
SOUTHAMPTON CITY COUNCIL
PLANNING AND RIGHTS OF WAY PANEL
MINUTES OF THE MEETING HELD ON 21 AUGUST 2012

Present: Councillors Mrs Blatchford (Except Minute 50) (Chair), Cunio, Fitzhenry (Except Minutes 45-56), L Harris, Shields, Smith and Thomas (Except Minutes 51-56)

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

The Panel noted that apologies had been received from Councillor Lloyd and Councillor Claisse and that Councillor Thomas and Councillor Fitzhenry were in attendance as nominated substitutes respectively in accordance with Procedure Rule 4.3.

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

RESOLVED that the Minutes of the Meeting held on 24 July 2012 be approved and signed as a correct record subject to it being noted that one member of the public (objector) arrived after the commencement of the item concerning Land Adjoining John Thornycroft Road (Part of Former Vosper Thornycroft Site), Victoria Road and following the period whereby objectors comments had been received by the Panel. He was therefore advised by the Chair that he would not be able to address the meeting on this occasion.

42. **9 POINTOUT CLOSE SO16 7LS 12/00705/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).

Change Of Use From Dwelling House (C3) To House Of Multiple Occupation (C4).

Mr Glanville (Applicant), Mr Johnson (objecting) (Pointout Road Residents Group) and Councillor B Harris (objecting) (on behalf of the residents of Chestnut Lodge) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that three additional conditions be added:

- (i) Removal of permitted development rights.
- (ii) Addition of refuse management plan.
- (iii) Flexible change between C3 and C4 use

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

RECORDED VOTE

FOR: Councillors Cunio, Fitzhenry, L Harris, Smith and Thomas

AGAINST: Councillors Mrs Blatchford and Shields

Reason for Refusal

Over-intensive use of the site

The intensification of the use of the property and activity associated with it including the lack of a parking survey, means the use would be out of character with the local area and detrimental to the amenities of nearby residents. The proposals are therefore contrary to saved policy H4 of the City of Southampton Local Plan Review 1996 and Policy CS16 of the Core Strategy 2010.

43. **LAND AT JUNCTION OF BROWNHILL WAY AND LOWER BROWNHILL ROAD**
12/00596/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).

Erection of 14 two-storey houses (12 x three bedroom and 2 x two bedroom) with associated parking, vehicular access from Lower Brownhill Road and space for a children's play area.

Ms Lamb (Agent), Ms Mallinson and Ms Horse (objecting) (Local Residents) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that although the numbering of the Recommendations within the report was inaccurate, the wording of the Recommendations was correct. The presenting officer also reported an update to Recommendation 1 (i) as set out below:

(i) Financial contributions towards site specific transport improvements in the vicinity of the site, including the provision of the public footpath as shown on the submitted drawings, and appropriate highway warning signs in line with Policy SDP4 of the City of Southampton Local Plan Review (March 2006), policies CS18 and CS25 of the adopted LDF Core Strategy (2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended).

RESOLVED to delegate to the Planning and Development Manager to **grant** planning permission subject to the conditions listed in the report and subject to the following amended condition.

RECORDED VOTE

FOR: Councillors Mrs Blatchford, Cunio, L Harris, Fitzhenry and Smith
AGAINST: Councillors Shields and Thomas

Amended Condition

APPROVAL CONDITION - Hours of work for Demolition / Clearance / Construction [Performance Condition]

All works relating to the demolition, clearance and construction of the development hereby granted shall only take place between the hours of;

Monday to Friday 08:00 hours to 18:00 hours (8.00am to 6.00pm)

Saturdays 09:00 hours to 13:00 hours (9.00am to 1.00pm)

And at no time on Sundays and recognised public holidays.

Any works outside the permitted hours shall be confined to the internal preparations of the buildings without audible noise from outside the building, unless otherwise agreed in writing by the Local Planning Authority. No deliveries shall be taken in or dispatched from the site, during the construction phase, between the hours of 08:30 and 09:30 and after 15:00, Mondays to Fridays.

Reason:

To protect the amenities of the occupiers of existing nearby residential properties and to avoid traffic congestion during rush hour times, having regard to the site's proximity to a school.

