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PLANNING AND RIGHTS OF WAY PANEL (EAST)  
MINUTES OF THE MEETING HELD ON 2 SEPTEMBER 2014

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Present: Councillors Lewzey (Chair), Fitzhenry, Hecks, Letts and Tucker

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

It was noted that following receipt of the temporary resignation of Councillor Denness from the Panel; the Head of Legal and Democratic Services, acting under delegated powers, had appointed Councillor Letts 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 5<sup>th</sup> August 2014 be approved and signed as a correct record subject to an amendment to the resolution to Minute 10, amended resolution to read:

**“RESOLVED:**

- (i) that planning permission be refused for the reason (01) set out below; and
- (ii) that the forms of words for the reason for refusal based on highways and parking grounds (02), be delegated to the Planning and Development Manager, in consultation with the Chair and the proposer and seconder of the motion to refuse on those grounds.”

14. **60 - 64 ST MARY'S ROAD - 14/00931/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.

Tom Jelley (applicant), Graham Linekar (Southampton Commons and Parks Protection Society / objecting) and Siddique Ismail (Newtown Residents' Association / objecting) and Councillor Burke (ward councillor / objecting) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that:

- the amount of commercial floor space in the description of the development and within paragraph 2.2 of the report, should read 280 square metres and not 180 square metres;
- Recommendation 1 had been deleted and incorporated into a Condition; and
- Condition 29 be deleted.

The Panel agreed that for Condition 02 (Details of building materials) approval for the discharge of this condition be delegated to the Planning and Development Manager in conjunction with the Chair; and that the Chair would arrange for consultation with ward councillors and the local community on this matter.

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

### Additional Condition

That no development to commence until a Section 106 Agreement has been executed for the heads of terms as previously set out in recommendation 1 of the report, with the addition of the following head of term:

(xiv) An obligation for the owner to identify which of the planning permissions will be implemented and that the planning permission that is not implemented is revoked with no compensation being payable.

### REASON

In the interests of the proper planning of the area and to mitigate the impact of the development in accordance with Policy CS25 of the City of Southampton Core Strategy (January 2010).

RECORDED VOTE to grant planning permission:

FOR: Councillors Fitzhenry, Letts, Lewzey and Tucker  
AGAINST: Councillor Hecks

15. **LAND TO REAR OF 28-64 WINCHESTER ROAD AND REAR OF 204-218 WARREN AVENUE - 14/00676/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.

Chris Edmond (architect); Bill Hebb, Mrs J King and Mr McCann (local residents / objecting) and Councillor Coombs (ward councillor / objecting) were present and with the consent of the Chair, addressed the meeting.

**RESOLVED** that the item be deferred in order for officers to secure amended plans through discussion with the applicant showing an increase in the level of parking to serve the development. The amended scheme to be brought back to Panel for determination following a re-consultation exercise with neighbours.

16. **54 SWIFT GARDENS - 14/01006/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.

Ravinder Atwal (applicant); Robert Stokes and Kelly Sydenham (local residents / objecting) and Councillor Payne (ward councillor / objecting) were present and with the consent of the Chair, addressed the meeting.

**RESOLVED:**

- (i) that the Panel refused planning permission on the principles of (i) the effective loss of a family dwelling and (ii) parking provision and highway congestion; and
- (ii) that the form of words for the reasons for refusal be delegated to the Planning and Development Manager.

## Reasons for Refusal

### 01. REFUSAL REASON – Effective loss of a family dwelling.

The proposed layout of the upper floor three bedroom flat was not considered to provide a living environment suitable for use as a family dwelling as defined by Policy CS16 of the adopted Local Development Framework Core Strategy (January 2010) in particular the third bedroom within the roof space has limited head height and useable space and only served by roof lights. Additionally, the narrow width (2.7m) of the rear amenity space enclosed on both sides by 1.8m boundary treatment will feel cramped and enclosed and not suitable for normal informal recreational activity by a typical family. The proposal would therefore effectively result in the loss of a family home result in a layout which is out of character and context with the area and fails to provide an appropriate living environment for future occupiers contrary to Policy SDP1 (i) and SDP7 (iii) of the adopted City of Southampton Local Plan Review (March 2006) and CS16 of the adopted Local Development Framework Core Strategy (January 2010)

### 02. REFUSAL REASON – Insufficient parking and increased highway congestion

The proposed development was considered to provide an inadequate amount of on-site car parking for a development of two flats within an area of low accessibility, having regard to the existing take-up of on-street parking within the narrow cul-de-sac. Taken with the likely amount of car ownership and traffic generated by the development, it is considered that any car parking overspill from the development would impact negatively on the amenities of those living in Swift Gardens and lead to increased obstruction of the carriageway, footway and off-road parking spaces. The development proposal is thereby contrary to 'saved' policies SDP1 and SDP7 of the adopted City of Southampton Local Plan Review (March 2006) and policy CS13 and CS19 of the adopted Local Development Framework Core Strategy (January 2010) as supported by the adopted Parking Standards SPD (September 2011) and Part 5 of the Council's adopted Residential Design Guide SPD (2006).

## 17. 15 BELMONT ROAD - 14/01034/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.

Mr Sihota (applicant), Sandra Lochhead (Chair Portswood Central Residents' Association and Jackie Mansfield (local resident / objecting) and Councillor O'Neill (ward councillor / objecting) were present and with the consent of the Chair, addressed the meeting.

**RESOLVED** to refuse planning application 13/00418/FUL for the reasons set out in the report.

## 18. 21 MERRIDALE ROAD - 14/00976/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.

Clare and Amber Hayles (applicant), Geoff Wilkinson (local resident / objecting) and Councillor Paffey (ward councillor / objecting) were present and with the consent of the Chair, addressed the meeting.

The Panel considered an additional condition presented by the planning officer making the planning permission personal to the occupancy of the applicant.

**RECORDED VOTE** to grant planning permission subject to the Additional Condition regarding personal occupancy:

FOR: Councillors Fitzhenry, Letts, Lewzey and Tucker  
AGAINST: Councillor Hecks

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

#### Amended Condition

##### 05. APPROVAL CONDITION - Storage/Removal of Refuse Material

Details of satisfactory facilities to be provided for the storage and removal of refuse from the premises to be submitted to the Local Planning Authority within 28 days of the granting of permission. If no details are received within this period the business shall cease operation until such time as details have been approved and implemented. The facilities shall include accommodation for the separation of waste to enable recycling.

##### REASON

In the interests of visual amenity, the amenities of future occupiers of the development and the amenities of occupiers of nearby properties.

#### Additional Condition

##### Condition 7 - Personal consent [Performance Condition]

The business use approved to only be operated by Mrs Clare Hayles whilst occupying the residential property of 21 Merridale Road and by no other person unless otherwise agreed in writing by the Local Planning Authority. Should the use cease or Mrs Clare Hayles no longer operate the business or reside at the property, the use of the business shall immediately revert to a C3 dwelling house.

##### REASON

To allow the local planning authority to control the specific nature of the use and to ensure that the operation takes place in connection with the residential dwelling to which it relates.