received

Highways Authority (Colas)

Applicants should consult with the highways authority in respect of any works to the highway.

REPRESENTATIONS

3 letters of representation have been received objecting on the following grounds: a) overdevelopment; b) loss of privacy; c) air, noise and light pollution; d) loss of light; e) lack of parking; and f) out of keeping with area.

COMMENT

The principle issues for consideration are the impact the proposed development would have on the neighbouring properties and the impact on the appearance of the area.

The existing height of the building results in it having a distinct appearance within the streetscene. There are already structures on the roof and although they do not extend across the full width of the building, they are of a similar height to the proposed additional floor and give the appearance of a higher building. Therefore it is considered that the additional floor would not be detrimental to the appearance of the area or result in a detrimental impact in terms of loss of light.

Measures have been taken to prevent overlooking of the properties to the east with the introduction of obscure glazed railings, and the submitted cross section indicates that only longer distance views would be possible. The proposed measures result in a similar relationship to that of the 1.65 metre high obscure glazing to the east elevation required by the previous approval. The Inspector considered these measures 'would not cause unreasonable harm to existing residents', and it is considered that the longer distance views that would be possible would not result in a detrimental impact on the living conditions of the occupiers of the properties to the east within Thurbern Road. The conversion of the building already approved includes windows facing the properties to the south and across the public highway and the proposed additional storey is not considered to increase the opportunity for overlooking to an unacceptable degree to these properties.

With regard to the other issues raised within the representations, as noted above permission has previously been granted at appeal for 12 flats within the existing building and the addition of two further units is not considered to result in an overdevelopment of the site, nor would it have a significant impact in terms of air, noise and light pollution. In view of its location close to alternative modes of transport to the car, the proposals are considered to be in accordance with Local Plan Policy and would not have a significant additional impact on the parking within the locality.

The applicants have satisfied the requirements for open space and sustainable transport contributions required by Policies DC46 and DC27 having provided a unilateral undertaking.

RECOMMENDATION

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|-------------------------------|
| CONDITIONAL PERMISSION |
|-------------------------------|

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.
2. The works hereby approved shall not be commenced until details of all external facing and roofing materials have been submitted to and approved by the Local Planning Authority in writing.
3. Prior to the occupation of the flats hereby approved, the proposed obscure glazed screens to the east elevation and the central screen between the flats on the west elevation shall be installed. The screens shall thereafter be retained.
4. The windows on the east elevation to the stairwell, and bathrooms shall be non-opening to a height of 1.8 m above the finished internal floor level and shall be obscure glazed. Those windows shall be retained in that condition thereafter.
5. The facilities shown on the approved plan for the storage of refuse shall be constructed and completed before the building is first occupied, or within such extended period as agreed in writing with the Local Planning Authority, and shall thereafter be retained for those purposes at all times.
6. The facilities to be provided for the storage of bicycles shall be constructed and completed before any of the first occupied, or within such extended period as agreed in writing with the Local Planning Authority, and shall thereafter be retained for those purposes at all times.

Reason for Conditions

1. To comply with Section 91 of the Town and Country Planning Act 1990.
2. In order to secure the satisfactory appearance of the development in accordance with policy DC1 of the Portsmouth City Local Plan 2001-2011.
3. To protect the privacy of the adjoining occupiers and in accordance with Policy DC5 of the Portsmouth City Local Plan 2001-2011.
4. To protect the privacy of the occupiers of the adjoining property(ies) in accordance with policies DC1 and DC5 of the Portsmouth City Local Plan 2001-2011.
5. In the interests of amenity in accordance with policies DC1 and DC5 of the Portsmouth City Local Plan 2001-2011.
6. To ensure that adequate provision is made for cyclists using the premises in accordance with policies DC1, DC5 and DC25/DC28 of the Portsmouth City Local Plan 2001-2011.

Reason

1. In the opinion of the Local Planning Authority, the proposed additional storey would not have a significant impact on the amenities of the adjoining occupiers in terms of loss of light, outlook or privacy. Furthermore, the design of the proposed extension is appropriate in relation to the recipient building and would not have a detrimental impact on the appearance of the surrounding area. The proposal is therefore in accordance with policies DC1, DC5, DC25, DC27, DC28, DC46 and DC47 of the Portsmouth City Local Plan 2001-2011.

2 07/01894/OUT

205 GOLDSMITH AVENUE SOUTHSEA HAMPSHIRE PO4 0AN

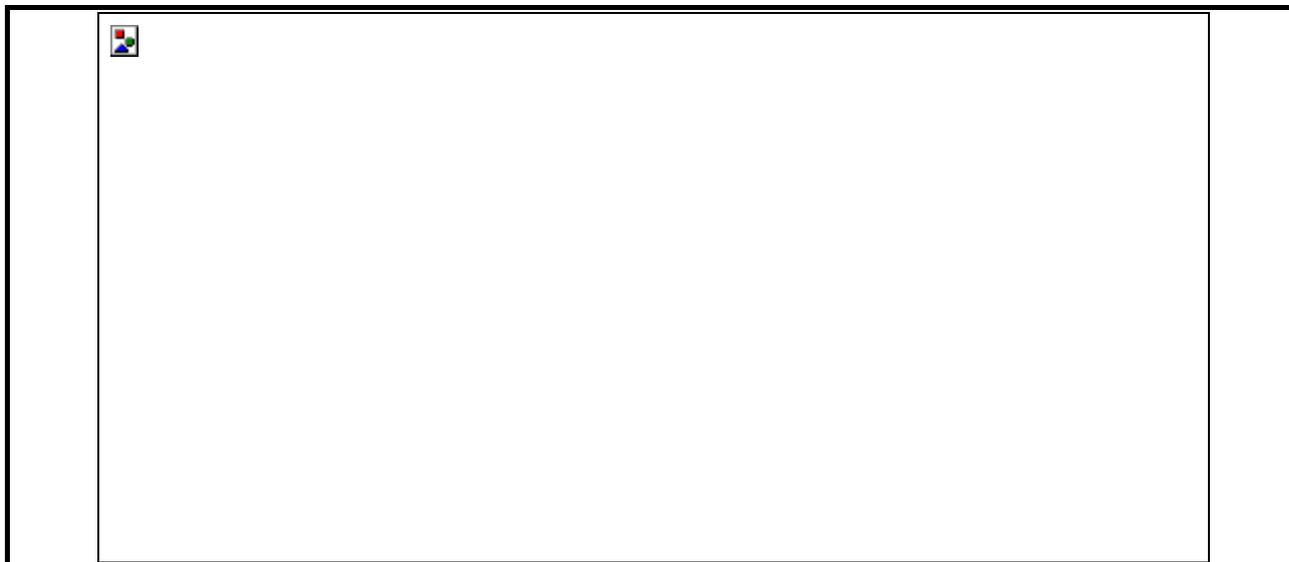
CONSTRUCTION OF PART 4/PART 3 STOREY BUILDING TO FORM 20 FLATS (12 X TWO BED AND 8 X 1BED) WITH ASSOCIATED CYCLE/REFUSE STORAGE AND LANDSCAPING (AFTER DEMOLITION OF EXISTING BUILDING) (RE-SUBMISSION OF 07/00423/OUT)

Application Submitted by:
LES WEYMES PLANNING CONSULTANCY LTD

RDD: 1st October 2007
LDD: 31st December 2007

On behalf of:
MR G WALKER

MAP OF THE SITE



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SITE, PROPOSAL AND RELEVANT PLANNING HISTORY

The application relates to a site on the south side of Goldsmith Avenue, east of the junction with Francis Avenue. The site is 'wedge-shaped', and the eastern end of the site is currently occupied by a car sales garage with vehicle access from Francis Avenue. The west side of the site is an area of open space currently owned by the City Council, comprising shrubs and trees and a public footpath.

To the east of the site is a 'Lidl' store and associated car park. To the south, on the opposite side of Francis Avenue, is a row of two-storey terraced housing and a commercial garage. The mainline railway line runs to the north of Goldsmith Avenue.

Outline planning permission is sought for the construction of a part 4-storey/part 3-storey building to form 20 flats after demolition of existing buildings. The scheme would incorporate cycle and refuse storage facilities and an area of landscaping to the west of the building. Approval is sought for all aspects of the scheme apart from landscaping, which would be dealt with as a reserved matter.

In 2005, planning permission was refused for the construction of a 4-storey building to form 27 flats. The reasons for refusal were as follows:

'In the opinion of the Local Planning Authority the proposed four-storey height of the proposed building represents an over-dominant structure to the street-scenes of Goldsmith Avenue and Francis Avenue and the nearby buildings. In addition the almost complete site coverage would create a form of development that provides no natural amenity to the residents of the building and is out of context with the adjoining natural landscaping and the street-scene of Goldsmith Avenue. As such the proposal is contrary to the objectives of policy E2 (a), (c), of the Portsmouth City Local Plan 1995 and policy DC1 (ii), (iii) of the Portsmouth City Local Plan'.

'Having regard to the location of the proposed building, facing a busy road and adjacent to commercial premises including a railway line and railway maintenance depot the Local Planning Authority is not satisfied that the proposed dwellings will not be subjected to levels of unacceptable noise, which will be detrimental to the living conditions of the occupiers. As such the proposal is considered to be contrary to the objectives of policy E2 (e) of the Portsmouth City Local Plan 1995 and policy DC5 (ii) of the Portsmouth City Local Plan First Review 2001-2011(Proposed Modifications 2004)'.

'Having regard to the proposed means of obtaining light and providing an outlook to habitable rooms on the east elevation from land immediately adjacent to the boundary and not from within the curtilage of the application site, the proposal represents an overdevelopment of the site by reason of proposing an unsatisfactory layout and as such is contrary to policy E2 (a) of the Portsmouth City Local Plan 1995 and policy DC5 of the Portsmouth City Local Plan First Review 2001-2011(Proposed Modifications 2004)'.