44. **SOUTHAMPTON MUNICIPAL GOLF COURSE, GOLF COURSE ROAD SO16 7LE**
12/00595/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)

Measures To Provide Storage For Flood Waters, Rehabilitate The Natural Floodplain Of Holly Brook And Improve The Aquatic Habitat Including De-Culverting And Construction Of A New Flood Defence Balancing Pond With Associated Works.

Mr Nyland (objecting) (Local Resident) was present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that Natural England had withdrawn their objection to the application.

The presenting officer reported that Condition 3 should be deleted and Condition 4 should be amended as set out below:

Amended Condition

4. APPROVAL CONDITION – Archaeological work programme [Performance Condition]

Unless otherwise agreed in writing, the developer will secure the completion a programme of archaeological work in accordance with the Arup Archaeological Specification dated 9th August 2012 written scheme of investigation.

Reason:

To ensure that the archaeological investigation is completed.

RESOLVED unanimously to **grant** conditional planning permission subject to the conditions in the report and subject to the following additional conditions.

Additional conditions

6. APPROVAL CONDITION – Works to high risk trees [performance condition]

Prior to any works to the trees identified as having a high risk for bat foraging, further ecological survey work should be submitted to and approved by the Local Planning Authority in writing. The works shall thereafter progress in accordance with the agreed report.

Reason:

In the interest of protected species.

7. APPROVAL CONDITION – Safety Measures [pre-commencement condition]

Prior to the commencement of the development hereby approved, details of safety measures (such as fencing) to the ponds shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Reason:

In the interests of the safety and amenity of users of the Golf Course.

45. CARLTON HOUSE, CARLTON PLACE 12/00520/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).

Change of use from offices to student residential accommodation (16 flats comprising 64 bedspaces) with alterations to the elevations - existing ground floor bars to remain.

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

The presenting officer asked the Panel to allow flexibility in negotiating clause (iv) to Recommendation 1, in terms of whether absolute control over music source limiters in each bar could be achieved, allowed for under Recommendation 2.

The presenting officer reported that Condition 10 should be amended as set out below:

Amended Condition

10. PERFORMANCE CONDITION - Watching brief

No development shall take place within the site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority. This shall take the form of a watching brief where a qualified archaeologist appointed by the developer is present on site during any excavation work following the proposed partial demolition to create the new amenity space at the rear of the building.

Reason:

To ensure that the archaeology of the site is properly investigated.

RESOLVED that authority be delegated to the Planning and Development Manager to **grant** planning permission subject to criteria listed in the report and the amended recommendation and condition as set out above.

RECORDED VOTE

FOR: Councillors Mrs Blatchford, L Harris, Shields, Smith and Thomas
ABSTAINED : Councillor Cunio

46. **1-3 COATES ROAD SO19 0HN 12/00756/OUT**

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 3 X 3 Bedroom Houses To Rear Of 1-3 Coates Road With Associated Car Park (Outline Application Seeking Approval For Access, Layout and Scale).

Ms Perry (Applicant), Ms Clarke, Ms Adams and Ms Englefield (objecting) (Local Residents) and Councillor Letts (objecting) (Ward Councillor) were present and with the consent of the Chair, addressed the meeting.

RESOLVED to **grant** conditional planning permission subject to the conditions in the report and subject to the following additional condition.

RECORDED VOTE

FOR: Councillors Mrs Blatchford, Cunio, L Harris, Smith and Thomas
ABSTAINED: Councillor Shields

Additional Condition

15. APPROVAL CONDITION - Tree safeguarding [Pre-Commencement Condition]

Before the development commences, the developer shall provide an updated site survey indicating any trees whose canopies overhang the site to be developed and in particular the canopies of protected trees rear of 37-39 Ivy Dene. Where such tree canopies do overhang the site to be developed, those trees shall be fully safeguarded during the course of all site works including preparation, demolition, excavation, construction and building operations. No operation in connection with the development hereby permitted shall commence on site until the tree protection as agreed by the Local Planning Authority has been erected at the outer limit of such overhanging tree canopies. Details of the specification and position of all protective fencing shall be indicated on a site plan and agreed with the Local Planning Authority in writing before any site works commence. The fencing shall be maintained in the agreed position until the building works are completed, or until such other time that may be agreed in writing by the Local Planning Authority following which it shall be removed from the site.

