
SOUTHAMPTON CITY COUNCIL
PLANNING AND RIGHTS OF WAY PANEL
MINUTES OF THE MEETING HELD ON 29 MAY 2012

Present: Councillors Mrs Blatchford (Except Minutes 5-12) (Chair), Claisse, Cunio, L Harris, Lloyd, B Harris and Thomas

Apologies: Councillors Shields and Smith

1. **APPOINTMENT OF VICE-CHAIR**

RESOLVED that Councillor Cunio be elected Vice-Chair for the Municipal Year 2012/2013.

2. **APOLOGIES AND CHANGES IN PANEL MEMBERSHIP (IF ANY)**

The Panel noted that Councillor B Harris was in attendance as a nominated substitute for Councillor Smith, and Councillor Thomas was in attendance as a nominated substitute for Councillor Shields, in accordance with Procedure Rule 4.3.

3. **MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)**

RESOLVED that the Minutes of the Meetings held on 29th March and 17th April 2012 be approved and signed as a correct record.

4. **21-35 ST DENYS ROAD / 11/01856/FUL**

The Panel considered the report of the Planning and Development Manager recommending refusal in respect of an application for a proposed development at the above address. (Copy of the report circulated with the agenda and appended to the signed minutes)

Redevelopment of the site for use as a petrol station. Erection of a single storey sales kiosk and installation of 6 pumps with canopy.

Mr Cundale (Agent), Dr Buckle and Mr Reed (objecting) (Local Residents) and Councillors Norris and Vinson (objecting) (Ward Councillors) were present and with the consent of the Chair, addressed the meeting.

RESOLVED unanimously that planning permission be **refused** for reasons set out in the report.

COUNCILLOR CUNIO IN THE CHAIR

5. **THE BULLS EYE PUBLIC HOUSE, BUTTS ROAD, SO19 1BJ / 12/00358/FUL**

The Panel considered the report of the Planning and Development Manager recommending conditional approval be granted in respect of an application for a proposed development at the above address. (Copy of the report circulated with the agenda and appended to the signed minutes)

Extension and reconfiguration of existing car park hard standing

Mr Christopher (Applicant), Mrs Wilcox (objecting) (Local resident) and Councillor Mrs Blatchford (Ward Councillor) were present and with the consent of the Chair, addressed the meeting. After speaking Councillor Mrs Blatchford withdrew from the meeting and was not present for the determination of this item.

The presenting officer reported amended plans for the ATM and a services management plan had been submitted. Additional representations had been received for the ATM, car parking, services and hours of operation.

The presenting officer reported amendments had been made to the following conditions so they should read:

02. APPROVAL CONDITION - Servicing management plan [Performance Condition]

An amended servicing management plan shall be submitted and agreed in writing with the Local Planning Authority within three months of the issuing of this decision. All servicing of the site shall be undertaken in strict accordance with the approved management plan unless otherwise agreed in writing with the Local Planning Authority and in accordance with the servicing hours set out in the conditions on this consent.

Reason:

To protect the amenity of neighbouring residential dwellings and in the interests of highways safety in line with SDP1(i) of the City of Southampton Local Plan (2006).

03. APPROVAL CONDITION - Site access [Performance condition]

Vehicles shall only enter the site via the access on Butts Road and exit via the access on Heathfield Road. Within 28 days of the date of this letter a bollard of similar design to the bollards approved on the site, but not more than 1m in height, shall be erected at the exit onto Heathfield Road in the position adjacent to the public highway so as to narrow the width of the exit by 2m and enable 2m visibility splays to be created along the pavement in Heathfield Road to the south-east of the site exit. The site shall be maintained in this arrangement unless agreed in writing by the Local Planning Authority.

Reason:

In the interests of highway safety.

04. APPROVAL CONDITION - Servicing hours [Performance condition]

All servicing of the premises, including loading and unloading, shall take place within the site in accordance with the revised service management plan required by condition 2 of this consent and only between the following hours:

7.00am and 8.00am (maximum of two deliveries during this time)

9.30am and 3.00pm

4.00pm and 10.00pm unless agreed otherwise in writing by the Local Planning Authority.

