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PLANNING AND RIGHTS OF WAY PANEL  
MINUTES OF THE MEETING HELD ON 28 SEPTEMBER 2010

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Present: Councillors Fitzhenry (Chair), Letts (except Items 61-65 inclusive), Mead, Osmond, Slade (except Items 61-65 inclusive), Samuels (except Items 60 and 63) and Thomas

Apologies: Councillor Matthew Jones

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

The Panel noted that Councillor Samuels was in attendance as a nominated substitute for Councillor Jones in accordance with Council Procedure Rule 4.3.

**CONSIDERATION OF PLANNING APPLICATIONS**

Copy of all reports circulated with the agenda and appended to the signed minutes.

57. **CIVIC CENTRE, CIVIC CENTRE ROAD / 10/00020/R3CFL**

Change of use of the courts and police block of the Civic Centre into a Sea City Museum with associated alterations and extensions at roof level and to the north side of the building.

UPON BEING PUT TO THE VOTE THE AMENDED OFFICER RECOMMENDATION TO GRANT CONDITIONAL PLANNING PERMISSION SUBJECT TO A WRITTEN UNDERTAKING FROM THE HEAD OF LEISURE WAS CARRIED UNANIMOUSLY

**RESOLVED** that authority be delegated to the Planning and Development Manager to grant conditional planning approval subject to:-

- (i) the Head of Leisure giving a written undertaking for the provision of the following:
  - (a) Site specific highway improvements to include:
    1. Pedestrian crossing facilities in the vicinity of the junction of Havelock Road and West Park Road;
    2. Construction of an island extending out from the radius of the north side of the junction of the Havelock spur road with Havelock Road to beyond the existing centre line of the carriageway which will then provide:- safe visitor cycle parking; a clear definition of the carriageway edge when travelling along Havelock Road; a clear route out of the spur which only allows left turning traffic by design; a clear deterrent for any traffic attempting to turn into the spur; suitable signage to advise traffic of new circulation routes in accordance with Policies CS18, CS19 and CS25 of the Local Development Framework Core Strategy Development Plan Document – Adopted Version (January 2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended);

3. The implementation of the Temporary Traffic Management Plan as shown on drawing number TM-013;
- (b) Management Plan committing to adopting local labour and employment initiatives, in accordance with Policies CS24 and CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (January 2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended);
  - (c) Submission of a highway condition survey to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer;
  - (d) Energy conservation measures in accordance with Policies CS20 and CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (January 2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended);
  - (e) The submission, approval and implementation of a scheme of improvements to the public realm in the vicinity of the site within a timescale to be agreed by the Local Planning Authority; and
  - (f) Replacement tree planting off-site in accordance with the details submitted to the Local Planning Authority on the 23<sup>rd</sup> June 2010.

#### Amended Conditions

Conditions 3 – Soft Landscaping works and 4 – Details of Hard Landscaping to be deleted

#### 13 – Details of Hard Landscaping and Highway Works

Prior to the commencement of the development hereby approved, a timetable for the submission and implementation of a detailed design for the hard landscaping works, including any street lighting and the treatment of the Havelock Spur Road shall be submitted in writing to and be approved by the Planning and Rights of Way Panel. The details shall include samples of materials to be used, the existing and finished land levels and the design of paving to be laid. The development shall proceed in accordance with the agreed details and be implemented no later than 5 years of the date of this consent.

#### REASON:

To ensure a satisfactory setting to the Grade II\* Listed Building is provided.

#### REASONS FOR DECISION

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The development is an acceptable use for the Civic Centre and the proposed additions are considered to safeguard the special architectural or historic interest of the listed building and its setting. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus deemed planning permission should therefore be granted.

Policies CS1, CS13, CS14, CS18, CS19, CS20 and CS25 of the Local Development Framework Core Strategy Development Plan Document  
Policies - SDP1, SDP4, SDP5, SDP7, SDP9, SDP10, SDP11, SDP12, SDP13, SDP14, HE3, HE5, HE6, CLT1, MSA1 and MSA5. of the City of Southampton Local Plan Review (March 2006).

58. **MILLBROOK CLINIC HELVELLYN ROAD / 09/01305/FUL**

Re-development of the site. Erection of 2-storey and 3-storey buildings to provide 12 flats (11 x 2-bedroom and 1 x 1-bedroom) and 4 x 3 bedroom houses with associated access, parking and landscaping, following demolition of the existing buildings. (includes the stopping up and diversion of existing footpaths) as amended by plans received 1 April 2010).