Reason:

To ensure that trees to be retained will be adequately protected from damage throughout the construction period.

47. **LAND AT INKERMAN ROAD/JOHNS ROAD, WOOLSTON 12/00039/R30L**

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).

Ms Graham (objecting) (Local Resident) was present and with the consent of the Chair, addressed the meeting.

The presenting officer updated the Panel regarding the wording in Recommendation 3, stating that the word “of” should be inserted after “diverting”.

RESOLVED to delegate to the Planning and Development Manager 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, L Harris, Shields
AGAINST: Councillor Cunio
ABSTAINED: Councillors Smith and Thomas

Additional Condition

21. APPROVAL/PERFORMANCE CONDITION – Ecological mitigation package

Before the development commences, the developer shall design and submit a package of ecological mitigation measures to the local planning authority for its approval in writing. Once approved those measures shall be fully implemented before any of the housing hereby approved is first occupied, unless any alternative phasing of such works is agreed in correspondence with the local planning authority.

Reason:

To mitigate for the loss of wildlife habitat on this site in accordance with Policies SDP7 (i) and SDP12 of the City of Southampton Local Plan Review (March 2006 and Policy CS22 of the City of Southampton Local Development Framework Core Strategy (January 2010).

48. **LAND TO THE REAR 6 AND 7 CRANBURY TERRACE SO14 0LH12/00440/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)

Application for variation of condition 22 of planning permission (Ref 11/01945/FUL) to increase the maximum number of residents allowed to occupy any of the units from 4 to 5.

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

RECORDED VOTE

FOR: Councillors Mrs Blatchford, Cunio, L Harris, Shields and Thomas
ABSTAINED: Councillor Smith

Reason for refusal

Harmful to residential amenity

Were a Class C4 use of each property consented to be implemented, the resulting intensification of occupation of the site would be likely to increase the potential for overspill car parking from the site. Such overspill parking would adversely affect the amenities of those already living in Rockstone Lane. As such, the proposal is considered to be contrary to Policies SDP1 (i) and H2 (iii) of the City of Southampton Local Plan Review (March 2012) and Policy CS13 (10)/(11) of the City of Southampton Local Development Framework Core Strategy (January 2012).

49. **3 BASSETT GREEN DRIVE SO16 3QN 12/01000/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 Of Bungalow To Form Two-Storey Dwelling. (Amendment to Planning Permission Ref 11/01329/Ful Including Alterations To Heights, Windows And Doors) (Retrospective)

Mr Kinch (Agent), Ms English (Applicant), Mr Smith (objecting) (North East Bassett Residents' Association) and Ms Eccles (objecting) (Local Resident) were present and with the consent of the Chair, addressed the meeting.

RESOLVED to **grant** planning permission subject to the conditions in the report.

RECORDED VOTE

FOR: Councillors Mrs Blatchford, Cunio, Shields and Thomas
AGAINST: Councillors L Harris and Smith

COUNCILLOR CUNIO IN THE CHAIR

50. **84 ALFRISTON GARDENS SO19 8FU 12/00729/FUL**

The Panel considered the report of the Planning and Development Manager recommending approval be refused 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 A1 (Retail) To A5 (Hot Food Takeaway) Including Installation Of The External Flue To The Rear

Mr Morgan-Harris (Applicant) and Councillor Kolker (supporting) (Ward Councillor) were present and with the consent of the Chair, addressed the meeting.

RESOLVED unanimously to delegate to the Planning and Development Manager to **grant** planning permission for an A5 use and delegated that any other conditions should be added by the Planning & Development Manager.

NOTE: Councillor Mrs Blatchford declared an interest and withdrew from the meeting for this item.

COUNCILLOR MRS BLATCHFORD IN THE CHAIR

51. **UNIT 4 VICEROY HOUSE, MOUNTBATTEN BUSINESS CENTRE, MILLBROOK ROAD EAST SO15 1HY 12/00519/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)

Change Of Use From Office (Class B1(A)) To Mixed Use For Financial And Professional Services/Offices/Medical Or Health Services (Classes A2/B1(A)/D1)

RESOLVED unanimously to **grant** planning permission subject to the conditions in the report.