Reason:

To protect the amenities of the occupiers of existing nearby residential properties.

RESOLVED unanimously to **grant** planning permission subject to the conditions in the report and the amended and following additional conditions:

Additional conditions

07: APPROVAL CONDITION - Landscape Area [Performance condition]

The landscaped area in the north-east corner of the site shall be retained and maintained as a soft landscape area. A planting scheme for this area shall be submitted within 3 months of the date of this consent and planting undertaken within the first planting season after the store first opens (November 2012 to March 2013). The area shall thereafter be retained and maintained in accordance with the approved landscape scheme.

Reason:

In the interests of the visual amenity of the site and the amenity of adjacent occupiers.

08: APPROVAL CONDITION - Replacement of fence with wall [Performance condition]

Within 3 months of the date of this consent the existing section of fencing along the south-east boundary of the site between the exit route and residential units in Heathfield Road shall be replaced by a brick wall using materials to match the existing wall.

Reason:

To protect the amenities of adjacent occupiers.

6. **THE BULLS EYE PUBLIC HOUSE, BUTTS ROAD, SO19 1BJ / 12/00356/FUL**

The Panel considered the report of the Planning and Development Manager recommending conditional approval be granted in respect of an application for a proposed development at the above address. (Copy of the report circulated with the agenda and appended to the signed minutes)

Installation of ATM to front of proposed store (description modified following amended plans)

Mr Christopher (Applicant), Mrs Wilcox (objecting) (Local resident) and Councillor Mrs Blatchford (Ward Councillor) were present and with the consent of the Chair, addressed the meeting. After speaking Councillor Mrs Blatchford withdrew from the meeting and was not present for the determination of this item.

The presenting officer reported amended plans for the ATM and a services management plan had been submitted. Additional representations had been received for the ATM, car parking, services and hours of operation.

The presenting officer reported amendments had been made to the following conditions so they should read:

02. APPROVAL CONDITION - Site access [Performance condition]

Vehicles shall only enter the site via the access on Butts Road and exit via the access on Heathfield Road. Within 28 days of the date of this letter a bollard of similar design to the bollards approved on the site, but not more than 1m in height, shall be erected at

the exit onto Heathfield Road in the position adjacent to the public highway so as to narrow the width of the exit by 2m and enable 2m visibility splays to be created along the pavement in Heathfield Road to the south-east of the site exit. The site shall be maintained in this arrangement unless agreed in writing by the Local Planning Authority.

REASON

In the interests of highway safety.

03. APPROVAL CONDITION - Servicing hours [Performance condition]

All servicing of the premises, including loading and unloading, shall take place within the site in accordance with the revised service management plan required by condition 2 of this consent and only between the following hours:

7.00am and 8.00am (maximum of two deliveries during this time)

9.30am and 3.00pm

4.00pm and 10.00pm unless agreed otherwise in writing by the Local Planning Authority.

REASON

To protect the amenities of the occupiers of existing nearby residential properties.

RESOLVED unanimously to **refuse** planning permission for the reasons set out below.

Reasons for refusal

The proposed introduction of an external ATM would be likely to result in increased activity leading to an increase in the disturbance through noise, general activity and a potential for an increase in anti-social behaviour that would be harmful to the residential amenity of the surrounding area. The proposal would therefore be contrary to Policies SDP1(i) of the City of Southampton Local Plan Review (Adopted version March 2006).

7. **THE BULLS EYE PUBLIC HOUSE, BUTTS ROAD, SO19 1BJ / 12/00355/FUL**

The Panel considered the report of the Planning and Development Manager recommending conditional approval be granted in respect of an application for a proposed development at the above address. (Copy of the report circulated with the agenda and appended to the signed minutes)

Erection of 11 no. steel bollards on Butts Road and Heathfield Road frontages (description modified following amended plans)

Mr Christopher (Applicant), Mrs Wilcox (objecting) (Local resident) and Councillor Mrs Blatchford (Ward Councillor) were present and with the consent of the Chair, addressed the meeting. After speaking Councillor Mrs Blatchford withdrew from the meeting and was not present for the determination of this item.