UPON BEING PUT TO THE VOTE THE OFFICER RECOMMENDATION TO GRANT CONDITIONAL PLANNING PERMISSION SUBJECT TO THE APPLICANT ENTERING INTO A SECTION 106 LEGAL AGREEMENT WAS CARRIED

**RESOLVED**

- (i) that authority be delegated to the Planning and Development Manager to grant planning permission subject to:-
  - (a) receipt of an undertaking from the Director of Neighbourhoods that:-
    1. contributions are put aside from the housing revenue account into the general fund to secure:
      - financial contributions towards public open space,
      - site specific highway works
      - strategic transport projects;
    2. a highway condition survey; and
- (ii) that authority be delegated to the Solicitor to the Council to make a footpath diversion order for the route referred to in the report under S257 of the Planning Act as it is necessary to divert the footpath to allow the development to proceed during the demolition and construction phase of the development.

**REASONS FOR THE DECISION**

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - CS3, CS4, CS5, CS13, CS15, CS16, CS18, CS19, CS20 and CS25 of the Core Strategy (January 2010).

Policies - SDP1, SDP2, SDP3, SDP4, SDP5, SDP6, SDP7, SDP8, SDP9, SDP10, SDP11, SDP12, SDP13, SDP16, SDP17, SDP21, SDP22, NE4, CLT2, CLT5, CLT6, REI6, H1, H2, H7, H9 and H12 of the City of Southampton Local Plan Review (March 2006).

59. **SOUTHAMPTON GENERAL HOSPITAL, TREMONA ROAD / 10/00921/FUL**

Reconfiguration of the Coxford Road car park and construction of a deck above to provide additional parking (114 Spaces)

Mr Dowell (Southampton University Hospital/Applicant) and Mr Cook (Local Resident) were present and with the consent of the Chair, addressed the meeting.

AMENDMENT TO THE OFFICER RECOMMENDATION TO INCLUDE AN ADDITIONAL CONDITION REGARDING LANDSCAPING AND LOSS OF PARKING SPACES PROPOSED BY COUNCILLOR FITZHENRY AND SECONDED BY COUNCILLOR LETTS, WAS CARRIED

RECORDED VOTE:

FOR: Councillors Fitzhenry, Osmond, Thomas and Letts

ABSTAINED: Councillor Mead, Slade and Samuels

UPON BEING PUT TO THE VOTE THE SUBSTANTIVE MOTION INCORPORATING THE AMENDMENT REFERRED TO ABOVE TO GRANT CONDITIONAL PLANNING PERMISSION WAS CARRIED

RECORDED VOTE:

FOR: Councillors Fitzhenry, Letts, Osmond, Samuels, Slade and Thomas

ABSTAINED: Councillor Mead

**RESOLVED** that planning approval be granted subject to the conditions in the report and the additional condition set out below.

**Additional Conditions**

**5 - Approval Condition: Landscaping**

Notwithstanding the submitted plans, a detailed landscaping scheme and implementation timetable, which clearly indicates the numbers, planting densities, types, planting size and species of trees and shrubs to be planted together with details of the future management of the landscaping and the treatment of hard surfaced areas in the immediate vicinity of the landscaping, shall be submitted to and approved in writing by the Local Planning Authority. The details must include additional tree planting at the surface car park level adjacent to the boundary 132 Coxford Road, including, where necessary the removal of parking spaces and details of planting to be provided to the vertical screen elevations of the raised car park deck facing Coxford Road and Laundry Road.

REASON: In the interests of visual amenity and in particular to protect the amenities of adjacent occupiers, by mitigating the development's visual impact.

**REASONS FOR THE DECISION**

The development is acceptable taking into account the policies and proposals of the Development Plan, the national guidance and Supplementary Planning guidance as set

out below. The provision of additional car parking spaces within the allocated campus of Southampton General and Princess Anne Hospitals to make up some of the currently permitted shortfall of parking on the site is fully in accordance with Policy CS10 of the Core Strategy and Policy HC1 of the City of Southampton Local Plan Review which promotes and safeguards the Hospital site for the development of Healthcare and support facilities. Other material considerations such as light pollution, visual impact, loss of privacy, noise disturbance, air quality and impact on ecology have been mitigated through the design of the car park and appropriate planning conditions and do not have sufficient weight to justify a refusal of the application on the site. In accordance with Section 38 (6) of the Planning & Compulsory Purchase Act 2004 Planning Permission should therefore be granted.