In May 2007, an application for the construction of a building to form 20 flats was withdrawn prior to determination for further negotiation regarding layout and design.

POLICY CONSIDERATIONS

The relevant policies within the Portsmouth City Local Plan 2001-2011 would include:- DC1 (Design Principles), DC5 (Amenity and Pollution), DC9 (Storage of Refuse), DC21 (Contaminated Land), DC25 (Transport Issues in New Development), DC27 (Contributions Towards Transport Imprvmts), DC28 (Parking Standards), DC46 (Public Open Space in New Res Development), DC47 (Residential density),

CONSULTATIONS

EPPS - Contaminated Land Team

Conditions required relating to land contamination due to the location of the site on a former food wholesaler with associated fuel storage.

Sustainable Transport Engineer

No comments received at the time of writing the report.

Head Of Community Housing

Agreed units for affordable housing to be included in Legal Agreement.

Head Of Public Protection

Conditions required relating to noise insulation.

Southern Water

No comments received.

Disability Access Advisers

Notes provided for the applicants attention.

Highways Authority (Colas)

Redundant dropped kerbs must be reinstated as part of the development.

Waste Management Service

Applicants need to ensure appropriate access to refuse stores.

Landscape Group

Areas of land around the building itself could become unusable; more details would be required regarding planting and surfacing.

Architects Panel

The proposed design was considered an improvement on that previously seen by the panel. It was considered that the building would 'lift' the overall design quality of this part of the road.

REPRESENTATIONS

Nine letters of objection received from local residents (five from the same resident) on the following grounds: (a) lack of parking; (b) increased highway safety issues; (c) increased pressure on sewage and drainage system; (d) overbearing appearance; (e) loss of privacy; (f) increased noise and pollution from traffic; (g) overdevelopment of the site and wider area; (h) loss of light to nearby properties; and (i) inappropriate development for the location.

An objection has also been received from Councillor Howard Jones on the grounds of overdevelopment and increased noise and air pollution.

Councillor Mike Hancock has also registered objections on behalf of local residents.

COMMENT

The determining issues in this application relate to the following: acceptability of the residential use; design and appearance of the proposed development and relationship to the surrounding area; impact on nearby residents; access and parking; cycle and refuse storage. It is also important to have regard to the previous reasons for refusal for residential development on the site.

The eastern side of the site is currently occupied by a car sales garage. There are no specific land use policies relating to the site, and the immediate surrounding area is characterised by a mix of commercial and residential uses. The principle of replacing the existing commercial garage with residential development is considered acceptable in this location.

The previous scheme for residential development was for a 4-storey building to form 27 flats. The building would have filled much of the site, which at that time did not include the area of land to the west, and the building was considered to be totally unacceptable in terms of height, bulk and layout. The second reason for refusal of this previous application related to noise levels within the new building due to its location on a busy road and near to a railway line. For the current scheme, the Public Protection Service have recommended that such issues could be dealt with by condition. The condition would require details of a scheme to protect future

residents from external noise to be submitted and approved, and implemented before the building is occupied.

With regard to design, the current application is for a part four-storey, part three-storey building. The step down in height to three-storeys to the rear has been designed so that the building would relate more sympathetically to the two-storey properties in Francis Avenue. The fourth floor of the building would be set back from the front elevation behind a parapet wall and would be fully glazed to reduce the overall visual bulk of the building. The rest of the building would be constructed of a mix of materials including timber cladding, coloured render and aluminium windows.

The building would be visually prominent within the area, visible from both the main road and the railway line. Although the proposed building would be considerably taller than the neighbouring Lidl store and of a much larger scale in comparison to the existing residential housing to the south, there are other examples of similar sized residential developments further along Goldsmith Avenue to the east. The contemporary design of the building would also make it stand out within the streetscene, which is generally characterised by more traditional style housing and commercial properties. The applicants feel that this type of development would have a positive impact on the character of the area by enhancing the appearance of the prominent site.

The application site includes an area of land to the east, which is currently owned by the City Council. This area of land is proposed to be landscaped and part of it would provide a private amenity area for the residents of the flats. Precise details of the landscaping would be dealt with as a reserved matter.

The buildings directly to the south of the site on the opposite side of Francis Avenue are in commercial use. The nearest house to the site is located approximately 25m to the south west. There would be habitable room windows on all elevations of the proposed building, but none of the windows would directly overlook the nearby housing. Due to the distances between the proposed building and the existing housing, it is not considered that the development would have a significant impact in terms of loss of privacy, light or outlook to nearby residents.

The site would have two main entrances, one from Goldsmith Avenue and one from Francis Avenue, which would both be for pedestrians only. Four of the ground floor units would have individual entrance doors, and the rest of the units would be accessed via a communal corridor, lift and stairwell. No car parking spaces have been provided for the occupants of the flats, but there are good public transport links along Goldsmith Avenue, and the site lies in close proximity to Fratton train station. Furthermore, an objection on lack of car parking could not be sustained due to maximum parking standards in the Local Plan.

The scheme includes the provision of cycle storage facilities, which could also encourage the use of an alternative means of transport to the private car. Most of the cycle stores would be located internally at ground floor level, accessed from the rear of the building. Refuse storage facilities would also be provided, and these would be located near to either the Goldsmith Avenue or Francis Avenue entrances to allow easy access for collection. The level of proposed cycle and refuse storage is considered acceptable for the development.

The applicants have entered into a Legal Agreement to cover the payment of developer contributions towards public open space and sustainable transport, and to cover the requirements for providing a minimum of 6 units of affordable housing.

RECOMMENDATION

**CONDITIONAL OUTLINE
PERMISSION**

Conditions

1. The development to which this outline permission relates must be begun no later than the expiration of five years from the date of the grant of this outline planning permission; or if later, the expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.
2. In the case of any reserved matter, application for approval must be made no later than the expiration of three years beginning with the date of the grant of this outline planning permission.
3. Plans and particulars showing the detailed proposals for all the following aspects of the development shall be submitted to and approved by the Local Planning Authority in writing before any development is commenced:-
 - (1) A design showing all hard/soft landscaping including the planting to be undertaken, together with details specifying the position, species, size and number/density of planting, and the materials to be used for paved and other hard surfaces (RESERVED MATTER);
 - (2) The arrangements to be made for the future maintenance of landscaped and other open areas;The agreed details shall be completed before any of the dwellings are first occupied or within such extended period as agreed in writing with the Local Planning Authority.
4. The facilities to be provided for the storage of bicycles and refuse shall be constructed and completed before any of the flats are first occupied, or within such extended period as agreed in writing with the Local Planning Authority, and shall thereafter be retained for those purposes at all times.
5. No works pursuant to this permission shall commence until there has been submitted to and approved in writing by the local planning authority:-
 - (a) a desk top study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated Land Research Report Nos. 2 and 3 and BS10175:2001;and, unless otherwise agreed in writing by the Local Planning Authority,
 - (b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as being appropriate by the desk study in accordance with BS10175:2001- Investigation of Potentially Contaminated Sites - Code of Practice;and, unless otherwise agreed in writing by the Local Planning Authority,
 - (c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.
6. The development hereby permitted shall not be occupied/brought into use until there has been submitted to the Local Planning Authority verification by the competent person approved under the provisions of condition 5(c) that any remediation scheme required and approved under the provisions of condition 5(c) has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Unless otherwise agreed in writing by the Local Planning Authority such verification shall comprise;
 - (a) as built drawings of the implemented scheme;
 - (b) photographs of the remediation works in progress;
 - (c) Certificates demonstrating that imported and/or material left in situ is free of contamination.Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition 5(c).

7. Prior to commencement of the development, a scheme for insulating habitable rooms against external noise shall be submitted to and approved by the Local Planning Authority in writing; the approved scheme shall be implemented fully in accordance with the approved details before the flats are first occupied, and thereafter maintained.
8. The works hereby approved shall not be commenced until details of all external facing and roofing materials have been submitted to and approved by the Local Planning Authority in writing.

Reason for Conditions

1. To comply with Section 92 of the Town and Country Planning Act 1990.
2. To comply with Section 92 of the Town and Country Planning Act 1990.
3. In order to secure a satisfactory form of development in accordance with policies DC1 and DC2 of the Portsmouth City Local Plan 2001-2011.
4. In the interest of amenity and to ensure that adequate provision is made for cyclists using the premises in accordance with policies DC1, DC5, DC9 and DC25/DC28 of the Portsmouth City Local Plan 2001-2011.
5. In order to ensure that the site is free from prescribed contaminants in accordance with policy DC21 of the Portsmouth City Local Plan 2001-2011.
6. In order to ensure that the site is free from prescribed contaminants in accordance with policy DC21 of the Portsmouth City Local Plan 2001-2011.
7. To ensure that noise levels within the dwellings do not exceed acceptable limits having regard to the provisions of the Noise Insulation Regulations in accordance with policy DC5 of the Portsmouth City Local Plan 2001-2011.
8. In order to secure the satisfactory appearance of the development in accordance with policy DC1 of the Portsmouth City Local Plan 2001-2011.

Reason

1. In the opinion of the Local Planning Authority, the proposed building to form 20 flats is appropriate in terms of its scale and design in relation to the site and surrounding area, and would have no significant impact on the amenities of surrounding residents. The proposal is in accordance with policies DC1, DC5, DC9, DC21, DC25, DC27, DC28, DC46 and DC47 of the Portsmouth City Local Plan 2001-2011.

