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PLANNING AND RIGHTS OF WAY PANEL (WEST)  
MINUTES OF THE MEETING HELD ON 22 JULY 2014

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Present: Councillors Shields (Chair), Lloyd (Vice-Chair), Claisse, L Harris and Mintoff

Apologies: Councillor Lewzey

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

It was noted that following receipt of the temporary resignation of Councillor Lewzey from the Panel, the Head of Legal and Democratic Services, acting under delegated powers, had appointed Councillor Shields to replace him for the purposes of this meeting.

As Councillor Lewzey had temporarily resigned for the purposes of this meeting, the Panel was required to appoint a Chair.

**RESOLVED** that Councillor Shields be elected Chair for the purposes of this meeting.

The Panel noted the resignation of Councillor Fitzhenry, and the appointment of Councillor Claisse in place thereof in accordance with the provisions of Council Procedure Rule 4.3.

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

**RESOLVED** that the Minutes of the Meeting held on 24 June 2014 be approved and signed as a correct record.

12. **LAND AT VERMONT CLOSE - 14/00429/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.

Redevelopment of the site. Erection of two new buildings ranging in height from two storeys to four storeys, to provide 26 student flats (120 bedrooms), with associated refuse, cycle store and parking following demolition of existing workshop/stores (outline application seeking approval for access, layout, scale and appearance).

Ms Hauser (applicant), Mr Wiles (Agent), Mr Hinsley (Consultant to Developer), Mr Simons, Mr Cotton, Mrs Desai (local residents / objecting), Mr Hamer (Chairman Hollyhill Neighbourhood Association/objecting) and Councillor B Harris (ward councillor/objecting) were present and with the consent of the Chair, addressed the meeting.

**RESOLVED**

- (i) that the Planning and Development Manager be given delegated powers to grant planning permission subject to the completion of a S106 legal agreement, the

- conditions in the report, an amendment to Recommendation 1, clause (i) as set out below and the deletion of Conditions 11 and 12;
- (ii) that in the event that the S106 legal agreement is not completed within two months from the date of this Planning Meeting, delegated authority be given to the Planning and Development Manager to refuse the application for failing to secure the S106 legal agreement mitigation measures listed in the report; and
  - (iii) that the Planning and Development Manager be given delegated powers to vary relevant parts of the Section 106 agreement and to remove, vary or add conditions as necessary.

Amended Recommendation 1, Clause (i)

- (i) The submission, approval and implementation of a Carbon Management Plan setting out how the carbon neutrality will be achieved and/or how remaining carbon emissions from the development will be mitigated in accordance with policy CS20 of the Core Strategy and the Planning Obligations SPD (September 2013);

RECORDED VOTE to grant the application:-

FOR: Councillors Shields, Lloyd and Mintoff

AGAINST: Councillors Claisse and L Harris

13. **21 WESTROW GARDENS - 14/00709/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 a Dwelling House (Class C3) to either a Dwelling House (Class C3) and/or a three-bed House in Multiple Occupation (Class C4).

Dr Qaiyoom (applicant), Mr Clegg (local resident/objecting), and Councillor Parnell (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 amended condition and additional condition set out below.

Amended Condition

04 APPROVAL CONDITION - Occupancy Restriction [Performance condition]

Notwithstanding the provisions of the Town and Country Planning (Use Classes) (Amendment) (England) Order 2010 (SI 2010/653) or any Order amending, revoking or re-enacting that Order, no more than 3 individual residents shall at anytime occupy the property whilst it is in use as a C4 dwelling house (house in multiple occupancy whereby the property is occupied by unrelated individuals who share basic amenities).

REASON

In order that the Local Planning Authority may exercise further control in this locality given the surrounding context and character and to reduce the potential impact of the development.

#### Additional Condition

08 APPROVAL CONDITION - Personal Consent Limited to the Applicant Whilst Owner of the Property - Performance Condition

The use of the property for C4 purposes and the ability to flip between C3 and C4 Uses as permitted by Condition 3 of this consent shall be strictly limited to when the applicant Dr Shabana Qaiyoom is the owner of the property. The C4 use shall cease immediately and the property be returned to a C3 dwelling on the date Dr Shabana Qaiyoom ceases to own the property.

#### REASON

The assessment of the impact of the C4 use operating from this property included the applicants own personal circumstances as owner of both the application site and the adjacent property and the immediate proximity for management of the site in the interests of the amenities of the area.

RECORDED VOTE to grant the application:-

FOR: Councillors Shields, Lloyd and Mintoff

AGAINST: Councillors Claisse and L Harris

14. **79C MILTON ROAD - 14/00857/FUL**

The Panel noted that this application had been withdrawn.

15. **10-11 PALMERSTON ROAD - 14/00935/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.

Alterations and conversion of existing Public House to create 9 flats (4 x studio, 4 x 1-bedroom, 1 x 2-bedroom) with associated works.

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

#### **RESOLVED**

- (i) that the Planning and Development Manager be given delegated powers to grant planning permission subject to the completion of a S106 legal agreement, the conditions listed in the report and the additional condition set out below;
- (ii) that in the event that the S106 legal agreement is not completed within two months from the date of this Planning Meeting, delegated authority be given to the Planning and Development Manager to refuse the application for failure to secure the provisions of the S106 legal agreement; and

- (iii) that the Planning and Development Manager be given delegated powers to add, vary and/or delete relevant parts of the Section 106 agreement and/or conditions as necessary.

Additional Condition

11 APPROVAL CONDITION - Means of enclosure within rear courtyard - Pre-Occupation Condition

Prior to first occupation of any of the units hereby approved a means of enclosure shall be provided within the rear courtyard in accordance with details to be first agreed in writing with the Local Planning Authority. The means of enclosure shall be positioned and designed so as to prevent occupiers of other flats within the block from gaining close proximity to the rear facing windows of the basement flats.

REASON

In order to protect the private amenities of the occupiers of the basement flats.