“Saved” Policies – SDP1, SDP5, SDP7, SDP9, SDP10, SDP12, SDP15, SDP16 and HC1 of the City of Southampton Local Plan Review - Adopted March 2006 as supported by the adopted LDF Core Strategy (2010) policies CS10, CS13 and CS22, and the Council’s current adopted Supplementary Planning Guidance. National Planning Guidance contained within PPS1 (Delivering Sustainable Development) and PPG13 (Transport)

60. **492 WINCHESTER ROAD / 10/00607/FUL**

Replacement of existing boundary treatment with 2 metre high wall and railing with timber panel detail to central section and 2.4 metre high vehicle entrance gates (Resubmission 09/01171/FUL)

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

NOTE: Councillor Samuels declared a prejudicial interest in this item and withdrew from the meeting.

UPON BEING PUT TO THE VOTE THE OFFICER RECOMMENDATION TO GRANT CONDITIONAL PLANNING PERMISSION WAS CARRIED UNANIMOUSLY

**RESOLVED** that planning approval be granted subject to the conditions in the report.

**REASONS FOR THE DECISION**

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Having had careful regard to the concerns raised by the neighbouring occupiers, the new boundary treatment will make a positive contribution to the appearance of the street scene, whilst facilitating an improvement to the safety of the vehicular access onto Winchester Road. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - SDP1, SDP7 and SDP9 of the City of Southampton Local Plan Review (March 2006) and policy CS13 of the Local Development Framework Core Strategy Development Plan Document (January 2010)

61. **67 ARTHUR ROAD 10/00826/FUL**

Change of use from residential (class C3) to a 7-bed house in multiple occupation for a maximum of 9 people (sui generis)

Mr Wiseman (Agent) and Mrs Barter, Mr Kebbel and Mr Clase (Local Residents) were present and with the consent of the Chair, addressed the meeting.

UPON BEING PUT TO THE VOTE THE OFFICER RECOMMENDATION TO GRANT CONDITIONAL PLANNING PERMISSION WAS LOST UNANIMOUSLY

A FURTHER MOTION proposed by Councillor Fitzhenry and seconded by Councillor Samuels 'that the application be refused for the following reasons' was passed unanimously:-

- (i) Unacceptable intensification of use  
The change of use of the property from a C3 family dwelling to a 7 bedroom house in multiple occupation (HMO) in this location, taking into account the number of existing HMO's already in the area, will result in an unacceptable intensification in the use of the property. This would, by reason of increased parking demands, additional general activity/noise/disturbance, be to the detriment to the character of the area and the amenity of nearby residents. The proposal is therefore contrary to Policies SDP1 (i), SDP7 (v) and H4 (i) and (ii) of the City of Southampton Local Plan Review (March 2006) and policy CS16 (3) of the Local Development Framework Core Strategy (January 2010).
- (ii) Loss of family dwelling house  
The proposals would result in the loss of an existing family dwelling house to be replaced by a 7-bedroom house in multiple occupation. The development is thereby contrary to the requirements of Policy CS 16 (2) and (3) of the Southampton City Council Local Development Framework Core Strategy (January 2010).

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

62. **119 EARLS ROAD / 10/00711/FUL**

Change of use from residential (class C3) to a 4 bedroom house in multiple occupation, HMO (class C4) for a maximum of 5 people

Mrs Barter, Mr Kebbel, Mr Gillan and Mr Wirgnan (Local Residents) were present and with the consent of the Chair, addressed the meeting.