The presenting officer reported amended plans for the ATM and a services management plan had been submitted. Additional representations had been received for the ATM, car parking, services and hours of operation.

The presenting officer reported amendments had been made to the following conditions so they should read:

02. APPROVAL CONDITION - Site access [Performance condition]

Vehicles shall only enter the site via the access on Butts Road and exit via the access on Heathfield Road. Within 28 days of the date of this letter a bollard of similar design to the bollards approved on the site, but not more than 1m in height, shall be erected at the exit onto Heathfield Road in the position adjacent to the public highway so as to narrow the width of the exit by 2m and enable 2m visibility splays to be created along the pavement in Heathfield Road to the south-east of the site exit. The site shall be maintained in this arrangement unless agreed in writing by the Local Planning Authority.

REASON

In the interests of highway safety.

03. APPROVAL CONDITION - Servicing hours [Performance condition]

All servicing of the premises, including loading and unloading, shall take place within the site in accordance with the revised service management plan required by condition 2 of this consent and only between the following hours:

7.00am and 8.00am (maximum of two deliveries during this time)

9.30am and 3.00pm

4.00pm and 10.00pm unless agreed otherwise in writing by the Local Planning Authority.

REASON

To protect the amenities of the occupiers of existing nearby residential properties.

RESOLVED unanimously to **grant** planning permission subject to the conditions listed in the report and the amended conditions listed above.

8. **THE BULLS EYE PUBLIC HOUSE, BUTTS ROAD, SO19 1BJ / 12/00360/FUL**

The Panel considered the report of the Planning and Development Manager recommending conditional approval be granted in respect of an application for a proposed development at the above address. (Copy of the report circulated with the agenda and appended to the signed minutes)

Installation of external chiller/freezer unit to servicing area

Mr Christopher (Applicant), Mrs Wilcox (objecting) (Local resident) and Councillor Mrs Blatchford (Ward Councillor) were present and with the consent of the Chair, addressed the meeting. After speaking Councillor Mrs Blatchford withdrew from the meeting and was not present for the determination of this item.

The presenting officer reported amended plans for the ATM and a services management plan had been submitted. Additional representations had been received for the ATM, car parking, services and hours of operation.

The presenting officer reported amendments had been made to the following conditions so they should read:

03. APPROVAL CONDITION - Site access [Performance condition]

Vehicles shall only enter the site via the access on Butts Road and exit via the access on Heathfield Road. Within 28 days of the date of this letter a bollard of similar design to the bollards approved on the site, but not more than 1m in height, shall be erected at the exit onto Heathfield Road in the position adjacent to the public highway so as to narrow the width of the exit by 2m and enable 2m visibility splays to be created along the pavement in Heathfield Road to the south-east of the site exit. The site shall be maintained in this arrangement unless agreed in writing by the Local Planning Authority.

REASON

In the interests of highway safety.

04. APPROVAL CONDITION - Servicing hours [Performance condition]

All servicing of the premises, including loading and unloading, shall take place within the site in accordance with the revised service management plan required by condition 2 of this consent and only between the following hours:

7.00am and 8.00am (maximum of two deliveries during this time)

9.30am and 3.00pm

4.00pm and 10.00pm unless agreed otherwise in writing by the Local Planning Authority.

REASON

To protect the amenities of the occupiers of existing nearby residential properties.

RESOLVED unanimously to **grant** planning permission subject to the conditions listed in the report and the amended conditions listed above.

9. **THE BULLS EYE PUBLIC HOUSE, BUTTS ROAD, SO19 1BJ / 12/00359/FUL**

The Panel considered the report of the Planning and Development Manager recommending conditional approval be granted in respect of an application for a proposed development at the above address. (Copy of the report circulated with the agenda and appended to the signed minutes)

Installation of plant equipment comprising of 3no. A/C units and external condenser unit, within contained rear plant yard

Mr Christopher (Applicant), Mrs Wilcox (objecting) (Local resident) and Councillor Mrs Blatchford (Ward Councillor) were present and with the consent of the Chair, addressed the meeting. After speaking Councillor Mrs Blatchford withdrew from the meeting and was not present for the determination of this item.

