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PLANNING AND RIGHTS OF WAY PANEL  
MINUTES OF THE MEETING HELD ON 6 SEPTEMBER 2011

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Present: Councillors Jones (Except Minutes 46 and 47) (Chair), Claisse (Vice-Chair), Mrs Blatchford, Cunio (Except Minute 45), L Harris, Osmond (Except Minute 45) and Thomas

Apologies: Councillors

45. **AREA HOUSING OFFICE, YOUTH CENTRE AND CAR PARK SITE, 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.

Mr Kiddle (Agent), Mr Hopgood, Mr Plant, Mr Symes, Mr Dixon, Mr Richmond, Ms Purkiss (Local residents) and Councillor Vassiliou (Ward Councillor) were present and with the consent of the Chair, addressed the meeting.

Councillor Osmond (Ward Councillor) was present and with the consent of the Chair, addressed the meeting. After speaking Councillor Osmond withdrew from the meeting and was not present for the determination of this item.

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 LOST

RECORDED VOTE:

FOR: Councillors Jones and Mrs Blatchford  
AGAINST: Councillors Claisse, L Harris, Thomas

A FURTHER MOTION WAS PROPOSED BY COUNCILLOR JONES AND SECONDED BY COUNCILLOR L HARRIS THAT THE APPLICATION BE DEFERRED TO ENABLE FURTHER NEGOTIATION WITH THE AGENT AND LOCAL RESIDENTS TO TAKE PLACE REGARDING CAR PARKING

UPON BEING PUT TO THE VOTE THE OFFICER RECOMMENDATION TO DEFER WAS CARRIED

RECORDED VOTE:

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

**RESOLVED** that the item be deferred.

**COUNCILLOR CLAISSE IN THE CHAIR**

46. **13 GROSVENOR ROAD 11/01025/FUL**

Change of use from Class C3 to a Sui Generis 15 bedroom student house (alternative proposal to planning application reference 11/01026/FUL)

Mr Singh (Applicant), Mr Willis, Mr Foster (Local Residents) and Mr Gillen (Highfield Residents Association) were present and with the consent of the Chair, addressed the meeting.

UPON BEING PUT TO THE VOTE THE OFFICER RECOMMENDATION TO REFUSE PLANNING PERMISSION AND TAKE ENFORCEMENT ACTION TO SECURE THE CESSATION OF USE OF THE PROPERTY AS A SUI GENERIS HOUSE IN MULTIPLE OCCUPATION WAS CARRIED UNANIMOUSLY

**RESOLVED**

- (i) that change of use of planning permission be refused for the reasons set out below; and
- (ii) that authority be given for the Planning and Development Manager to take enforcement action.

**REASONS FOR REFUSAL**

The local planning authority considers that the intensification of residential occupation of the property from either family occupation within class C3, or from a C4 occupation by up to 6 unrelated persons, to occupation as a Sui Generis House in Multiple Occupation by 15 persons would cause serious harm, contrary to policies of the Development Plan for Southampton (SDP7 (v), H4 and SDP16) Local Plan Review (March 2006) and CS16 (3) Core Strategy (January 2010). The proposed use is also considered contrary to relevant advice set out in Planning Policy Statement 3 (Housing) and the consultation draft of the Draft National Planning Policy Framework. The harm from this over intensive use of the property would manifest itself in the following ways:-

- (i) Disturbance to neighbouring occupiers from comings and goings to and from the site by 15 separate students at various times of the day and night and their use of the garden at the property, potentially more likely to be at unsocial hours (being that the tenants are to be students with more active lifestyles), which would not be compatible with the surrounding family housing;
- (ii) Adversely affect the character and nature of occupation of this immediate part of the street, by causing the loss of a single family house, in a street predominantly comprised of family houses and making it more difficult for the local planning authority to resist similar proposals in this street in the future;
- (iii) Be likely to cause overspill parking difficulties in the street, prejudicial to highway safety with people having to park tight to others' driveways and access points, detrimentally interfering with driver visibility when

- emerging into the street, whilst also not demonstrating adequate secure cycle storage as an alternative to the private car;
- (iv) Not demonstrating adequate refuse storage facilities, where the visual impact of the quantum of such storage would be likely to be visually intrusive in the street scene, given that the open forecourt of the property is the only realistic place to store refuse; and,
  - (v) Not demonstrating convenient access through the building by occupiers of the separate tenancy agreement for 8 persons in the front of the property, sought through 'saved' Policy H4 of the City of Southampton Local Plan Review (March 2006) as supported by Section 4.4 of the Residential Design Guide (September 2006).

NOTE: Councillor Jones declared a prejudicial interest in the above item and withdrew from the meeting.

47. **13 GROSVENOR ROAD 11/01026/FUL**

Conversion of existing dwelling to 2 sui generis houses in multiple occupation (1 x 7 bedroom dwelling and 1 x 8 bedroom dwelling) with associated bin and cycle storage (alternative proposal to application 11/01025/FUL).

Mr Singh (Applicant), Mr Willis, Mr Foster (Local Residents) and Mr Gillen (Highfield Residents Association) were present and with the consent of the Chair, addressed the meeting.

UPON BEING PUT TO THE VOTE THE OFFICER RECOMMENDATION TO REFUSE PLANNING PERMISSION AND TAKE ENFORCEMENT ACTION TO SECURE THE CESSATION OF USE OF THE PROPERTY AS A SUI GENERIS HOUSE IN MULTIPLE OCCUPATION WAS CARRIED UNANIMOUSLY

**RESOLVED**

- (i) that change of use of planning permission be refused for the reasons set out below; and
- (ii) that authority be given for the Planning and Development Manager to take enforcement action.