UPON BEING PUT TO THE VOTE THE OFFICER RECOMMENDATION TO GRANT CONDITIONAL PLANNING PERMISSION WAS LOST

RECORDED VOTE:

FOR: Councillor Osmond,

AGAINST: Councillors Fitzhenry, Mead, Samuels and Thomas

A FURTHER MOTION proposed by Councillor Fitzhenry and seconded by Councillor Mead 'that the application be refused for the following reasons' was carried:-

- (i) Unacceptable intensification of use  
The change of use of the property from a C3 family dwelling to a 4 bedroom house in multiple occupation (HMO) in this location, taking into account the number of existing HMO's already in the area, will result in an unacceptable intensification in the use of the property. This would, by reason of increased parking demands, additional general activity/noise/disturbance, be to the detriment to the character of the area and the amenity of nearby residents. The proposal is therefore contrary Policies SDP1 (i), SDP7 (v) and H4 (i) and (ii) of the City of Southampton Local Plan Review (March 2006) and policy CS16 (3) of the Local Development Framework Core Strategy (January 2010).
- (ii) Loss of family dwelling house  
The proposals would result in the loss of an existing family dwelling house to be replaced by a 4-bedroom house in multiple occupation (HMO). The development is thereby contrary to the requirements of Policy CS 16 (2) and (3) of the Southampton City Council Local Development Framework Core Strategy (January 2010).

RECORDED VOTE:

FOR: Councillors Fitzhenry, Mead, Samuels and Thomas

ABSTAINED: Councillor Osmond

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

63. **31 REDHILL CLOSE / 10/00996/MMA**

Minor material amendment to planning permission 09/01251/FUL (single storey side and rear extension with roof lights and Juliette balcony), to add 2 velux windows, one to the East elevation and one with obscured glass to West elevation, and enlargement of two velux windows to East elevation, and variation to condition 3 and 4 to allow installation of additional windows to light ground floor rooms and to be opening.

Mr Tim Aspden and Ms Lyn Ertl (Applicants) and Ms Karen Hilliker (Neighbouring / (Local) Resident) were present and with the consent of the Chair, addressed the meeting.

NOTE: Councillor Samuels declared a prejudicial interest in this item and withdrew from the meeting.

UPON BEING PUT TO THE VOTE THE OFFICER RECOMMENDATION TO GRANT CONDITIONAL PLANNING PERMISSION WAS CARRIED

RECORDED VOTE:

FOR: Councillors, Osmond, and Mead, and Thomas

ABSTAINED: Councillor Fitzhenry

**RESOLVED** that planning approval be granted subject to the conditions in the report.

#### REASONS FOR THE DECISION

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. As the shell of the development is substantially complete, there is the opportunity for the Local Planning Authority to assess the impact by directly observing from the application site and neighbouring properties. The potential for direct harm caused to the privacy of occupiers at 30 Redhill Close and 8 Boldrewood Road due to overlooking from the position and aspect of the proposed fixed shut and non opening windows is considered to be none or very insignificant. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus minor material amendment to planning permission 09/01251/FUL should therefore be granted.

Policies - SDP1, SDP7 and SDP9 of the City of Southampton Local Plan Review (March 2006) and City of Southampton Local Development Framework Core Strategy Development Plan Document (January 2010).

64. **BELMONT AND NO. 10, SEAGARTH LANE / 10/00587/FUL**

Redevelopment of the site, erection of a 2 storey terrace block comprising of 3 x 4 bed house and a detached 4 bed house with associated parking and cycle / refuse storage - following demolition of the existing building.

UPON BEING PUT TO THE VOTE THE OFFICER RECOMMENDATION TO GRANT CONDITIONAL PLANNING PERMISSION WAS CARRIED UNANIMOUSLY

**RESOLVED** that planning approval be granted subject to the conditions in the report and the additional condition below.

#### Additional Conditions

##### 23 - Lighting scheme

Prior to the commencement of development details of a scheme for security illumination of the immediate area of the private drive serving the approved dwelling to the rear of the site, using motion activated lighting affixed to the external wall of the dwelling, shall be submitted to and approved in writing by the local planning authority. The installation shall be completed before the dwelling is first occupied and retained in good working order thereafter.



REASON:

In the interest of health and safety.

REASONS FOR THE DECISION

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. The design of the proposed dwellings responds successfully to the context and character of the street scene, providing additional family sized homes which make a positive contribution to the mix of housing available within this location and provides an appropriate residential environment for future occupants of the site. Other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38 (6) of the Planning & Compulsory Purchase Act 2004 Planning Permission should therefore be granted.

“Saved” Policies – SDP1, SDP5, SDP7, SDP9, H1, H2, H7, of the City of Southampton Local Plan Review - Adopted March 2006 as supported by the adopted LDF Core Strategy (2010) policies CS4, CS5, CS13, CS16, CS19, and CS20 and the Council’s current adopted Supplementary Planning Guidance. National Planning Guidance contained within PPS1 (Delivering Sustainable Development) and PPS3 (Housing 2010) are also relevant to the determination of this planning application.