The presenting officer reported amended plans for the ATM and a services management plan had been submitted. Additional representations had been received for the ATM, car parking, services and hours of operation.

The presenting officer reported amendments had been made to the following conditions so they should read:

03. APPROVAL CONDITION - Site access [Performance condition]

Vehicles shall only enter the site via the access on Butts Road and exit via the access on Heathfield Road. Within 28 days of the date of this letter a bollard of similar design to the bollards approved on the site, but not more than 1m in height, shall be erected at the exit onto Heathfield Road in the position adjacent to the public highway so as to narrow the width of the exit by 2m and enable 2m visibility splays to be created along the pavement in Heathfield Road to the south-east of the site exit. The site shall be maintained in this arrangement unless agreed in writing by the Local Planning Authority.

REASON

In the interests of highway safety.

04. APPROVAL CONDITION – Servicing Hours [Performance condition]

All servicing of the premises, including loading and unloading, shall take place within the site in accordance with the revised service management plan required by condition 2 of this consent and only between the following hours:

7.00am and 8.00am (maximum of two deliveries during this time)

9.30am and 3.00pm

4.00pm and 10.00pm unless agreed otherwise in writing by the Local Planning Authority.

REASON

To protect the amenities of the occupiers of existing nearby residential properties.

RESOLVED unanimously to **grant** planning permission subject to the conditions listed in the report and the amended conditions listed above.

10. **THE BULLS EYE PUBLIC HOUSE, BUTTS ROAD, SO19 1BJ / 12/00353/FUL**

The Panel considered the report of the Planning and Development Manager recommending conditional approval be granted in respect of an application for a proposed development at the above address. (Copy of the report circulated with the agenda and appended to the signed minutes)

External alterations to the building including: creation of new shopfront, and infilling of existing openings at ground and first floor level

Mr Christopher (Applicant), Mrs Wilcox (objecting) (Local resident) and Councillor Mrs Blatchford (Ward Councillor) were present and with the consent of the Chair, addressed the meeting. After speaking Councillor Mrs Blatchford withdrew from the meeting and was not present for the determination of this item.

The presenting officer reported amended plans for the ATM and a services management plan had been submitted. Additional representations had been received for the ATM, car parking, services and hours of operation.

The presenting officer reported amendments had been made to the following conditions so they should read:

03. APPROVAL CONDITION – Site access [Performance Condition]

Vehicles shall only enter the site via the access on Butts Road and exit via the access on Heathfield Road. Within 28 days of the date of this letter a bollard of similar design to the bollards approved on the site, but not more than 1m in height, shall be erected at the exit onto Heathfield Road in the position adjacent to the public highway so as to narrow the width of the exit by 2m and enable 2m visibility splays to be created along the pavement in Heathfield Road to the south-east of the site exit. The site shall be maintained in this arrangement unless agreed in writing by the Local Planning Authority.

REASON

In the interests of highway safety.

04. APPROVAL CONDITION – Servicing hours [Performance Condition]

All servicing of the premises, including loading and unloading, shall take place within the site in accordance with the revised service management plan required by condition 2 of this consent and only between the following hours:

7.00am and 8.00am (maximum of two deliveries during this time)

9.30am and 3.00pm

4.00pm and 10.00pm unless agreed otherwise in writing by the Local Planning Authority.

REASON

To protect the amenities of the occupiers of existing nearby residential properties.

RESOLVED unanimously to **grant** planning permission subject to the conditions listed in the report and the amended conditions listed above.

11. **THE BULLS EYE PUBLIC HOUSE, BUTTS ROAD, SO19 1BJ / 12/00357/FUL**

The Panel considered the report of the Planning and Development Manager recommending conditional approval be granted in respect of an application for a proposed development at the above address. (Copy of the report circulated with the agenda and appended to the signed minutes)

Erection of open sided canopy to rear of building

Mr Christopher (Applicant), Mrs Wilcox (objecting) (Local resident) and Councillor Mrs Blatchford (Ward Councillor) were present and with the consent of the Chair, addressed the meeting. After speaking Councillor Mrs Blatchford withdrew from the meeting and was not present for the determination of this item.