52. **MEDE HOUSE, SALISBURY STREET 12/00753/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)

Conversion Of Existing First Floor Offices To Contain 9 X Self Contained Student Units And Use Of Ground Floor As Cycle Store And Refuse Store (Retrospective)

RESOLVED that authority be delegated to the Planning and Development Manager to **grant** planning permission subject to criteria listed in the report.

RECORDED VOTE

FOR: Councillors Mrs Blatchford, Shields and Smith

AGAINST: Councillors Cunio and L Harris

53. **FLAT 3, 76 ANGLESEA ROAD 12/00945/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)

Change of use of first floor from residential (Class C3) to office (Class B1 (a)) (Departure from the local plan)

Mr Culverwell (Agent) and Ms Markham-Bradley (Applicant) were present and with the consent of the Chair, addressed the meeting.

RESOLVED unanimously to **approve** temporary consent subject to the criteria listed in the report.

54. **HOLY FAMILY RC PRIMARY SCHOOL, MANSEL ROAD WEST 12/00861/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 single storey training facility following demolition of existing.

RESOLVED unanimously to **grant** planning permission subject to the conditions in the report.

55. **UNITS C AND D ANTELOPE PARK, BURSLEDON ROAD SO19 8NE 12/00402/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)

Change of use of Units C and D from healthcare (Class D1) and employment (Classes B1, B2 and B8) to retail use (Class A1).

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

The presenting officer confirmed that the application was not for a 'named retail occupier' despite references in the report to a discount food retailer and that members should consider the application to be for an open A1 use subject to the recommended conditions in the report.

The presenting officer reported amendments to conditions 7 and 8 so they should read as set out below:

Amended Conditions

07. APPROVAL CONDITION - Class A1 Floorspace restriction (Performance Condition)

The Class A1 foodstore hereby approved shall be limited to a maximum net retail sales area of 1,400 square metres and a gross floorspace of 1,882 square metres.

Reason:

To define the consent and to limit the impact of the use to that identified in the applicants Planning and Retail Statement.

08. APPROVAL CONDITION - Retail use comparison goods restriction (Performance Condition)

The retail use hereby approved shall not provide more than 150 square metres of net retail sales area for comparison goods.

Reason:

To protect the vitality and viability of nearby shopping centres in accordance with Policy CS3 of the Southampton Core Strategy (January 2010).

RESOLVED unanimously that authority be delegated to the Planning and Development Manager to **grant** planning permission subject to the criteria listed in the report and the amended conditions as set out above.

56. **GROUND FLOOR FLAT, 49 HEATHERDENE ROAD SO17 1PA 12/00914/FUL**

The Panel considered the report of the Planning and Development Manager recommending approval be refused 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)

Conversion Of Existing Building Into 2 X 1 Bedroom Flats And 2 X Studio Flats With Associated Refuse And Cycle Store (Resubmission Of 12/00403/Ful)

Mr Reed (objecting) (Local Resident) was present and with the consent of the Chair, addressed the meeting.

The presenting officer reported an additional reason for refusal “The refuse and cycle storage facilities are also disconnected from the first floor flats and as such would not be conveniently accessed - H4 (iii).”

Reason for Refusal

Poor residential environment

The proposed layout of the residential accommodation fails to provide an attractive and acceptable living environment for prospective residents. The conversion of the building to two one bedroom flats and two studio flats has resulted in small scale units which at ground floor level would not enjoy acceptable outlook from habitable room windows; and would not have direct access to suitable private amenity space. The refuse and cycle storage facilities are also disconnected from the first floor flats and as such would not be conveniently accessed. In combination these points amount to proposal which fails to provide high quality housing and is considered contrary to Policies SDP1 (i - particularly paragraph 2.2.1 and section 4.4 of The Residential Design Guide 2006 [September 2006]) and H4 (iii) of the City of Southampton Local Plan Review (March 2006) and policies and CS13 of the adopted Core Strategy (January 2010).

RESOLVED unanimously to **refuse** planning permission for the reasons set out in the report and above.