65. **87 NORHAM AVENUE / 10/00983/FUL**

Two storey 3 - bed end of terrace house with living accommodation in roof space and rear dormer window, associated parking and cycle/refuse storage

Ms Tremain (Agent) was present and with the consent of the Chair, addressed the meeting.

UPON BEING PUT TO THE VOTE THE OFFICER RECOMMENDATION TO GRANT  
CONDITIONAL PLANNING PERMISSION WAS CARRIED  
UNANIMOUSLY

**RESOLVED** that conditional planning approval be granted subject to the conditions in the report and the additional condition below.

Additional Condition

16 - Landscaping detailed plan

Before the commencement of any site works a detailed landscaping scheme and implementation timetable, which clearly indicates the numbers, planting densities, types, planting size and species of trees and shrubs to be planted to replace that being lost, shall be submitted to and approved in writing by the Local Planning Authority.

Any trees to be lost shall be replaced on a favourable basis (a two-for one basis unless circumstances dictate otherwise) to ensure a suitable environment is provided on the site.

Any trees, shrubs, seeded or turfed areas which die, fail to establish, are removed or become damaged or diseased, within a period of 5 years from the date of planting shall be replaced by the Developer in the next planting season with others of a similar size

and species unless the Local Planning Authority gives written consent to any variation. The Developer shall be responsible for any replacements for a period of 5 years from the date of planting.

The approved scheme shall be carried out prior to occupation of the building or during the first planting season following the full completion of building works, whichever is sooner. The approved scheme implemented shall be maintained for a minimum period of 5 years following its complete provision.

REASON:

To improve the appearance of the site and enhance the character of the development in the interests of visual amenity, to ensure that the development makes a positive contribution to the local environment and, in accordance with the duty required of the Local Planning Authority by Section 197 of the Town and Country Planning Act 1990.

#### REASONS FOR THE DECISION

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. The design of the proposed dwelling responds successfully to the context and character of the street scene. It provides an additional family sized home, which makes a positive contribution to the mix of housing available within this location. It also provides an appropriate residential environment for future occupants of the site. Other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 Planning Permission should therefore be granted. 'Saved' Policies - SDP1, SDP5, SDP7, SDP9, H1, H2, H7, of the City of Southampton Local Plan Review - Adopted March 2006 as supported by the adopted LDF Core Strategy (2010) policies CS4, CS5, CS13, CS16, CS19, and CS20 and the Council's current adopted Supplementary Planning Guidance. National Planning Guidance contained within PPS1 (Delivering Sustainable Development) and PPS3 (Housing 2010) are also relevant to the determination of this planning application.

#### 66. TREE REMOVAL AT THE ROMSEY ROAD/WIMPSON LANE JUNCTION.

The Panel considered the report of the Planning and Development Manager regarding the removal of 10 trees to enable the road widening scheme at the junction of Romsey Road and Wimpson Lane. (Copy of report circulated with the agenda and attached to the signed minutes).

**RESOLVED** that subject to the applicant entering into an agreement with the Council under Section 278 of the Highways Act 1980, consent be given for:-

- (i) the removal of 10 trees from the adjacent Woodside Lodge social service site to enable the road widening scheme;
- (ii) the provision for "2 for 1" tree replacement planting in Woodside Lodge and adjacent areas (the choice of replacement tree species, size and location to be agreed with a Senior Tree Officer); and
- (iii) to vary S.278 Highways Agreement to state that order of preference for location of heavy nursery standard 2:1 replacement, native species tree planting be:-
  - (a) Woodside Lodge, Wimpson Lane; then,

- (b) Verge in front of 13-23 Thorndike Road; then,
- (c) On the Ordnance Survey development site itself.

67. **STREET NAMING - HINKLER PARADE**

The Panel considered the report of the Planning and Development Manager detailing the proposed street names for the new housing development at Hinkler Parade. (Copy of report circulated with the agenda and attached to the signed minutes).

The Panel considered the five names suggested in the report in addition to additional suggestions from the Panel.

**RESOLVED** that the names Canon Close and Lone Eagle Close be approved for the new housing development at Hinkler Parade.