3 07/01945/CON

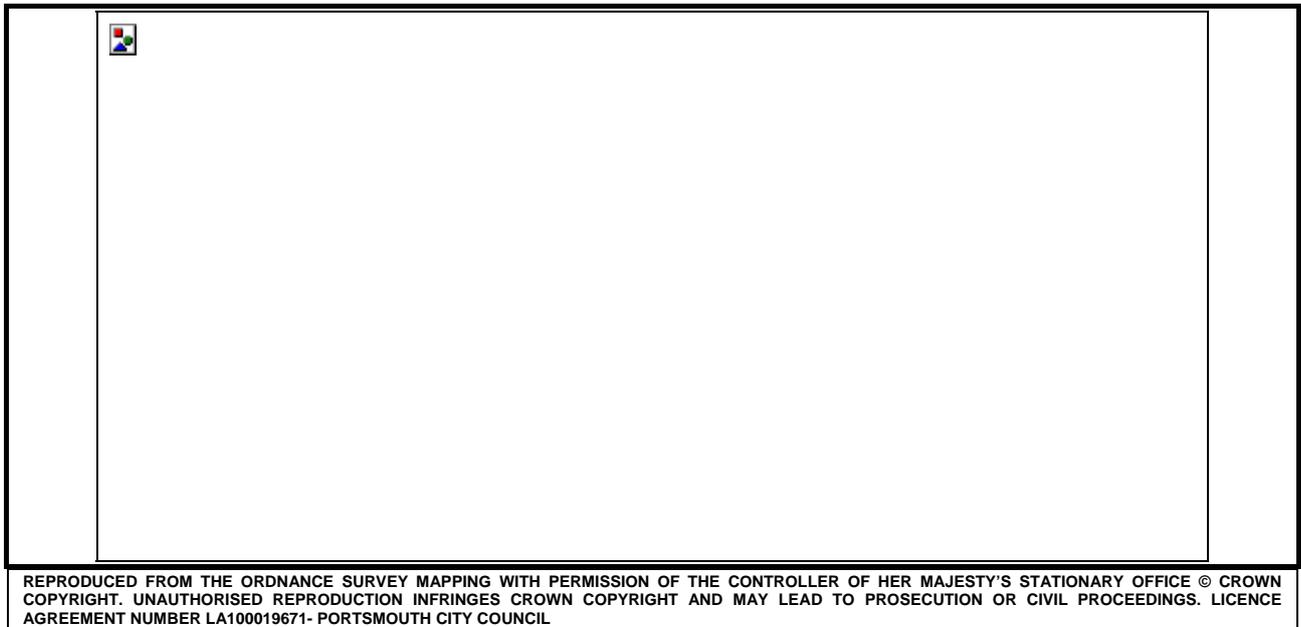
CONCRETE SHELTER EASTNEY ESPLANADE SOUTHSEA HAMPSHIRE

DEMOLITION OF CONCRETE SHELTER

Application Submitted by:
PARKS AND RECREATION DEPARTMENT

RDD: 8th October 2007
LDD: 3rd December 2007

MAP OF THE SITE



SITE, PROPOSAL AND RELEVANT PLANNING HISTORY

The site is located in The Eastney Barracks Conservation Area (No 17) and comprises a single storey flat roofed five bay concrete shelter located on Southsea Esplanade Eastney. The shelter straddles the promenade and is open at both ends. It is of a distinctive 1950s/ early 60s design.

Conservation area consent is sought to demolish the shelter.

In 1986 conditional planning permission (A*32348/-1) was granted for the siting of a trailer with tables and chairs for the sale of refreshments, on a site very close to the shelter.

POLICY CONSIDERATIONS

The relevant policies within the Portsmouth City Local Plan 2001-2011 would include:- DC1 (Design Principles), DC10 (Conservation Areas),

REPRESENTATIONS

Three emails of objection, two from local residents and one from the Portsmouth Society, and one e-mail of comment from the owners of a nearby mobile refreshments concession have been received. The objections draw attention to a) The acceptability of the demolition of the existing structure only on the basis of the immediate provision of a suitable replacement. b) The shelter from the elements which the structure provides. c) The frequent use that is made of the shelter by local people and the need to retain it as a service to people.

The email of comment draws attention to a proposal by the owners of the nearby refreshments concession to take on responsibility for maintenance of the shelter in return for use of the pavement space underneath by their customers.

COMMENT

The determining issue with regard to this application is the architectural and townscape significance of the shelter. It is considered that the structure is of insufficient character, or historic significance to justify listed status. As such it would be hard to justify its retention on planning grounds. The removal of the shelter would re-inforce the open character of this part of the seafront, and therefore would enhance the character of the conservation area. Although of an unusual period design the loss of the shelter would not be detrimental to the character and appearance of the Southsea Seafront Conservation Area (No10).

RECOMMENDATION

CONSENT

Condition

1. The works to which this Conservation Area Consent relate must be begun no later than the expiration of three years beginning with the date on which this consent is granted.

Reason for Condition

1. To comply with Section 74 of the Planning (Listed Buildings and Conservation Areas) Act, 1990.

Reason

1. In the opinion of the Local Planning Authority, the proposed demolition of the concrete shelter is considered acceptable. The structure is considered to be of insufficient architectural and historic merit to justify refusal of consent, and its removal would not be detrimental to the character and appearance of the Southsea Seafront Conservation Area (No 10). The proposal is therefore in accordance with policies DC1 and DC10 of the Portsmouth City Local Plan 2001-2011.
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4 07/01955/OUT

SITE SOUTH OF JUBILEE AVENUE FORMING PART OF SAXON SHORE AND WESTFIELD SCHOOLS PORTSDOWN ROAD PAULSGROVE PORTSMOUTH

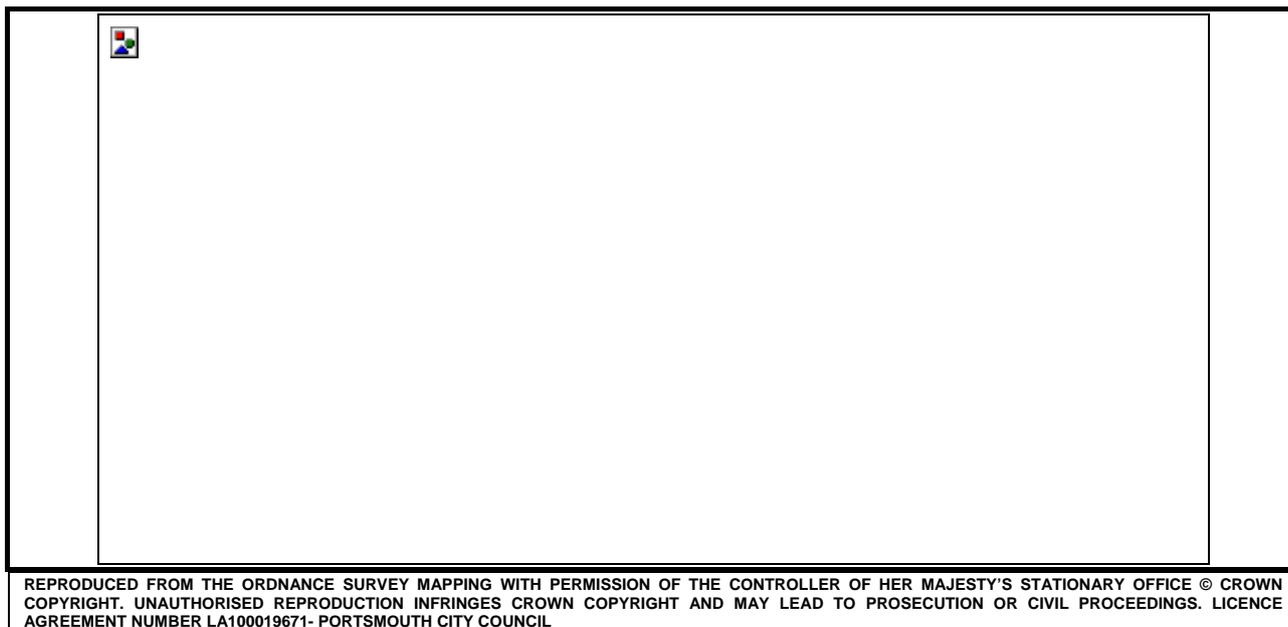
OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT WITH THE PRINCIPAL OF ACCESS TO BE CONSIDERED

Application Submitted by:
ASSET MANAGEMENT SERVICE (DESIGN)

RDD: 10th October 2007
LDD: 14th January 2008

On behalf of:
CHILDREN FAMILIES AND LEARNING

MAP OF THE SITE



SITE, PROPOSAL AND RELEVANT PLANNING HISTORY

The application site consists of the northern section of the Saxon Shore Infant and Westfield Junior schools. The infant and junior schools are situated at the western end of Jubilee Avenue and adjacent to Connaught Lane, a road suitable for vehicular traffic up to the existing railway bridge. There are existing accesses to the Infant and Junior School site from Connaught Lane, Jubilee Avenue and Portsdown Road. The school buildings across the site are predominantly a mix of single and two storey buildings with a mix of flat and pitched roofs. The site slopes down from Jubilee Avenue to the railway. The surrounding area is made up of predominantly two storey dwellings with a mix of property styles fronting Allaway Avenue, Jubilee Avenue and Portsdown Road. The properties within Portsdown Road have back gardens facing onto the application site.

The application is for outline permission, with only means of access being considered and therefore all other matters would be dealt with at the reserved matters stage. The existing access to the school opposite 22 Jubilee Avenue would be utilised for the housing development. The application indicates that following the demolition of the existing infant and junior school buildings, the northern part of the site would be used for a minimum of 83 dwellings, which equates to the density required by Policy DC47 of the Local Plan for an area of this size. The applicants have provided evidence within their design and access statement the level of public consultation they have undertaken, including public meetings.

A separate application reference 07/01957/OUT is being considered for the to re-provided the primary schools currently on this site, along with a replacement secondary school sited to the east of Connaught Lane, with an open space to the south of this application site. Application 07/00036/CCO was a single application that covered all of the aspects of development now covered by the two separate applications under consideration.