The presenting officer reported amended plans for the ATM and a services management plan had been submitted. Additional representations had been received for the ATM, car parking, services and hours of operation.

The presenting officer reported amendments had been made to the following conditions so they should read:

03. APPROVAL CONDITION – Site access [Performance condition]

Vehicles shall only enter the site via the access on Butts Road and exit via the access on Heathfield Road. Within 28 days of the date of this letter a bollard of similar design to the bollards approved on the site, but not more than 1m in height, shall be erected at the exit onto Heathfield Road in the position adjacent to the public highway so as to narrow the width of the exit by 2m and enable 2m visibility splays to be created along the pavement in Heathfield Road to the south-east of the site exit. The site shall be maintained in this arrangement unless agreed in writing by the Local Planning Authority.

REASON

In the interests of highway safety.

04. APPROVAL CONDITION – Servicing hours [Performance condition]

All servicing of the premises, including loading and unloading, shall take place within the site in accordance with the revised service management plan required by condition 2 of this consent and only between the following hours:

7.00am and 8.00am (maximum of two deliveries during this time)

9.30am and 3.00pm

4.00pm and 10.00pm unless agreed otherwise in writing by the Local Planning Authority.

REASON

To protect the amenities of the occupiers of existing nearby residential properties.

RESOLVED unanimously to **grant** planning permission subject to the conditions listed in the report and the amended conditions listed above.

12. **THE BULLS EYE PUBLIC HOUSE, BUTTS ROAD, SO19 1BJ / 12/00361/ADV**

The Panel considered the report of the Planning and Development Manager recommending express consent be granted in respect of an application for a proposed development at the above address. (Copy of the report circulated with the agenda and appended to the signed minutes)

Advertisement application for 3 internally illuminated fascia signs, 1 projecting sign, 1 replacement gantry sign and 2 free-standing signs (description modified following amended plans)

Mr Christopher (Applicant), Mrs Wilcox (objecting) (Local resident) and Councillor Mrs Blatchford (Ward Councillor) were present and with the consent of the Chair, addressed the meeting. After speaking Councillor Mrs Blatchford withdrew from the meeting and was not present for the determination of this item.

RESOLVED unanimously to **grant** advert consent subject to the conditions listed in the report.

COUNCILLOR BLATCHFORD IN THE CHAIR

13. **FIRST FLOOR FLAT, WARWICK HOUSE, 12 CARLTON ROAD, SO15 2HL / 12/00053/FUL**

The Panel considered the report of the Planning and Development Manager recommending refusal in respect of an application for a proposed development at the above address. (Copy of the report circulated with the agenda and appended to the signed minutes)

Change of use of upper floors to 1x 6-bed maisonette flat (C4 use [6 bed HMO]). Amended plans received 08/03/2012 which include internal alterations and alterations to the amenity space provision/car parking layout which reduces the number of available car parking spaces proposed on site from 3 to 2.

Mr Edmond (Agent), Mr Ebert (Applicant), Mrs Barter, Mr David, Dr Goodall and Ms Enright (objecting) (Local residents) were present and with the consent of the Chair, addressed the meeting.

The presenting officer updated the Panel reporting that the car parking spaces were allocated to the dentist which operates part time (2 days per week and that 6 cycle parking spaces would be provided. It was reported that paragraph 6.2.7 should say the concentration of HMO's surrounding the application site is 40% (2 out of 5) and that paragraph 6.2.9 should say that when the application site is included the concentration of HMO's would be 50% (3 out of 6).

RESOLVED unanimously that planning permission be **refused** for the reasons set out in the report.

14. **14 YORK TERRACE, HENSTEAD ROAD, SO15 2DD / 12/00245/FUL**

The Panel considered the report of the Planning and Development Manager recommending refusal in respect of an application for a proposed development at the above address. (Copy of the report circulated with the agenda and appended to the signed minutes)

Change Of Use From A C3 Dwelling House To A 7-Bed House In Multiple Occupation (HMO, Sui Generis) (Submitted In Conjunction With 12/00246/Lbc).

