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PLANNING AND RIGHTS OF WAY PANEL  
MINUTES OF THE MEETING HELD ON 24 MAY 2011

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Present: Councillors Jones (Chair), Claisse (Except Minutes 6, 8 and 9) (Vice-Chair), Mrs Blatchford, Cunio, L Harris, Osmond (Except Minute 4) and Thomas

1. **ELECTION OF CHAIR AND VICE-CHAIR**

**RESOLVED** that Councillor Claisse be elected Vice-Chair for the Municipal Year 2011/2012.

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

**RESOLVED** that the Minutes of the Meeting held on 12<sup>th</sup> April 2011 be approved and signed as a correct record.

**CONSIDERATION OF PLANNING APPLICATIONS**

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

3. **HENDY FORD, 360-364 SHIRLEY ROAD - 10/01020/FUL**

Redevelopment of the site. Demolition of the existing buildings and erection of two, three and four-storey buildings to provide 18 houses (11 x three bed and 7 x four bed) and 78 flats (38 x one bed, 29 x two bed and 11 x three bed) with associated parking and vehicular access from Shirley Road.

Mr Sayle (Agent), Ms Stanley, Ms Latto, Ms Williamson, Ms Rodham, Ms Bottiglieri, Ms Loosemore, Ms Daily (Local Residents) and Councillor Furnell (Ward Councillor) were present and with the consent of the Chair, addressed the meeting.

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

**RESOLVED** that

(i) authority be delegated to the Planning and Development Manager to grant conditional planning approval subject to:-

(a) the applicant entering into a Section 106 Legal Agreement to secure such of the following assessment of the received viability report:-

i. Site specific highway improvements in the vicinity of the site in line with Policy SDP4 of the City of Southampton Local Plan Review (March 2006), policies CS18 and CS25 of the adopted LDF Core Strategy (2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended) to include: works to create an improved pedestrian and cycle environment within Edward Road and Henry Road and associated junctions to include the removal of the existing road restriction; consultation/implementation of an unmarked but signed controlled parking zone within the area, including paying for the necessary Traffic Regulation Order and future

occupiers of this development would not be eligible for parking permits; relocation of an existing traffic island on Shirley Road.

- ii. A financial contribution towards strategic transport projects for improvements in the wider area as set out in the Local Transport Plan and appropriate SPG/D.
- iii. Financial contributions towards open space improvements required by the development in line with policies CLT5, CLT6 of the City of Southampton Local Plan Review (March 2006), Policy CS25 of the adopted LDF Core Strategy (2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended).
- iv. Provision of affordable housing in accordance with Core Strategy Policy CS15.
- v. Submission and implementation of a Training and Employment Management Plan committing to adopting local labour and employment initiatives in line with Core Strategy Policies CS24 and CS25.
- vi. Submission, approval and implementation of Public Art in accordance with the Council's Public Art Strategy.
- vii. Submission, approval and implementation of a Construction Traffic Management Plan.
- viii. 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.

(b) the conditions in the report and the amended and additional conditions below:

#### Additional Conditions

##### 28 Road Construction

No development hereby permitted shall be commenced until the Local Planning Authority have approved in writing:-

A specification of the type of construction proposed for the roads, cycleways and footpaths including all relevant horizontal cross-sections and longitudinal sections showing existing and proposed levels together with details of street lighting, signing, white lining and the method of disposing of surface water.

A programme for the making up of the roads and footpaths to a standard suitable for adoption by the Highway Authority.

REASON:

To ensure that the roads and footpaths are constructed in accordance with standards required by the Highway Authority.

##### 29. No pedestrian/cycle access from rear

Notwithstanding what is shown on the approved drawings, no public pedestrian/cycle access shall be formed into the site from Henry Road or Edward Road and the pedestrian/cycle access shown on the approved drawings shall be blocked up in accordance with details to be submitted to and approved in writing by the Local Planning Authority. These measures shall be retained thereafter.

**REASON:**

To safeguard the amenities of neighbours and to limit the potential for overspill car parking in adjoining streets.

(ii) the Planning and Development Manager be delegated powers to vary relevant parts of the Section 106 agreement and to vary or add conditions as necessary as a result of further negotiations with the applicant.

(iii) the Planning and Development Manager be authorised to refuse permission should the Section 106 Agreement not be completed by the 1<sup>st</sup> August on the ground of failure to secure the provisions of the Section 106 Agreement.