POLICY CONSIDERATIONS

The relevant policies within the Portsmouth City Local Plan 2001-2011 would include:- DC1 (Design Principles), DC5 (Amenity and Pollution), DC21 (Contaminated Land), DC25 (Transport Issues in New Development), DC27 (Contributions Towards Transport Imprvmts), DC28 (Parking Standards), DC46 (Public Open Space in New Res Development), DC47 (Residential density), DC15 (Archaeological Sites and Monuments),

CONSULTATIONS

Highways Authority (Colas)

No objection in principle.

Sustainable Transport Engineer

No detrimental impact on the operation of the highway network surrounding the site.

Head Of Public Protection

Condition relating to desk top study for contamination and remediation required.

Condition required to provide a scheme for insulating habitable rooms against external noise.

Fareham Borough Council

Consider that the given the effect of traffic calming measures along Jubilee Avenue, traffic arising from the residential development may have been under estimated.

It would be desirable to incorporate a rear vehicular access to the properties within Portsdown Road.

Southern Water

Insufficient capacity within existing network. Developer will need to contact Southern Water to in connection with providing adequate infrastructure. Conditions required relating to details of the proposed means of foul sewerage and surface water disposal, and measures to protect the sewers.

Head Of Community Housing

No comments received.

The Portsmouth Society

No comments received.

Archaeology Advisor

Condition required in connection with an evaluation of the site prior to commencement.

REPRESENTATIONS

4 letters of representation have been received including one from Councillor David Horne, objecting on the following grounds: a) inappropriate location for open space; b) parking problems; c) increased traffic; d) disruption during construction works; e) provision should be made for rear access to the properties within Portsdown Road; f) too many unanswered questions; g) what provision is made for community facilities for the new housing; h) what will happen to the existing trees on the site.

COMMENT

This application has been submitted in outline, with only access being considered. Details relating to appearance, layout, scale and landscaping of the residential development are not matters being considered and therefore the main issues for consideration are whether the principle of the use is acceptable on this site, and whether the proposed location of the access is appropriate.

The site is located within an area that with the exception of the schools and some local shops is residential in nature. It is defined in the Local Plan as being situated within a medium accessibility area and is within walking distance of a railway station and on an existing bus route. Therefore, further residential development in this location is considered to be acceptable in principle.

The proposed residential development would utilise an existing access to the school situated centrally to the site. The position of the proposed access is considered to be an appropriate location for this development and would not give rise to highway safety issues. A report has been prepared by the applicant relating to the likely traffic which would be generated from the proposal. The report demonstrates that the level of traffic generation from a scheme of 83 dwellings on this site is unlikely to result in a detrimental affect on the junction at Portsdown Road and Jubilee Avenue and therefore it is not considered that the proposed residential development would result in a detrimental impact on the highway network.

On-site public open space provision would be required to comply with Policy DC46 of the Local Plan as the proposal exceeds the provision 50 units on the site. Details of the layout of the development and position of the open space would be required as part of any reserved matters application, and at that stage the scale of the buildings and how the contours of the site are dealt with will also be considered.

A number of other issues have been raised within the representations, including the provision of rear access to the properties within Portsdown Road, the noise and disturbance associated with the construction works and the loss of the existing trees.

The exact layout of the housing scheme and the possibility of the provision of rear access to the properties within Portsdown Road are not being considered. Whilst it may be a desire of the residents, such a scheme does not form part of the proposal and it is not considered appropriate to require a developer to provide rear access to these properties to resolve an existing situation. Whilst it is inevitable that there would be noise and disturbance throughout the construction phase of the development, this would be for a limited period of time and is not considered any disturbance would be so significant as to warrant a refusal on these grounds. As part of the reserved matters, full details of the proposed landscaping would be required, including details of those trees to be retained and any replacements, along with all other hard and soft landscaping details. A large amount of the application site is covered by buildings, hard surfacing and open grassed areas, and any loss of trees is unlikely to have a significant impact on the visual amenities of the area.

In order to comply with Local Plan Policy, the scheme requires contributions towards sustainable transport as required by Policy DC27 and that 30% of the units to be provided on site be affordable housing in accordance with Policy DC40. Therefore subject to the completion of a Legal Agreement to satisfy these issues the scheme is considered to be acceptable.

RECOMMENDATION - Subject to the applicants first entering into a Section 106 Planning Agreement - to secure 30% of the proposed units for 'affordable housing', and transport improvements contributions - grant:

RECOMMENDATION

**CONDITIONAL OUTLINE
PERMISSION**

Conditions

1. The development to which this outline permission relates must be begun no later than the expiration of five years from the date of the grant of this outline planning permission; or if later, the expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.
2. In the case of any reserved matter, application for approval must be made no later than the expiration of three years beginning with the date of the grant of this outline planning permission.

3. Plans and particulars showing the detailed proposals for all the following aspects of the development shall be submitted to and approved by the Local Planning Authority in writing before any development is commenced:-
 - (1) The design of all buildings/structures including the texture of facing and roofing materials (RESERVED MATTER);
 - (2) The siting of all buildings/structures (RESERVED MATTERS);
 - (3) A design showing all hard/soft landscaping including the trees to be retained, replacement tree planting, planting to be undertaken, together with details specifying the position, species, size and number/density of planting, and the materials to be used for paved and other hard surfaces (RESERVED MATTER);
 - (4) The layout including the positions and widths of roads and footpaths (RESERVED MATTER);
 - (5) The arrangements to be made for the future maintenance of landscaped and other open areas;
 - (6) The layout of foul sewers and surface water drains;
 - (7) The provision to be made for the parking of vehicles;
 - (8) The alignment, height and materials of all walls, fences and other means of enclosure;
 - (10) The provision to be made for street lighting;
 - (11) The proposed phasing of the development;
 - (12) All external facing and roofing materials;
 - (13) The materials to be used for the framework to windows;The agreed details shall be completed before any of the building(s)/structure(s) are first brought into use or within such extended period as agreed in writing with the Local Planning Authority.
4. The applicant shall arrange for an archaeological contractor recognised by the Local Planning Authority to carry out an evaluation of the site prior to the development commencing. The evaluation shall be carried out in accordance with a written scheme of investigation to be agreed in writing with the Local Planning Authority, and shall include arrangements for the conservation and long-term storage of artefacts removed from the site. The results of the evaluation shall be provided promptly to the Local Planning Authority who shall decide if further archaeological work will be required prior to or during construction.
5. No works pursuant to this permission shall commence until there has been submitted to and approved in writing by the local planning authority:-
 - (a) a desk top study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated Land Research Report Nos. 2 and 3 and BS10175:2001;
and, unless otherwise agreed in writing by the Local Planning Authority,
 - (b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as being appropriate by the desk study in accordance with BS10175:2001- Investigation of Potentially Contaminated Sites - Code of Practice;
and, unless otherwise agreed in writing by the Local Planning Authority,
 - (c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.

6. The development hereby permitted shall not be occupied/brought into use until there has been submitted to the Local Planning Authority verification by the competent person approved under the provisions of condition 5(c) that any remediation scheme required and approved under the provisions of condition 5(c) has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Unless otherwise agreed in writing by the Local Planning Authority such verification shall comprise;
 - (a) as built drawings of the implemented scheme;
 - (b) photographs of the remediation works in progress;
 - (c) Certificates demonstrating that imported and/or material left in situ is free of contamination.Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition 5(c).
7. Prior to the first occupation of the dwelling(s) bicycle storage facilities shall be provided in accordance with a detailed scheme to be submitted to and approved by the local planning authority in writing, and those facilities shall thereafter be retained.
8. Details of the facilities to be provided for the storage and removal of refuse from the dwellings shall be submitted to and approved by the Local Planning Authority in writing before works pursuant to this permission are commenced; those facilities shall be provided before the dwellings are first occupied, or within such extended period as agreed in writing with the Local Planning Authority, and thereafter retained for refuse storage purposes at all times.
9. Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.
10. A scheme for insulating the dwellings from external noise shall be submitted to, and approved in writing by the local planning authority before the development commences. The approved scheme shall be implemented for each dwelling before its first occupation and thereafter maintained.

Reason for Conditions

1. To comply with Section 92 of the Town and Country Planning Act 1990.
2. To comply with Section 92 of the Town and Country Planning Act 1990.
3. In order to secure a satisfactory form of development in accordance with policy DC1 of the Portsmouth City Local Plan 2001-2011.
4. In the interests of protecting and/or conserving evidence of the City's early heritage and development in accordance with Policy DC15 of the August 2005 Portsmouth City Local Plan.
5. In order to ensure that the site is free from prescribed contaminants in accordance with policy DC21 of the Portsmouth City Local Plan 2001-2011.
6. In order to ensure that the site is free from prescribed contaminants in accordance with policy DC21 of the Portsmouth City Local Plan 2001-2011.

7. To ensure that adequate provision is made for cyclists using the premises in accordance with policies DC1, DC5 and DC25/DC28 of the Portsmouth City Local Plan 2001-2011.
8. In the interests of amenity in accordance with policies DC1 and DC5 of the Portsmouth City Local Plan 2001-2011.
9. In order to ensure the site has appropriate infrastructure in accordance with policy DC7 of the Portsmouth City Local Plan 2001-2011.
10. To protect the amenities of the occupiers of the properties in accordance with policy DC5 of the Portsmouth City Local Plan 2001-2011.