Dr Lawrence (Applicant), Mrs Barter (objector) (Local resident) and Councillor Bogle (supporting) (Ward Councillor).

The presenting officer reported that paragraph 6.2.7 should say that the concentration of HMO's surrounding the application site is 85% (12 out of 14).

RESOLVED to **grant** planning permission and delegate the imposition of conditions to the Planning and Development Manager, set out below:

RECORDED VOTE:

FOR: Councillors Mrs Blatchford, Cunio, Lloyd and Thomas

AGAINST: Councillors Claisse, B Harris and L Harris

APPROVAL CONDITION - Full Permission Timing Condition - Physical works

The development works hereby permitted shall begin not later than three years from the date on which this planning permission was granted.

Reason:

To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

APPROVAL CONDITION - Approved Plans

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below, unless otherwise agreed in writing with the Local Planning Authority.

Reason:

For the avoidance of doubt and in the interests of proper planning.

APPROVAL CONDITION - Refuse and Cycle Storage - Pre-occupation Condition.

Notwithstanding the approved plans, prior to the occupation of the property as an HMO details of the proposed refuse and cycle storage shall be submitted to and approved in writing by the Local Planning Department.

Reason:

To encourage cycling as an alternative form of transport, in the interests of visual amenity and the amenities of future occupiers of the development.

Reason for Granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations including surrounding character and amenity, the economic and personal circumstances of the applicant, the proximity to the night time economy area of Bedford Place and the number of HMO's in the surrounding area have been considered and are not judged to have sufficient weight to justify a refusal of the application. Where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - SDP1, SDP4, SDP5, SDP7, SDP9, SDP10, SDP13, SDP14, H1, H2, H4, H5, and H7 of the City of Southampton Local Plan Review (March 2006) and CS4, CS5, CS10, CS13, CS13, CS16, CS19 and CS20 of the Local Development Framework Core Strategy Development Plan Document (January 2010).

Policies - SDP1, SDP4, SDP5, SDP7, SDP9, SDP10, SDP13, SDP14, H1, H2, H4, H5, and H7 of the City of Southampton Local Plan Review (March 2006) and CS4, CS5, CS10, CS13, CS13, CS16, CS19 and CS20 of the Local Development Framework Core Strategy Development Plan Document (January 2010).

15. **97 REGENTS PARK ROAD, SO15 8NZ / 12/00096/FUL**

The Panel considered the report of the Planning and Development Manager recommending refusal in respect of an application for a proposed development at the above address. (Copy of the report circulated with the agenda and appended to the signed minutes)

Continued Use Of Garage For Car Repairs

Mr Andrea (Applicant) and Mr Newcombe (supporting) (Local resident) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that the description of the development had been amended to remove reference to car sales.

RESOLVED unanimously to **grant** planning permission and delegate the imposition of conditions to the Planning and Development Manager, set out below:

APPROVAL CONDITION - Personal Consent (Performance Condition)

The development to which this consent relates shall only be undertaken by Mr Vasilis Andrea while he occupies the residential dwelling house at number 97 Regents Park Road and by no other person(s) unless otherwise agreed in writing by the Local Planning Authority.

Reason

In order to control the scale of the operation of the development and in order to reflect the extenuating circumstances for which planning permission is granted.

APPROVAL CONDITION - Scope and Restriction of use of other Classes

The use of the garage building shall be limited to the specific use (motor vehicle repairs) within the Town and Country Planning (Use Classes) Order 1987 (or any amendment to, replacement of, or reinstatement of that Order) Use Class B2 (General Industry) of Schedule 2 and for the purposes of clarity shall not be used for any Use Class B1 (Business) or B8 (Storage of Distribution) purpose or activity. No Body repairs work or paint spraying shall take place on the site.

Reason:

In the interests of the amenities of adjacent residential occupiers.

APPROVAL CONDITION - Hours of Operation. [Performance Condition]

The garage to which this permission relates shall only be use in connection with vehicular repairs between the hours of 09.30 and 15.30 Monday to Friday, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To protect the amenities of those members of the public who live close to the facility.