**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, including the vehicular access arrangements, car parking arrangements, protection of trees and the impact on the amenities of neighbouring occupiers, 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, SDP 5, SDP7, SDP9, SDP10, SDP11, SDP13, SDP14, HE6, CLT5, CLT6, H1, H2 and H7 of the City of Southampton Local Plan Review (March 2006), Policies CS4, CS6, CS13, CS15, CS16, CS18, CS19, CS20 and CS25 of the Local Development Framework Core Strategy Development Plan Document (January 2010) and the relevant parts of supplementary planning guidance including the Residential Design Guide (September 2006) .

4. **AREA HOUSING OFFICE, PARKVILLE ROAD - 11/00204/FUL**

Redevelopment of the site. Demolition of the existing buildings and erection of a building ranging in height from 3-storeys to 15-storeys to provide student residential accommodation (53 cluster flats comprising a total of 348 rooms, 4 x 2-bedroom flats and 12 x 1-bedroom flats); a medical centre (Class D1 use), retail units (Class A1) and two units for community use or non-residential institution use (Class D1) or retail (A1) or food and drink use (A3) with associated landscaping, parking and site works, including the stopping up of existing highway.

THE REVISED RECOMMENDATION TO DEFER WAS PROPOSED BY COUNCILLOR JONES AND SECONDED BY COUNCILLOR L HARRIS AND WAS CARRIED UNANIMOUSLY.

**RESOLVED** that the item be deferred.

NOTE: Councillor Osmond declared an interest and withdrew from the meeting for this item.

5. **23 CAXTON AVENUE - 11/00336/FUL**

Demolition of existing bungalow and erection of a three storey building to provide 1x two bedroom flat and 2x three bed flat (resubmission).

Mr Ayre (Agent), Mr Hampton (Local Resident), Councillors Fuller and Letts (Ward Councillors) 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 Jones, Claisse, Cunio, L Harris, Thomas  
ABSTAINED: Councillor Mrs Blatchford

A FURTHER MOTION PROPOSED BY COUNCILLOR JONES AND SECONDED BY COUNCILLOR L HARRIS "THAT THE APPLICATION BE REFUSED FOR THE FOLLOWING REASON" WAS CARRIED

Overdevelopment of the site

The proposal would represent an overdevelopment of the site and thereby appear out of keeping with the area by reason of the height of the building, the crowded frontage of the property on refuse collection days, the use of garden land for development, where the priority for development is previously developed land and the stepped access to the basement flat. The proposal would thereby prove contrary to the provisions of policy CS13 of the Southampton Local Development Framework Core Strategy Development Plan Document (January 2010), saved policies SDP1, SDP7 and SDP9 of the City of Southampton Local Plan Review (March 2006) and as supported by the Residential Design Guide Supplementary Planning Document (September 2006) with specific reference to part 3 and part 9.

RECORDED VOTE:

FOR: Councillor Osmond  
AGAINST: Councillors Jones, Claisse, Cunio, L Harris, Thomas  
ABSTAINED: Councillor Mrs Blatchford

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

6. **8 SHAFTESBURY AVENUE - 10/00584/FUL**

Following the deferral of the report from the April Panel to allow an investigation of the established use of the property, the presenting officer advised that the description of the application had been amended to "Rear roof extension with additional windows to provide additional bedroom to existing C4 HMO (House of Multiple Occupancy) to facilitate change of use to 8 bedroom HMO (Sui Generis)".

Mr Gillen (Highfield Residents' Association) and Councillors Vinson and Claisse (Ward Councillors) 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 CARRIED

RECORDED VOTE:

FOR: Councillors Jones, Cunio, Osmond and Thomas

AGAINST: Councillor Mrs Blatchford and Councillor L Harris

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

Additional Conditions

06. Residential - Permitted Development Restriction

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), or any Order amending, revoking or re-enacting that Order, no building or structures within Schedule 2, Part 1, Classes as listed below shall be erected or carried out to any dwelling house hereby permitted without the prior written consent of the Local Planning Authority:

Class A (enlargement of a dwelling house), including a garage or extensions,

Class B (roof alteration),

Class C (other alteration to the roof),

Class E (curtilage structures), including a garage, shed, greenhouse, etc.,

REASON:

In order that the Local Planning Authority may exercise further control in this locality given the small private garden and amenity areas provided as part of this development in the interests of the comprehensive development and visual amenities of the area.

07. No other windows or doors other than approved

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (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.

08. Restriction on Occupancy

The number of occupiers shall not exceed 8.

REASON:

In the interests of the character and amenities of the area.

REASONS FOR DECISION

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. The occupation of this property is not considered likely to result in an unacceptable intensification of activity resulting in a material increase in the level of noise and refuse generated from the site. Other material considerations including the impact on the amenity of adjoining occupiers or the character of the street 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, SDP9 and H4 of the City of Southampton Local Plan Review (March 2006); and CS13 and CS16 of the Local Development Framework Core Strategy Development Plan Document (January 2010).