Reason

1. In the opinion of the Local Planning Authority, the principle of residential redevelopment on this site would be a suitable alternative land use within a predominantly residential area and the proposal for a minimum of 83 dwellings is an appropriate density. Furthermore the proposal would not have a detrimental impact on highway safety or the road network. The proposed development would be in accordance with policies DC1, DC5, DC9, DC15, DC21, DC27, DC28, DC40, DC46 and DC47 of the Portsmouth City Local Plan 2001-2011.
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5 07/01957/OUT

KING RICHARD SCHOOL AND LAND FORMING PART OF SAXON SHORE AND WESTFIELD SCHOOLS ALLAWAY AVENUE PORTSMOUTH HAMPSHIRE

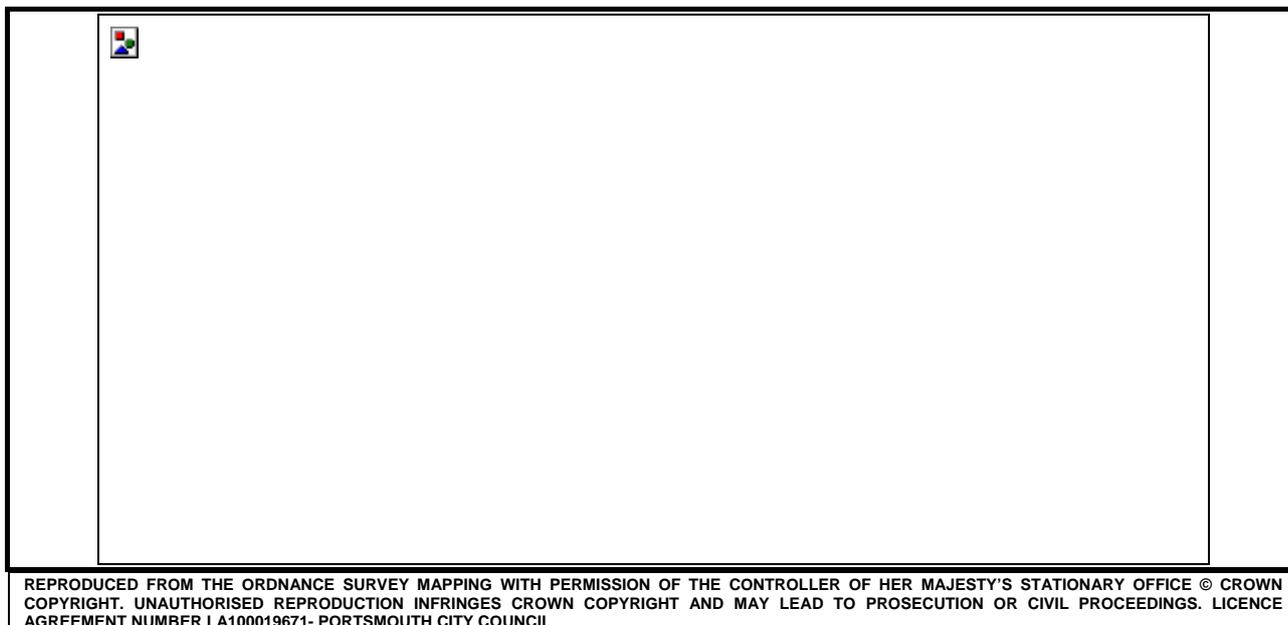
OUTLINE APPLICATION FOR CONSTRUCTION OF NEW LEARNING CAMPUS AND PUBLIC OPEN SPACE WITH THE PRINCIPLE OF ACCESS TO BE CONSIDERED

Application Submitted by:
ASSET MANAGEMENT SERVICE (DESIGN)

RDD: 10th October 2007
LDD: 14th January 2008

On behalf of:
CHILDREN FAMILIES AND LEARNING

MAP OF THE SITE



SITE, PROPOSAL AND RELEVANT PLANNING HISTORY

The application site consists of the existing triangular shaped public open space adjacent to the M27 flyover, King Richards Secondary School and playing fields, and the southern part of the Saxon Shore Infant and Westfield Junior schools, and adjacent to the railway. The infant and junior schools are situated at the western end of the site and are separated from the remainder of the site by Connaught Lane, a road suitable for vehicular traffic up to the existing railway bridge. There are existing accesses to the Infant and Junior School site from Connaught Lane, Jubilee Avenue and Portsdown Road. Access to King Richards School is primarily from Allaway Avenue, however, there is also an access point from Connaught Lane. The school buildings across the site are predominantly a mix of single and two storey buildings with a mix of flat and pitched roofs, with the exception being a higher entrance building to King Richards School. The existing open space is at the eastern end of the site and consists of a mix of copse and grassed area, with a pair of informal goals for recreation purposes.

The surrounding area is made up of predominantly two storey dwellings with a mix of property styles fronting, Allaway Avenue and Jubilee Avenue. The properties within Portsdown Road have back gardens facing onto the application site. The whole of the site is bordered by the railway to the south, which is screened by existing trees. The M27 is located at the eastern end of the site and adjacent to the existing open space.

The application is for outline permission, with only means of access being considered. The existing access from Portsdown Road to the infant and junior schools would be re-used for the open space, along with an access from Connaught Lane. Five new accesses are proposed onto Allaway Avenue to serve the two schools and along with the re-use of an existing access, all of which are situated east of Pendennis Road.

The indicative plan identifies the re-provided infant and junior school within one primary school building at the eastern end of the site, on the existing open space. The existing secondary school would be demolished and a new secondary school building is proposed on the existing school playing fields and adjacent to the new primary school. The indicative layout also shows that new playing fields would be provided on the site of the existing secondary school building. Following the demolition of the existing infant and junior school buildings, the land west of Connaught Lane and closest to the railway would be used for the replacement open space to the equivalent level to that being lost with the siting of the new primary school.

A separate application reference 07/01955/OUT is being considered for the redevelopment of the northern section of the existing primary schools site, with a residential development. Application 07/00036/CCO was a single application that covered all of the aspects of development now covered by these two separate applications under consideration, which was withdrawn in October 2007.

POLICY CONSIDERATIONS

The relevant policies within the Portsmouth City Local Plan 2001-2011 would include:- DC1 (Design Principles), DC5 (Amenity and Pollution), DC20 (Protection of Open Space), DC21 (Contaminated Land), DC25 (Transport Issues in New Development), DC28 (Parking Standards), DC15 (Archaeological Sites and Monuments),

CONSULTATIONS

Highways Authority (Colas)

No objection in principle.

Archaeology Advisor

Condition required in connection with an evaluation of the site prior to commencement.

The Portsmouth Society

No comments received.

Natural England

No comments received.

Southern Electric

No comments received.

Southern Water

Condition required relating to protection of the existing sewers.

Arboricultural Officer

No comments received.

Head Of Public Protection

Condition relating to desk top study for contamination and remediation required.

Sport England

No objections.

Network Rail

No comments received

Fareham Borough Council

Consider that given the deterrent effect of traffic calming measures along Jubilee Avenue, traffic arising from the residential development may have been under estimated.

It would be desirable to incorporate a rear vehicular access to the properties within Portsdown Road. Proposed park would not be subject to adequate oversight or supervision. Access 'D' would provide through route to know congregation areas.

Sustainable Transport Engineer

REPRESENTATIONS

4 letters of representation have been received objecting on the following grounds: a) vehicular access should be provided to rear of properties within Portsdown Road; b) lack of evidence that alternative schemes have been considered; c) loss of privacy from school windows facing onto properties within Allaway Avenue, where no overlooking currently exists; d) loss of views to Portsmouth Harbour; e) no road traffic studies undertaken; f) highway safety; g) noise and disturbance from construction work and schools on completion.; h) no provision for dropping off and picking up children; i) lack of off road parking.

COMMENT

This application has been submitted in outline, with only access being considered. Details relating to appearance, layout, scale and landscaping are not matters being considered and therefore the main issues for consideration are whether the principle of the use is acceptable on this site, and whether the proposed location and number of accesses are appropriate.

As noted above part of the application site is already used for educational purposes, with King Richards School and playing fields being situated at the western end of the site. The existing primary schools are also close to the application site being situated on the other side of Connaught Lane. It is considered that in view of the location of the existing schools within this section of Allaway Avenue and Jubilee Avenue, there is already an established principle of educational facilities and the use of the existing site and that to the east for the replacement schools is acceptable in principle.

The existing open space provides an informal space for public use and includes copses of trees. Whilst the trees on the amenity space have amenity value, they are not considered to be of such significant value to warrant preservation. There are existing trees along the eastern boundary adjacent to the M27, those along the railway boundary and the existing highway trees, which are unlikely to be removed. Landscaping is not being considered at this stage, and therefore the comprehensive details of the landscaped setting of the school buildings and any replacement trees would be controlled by the condition relating to the landscape reserved matter.

The proposal includes the re-provision of an equivalent level of open space at the western end of the site and on the least developed area of the primary schools site closest to the railway. The applicants have confirmed that the exact form of the replacement open space has not been decided and the requirements would be established through a public consultation exercise. To the east of the existing open space is a more formalised play area which includes playing fields, a hard surfaced playing area and playground equipment and therefore there are alternative facilities available in this location. The re-provision of the open space to the proposed location will provide a greater spread of open space for the wider community. Two accesses are proposed to the open space, one from Connaught Lane and one from Portsdown Road. These accesses are considered to be appropriately located and utilising existing access points enabling the open space to be used by the greatest number of people. Whilst issues have been raised in a negative way regarding the possible use of the accesses providing a direct route through the site, it is considered that this proposal would result in a greater opportunity for improved access and permeability within this area, which would be a positive aspect of the proposal. It is considered that the location of the existing open space, in view of its layout and proximity to the residential properties does not provide any natural surveillance. The proposed open space is situated adjacent to the existing properties within Portsdown Road and the proposed residential site, currently under consideration, which would offer the opportunity for an increased natural surveillance over the existing location and as such the replacement open space is considered to be acceptable. A condition is considered appropriate restricting the accesses to the open space to pedestrian and emergency/maintenance access only, with details of the measures to prevent vehicular access to be provided for approval.