APPROVAL CONDITION - loading / unloading [Performance Condition]

The front curtilage of the dwelling house to which this application relates shall at no time be used for the parking and or storage of any vehicles associated with the commercial use of the garage structure hereby approved.

Reason

In the interests of highway safety and residential amenity.

APPROVAL CONDITION - Restricted use of garden area

The garden area serving the main dwelling shall remain in residential use ancillary to the dwelling and shall not be used in connection with the commercial use of the garage hereby permitted, including for any storage purposes, unless otherwise agreed in writing by the Local Planning authority.

Reason:

In order to protect the privacy of adjoining occupiers

APPROVAL CONDITION - Noise Report - [Pre Occupation Condition]

Unless otherwise agreed in writing with the Local Planning Authority the hereby approved temporary consent shall be operated in accordance with the mitigation measures proposed by the 'Noise Impact Assessment' by KR Associates v1.1 dated 14th January 2011 for 97 Regents Park Road as supported by the Environmental Health Team (Pollution and Safety). The details/mitigation measures recommended in the approved 'Noise Impact Assessment' report shall be retained thereafter during the hereby approved operation of the site unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To protect the amenities of the occupiers of existing nearby properties.

APPROVAL CONDITION - Keep doors closed - [Performance Condition].

All work to vehicles associated with this permission shall be carried out within the confines of the garage and whilst work associated with this permission is being undertaken all doors to the garage must remain closed.

Reason:

To limit the noise breakout from the workshop.

APPROVAL CONDITION - Approved Plans

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below, unless otherwise agreed in writing with the Local Planning Authority.

Reason:

For the avoidance of doubt and in the interests of proper planning.

Reason for Granting Permission

The development is acceptable for a temporary, personal consent, subject to the imposition of conditions, taking into account the small scale nature of the activity and the requirement for further mitigation works to be undertaken prior to consent be issued. Full regard has been had to the policies and proposals of the Development Plan as set out below. Other material considerations including surrounding character and amenity, in particular the potential for noise and odour disturbance to be caused, have been considered and are not judged to have sufficient weight to justify a refusal of the application. Where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - SDP1, SDP4, SDP7, SDP15, SDP16 and SDP21 of the City of Southampton Local Plan Review (March 2006); and PPS1 Delivering Sustainable Development, PPS23 Planning and Pollution Control and PPG24 Planning and Noise).

16. **28 - 30 ALMA ROAD, SO14 6UP / 12/00339/OUT**

The Panel considered the report of the Planning and Development Manager recommending delegated authority be granted in respect of an application for a proposed development at the above address. (Copy of the report circulated with the agenda and appended to the signed minutes)

Re-development of the site, demolition of existing buildings and erection of a two-storey building with accommodation in roof, containing ten flats with associated car parking, refuse and cycle store (outline application seeking approval for access, appearance, layout and scale).

Mr Wiles (Agent and Mr Wirgman (objecting) (Local Resident) were present and with the consent of the Chair, addressed the meeting.

The presenting officer provided an update to the Panel reporting that amended plans had been received which increased the number of parking spaces by 100% (2 – 4) in response to the parking survey and objection letters. The presenting officer also suggested that should planning permission be granted a condition requiring the hard surfacing at the front of the property should be added to require the materials to be permeable.

RESOLVED that planning permission be **refused** for the reasons set out below:

RECORDED VOTE:

FOR: Councillors Claisse, Cunio, B Harris and L Harris

AGAINST: Councillors Mrs Blatchford, Lloyd and Thomas

Reason for Refusal – Unacceptable Intensification of use

The redevelopment of the site taking into account the context and character of the area, will result in an intensification in the use of the site, which by reason of the additional general activity, on street car parking, noise and disturbance would be to the detriment of the amenity of nearby residents. As such the proposal represents an over-intensive use of the site and is therefore contrary Policies SDP1 (i) and SDP7 (v) of the City of Southampton Local Plan Review 2006.

