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PLANNING AND RIGHTS OF WAY PANEL (WEST)  
MINUTES OF THE MEETING HELD ON 25 AUGUST 2015

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Present: Councillors Denness (Chair), Lloyd (Vice-Chair), L Harris, B Harris and Mintoff

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

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

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

**RESOLVED** that the Minutes of the Meeting held on 14 July 2015 be approved and signed as a correct record.

24. **14 BASSETT CRESCENT WEST, 15/01181/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

Erection of a two-storey rear extension, single storey front and side extension and carport.

Mr Free (Agent/supporting) and Mr Ojany (Applicant/supporting) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that the applicant had appealed against the officer recommendation to refuse the application.

The officer recommendation to refuse planning application 15/01181/FUL was not carried.

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

Additional Conditions

01 APPROVAL CONDITION - Full Permission Timing Condition - Physical works

The development works hereby permitted shall begin not later than three years from the date on which this planning permission was granted.

Reason:

To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

## 02 APPROVAL CONDITION - Materials to match [Performance Condition]

The materials and finishes to be used for the external walls, windows (including recesses), drainage goods and roof in the construction of the building hereby permitted shall match in all respects the type, size, colour, texture, form, composition, manufacture and finish of those on the existing building.

### Reason:

To enable the Local Planning Authority to control the development in detail in the interest of the visual amenities of the locality and to endeavour to achieve a building of high visual quality and satisfactory visual relationship of the new development to the existing.

## 03 APPROVAL CONDITION - Approved Plans

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below, unless otherwise agreed in writing with the Local Planning Authority.

### Reason:

For the avoidance of doubt and in the interests of proper planning.

RECORDED VOTE to grant planning permission.

FOR: Councillors L Harris, B Harris, Lloyd and Mintoff

ABSTAINED: Councillor Denness

Councillor L Harris declared an interest in the above application as he was the local Ward Councillor and had referred the application to Panel and remained in the meeting.

## 25. 172 BASSETT GREEN ROAD, 15/01184/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.

Erection of detached garage (part retrospective).

Mr Heer (Applicant/supporting) and Mr Oldfield (Local Resident/supporting) 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 Condition

#### APPROVAL CONDITION - Front boundary wall

Prior to the first occupation of the garage hereby approved, the existing front boundary wall shall be continued the full length of the existing front boundary at the same height

using materials to match the existing wall as closely as possible. The wall shall thereafter be maintained and retained.

Reason:

In the interests of highway safety to prevent unauthorised access from a classified road, given that application for a dropped kerb was refused 12/01678/FUL and dismissed at appeal as well as the garage hereby approved is providing the applicant with necessary off street parking.

#### Amended Conditions

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

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (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.

5. APPROVAL CONDITION - Use of garage - domestic ancillary use [Performance Condition]

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 the garage hereby approved shall be made available and used at all times for the parking of domestic vehicles related to the residential use of the dwelling house and associated ancillary storage relating and incidental to the enjoyment of the occupation of the dwelling house. At no time shall the garage be used for the parking of commercial vehicles or used for any trade, business, manufacturing or industrial purposes whatsoever and shall not be incorporated into the house as part of the domestic living accommodation.

Reason:

To ensure that sufficient off-street car parking is available in the interests of highway safety and to protect residential amenity.

#### 26. **LAND TO REAR OF 72-76 BRIDGE ROAD, 15/01107/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.

Erection of two x three bed, semi-detached houses with associated car parking, bin and cycle storage and vehicular access from Mullen Close (resubmission).

Mr Slatter (Local Resident/objecting) and Councillor Keogh (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.

RECORDED VOTE to grant planning permission.

FOR: Councillors L Harris, B Harris, Denness and Lloyd

AGAINST: Councillor Mintoff

27. **78 MALMESBURY ROAD, 15/01205/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.

Erection of a first floor rear extension (retrospective).

Councillors Moulton and Shields (Ward Councillors/objecting) and Mr Reay (Agent/supporting) were present and with the consent of the Chair, addressed the meeting.

The presenting officer clarified paragraph 6.1 as follows: "Inspector's decision is not the only material consideration however it does hold significant weight. The other main material consideration is the development plan/character and amenity."

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

Amended Condition

Update the wording to reflect recent changes in legislation: **Town and Country Planning (General Permitted Development) (England) Order 2015.**

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

Notwithstanding the provisions of the **Town and Country Planning (General Permitted Development) (England) Order 2015** as amended (or any order amending, revoking or re-enacting that Order), no windows 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; and any existing windows in the side elevation of the extension shall be obscurely gazed and fixed shut up to a height of 1.7m above the floor height of the room to which they serve.

Reason:

To protect the amenities of the adjoining residential properties

28. **51 GARFIELD ROAD, 15/01094/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.

Retrospective application for the retention of a single storey outbuilding and boundary wall.

Mrs Potheary and Mr Judge (Local Residents/objecting), Councillors Keogh and Lewzey (Ward Councillors/objecting) and Mr Patrick (Agent/supporting) were present and with the consent of the Chair, addressed the meeting.

The Planning Officer reported that there was a correction to page 85, paragraph 5.5.1 of the report which should refer to no. 236 Bitterne Road West (not 336 Bitterne Road West).

Additional Conditions

02 APPROVAL CONDITION - Height of Front Boundary Wall [performance condition]  
The front boundary wall shall be retained at a height of no more than xxx metres.

Reason:

In the interest of the character and appearance of the area.

03 APPROVAL CONDITION - Use of Outbuilding [performance condition]  
The outbuilding hereby approved shall only be used in association with the enjoyment of the main dwelling house and at no time be used for any trade, business, manufacturing or industrial purposes and shall not provide domestic living accommodation unless otherwise agreed in writing by the local planning authority.

Reason:

In the interests of the amenities of the neighbouring properties. Given the proximity of the structure to the boundaries with neighbouring gardens, a more intensive use of the structure could cause harm to residential amenity.

The officer recommendation to grant conditional approval was not carried.

**RESOLVED**

- (i) to refuse planning permission for the reason set out below; and
- (ii) that enforcement action be taken to remove all unauthorised structures on the property.

Reason for Refusal

The outbuilding and boundary wall, by reason of its appearance, finish and height, appears out of character with the surrounding area and would appear unsightly when viewed from surrounding residential properties to the detriment of the amenities of the occupiers. The proposal would thereby prove contrary to the provisions of policies

CS13 of the City of Southampton Core Strategy Development Plan Document (as amended 2015), policies SDP1, SDP7 and SDP9 of the City of Southampton Local Plan Review (as amended 2015) and as supported by the part 2 of the Residential Design Guide Supplementary Planning Document (March 2006).