There are five new accesses proposed for the school developments, along with the re-use of an existing access point. Whilst the location of the accesses is closer to the flyover than the existing situation, their position some 100 metres from the flyover, is not considered to result in any highway safety issues. The applicants have advised that the overall numbers of pupils within the schools is decreasing and therefore the overall number of children be picked up and dropped off will also be less than the existing situation. The exact level of parking is not indicated at this stage and will be dealt with by the reserved matter relating to layout, however, it is considered that appropriate on-site and off-site measures could be taken to ensure that the activities associated with the schools would not result in a detrimental impact to highway safety.

A number of other issues have been raised within the representations, including loss of privacy and views and the noise and disturbance associated with the construction and subsequent use of the schools.

The siting of the proposed buildings is not being considered at this stage, and the impact of the proposed schools on the adjacent residential properties would be considered at the reserved matters stage. The indicative plan does show that the schools would be sited opposite existing residential properties, however with an indicated separation in excess of 40 metres it is considered that there would not be a detrimental impact in terms of privacy. Loss of private views is not a material planning consideration.

Whilst it is inevitable that there will be noise and disturbance throughout the construction phase of the development, this would be for a limited period of time and is not considered any disturbance would be so significant as to warrant a refusal on these grounds. The applicants have confirmed that the proposed schools facilities will allow an increased opportunity for community use. Full details of the facilities to be provided are not being considered at this stage and therefore the full impact of these elements of the proposal would be assessed at the reserved matters stage.

RECOMMENDATION

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|--|
| <p style="text-align: center;">CONDITIONAL OUTLINE PERMISSION</p> |
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Conditions

1. The development to which this outline permission relates must be begun no later than the expiration of five years from the date of the grant of this outline planning permission; or if later, the expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.
2. In the case of any reserved matter, application for approval must be made no later than the expiration of three years beginning with the date of the grant of this outline planning permission.
3. Plans and particulars showing the detailed proposals for all the following aspects of the development shall be submitted to and approved by the Local Planning Authority in writing before any development is commenced:-
 - (1) The design of all buildings/structures including the texture of facing and roofing materials (RESERVED MATTER);
 - (2) The siting of all buildings/structures (RESERVED MATTERS);
 - (3) A design showing all hard/soft landscaping including the trees to be retained, replacement tree planting, planting to be undertaken, together with details specifying the position, species, size and number/density of planting, and the materials to be used for paved and other hard surfaces (RESERVED MATTER);

(4) The layout including the positions and widths of access roads and footpaths (RESERVED MATTER);
(5) The arrangements to be made for the future maintenance of landscaped and other open areas;
(6) The provision to be made for the parking of vehicles;
(7) The provision to be made for the parking, turning, loading and unloading of vehicles;
(8) The alignment, height and materials of all walls, fences and other means of enclosure;
(9) The proposed phasing of the development;
(10) All external facing and roofing materials;
(11) The materials to be used for the framework to windows;
The agreed details shall be completed before any of the building(s)/structure(s) are first brought into use or within such extended period as agreed in writing with the Local Planning Authority.

4. The applicant shall arrange for an archaeological contractor recognised by the Local Planning Authority to carry out an evaluation of the site prior to the development commencing. The evaluation shall be carried out in accordance with a written scheme of investigation to be agreed in writing with the Local Planning Authority, and shall include arrangements for the conservation and long-term storage of artefacts removed from the site. The results of the evaluation shall be provided promptly to the Local Planning Authority who shall decide if further archaeological work will be required prior to or during construction.
5. No works pursuant to this permission shall commence until there has been submitted to and approved in writing by the local planning authority:-
 - (a) a desk top study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated Land Research Report Nos. 2 and 3 and BS10175:2001;
and, unless otherwise agreed in writing by the Local Planning Authority,
 - (b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as being appropriate by the desk study in accordance with BS10175:2001- Investigation of Potentially Contaminated Sites - Code of Practice;
and, unless otherwise agreed in writing by the Local Planning Authority,
 - (c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.
6. The development hereby permitted shall not be occupied/brought into use until there has been submitted to the Local Planning Authority verification by the competent person approved under the provisions of condition 5(c) that any remediation scheme required and approved under the provisions of condition 5(c) has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Unless otherwise agreed in writing by the Local Planning Authority such verification shall comprise;
 - (a) as built drawings of the implemented scheme;
 - (b) photographs of the remediation works in progress;
 - (c) Certificates demonstrating that imported and/or material left in situ is free of contamination.Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition 5(c).

7. The proposed accesses from Portsdown Road and Connaught Lane to the proposed open space shall be restricted to pedestrian and emergency/maintenance access only in accordance with a detailed scheme which shall be submitted to and approved by the Local Planning Authority in writing. The accesses shall be provided in accordance with such approved details before the development hereby permitted is first brought into use and shall be retained in such condition thereafter.

Reason for Conditions

1. To comply with Section 92 of the Town and Country Planning Act 1990.
2. To comply with Section 92 of the Town and Country Planning Act 1990.
3. In order to secure a satisfactory form of development in accordance with policy DC1 of the Portsmouth City Local Plan 2001-2011.
4. In the interests of protecting and/or conserving evidence of the City's early heritage and development in accordance with Policy DC15 of the August 2005 Portsmouth City Local Plan.
5. In order to ensure that the site is free from prescribed contaminants in accordance with policy DC21 of the Portsmouth City Local Plan 2001-2011.
6. In order to ensure that the site is free from prescribed contaminants in accordance with policy DC21 of the Portsmouth City Local Plan 2001-2011.
7. To protect the amenities of the occupiers of adjoining and nearby properties and in accordance with policy DC5 of the Portsmouth City Local Plan 2001-2011.

Reason

1. In the opinion of the Local Planning Authority, the principle of providing replacement school buildings on this site, with the re-provision of open space, would be suitable alternative land uses within this location. Furthermore the proposal would not have a detrimental impact on highway safety or the road network. The proposed development would be in accordance with policies DC1, DC5, DC15, DC20, DC21, DC28, of the Portsmouth City Local Plan 2001-2011.

6 07/02061/FUL

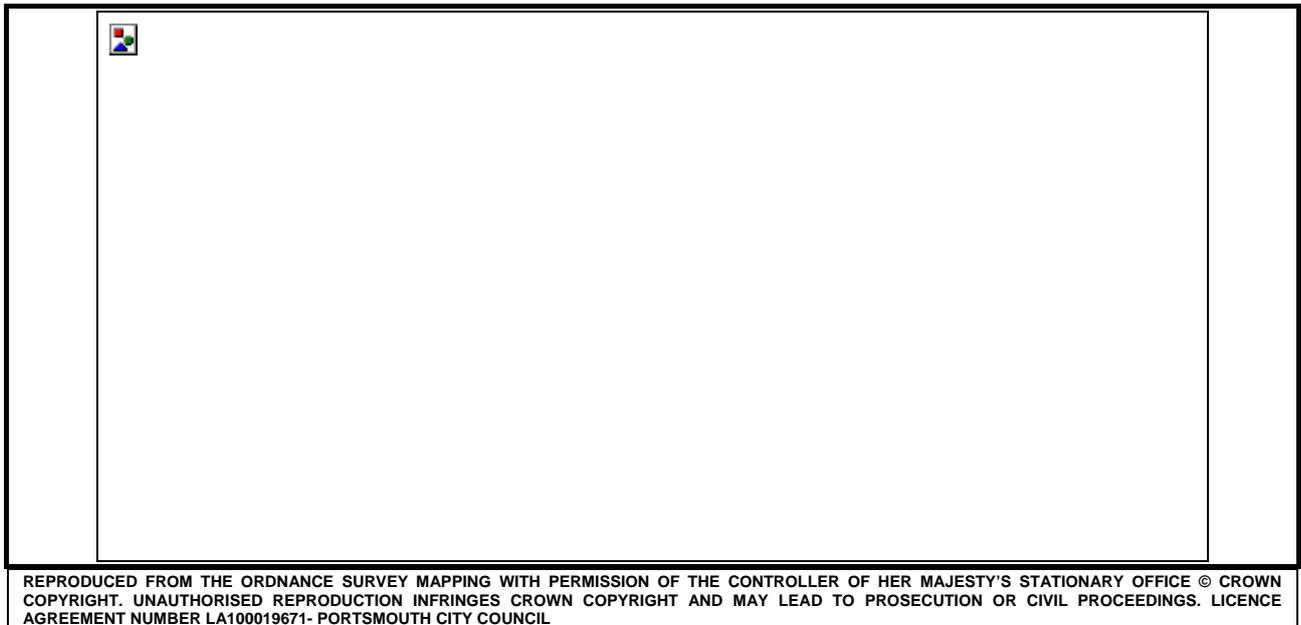
SHOP 67 ALBERT ROAD SOUTHSEA HAMPSHIRE

CHANGE OF USE FROM HAIRDRESSERS (CLASS A1) TO EMPLOYMENT AGENCY (CLASS A2)

Application Submitted by:
MR ERIC GENT

RDD: 24th October 2007
LDD: 2nd January 2008

MAP OF THE SITE



SITE, PROPOSAL AND RELEVANT PLANNING HISTORY

The application is referred to the Committee at the request of Councillors Hugh Mason and David Steven Butler (St Jude Ward).

The site is occupied by a three storey end of terrace building with accommodation within the roofspace located on the north side of Albert Road at its junction with Chelsea Road and is within the Albert Road Specialist Retail Area as defined by policy SJ7 of the Portsmouth City Local Plan 2001-2011. The building is currently subdivided into a ground floor Class A1 'shop' (a hairdressers) with four flats occupying the upper floors including the roofspace (granted planning permission July 2006 ref A*11687/AF).

Planning permission is sought for the change of use from a Class A1 'shop' to a Class A2 'financial or professional service'.

The property has an extensive planning history which includes:-

Planning permission refused in August 1996 for the use of the ground floor as a bar/café and first floor as a bar/function room.

Planning permission refused in October 1996 for the use of the ground floor for food and drink purposes with customer toilets, ancillary store and office at first floor level.