17. **34 ALBANY ROAD, SO15 3EG / 12/00338/FUL**

The Panel considered the report of the Planning and Development Manager recommending conditional approval be granted in respect of an application for a proposed development at the above address. (Copy of the report circulated with the agenda and appended to the signed minutes)

Erection of a part 2-storey, part single storey building to create 2 dwellings (comprising 1x3-bed and 1x2-bed) with associated parking and cycle/refuse storage, following demolition of existing building (resubmission of 11/00896/FUL)

Mr Wiles (Applicant) was present and with the consent of the Chair, addressed the meeting.

RESOLVED to **grant** planning permission subject to the conditions listed in the report and subject to the following additional condition:

RECORDED VOTE:

FOR: Councillors Mrs Blatchford, Cunio and Thomas
AGAINST: Councillors Claisse, B Harris and L Harris
ABSTAINED: Councillor Lloyd

NOTE: This item was carried with the use of the Chair's second and casting vote.

Additional condition

12. APPROVAL CONDITION – Residential – Permitted Development Restriction [Performance Condition]

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), or any Order amending, revoking or re-enacting that Order, no building or structures within Schedule 2, Part 1, Classes as listed below shall be erected or carried out to any dwelling house hereby permitted without the prior written consent of the Local Planning Authority:

Class A (enlargement of a dwelling house), including a garage or extensions,
Class B (roof alteration),
Class C (other alteration to the roof),
Class D (porch),
Class E (cartilage structures), including a garage, shed, greenhouse, etc.,
Class F (hard surface area)

Reason:

In order that the Local Planning Authority may exercise further control in this locality given the small private garden and amenity areas provided as part of this development in the interests of the comprehensive development and visual amenities of the area.

18. **LAND AT INKERMAN ROAD / JOHNS ROAD / 12/00039/R3OL**

The Panel considered the report of the Planning and Development Manager recommending delegated authority be granted in respect of an application for a proposed development at the above address. (Copy of the report circulated with the agenda and appended to the signed minutes)

Redevelopment to provide 11 houses (7 x 3-bedroom, 4 x 2-bedroom) with associated car parking and access involving diversion of an existing public right of way (outline application seeking approval for Access, Layout and Scale).

RESOLVED unanimously to delegate authority to the Planning and Development Manager to **grant** deemed outline planning permission subject to the criteria listed in the report and subject to the following amendment to condition 01 (i) (b):

Amendment to condition

01 APPROVAL CONDITION – Outline Permission Timing Condition

(i) b) Landscaping of the site specifying a planting plan (written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate), hard and soft treatments, all means of enclosure to be formed within the site and to site boundaries surface treatments for parking layout,

pedestrian access, surface areas and property frontages and ancillary objects (refuse bins, external lighting, lighting columns **in particular between X and Y the installation of a 1.8m brick wall** etc) (RESERVED MATTER);

19. **PEMBROKE COURT, 62 - 70 WESTWOOD ROAD / 11/02025/FUL**

The Panel considered the report of the Planning and Development Manager recommending delegated authority be granted in respect of an application for a proposed development at the above address. (Copy of the report circulated with the agenda and appended to the signed minutes)

Redevelopment of the site, demolition of the existing building and erection of a four-storey building to provide a 72 bedroom Residential Care Home with associated access, parking and landscaping.

Mr Ramsay (Agent) was present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that further information had been submitted by the applicant on relation to ecology. An additional 'Head of Term' to the Section 106 agreement was reported, detailed below:

- v. Submission and implementation of a Travel Plan to promote sustainable transport choices.

RESOLVED unanimously that authority be delegated to the Planning and Development Manager to **grant** planning permission subject to criteria listed in the report and subject to the following additional condition:

Additional condition

22. APPROVAL CONDITION - Ecological Mitigation Statement [Pre-Commencement Condition]

Prior to development commencing, including site clearance, the developer shall submit a programme of habitat and species mitigation and enhancement measures, [as set out in the submitted Bat Survey Report from WYG Environment reference A072004 dated November 2011 with the application] which unless otherwise agreed in writing by the Local Planning Authority shall be implemented in accordance with the programme before any demolition work or site clearance takes place.

Reason

To safeguard protected species under the Wildlife and Countryside Act 1981 (as amended) in the interests of preserving and enhancing biodiversity.