
PLANNING AND RIGHTS OF WAY PANEL (WEST)
MINUTES OF THE MEETING HELD ON 22 MARCH 2016

Present: Councillors Denness (Chair), Lloyd (except Minutes 51, 52 and 53)
(Vice-Chair), Claisse, L Harris and Mintoff

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

RESOLVED: that the minutes for the Panel meeting on 9 February 2016 be approved and signed as a correct record.

52. **KING GEORGE PH, OAKLEY ROAD, SO16 4LJ 15/02331/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.

Redevelopment of the site. Erection of 5 x 3 bed houses with associated parking and cycle / refuse Storage. (Outline application seeking approval for access, appearance, layout and scale) (Resubmission).

Adi Puplampu (agent), and Councillor Galton (Ward Councillor/objecting) were present and with the consent of the Chair, addressed the meeting.

On being put to the vote the Officer recommendation to delegate authority to grant planning permission to the Planning and Development Manager subject to the criteria was lost, on the use of the Chair's second and casting vote. A further motion to refuse the application was proposed by Councillor Harris

RECORDED VOTE to refuse planning permission

FOR: Councillor Denness and Harris

AGAINST: Councillor Claisse

ABSTAIN: Councillor Mintoff

NOTE: Councillor Lloyd was not present for this item.

RESOLVED that conditional planning permission be refused for the reasons set out below.

Reasons for Refusal:

1. REASON FOR REFUSAL: Insufficient amenity space

The proposed development would fail to provide an adequate amount of high quality, usable external amenity space for occupiers of plots 2 - 5. The amenity space proposed is less than the minimum sizes for amenity space for detached (90 sq m) and semi-detached (70 sq m) properties as outlined in both the Core Strategy and the Residential Design Guide. This proposal is therefore, contrary to policy CS13 and CS16 of the adopted Core Strategy Partial Review (March 2015); saved policies SDP1(i) and H7(ix) of the adopted Amended Local Plan Review

(March 2015); and paragraph 2.3.14, 4.4.1, 4.4.2, 4.4.3, 4.4.4 of the adopted Residential Design Guide SPD (September 2006).

2. REASON FOR REFUSAL: Inaccurate parking survey

Notwithstanding the provision of 7 car parking spaces on site, the submitted parking surveys contain factual inaccuracies and do not therefore, accurately reflect existing parking pressure and parking availability within the surrounding area. The applicant has therefore, failed to demonstrate that the development would not have a harmful impact on the amenities of nearby residential occupiers through increased competition for on-street car parking. The development would, therefore, be contrary to the provisions of Policy SDP1 of the City of Southampton Local Plan Review (2015), Policy CS19 of the Southampton Core Strategy Development Plan Document (2015) and the adopted Parking Standards Supplementary Planning Document (2011).

3. REASON FOR REFUSAL: Lack of SPA 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 (March 2015) as supported by the Habitats Regulations.

53. **5 THE PARKWAY 15/02017/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 6 bedroom House in Multiple Occupation (Class C4) to a 7 bedroom House in Multiple Occupation (Class Sui Generis) no external alterations

RECORDED VOTE to grant planning permission

FOR: Councillors Denness and Claisse

AGAINST: Councillor L Harris

ABSTAIN: Councillor Mintoff

NOTE: Councillor Lloyd was not present for this item

RESOLVED that planning permission be granted subject to the conditions listed in the report.

54. **LAND ADJACENT TO CHAMBERLAYNE LEISURE CENTRE, WESTON LANE 16/00100/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.

Replacement of 11.8m high telecoms pole, equipment cabinet and meter pillar.

Aruna Venkatraman (Agent), Councillor Payne (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 in the report and additional conditions set out below.

Additional Condition

APPROVAL CONDITION – removal of existing equipment

The existing telecommunications equipment on the site (meaning the existing monopole and ancillary radio equipment cabinet) shall be removed from the site no later than three months after the installation of the mast can cabinet hereby approved.

REASON: In the avoidance of doubt and in the interests of the character of the area.

55. **195 MIDANBURY LANE 16/00177/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 part single-storey and part two-storey side and rear extension (revised scheme to 15/02113/FUL).

David Tarrant (local residents/ objecting), Debby Osman (Agent), were present and with the consent of the Chair, addressed the meeting.

On being put to the vote the officer recommendation to approve the planning approval was lost. A second motion to refuse the application was proposed by Councillor Harris and carried unanimously.

RESOLVED that conditional planning permission be refused for the reasons set out below.

Reasons for Refusal:

1. Unacceptable impact on amenity

The proposed two-storey side extension, by means of its scale, massing and positioning directly adjacent to the boundary with the neighbouring property at no.197 Midanbury Lane, represents an unsympathetic and unneighbourly form of development that would harm the amenities of the neighbouring occupier. In particular, the extension would enclose southern boundary of the garden of no.197

Midanbury Lane, appearing over-bearing and oppressive and reducing the quality of the adjoining garden space. The effect would be compounded due to the projection of the extension, further to the rear than the existing two-storey building line of the properties and the manner in which the extension would span almost the entire side boundary with no. 197. The proposal would, therefore, prove contrary to the following adopted development plan policies:

- Policy CS13 of the adopted Core Strategy (amended 2015) by not responding positively or integrating into the surroundings and that the scale of the development fails to 'place people first';
- Policy SDP1(i) of the City of Southampton Local Plan Review (amended 2015) by unacceptably affecting the amenity of the city's residents;
- Policy SDP9 (i) (v) by not respecting the site's surroundings in terms of the scale, massing and visual impact on local amenity and;
- The Residential Design Guide 2006 (adopted as a Supplementary Planning Document following full public consultation) with particular reference to paragraphs 2.2.1-2.2.2 which requires an appropriate gap to be maintained between extensions and neighbouring buildings and 2.2.18-2.2.19 and 2.2.21 which resists undue enclosure to garden space.

2. Poor Design

The proposal is designed with a new obscure-glazed bedroom window being positioned directly onto the boundary with no. 197 Midanbury Lane. Given the proximity to the neighbouring dwelling and the proposal for an obscure glazed window, this bedroom would not enjoy any outlook and have poor access to natural light. Furthermore, an alternative arrangement of a cleared glazed window would result in direct overlooking of the neighbouring property and a subsequent loss of privacy. In addition to this, relying on third party land for light and/or outlook is poor planning and could prove prejudicial to any future development of the neighbouring site. The proposed design would, therefore, result in a poor quality residential environment for occupiers of the application property and would fail to meet the Council's standards for high-quality residential design as set out by the following adopted development plan policies:

- Policy CS13 of the Southampton Core Strategy Development Plan Document (amended 2015) by not responding positively or integrating into the surroundings and that the scale of the development fails to 'place people first';
- Policy SDP1 (i) of the City of Southampton Local Plan Review (amended 2015) by unacceptably affecting the amenity of the city's residents;
- Policy SDP13 (iii) by failing to minimise the demand for resources;
- The Residential Design Guide 2006 (particularly section 2.2 which requires access to natural light and outlook from habitable room windows and separation between windows and boundaries with neighbouring properties to achieve this and to avoid overlooking).