Planning permission granted in March 2004 for the change of use from retail (Class A1) to an orthodontic/dental practice (Class D1).

POLICY CONSIDERATIONS

The relevant policies within the Portsmouth City Local Plan 2001-2011 would include:- SJ7 (Albert Road Specialist Commercial Area), DC1 (Design Principles), DC5 (Amenity and Pollution),

CONSULTATIONS

Southsea Town Council

At the time of writing no comments had been received, should any comments be received these will be reported through the Committee Update Report.

REPRESENTATIONS

None.

COMMENT

The determining issues in this case relate to whether the principle of the proposed change of use is acceptable and whether the use would have a significant impact to the amenities of the occupiers of flats above.

Policy SJ7 of the Portsmouth City Local Plan relates to development within the Albert Road Specialist Retail Area. Part (i) of the policy states:- 'Shopping (A1), service (A2), office (B1a) and appropriate leisure uses (D2) of upto 500sqm gross floorspace, along with other appropriate social or community uses, will be permitted'.

The supporting text at paragraph 4.13.14 states 'In order to sustain the specialist character of the area, proposals for new shops, services, social and community uses and appropriate leisure uses will be permitted. Offices and other commercial (B1a) uses will also be allowed at ground floor level, in order to promote regeneration within the area, increase levels of activity and reduce vacancy'.

The proposed change of use is wholly supported by policy SJ7 and will ensure the continued use of the ground floor of this building which is currently vacant. The use of the ground floor for an A2 use accords with Policy SJ7.

No alterations to the existing shopfront are proposed, The applicants note within the Design and Access Statement that there will be an alteration to the advertisements displayed to the south and west elevations. Any change to the advertising displayed will be addressed by the advertising regulations either as deemed consent or through a separate application for express advertisement consent.

When compared to the existing, unrestricted use within Class A1, the use of the ground floor as a Class A2 'recruitment agency' is not considered to give rise to significant noise and general disturbance. The use would not prove detrimental to the amenities of adjoining and surrounding occupiers and would therefore accord with the requirements of policy DC5. Considering the other uses that fall within Class A2 of the Use Classes Order it is not considered necessary to further restrict the use of this site to a recruitment agency only.

RECOMMENDATION

| |
|-------------------|
| PERMISSION |
|-------------------|

Condition

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason for Condition

1. To comply with Section 91 of the Town and Country Planning Act 1990.

Reason

1. In the opinion of the Local Planning Authority, the use of the proposed use of the premises is appropriate in relation to the character of the specialist retail area and will not have a significant effect to the amenities of adjoining occupiers in terms of increased noise and general disturbance. The proposal is therefore in accordance with policies SJ7 and DC5 of the Portsmouth City Local Plan 2001-2011.

7 07/02079/FUL

LAND FRONTING CLARENCE PIER CLARENCE ESPLANADE SOUTHSEA HAMPSHIRE

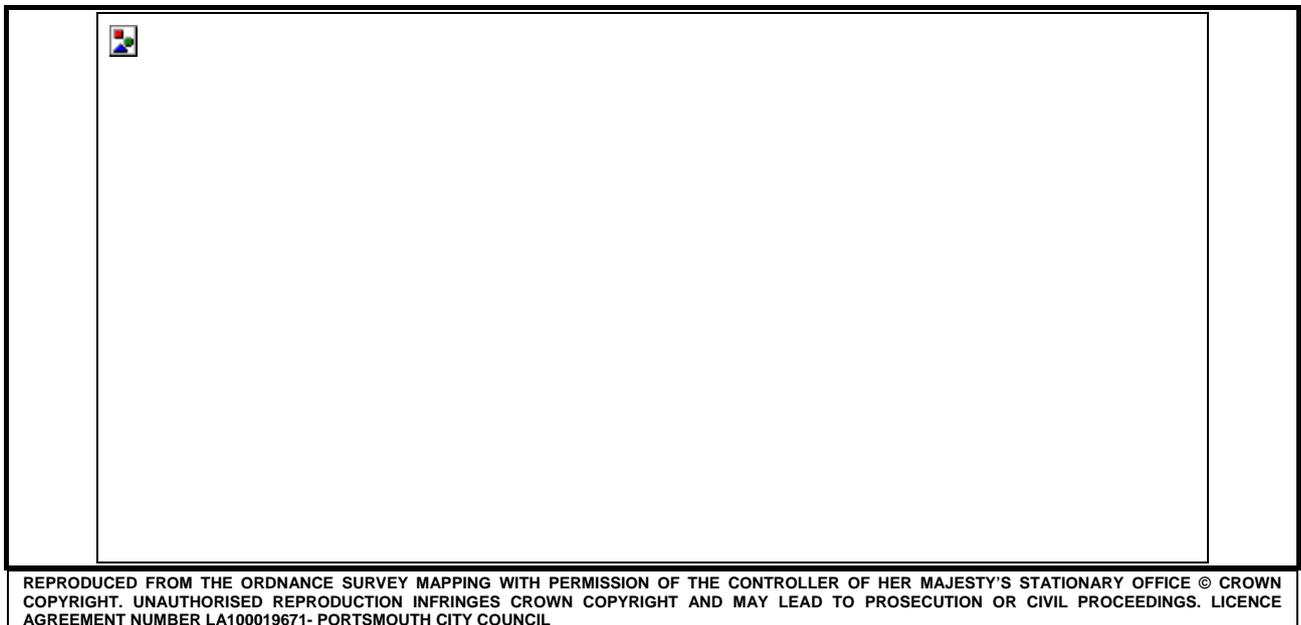
CONSTRUCTION OF 50M DIAMETER FREE STANDING WHEEL RIDE [OVERALL HEIGHT 55M], TICKETING BOOTHS, ASSOCIATED TENT/CANOPIES AND HIGHWAY ALTERATIONS (RE-SUBMISSION OF 07/00747/FUL)

Application Submitted by:
ADP ARCHITECTS LTD

RDD: 29th October 2007
LDD: 24th December 2007

On behalf of:
BILLY MANNING LTD

MAP OF THE SITE



SITE, PROPOSAL AND RELEVANT PLANNING HISTORY

This application relates specifically to the carriageway in front of part of the Hovercraft Terminal, the Clarence Pier Pavilion and Wheel of Fortune [forming part of the Funacres complex] and bounded to the north by the roundabout junction between Long Curtain Road and Pier Road, and to the north-east and south-east by a public car park. The public toilets which form an island within the carriageway are, however, excluded from the application site.

Together with the 'Travel Inn' and adjoining 'Clarence PH' to the north-west, the Funacres complex amounts to a comparatively modest group of buildings and structures located approximately half way along the otherwise largely undeveloped coast between Southsea Castle and the entrance to Portsmouth Harbour. To the east of the public car park and north of Clarence Esplanade lies Southsea Common, which is included in the Register of Parks and Gardens of special historic interest, while Clarence Ground Playing Field and Pembroke Gardens are situated to the north.

Planning permission was granted earlier this year for a smaller wheel to the one now proposed, as with this proposal the development involves the closure of an extensive part of the existing carriageway between the Clarence Pier Pavilion and the roundabout junction to the north in

order to create a new pedestrianised concourse. A restricted vehicular access to the amusement park is to be provided in front of the 'Wheel of Fortune' connecting to the Long Curtain Road/Pier Road roundabout. With the retention of the existing public toilets the south-east side of the proposed concourse will be flanked by a single 'one-way' carriageway with a lay-by to accommodate two disabled persons parking bays and a lay-by for two buses. The revised carriageway curves to the south-east where the area between the toilets and esplanade will be remodelled to provide a taxi rank for seven vehicles and a lay-by some 44m in length in front of the Hovercraft terminal to provide a drop-off and collection point for users of the terminal. Whilst this arrangement was approved on the earlier scheme having further considered the objections raised by HoverTravel the scheme has been amended to retain the existing drop off layby for Hover Travel.

What is currently a one-way single-carriageway for eastbound traffic to the north and east of the toilets will become two-way with a central reservation for part of its length. The latter will accommodate the provision of a pedestrian crossing linking to a public footpath which crosses the Common. A pedestrian crossing is also to be provided across the one-way road between the concourse and toilets. The alterations to the carriageway to the east of the existing public toilets will incorporate a dedicated right-turn lane into the new one-way road and a shared refuge for vehicles exiting or entering the public car park to the east of the site. At the roundabout junction between Pier Road and Long Curtain Road its southern edge is to be altered to create a coach drop-off/pick-up point. That alteration would enable service vehicles accessing the site to stand clear of the roundabout itself.

The southern section of the proposed concourse would accommodate the installation of a 50m diameter observation wheel aligned parallel to and directly in front of Clarence Pier Pavilion with its central hub on a south-west to north-east axis. The approved scheme is for a wheel with an overall height of 40m. Each side of the hub is supported by four stanchions anchored to a wall. The latter will contribute to the flow of people around the structure in addition to the control of the flow of people waiting to use the 'Wheel' and those alighting it. A lightweight canopy 5m by 5m to the north side of the structure covers two ticketing booths capable of taking four lines of customers. The northern part of the concourse will accommodate an arc of four tented canopies; two 8m in diameter and two 12m in diameter with overall heights of 6.5m and 7.5m respectively. Although the observation wheel is capable of embellishment, mainly in terms of lighting, the submitted design statement only refers to the structure 'simply expressed with little decorative embellishment' and lighting limited to a blue identification light on each side of the enclosed gondolas and in-ground mounted spotlights. The tented canopies would have both ground mounted uplighters and column mounted downlighters.

When the previous scheme was considered by the Development Control Committee it indicated that it might support a larger wheel, in light of these comments the applicant submitted this application.

