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PLANNING AND RIGHTS OF WAY PANEL (WEST)  
MINUTES OF THE MEETING HELD ON 6 OCTOBER 2015

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Present: Councillors Denness (Chair), Lloyd (Vice-Chair), Claisse (except Minute Number 34), L Harris and Mintoff

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

**RESOLVED** that the minutes of the meeting held on 25 August 2015 be approved and signed as a correct record.

30. **OBJECTION TO THE SOUTHAMPTON (TANNERS BROOK INFANT AND JUNIOR SCHOOLS) TREE PRESERVATION ORDER 2015**

The Panel considered a report Head of Regulatory and City Services regarding an objection to the implementation of The Southampton (Tanners Brook Infant and Junior Schools) Tree Preservation Order 2015.

**RESOLVED** to confirm the Southampton (Tanners Brook Infant and Junior Schools) Tree Preservation Order 2015, as set out as Appendix 1 in the report, without modification.

31. **66 DEVONSHIRE ROAD, 15/01273/FUL**

The Panel considered the report of the Planning and Development Manager recommending the approval of delegated authority to grant planning permission in respect of an application for a proposed development at the above address.

Erection of a 3-storey building containing 5 flats (3x 2-bed, 2x 1-bed) with associated parking and cycle/refuse storage, following demolition of existing building (resubmission 14/01626/FUL)

Lorraine Barter, Jane Harboro, Chris Riley and Jessa Barratt (local residents/objecting) and Councillor Tucker (Ward Councillor / objecting) were present and with the consent of the Chair, addressed the meeting.

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

1. REASON FOR REFUSAL: Impact on Character and Amenity

The proposed 3 storey building would, by virtue of its excessive scale and bulk on such a prominent corner plot, represent a form of development which would be at odds with the prevailing character of its immediate surroundings. The proposed development would therefore, constitute an overbearing and un-neighbourly form of development contrary to saved policies SDP1(i), SDP7(iii)/(iv)/(v), SDP9(i) of the adopted Amended City of Southampton Local Plan Review (March 2015) and policy CS16 of the adopted Core Strategy Partial Review (March 2015); as supported by paragraphs 3.6.8, 3.7.8, 3.7.11, 3.9.5 and 3.10.4 of the adopted Residential Design Guide SPD (September 2006).

## 2. REASON FOR REFUSAL: Lack of Special Protection Area Mitigation

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 Council's adopted Core Strategy Partial Review (2015) as supported by the Habitats Regulations.

### RECORDED VOTE FOR REFUSAL

FOR: Councillors Claisse, L Harris and Mintoff

AGAINST: Councillor Lloyd

ABTAINED: Councillor Denness

### 32. **106-113 ST MARY STREET, 15/01250/FUL**

The Panel considered the report of the Planning and Development Manager recommending the approval of delegated authority to grant planning permission in respect of an application for a proposed development at the above address.

Erection of four additional storeys (above the ground floor retail units to be retained) to provide 74 residential units (21 studios, 34 x one bedroom flats, 17 x two bedroom flats and 2 x three bedroom flats) with associated facilities.

Brian Eyre (local resident/objecting), Councillor Tucker (Ward Councillor/objecting) John Ferguson (agent/ supporting) and Adam Covell (architect/ supporting) were present and with the consent of the Chair, addressed the meeting.

### **RESOLVED**

- (i) to delegate authority to the Planning and Development Manager to grant planning permission subject to criteria listed in report and the amendment to the conditions, set out below.

### **Additional Condition**

19. APPROVAL CONDITION – Fifth floor amenity space [Pre-Occupation Condition]  
Prior to occupation details of the amenity space proposed on the fifth floor shall be submitted to and be approved in writing by the Local Planning Authority. The details shall include plans indicating private amenity areas for the three-bed units. The approved works shall be undertaken prior to occupation and be retained in perpetuity unless otherwise agreed in writing.

Reason:

In the interests of future occupiers.

### NOTE

- (i) that the following conditions be renumbered in line with the addition of a new condition; and

(ii) that officers notify colleagues with planning enforcement about the state of repair of the former grocers on the corner of St Mary and Ascupart Streets.

33. **58 PARK ROAD, 15/01504/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 from dwellinghouse (Class C3) to a house in multiple occupation (Class C4).

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

Additional Condition

APPROVAL CONDITION - Cycle Storage [Pre-Commencement Condition]

Prior to occupation, details (and amended plans) of facilities to be provided for the storage of cycles at the premises shall be submitted to the Local Planning Authority and approved in writing. Such facilities as approved shall be permanently maintained and retained for that purpose.

Reason:

To encourage cycling as an alternative form of transport.

34. **21 SPRING CRESCENT, 15/01259/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.

Conversion of dwelling to 1 x 3-bedroom flat and 1 x 2- bedroom flat with first floor rear extension and associated amenity, cycle and bin storage areas.

Jonathan Chipp (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 - Residential Amenity

There is a lack of evidence submitted with the application through the assessment of kerbside parking capacity within the local area to determine whether there would be a detrimental impact on amenities of neighbouring occupiers from residents being inconvenienced not being able to park their vehicles in close walking distance to their properties. As such, the proposal would be contrary to saved policy SDP1(i) of the Local Plan Review (amended March 2015) and policy CS19 of the Southampton Core

Strategy Development Plan Document (2015) as supported by the guidance set out in Council's adopted Parking Standards Supplementary Planning Document (September 2011).

**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 Council's adopted LDF Core Strategy as supported by the Habitats Regulations.

**NOTE:** Councillor Claisse declared an interest in the above application and after making his representation, left the meeting before the determination