**REASONS FOR REFUSAL**

The local planning authority considers that the intensification of residential occupation of the property from either family occupation within class C3, or from a C4 occupation by up to 6 unrelated persons, to occupation as a Sui Generis House in Multiple Occupation by 15 persons would cause serious harm, contrary to policies of the Development Plan for Southampton (SDP7 (v), H4 and SDP16) Local Plan Review (March 2006) and CS16 (3) Core Strategy (January 2010). The proposed use is also considered contrary to relevant advice set out in Planning Policy Statement 3 (Housing) and the consultation draft of the Draft National Planning Policy Framework. The harm from this over intensive use of the property would manifest itself in the following ways:-

- (i) Disturbance to neighbouring occupiers from comings and goings to and from the site by 15 separate students at various times of the day and night and their use of the garden at the property, potentially more likely to be at

- unsocial hours (being that the tenants are to be students with more active lifestyles), which would not be compatible with the surrounding family housing;
- (ii) Adversely affect the character and nature of occupation of this immediate part of the street, by causing the loss of a single family house, in a street predominantly comprised of family houses and making it more difficult for the local planning authority to resist similar proposals in this street in the future;
  - (iii) Be likely to cause overspill parking difficulties in the street, prejudicial to highway safety with people having to park tight to others' driveways and access points, detrimentally interfering with driver visibility when emerging into the street, whilst also not demonstrating adequate secure cycle storage as an alternative to the private car;
  - (iv) Not demonstrating adequate refuse storage facilities, where the visual impact of the quantum of such storage would be likely to be visually intrusive in the street scene, given that the open forecourt of the property is the only realistic place to store refuse; and,
  - (v) Not demonstrating convenient access through the building by occupiers of the separate tenancy agreement for 8 persons in the front of the property, sought through 'saved' Policy H4 of the City of Southampton Local Plan Review (March 2006) as supported by Section 4.4 of the Residential Design Guide (September 2006).

NOTE: Councillor Jones declared a prejudicial interest in the above item and withdrew from the meeting.

#### **COUNCILLOR JONES IN THE CHAIR**

48. **73 MILTON ROAD 11/00754/FUL**

Replacement two storey extension and part single storey rear extension.

Mr Barnes (Agent), Mrs Barter and Mrs Baker (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 CARRIED UNANIMOUSLY

**RESOLVED** that planning approval 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 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 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).

49. **SEA CITY MUSEUM, CIVIC CENTRE ROAD 10/01550/DIS**

Application for approval of details reserved by Conditions 5 (lighting scheme), 7 (details of signage), 11 (details of hard landscaping and highway works) and 13 (visitor cycle storage), of planning permission 10/00020/R3CFL for alterations connected with the use of the building as a museum.

Mr Purser (Architect) and Mrs Dyer-Slade (Applicant) were present and with the consent of the Chair, addressed the meeting.

UPON BEING PUT TO THE VOTE THE AMENDED OFFICER RECOMMENDATION TO:

- (i) APPROVE THE PART DISCHARGE OF CONDITIONS 5, 7 AND 11 (EXCEPT FOR DETAILS OF THE LIGHTING SPECIFICATION AND THE APPEARANCE OF THE CYCLE STANDS); AND
- (ii) DELEGATE AUTHORITY TO THE PLANNING AND DEVELOPMENT MANAGER TO APPROVE A SUBSEQUENT SUBMISSION OF THE DETAILS OF THE LIGHTING SPECIFICATION AND THE APPEARANCE OF THE CYCLE STANDS WAS CARRIED.

RECORDED VOTE:

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

**RESOLVED**

- (i) that conditions 5, 7 and 11 be discharged in part (save for details of the lighting specification and the appearance of the cycle stands); and
- (ii) that authority be delegated to the Planning and Development Manager to approve a subsequent submission of the details of the lighting specification and the appearance of the cycle stands.

**REASONS FOR DECISION**

The proposed landscaping works, lighting scheme, signage and visitor cycle storage is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations, such as those listed in the report to, and discussed at, the Council's Planning and Rights of Way Panel on 6th September 2011, do not have sufficient weight to justify an objection to the application. Full details of the lighting specification and the appearance of cycle stands will be need to be agreed by the Local Planning Authority before work on the landscaping commences. In accordance with Section 38 (6) of the Planning & Compulsory Purchase Act 2004 no objection is, therefore, raised and this notice is issued in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2010.

Policies – SDP1, SDP8, SDP12 and HE3 of the City of Southampton Local Plan Review - Adopted March 2006 and Policies – CS13 and CS14 of the Southampton City

Council Local Development Framework Core Strategy – Adopted January 2010 as supported by the Council’s current adopted Supplementary Planning Guidance.

50. **UNIT 3A, NORTHBROOK INDUSTRIAL ESTATE, VINCENT AVENUE**

Use of the existing building for MoT Testing and Vehicle Repairs (Class B2).

Mr Imanpour (Applicant) 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 planning approval be granted subject to the conditions in the report and the amended condition set out below.

**Amended Condition**

6. Parking Layout

The 8 internal parking spaces shall be marked out in accordance with the approved plans prior to the site undertaking MOT testing and servicing, or within 30 days of the date of this decision notice if the use has already commenced and shall thereafter be kept available for that purpose at all times thereafter.

REASON

To prevent harmful over spilling of parking and obstruction of the public highway.”

**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 affect which the proposal will have on the economic viability of the site and the potential for employment to continue at the site in addition to character, parking, and amenity have been considered and are not judged to have sufficient weight to justify a refusal of the application. 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, SDP5, SDP16 and REI11 of the City of Southampton Local Plan Review (March 2006) and Policy CS7 of the Local Development Framework Core Strategy Development Plan Document (January 2010).