POLICY CONSIDERATIONS

The relevant policies within the Portsmouth City Local Plan 2001-2011 would include:- SJ2 (Clarence Pier / Funacres), SP2 (Design & Heritage), SP5 (Developments of Sub-Regional Importance), SP8 (Employment & Economy), DC1 (Design Principles), DC2 (Landscaping), DC3 (Landmark Buildings and Features), DC4 (Access for All), DC5 (Amenity and Pollution), DC6 (Flood Protection), DC9 (Storage of Refuse), DC10 (Conservation Areas), DC13 (Historic Parks & Gardens), DC25 (Transport Issues in New Development), DC27 (Contributions Towards Transport Imprvmts), DC28 (Parking Standards), DC39 (Amusement Centres and Arcades),

CONSULTATIONS

The Portsmouth Society

Enthusiastically support as it would add greatly to the interest and attractiveness of the sea front.

Isle Of Wight Council

The Conservation Team has no comment.

Gosport Borough Council

No objection.

REPRESENTATIONS

At the time of writing the report 38 letters of objection had been received objecting to the scheme on the following grounds:

- I. Increase in visitor numbers and its implications for traffic flow and parking
- II. The proposal is for a traditional ferris wheel rather than an architecturally exciting and aesthetically pleasing structure
- III. Scale out of keeping with the surrounding area
- IV. Design of associated structures appear to be rather ordinary and unco-ordinated
- V. Will generate more noise and light pollution within area
- VI. No information on how visitor levels have been calculated one objector suggests that there would be 400 people per hour assuming an average opening of 10 hours per day 300 days per year this would suggest a total load of 1 200 000 people per year, at 50% capacity this would generate 600 000 visitors per year compared to an average 500,000 visitors per year to The Spinnaker Tower.
- VII. Applicants estimate appears to equate to an average 15% occupancy which would not be commercially viable
- VIII. Unacceptable to provide no additional parking as current parking situation is difficult and particularly acute in the summer
- IX. It is a busy traffic route and the supporting information fails to recognise that visitor trips are not spread evenly over the whole day
- X. Could have a negative impact on the ability of the Tower to attract visitors
- XI. Whole area rather tatty and the Wheel would not add to the area
- XII. Overbearing impact on the surrounding area
- XIII. Subject to severe winter weather and therefore not an all year round attraction
- XIV. Bring the fairground out into the Green and the surrounding historic area
- XV. Reducing the current road system to single carriageway when more vehicles and pedestrian will be generated by the development will invariably have a detrimental effect on traffic management and road safety
- XVI. Planning permission has been granted even though the applicant does not own the land
- XVII. Does not comply with Policy DC10 as it is several times higher than other buildings within the Conservation Area and does not respect the characteristics of other buildings within the area.
- XVIII. No indication that consideration has been given to any environmental improvements to mitigate the effects that such a large structure will have on this focal point at the end of the sea front.
- XIX. Concern that the wheel may not be maintained and overtime will look shabby

Friends of Old Portsmouth Association - support the application as it feels that it would be a focal point and aid economic regeneration of the sea front area.

COMMENT

Planning permission was granted earlier this year for a wheel with an overall height of 40m with ticketing booths, associated tent/canopies and highway alterations. The principle of a wheel has therefore been established, the key issues in considering this application are (i) whether the increase in height is acceptable in design terms (ii) whether the increase in height would result in a form of development that would preserve and /or enhance the character of the Conservation

Area (iii) the impact of any additional activity result from the increased capacity of the wheel on the highway network.

Visual impact and design

The Spinnaker Tower represents an iconic feature at the mouth of Portsmouth Harbour and any development on the application site of the scale proposed would be read within the context of the tower. Clarence Pier, and its attendant structures, is not sufficiently distant to the Tower to be considered in isolation. Whilst the proposed observation wheel would be set to the landward side of Clarence Pier it would nevertheless be viewed in the context of the Tower and the backdrop of Pembroke Park and Southsea Terrace when viewed from the Solent. In visual terms the issue is whether, firstly, the increase in height of the proposed structure would make the structure so prominent that it would relate inappropriately to the character and scale of the existing buildings and rides within the Funacres complex, and secondly whether the structure at an increased height, when viewed from the landward side, amounts to a feature that would detract from the appearance of the Seafront Conservation Area.

Although the Funacres complex comprises a variety of structures and buildings there is, nevertheless, a degree of consistency in terms of overall height, and the tower to Clarence Pier Pavilion forms a visually prominent structure, particularly when illuminated, which draws the eye when viewed from the north round to the south-east across the Common and along the seafront Esplanade. Notwithstanding its height above the Clarence Pier Pavilion given its location, orientation and simple embellishment it is considered that even at the proposed additional height the observation wheel would not amount to an unduly obtrusive feature in the context of the western part of the Common public open space and this largely undeveloped section of coast, or against the backdrop of buildings to the north when viewed from the Solent. Although not directly improving the remainder of the Funacres complex it could, nevertheless, act as a catalyst for future improvements and, in those circumstances, would reflect the objectives of policy SJ2.

Impact on Conservation Area

As the site lies within the Seafront Conservation Area the proposed development at its increased height would need to preserve or enhance the character and/or appearance of the Conservation Area. The greatest impact visually would be from the north when the proposed structure would be viewed face on. When viewed from an increasingly oblique angle its impact whilst notable would be less.

Whilst the application proposes an increase in the height of the wheel which is not insignificant given the overall height of the wheel it is not considered that the wheel would appear over dominant. Whilst initial concerns were raised about the larger wheel in relation to its appearance within the Seafront Conservation Area having reconsidered the matter these concerns have been satisfied. Against the backdrop of the existing complex the proposed observation wheel would have a beneficial effect visually and would, in my view, make a positive contribution to the 'Funacres' complex and thereby serve to enhance the appearance of the Conservation Area. As such it is not considered that this revised proposal would give rise to an objection under policies DC1 or DC10 of the City Local Plan.

Traffic, transport and highway design

As with the earlier application the Transport Assessment refers to the preparation of a Green Travel plan in order to encourage visitors to arrive at the site by means other than car it does not take the matter further. Similar the application refers to cycle storage but no details are included within the submitted drawings. Both matters could be dealt with by way of planning conditions. The proposed development would be expected to generate additional visitors into the area majority of which would occur during the summer months and it is likely that a significant proportion would arrive by car. Using the figures within the Transport Assessment the proposed observation wheel should attract some 150, 000 to 200,000 people per year.

In terms of existing public car parking there are facilities at Long Curtain Row and to the north-east of the application site in addition to smaller car parks and road side pay and display spaces on the highways in the locality. Although adding to the demand on parking facilities within the area the level of that increase would not be considered so high that it would have a significant affect on the residential areas around the site. It must also be acknowledged that the number of visitors to the pier attractions has steadily decreased over the last 10 years. The anticipated level of traffic generation associated with the proposal would not have an adverse impact on the local road network.

In conclusion on the principal issues the proposal is capable of support, however there have been a number of objections to the scheme. It is alleged that the proposed structure would facilitate the regeneration of the existing complex and the Southsea/seafront area as a whole. The proposed scheme amounts to a significant investment in its own right and could prove to be a catalyst leading to further improvements within the area. However no case has been presented on the economic benefits of the scheme. Concern has been raised about a potential loss of privacy from the wheel. However even at its increased height given the distance between the proposed wheel and residential properties it is considered that there would be no undue loss of privacy resulting from the proposal. Similarly noise levels are unlikely to exceed ambient or background levels during normal operations. Loss of a view and financial implications of the proposal on the Spinnaker Tower are not material to the consideration of this proposal. The provision of litter bins can be required by condition

RECOMMENDATION

CONDITIONAL PERMISSION

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.
2. No works shall commence on the construction of the observation wheel hereby approved until such time as the alterations to the road layout as shown on drawing no. 1229 - 11 - C have been completed in accordance with a detailed specification to be submitted to and approved by the local planning authority in writing.
3. Unless otherwise agreed in writing by the local planning authority no works shall commence on the installation of the observation wheel until details of a Green Travel Plan have been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include, as may be deemed necessary, the provision of business corporate objectives, transport co-ordinator, travel survey, and cycle facilities together with a phased programme for its implementation and subsequent long term monitoring. The measures contained within the approved Travel Plan shall be implemented in accordance with the approved details and maintained thereafter unless otherwise first agreed in writing by the Local Planning Authority.
4. The works hereby approved shall not be commenced until the following details have been submitted to and approved by the Local Planning Authority in writing.
 - (1) The provision to be made for the storage of bicycles
 - (2) The provision to be made for litter bins
 - (3) External lighting for the tented/canopies
 - (4) External lighting of the observation wheel, including lighting attached to the structure
 - (5) The appearance and lighting of the gondolas
 - (6) The materials to be used for surface finishes to the concourse
 - (7) The provision of barriers, directional and information signs within the site to effectively deal with queueing

The development shall thereafter be carried out in accordance with the approved details.

Reason for Conditions

1. To comply with Section 91 of the Town and Country Planning Act 1990.
2. In order to ensure that the revised highway layout is carried out in accordance with an approved specification to facilitate the construction and installation of the observation wheel and thereby meet the needs of highway users in accordance with policies DC1, DC4 and DC25 of the Portsmouth City Local Plan 2001-2011.
3. In the interests of encouraging alternative means of travel other than by car in accordance with policies DC25/DC28 of the Portsmouth City Local Plan 2001-2011.
4. In order to secure the satisfactory appearance of the development in accordance with policy DC1 of the Portsmouth City Local Plan 2001-2011.

Reason

1. Having regard to the pattern of existing development in the area it is considered that subject to compliance with the conditions attached to this permission, the proposed development would be in accordance with policies DC1, DC5, DC10, DC13, DC25, DC28 and SJ2 of the Portsmouth City Local Plan 2001-2011, would not materially harm the character or appearance of the area, and would not have an adverse affect in terms of traffic generation or highway safety.

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Head of Planning Services
6 December 2007