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PLANNING AND RIGHTS OF WAY PANEL (WEST)  
MINUTES OF THE MEETING HELD ON 14 JULY 2015

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Present: Councillors Denness (Chair), Claisse (except Minute No 16 and 17),  
L Harris, Mintoff and Tucker

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

It was noted that following receipt of the temporary resignation of Councillor Lloyd from the Planning and Rights of Way Panel, the Head of Legal and Democratic Services, acting under delegated powers, had appointed Councillor Tucker to replace them for the purposes of this meeting.

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

**RESOLVED** that the Minutes of the Meeting held on 2 June 2015 be approved and signed as a correct record.

14. **THE GARDEN COTTAGE, 15/00235/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.

Subdivision of existing dwelling into two flats (one x two bedroom, one x three bedroom) with single storey extension to the south elevation, porch to the north elevation, alterations to the roof and changes to windows (resubmission).

Mr Darlington (Chair NEBRA Residents Association and Local Resident/objecting) was present and with the consent of the Chair, addressed the meeting.

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

Reasons for Refusal

**REASON FOR REFUSAL – Highway Safety**

The subdivision of the property into two dwellings is likely to result in the intensification of the access by vehicles which would be to the detriment of highway safety. As such the proposal is contrary to policies SDP1(i), SDP4, SDP11 and TI2 of the City of Southampton Local Plan Review (as amended 2015) and policy CS19 of the adopted LDF Core Strategy (as amended 2015).

**REASON FOR REFUSAL - Lack of Section 106 or unilateral undertaking to secure planning obligations.**

In the absence of either a scheme of works or a completed Section 106 legal

agreement or unilateral undertaking to support the development the application fails to mitigate against its wider direct impact with regards to the additional pressure that further residential development will place upon the Special Protection Areas of the Solent Coastline. Failure to secure mitigation towards the 'Solent Disturbance Mitigation Project' in order to mitigate the adverse impact of new residential development (within 5.6km of the Solent coastline) on internationally protected birds and habitat is contrary to Policy CS22 of the Amended LDF Core Strategy (2015) as supported by the Habitats Regulations.

15. **32 ARCHERS ROAD, 15/00824/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.

External alterations to facilitate conversion of existing private members club into retail (class A1) on ground floor and four x two bed flats on first and second floor, with roof terraces, parking and cycle/refuse storage.

Councillors Moulton and Shields(Ward Councillors/objecting), Ms Dineen (Local Resident/objecting) and Mr Beavan (Applicant) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported an amendment to Condition 11 and an additional paragraph to Recommendation 1 set out in the report as detailed below:

Changes to Recommendation

Add paragraph in bold below under the following section of the report;

In the event that the legal agreement is not completed within two months of date of the decision the Planning and Development Manager be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.

**In the event that an amended plan detailing the species, planting density and height of hedging to be installed with a commitment to ongoing management is not submitted and approved within two months of date of the decision the Planning and Development Manager be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.**

Amended Condition

APPROVAL CONDITION - No other windows or doors other than approved [Performance Condition]

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order **2015** as amended (or any order amending, revoking or re-enacting that Order), no windows, doors or other openings including roof windows or dormer windows other than those expressly authorised by this permission shall be inserted in

the development hereby permitted without the prior written consent of the Local Planning Authority.

Reason:

To protect the amenities of the adjoining residential properties.

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

### Reasons for Refusal

#### REASON FOR REFUSAL – Highway Safety

The location of the proposed convenience store close in proximity to a school would add to Highway congestion at busy times, likely to result in risk to highway safety. As such the proposal is contrary to policies SDP1(i), SDP4, SDP11 and TI2 of the City of Southampton Local Plan Review (as amended 2015) and policy CS19 of the adopted LDF Core Strategy (as amended 2015).

REASON FOR REFUSAL - Lack of Section 106 or unilateral undertaking to secure planning obligations.

In the absence of a Section 106 agreement the development fails to mitigate its impact in the following areas:

- (i) Financial contributions towards site specific transport contributions for highway improvements in the vicinity of the site, including any necessary Traffic Regulation Orders to facilitate any changes, in line with Policy SDP4 of the City of Southampton Local Plan Review (as amended 2015), policies CS18 and CS25 of the adopted LDF Core Strategy (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013);
- (ii) Submission of a highway condition survey to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer.
- (iii) Financial contributions towards Solent Disturbance Mitigation in accordance with policy CS22 (as amended 2015) of the Core Strategy and the Conservation of Habitats and Species Regulations 2010.
- (iv) The submission, approval and implementation of (i) a Construction Traffic Management Plan and (ii) post Construction Servicing Management Plan setting out the delivery times and other measures to prevent conflicts with neighbouring users of the road network so as to mitigate against the impact of development accordance with policy CS18 and CS25 of the Core Strategy (as amended 2015) and the Planning Obligations SPD (September 2013).

This reason for refusal could be resolved when an acceptable scheme is presented to the Local Planning Authority

16. **253 PORTSWOOD ROAD, 14/01981/FUL**

The Panel considered the report of the Planning and Development Manager recommending conditional approval be granted in respect of an application for a variation of a condition of a previous planning permission reference 13/01745/FUL at the above address.