NOTE: Councillor Claisse declared an interest and withdrew from the meeting for the determination of this item.

7. **7 BRIGHTON ROAD - 11/00296/FUL**

Erection of a single storey rear extension to facilitate change of use of property to a 7 bed HMO (Sui Generis).

Mr Barnes (Applicant) and Mrs Trojioras (Local Resident) 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 CARRIED

RECORDED VOTE:

FOR: Councillors Jones, Mrs Blatchford, Cunio, Osmond and Thomas

AGAINST: Councillors Claisse and L Harris

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

Additional Conditions

07. Residential - Permitted Development Restriction

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), or any Order amending, revoking or re-enacting that Order, no building or structures within Schedule 2, Part 1, Classes as listed below shall be erected or carried out to any dwelling house hereby permitted without the prior written consent of the Local Planning Authority:

Class A (enlargement of a dwelling house), including a garage or extensions,

Class B (roof alteration),

Class C (other alteration to the roof),

Class E (curtilage structures), including a garage, shed, greenhouse, etc.

REASON:

In order that the Local Planning Authority may exercise further control in this locality given the small private garden and amenity areas provided as part of this development in the interests of the comprehensive development and visual amenities of the area.

08. No other windows or doors other than approved

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (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.

#### 09. Restriction on Occupancy

The number of occupiers shall not exceed 7.

REASON

In the interests of the character and amenities of the area.

#### REASONS FOR DECISION

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. The occupation of this property is not considered likely to result in an unacceptable intensification of activity resulting in a material increase in the level of noise and refuse generated from the site. Other material considerations including the impact on the amenity of adjoining occupiers or the character of the street 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, SDP9 and H4 of the City of Southampton Local Plan Review (March 2006); and CS13 and CS16 of the Local Development Framework Core Strategy Development Plan Document (January 2010).

#### 8. 32 HIGHFIELD ROAD - 11/00493/FUL

Two-storey side extension and loft conversion with north and south facing dormer windows.

Mr Chahal (Applicant), Mr Gillen (Highfield Residents' Association), and Councillor Vinson (Ward Councillor) 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 CARRIED

RECORDED VOTE:

FOR: Councillors Jones, Mrs Blatchford, Osmond and Thomas

AGAINST: Councillors Cunio and L Harris

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

#### REASONS FOR DECISION

The development is acceptable taking into account the policies and proposals of the

Development Plan as set out below. The proposed extension is not considered to be harmful to the appearance of the host dwelling nor harmful to the character of the surrounding area. Furthermore, no harm would result to the amenities of the neighbouring occupiers. 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 CS13 of the Local Development Framework Core Strategy Development Plan Document (January 2010).

NOTE: Councillor Claisse declared an interest and withdrew from the meeting for this item.

9. **2 HARTLEY AVENUE - 11/00394/FUL**

Single storey rear extension and first floor side extension.

Mr Gillen (Highfield Residents' Association), and Councillors Vinson and Claisse (Ward Councillors) 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 CARRIED

RECORDED VOTE:

FOR: Councillors Jones, Mrs Blatchford, Cunio, Osmond and Thomas  
ABSTAINED: Councillor L Harris

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

**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 including impact on appearance of the host dwelling, character and appearance of the area and residential amenities in terms of a loss of privacy, outlook and overshadowing 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 CS13 of the Local Development Framework Core Strategy Development Plan Document (January 2010).

NOTE: Councillor Claisse declared an interest and withdrew from the meeting for the determination of this item.



10. **137 WILTON ROAD - 11/00450/FUL**

Single storey rear extension.

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

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

**REASONS FOR DECISION**

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. The proposed rear extension is acceptable in visual terms and will not have any significant impact on existing neighbours as detailed in the report to the Planning and Rights of Way Panel on 24th May 2011. 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.

Policies - SDP1, SDP7 and SDP9 of the City of Southampton Local Plan Review - Adopted March 2006 as supported by the Council's current adopted Supplementary Planning Guidance.

11. **ADDITIONAL TREE REMOVAL AT THE ROMSEY ROAD/WIMPSON LANE JUNCTION**

The Panel considered the report of the Head of Neighbourhood Services in respect of an application for the removal of an additional sycamore tree on the south-west side of the Romsey Road/Wimpson Lane junction to enable the road widening scheme and to provide "2 for 1" tree replacement in the adjacent area. (Copy of report circulated with the agenda and attached to the signed minutes).

**RESOLVED** that subject to a "2 for 1" replacement tree condition in the adjacent area with authority being delegated to the Senior Tree Officer to approve the species, size and location of the replacement trees, permission be given for the removal of one sycamore tree on the south-west side of the Romsey Road/Wimpson Lane junction.