Variation of condition 4 of planning permission reference 13/01745/FUL to allow the restaurant/cafe premises to open between 07:00 hours and midnight on any day.

Mr Vinson and Mrs Jameson (Residents/objecting), Dr Buckle (Chair, Portswood Residents Association/objecting), Councillor O'Neill (Ward Councillor/objecting) and Mr Ahmed (Applicant) were present and with the consent of the Chair, addressed the meeting.

**RESOLVED** that planning permission be granted subject to the conditions listed in the report and the amended condition set out below.

Amended Condition

APPROVAL CONDITION - Noise mitigation

Before the hours of operation hereby approved come into effect, the details of noise mitigation for the external plant equipment shall be submitted and agreed in writing by the Local Planning Authority. The approved details shall be implemented and retained thereafter prior to the hours of operation approved come into effect.

Reason:

In the interests of protecting the residential amenities of neighbouring occupiers and as the submitted External Plant Noise Assessment refers to works requiring planning permission in their own right (LPA ref: 14/01941/FUL)

Councillor Claisse declared a personal interest in the above application and withdrew from the Meeting for the consideration of this item.

17. **253 PORTSWOOD ROAD, 14/01941/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.

Retention of a single storey rear extension and associated air conditioning units.

Mr Vinson and Mrs Jameson (Local Residents/objecting), Dr Buckle (Chair, Portswood Residents Association), Councillor O'Neill (Ward Councillor/objecting) and Mr Ahmed (Applicant) were present and with the consent of the Chair, addressed the meeting.

**RESOLVED** that planning permission be granted subject to the conditions listed in the report.

RECORDED VOTE to grant planning permission.

FOR: Councillors Denness and Tucker  
AGAINST: Councillor Harris  
ABSTAINED: Councillor Mintoff

Councillor Claisse declared a personal interest in the above application and withdrew from the Meeting for the consideration of this item.

18. **383 SHIRLEY ROAD, 15/00770/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.

Change of use of the ground floor from financial and professional services (Class A2) to drinking establishment (Class A4).

Mr Dunn (Local Resident/supporting) and Mr Rai (Applicant) were present and with the consent of the Chair, addressed the meeting.

**RESOLVED** that planning permission be granted subject to the conditions in the report.

19. **119A-123 BITTERNE ROAD WEST, 15/01037/FUL**

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.

Erection of single storey side extensions to form additional retail floor space and storage space (resubmission of 14/01845/FUL), together with alterations to the existing shop front, including an ATM and a new refuse compound.

Ms Williams and Mr Hughes (Local Residents/objecting) and Councillor Fuller (Ward Councillor/objecting) were present and with the consent of the Chair, addressed the meeting.

**RESOLVED** that planning permission be granted subject to the conditions listed in the report and the additional and amended conditions set out below.

Additional Conditions

APPROVAL CONDITION - existing means of enclosure

The existing metal fence adjacent to the site's northern boundary with residential neighbours at 18 to 22 Chafen Road (ie. beyond the north elevation of the extension

hereby approved) and the existing fenceline and gate to the east of the existing building that links to the east boundary of the site shall be retained and maintained as currently erected whilst the premises are within the approved commercial use. Prior to the completion of the extension hereby approved, the gate shall be secured with a lock and thereafter retained and maintained.

Reason:

In the interests of protecting the residential amenities and security of the neighbouring occupiers within Chafen Road.

#### APPROVAL CONDITION - Parking spaces

Prior to the commencement of development, details shall be submitted and approved in writing by the Local Planning Authority showing the siting of a minimum of 5 customer parking spaces on the forecourt. The development shall thereafter be implemented in accordance with the approved parking layout and thereafter retained.

Reason:

In the interests of protecting the amenities of the nearby residents in Chafen Road from overspill parking preventing the residents from conveniently parking near their residence.

#### Amended Condition

##### APPROVAL CONDITION – CCTV [pre-commencement condition]

Prior to the commencement of the development hereby approved, details of the CCTV system on site shall be submitted to and approved in writing by the Local Planning Authority. The submission shall review the existing CCTV system to take into account the extension and ATM hereby approved. Any alterations to the CCTV system that are required shall be implemented before the extension hereby approved first comes into use and thereafter maintained and retained.

Reason:

In the interests of reducing opportunities for crime and anti-social behaviour.

#### 20. 238 HILL LANE, 15/00973/FUL

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.

Erection of a two storey rear extension, installation of solar panels and front porch canopy.

Mr Miles (Local Resident/objecting) and Mr Driver de Valle (Applicant's Representative) were present and with the consent of the Chair, addressed the meeting.

**RESOLVED** that this item be deferred to allow the applicant to amend the plans to address the Panel's concerns.

21. **121-127 REDBRIDGE ROAD, 15/00189/FUL**

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.

Erection of a detached, single-storey structure for use as a jet wash facility.

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

The presenting officer reported that due to a typographical error, conditions 4, 5 and 6 should be renumbered as 3, 4 and 5 respectively.

**RESOLVED** that planning permission be granted subject to the conditions listed in the report.