SOUTHAMPTON CITY COUNCIL
PLANNING AND RIGHTS OF WAY PANEL

MINUTES OF THE MEETING HELD ON 16 OCTOBER 2012

Present: Councillors Mrs Blatchford (Chair), Claisse (Except Minute 66), Cunio, L Harris, Lloyd, Shields and Smith (Except Minute 69)

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

RESOLVED that the Minutes of the Meeting held on 18 September 2012 be approved and signed as a correct record.

65. **BLOCK C, ORIONS POINT, 78 ST MARYS ROAD /12/00922/FUL**

The Panel considered the report of the Planning and Development Manager recommending delegated authority be granted in respect of an application for a proposed development at the above address. (Copy of the report circulated with the agenda and appended to the signed minutes).

Change of use and reconfiguration of existing office building, conversion of the undercroft of Block C and erection of a new 16 storey building to provide additional student residential accommodation (comprising 12 studio and 67 cluster flats - 423 study bedrooms, in addition to the existing 431 study bedrooms) with on-site management and ground floor commercial uses (224 square metres A1 retail floorspace) with associated parking, other facilities and vehicular access retained from St Mary's Road.

Mr Waumsley (Agent), Mr Riley (Architect), Mr Nelson (Applicant),
Mr Linecar (objecting) (Southampton Commons and Parks Protection Society), Mr Roath, Mr Sumra, Mr Chauderhy, Mr Durrani (objecting) (Charlotte Place Campaign Group), Ms Ghanouni (objecting) (Newton Residents Association), Mr Ditta, Mr Roath, Ms Arshad, Mr Beg, Mr Petter (objecting) (Local Residents) and Councillor Barnes-Andrews (objecting) (Ward Councillor also representing Ward Councillors Burke and Rayment) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that the words “Block C should be deleted from the address so that it should be ‘Orions Point, 78 St Marys Road’. It was noted that further comments had been received from objectors.

The presenting officer reported three additional conditions should be added and that policy CS3 be added to the reasons for granting permission.

RESOLVED

i) to delegate to the Planning and Development Manager to **grant** planning permission subject to the conditions listed in the report, the following amended condition and S106 Head of Term, additional conditions and additional reason for granting permission set out below;

ii) that the Planning and Development Manager be authorised to refuse permission on the ground of failure to secure the provisions of the Section

106 Legal Agreement, in the event that the legal agreement not be completed within two months of the Panel meeting; and

iii) that the Planning and Development Manager be given delegated powers to vary relevant parts of the Section 106 agreement and to remove, vary or add conditions as necessary.

Amended Section 106 Head of Term:

x. Provision of CCTV coverage and monitoring in line with Policy SDP10 of the City of Southampton Local Plan Review (March 2006) as supported by LDF Core Strategy policies CS13 and CS25.

Amended condition

31. APPROVAL CONDITION – Television Reception (Pre-Commencement Condition)

No development shall commence until a survey and report of the impact of the proposed development on television reception to adjoining properties has been submitted to and approved in writing by the Local Planning Authority. Any remedial measures recommended in this report shall be implemented in accordance with measures and timescale to be agreed by the Local Planning Authority.

REASON

To safeguard the amenities of neighbours.

Additional conditions

28. APPROVAL CONDITION - Noise - plant and machinery [Pre-Commencement Condition]

The use hereby approved shall not commence until an acoustic report and written scheme to minimise noise from plant and machinery associated with the proposed development, including details of location, orientation and acoustic enclosure, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details.

Reason:

To protect the amenities of the occupiers of existing nearby properties.

29. APPROVAL CONDITION – Acoustic works (Performance Condition)

The development shall be carried out in accordance with the recommendations in paragraph 5.4 (internal noise levels) and table 3 of paragraph 6.3 (sound insulation between retail and residential) of the acoustic report P2557/R1/AJT by Acoustic Engineering Consultants Ltd dated 25 May 2012 unless otherwise agreed in writing by the Local Planning Authority.

Reason

To protect the amenities of future occupiers of the development.

30. APPROVAL CONDITION – Mechanical Ventilation (Pre-Commencement Condition)

The development shall not commence until a scheme of measures for mechanical ventilation to the residential accommodation hereby approved has been submitted to

and approved in writing by the Local Planning Authority. The approved measures shall be installed before first occupation of the new accommodation to which it relates and retained thereafter.

Reason
To protect the amenities of future occupiers of the development in view of the air quality characteristics of the area

Additional Reason for granting permission
CS3

RECORDED VOTE

FOR:	Councillors Claisse, Harris, Smith
AGAINST	Councillors Mrs Blatchford, Cunio
ABSTAINED:	Councillors Lloyd, Shields

66. **19 ABBOTTS WAY, SO17 1NW /12/00131/FUL & 12/00132/CAC**

The Panel considered the report of the Planning and Development Manager recommending delegated authority be granted in respect of an application for a proposed development at the above address. (Copy of the report circulated with the agenda and appended to the signed minutes).

12/00131/FUL - Erection of a two-storey, 5 bed replacement dwelling house **(Class C3)** with associated parking and cycle / refuse storage, following demolition of existing house (submitted in conjunction with 12/00132/CAC).

12/00132/CAC - Conservation area consent sought for demolition of existing dwelling (submitted in conjunction with 12/00131/FUL)

Mr Mullins (Applicant), Mr Barnandez (Agent), Mr Duke, Ms Jamieson, Mr Chennels (objecting) (Local Residents), Councillors Claisse and Vinson (objecting) (Ward Councillors) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported the applicant had confirmed that the property was not intended to be used as an HMO and inserted the words (Class C3) in the description. It was noted that a bat mitigation survey had been received and as a result the officer recommendation had changed to “conditionally approve”.

The presenting officer also reported amendments to two conditions and an additional condition.

RESOLVED to **grant** conditional planning permission and Conservation Area Consent subject to the conditions in the report and subject to the following amended and additional conditions:

Amended conditions

3. APPROVAL CONDITION - Details & samples of building materials to be used [Pre-Commencement Condition]
No development works shall be carried out unless and until a detailed schedule of materials and finishes including samples (if required by the LPA) to be used for external

walls, windows, doors (including the front door and garage door) and the roof of the proposed buildings has been submitted to and approved in writing by the Local Planning Authority. Details shall include all new glazing, panel tints, stained weatherboarding, drainage goods, and the ground surface treatments formed. The developments brick shall be of a Flemish bond as set out in the design and access statement. Development shall be implemented only in accordance with the agreed details unless otherwise agreed in writing with the local planning authority.

Reason:
To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality.

5. APPROVAL CONDITION - Landscaping, lighting & means of enclosure detailed plan [Pre-Commencement Condition]
Notwithstanding the submitted details before the commencement of any site works a revised and detailed landscaping scheme and implementation timetable shall be submitted, which includes:
i. proposed finished ground levels or contours; means of enclosure; car parking layouts; other vehicle pedestrian access and circulations areas, hard surfacing materials, structures and ancillary objects (refuse bins, lighting columns etc.);
ii. planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate. The planting should be made in soil beds and not plant pots;
iii. details of any proposed boundary treatment, including retaining walls if relevant; and
iv. a landscape management scheme.

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 hard and soft landscaping scheme (including parking) for the whole site 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

Additional conditions

8. APPROVAL CONDITION - Lighting [Pre-Commencement Condition]
A written lighting scheme including light scatter diagram with relevant contours shall be submitted to and approved in writing by the Local Planning Authority prior to implementation of the lighting scheme. The scheme must demonstrate compliance with table 1 "Obtrusive Light Limitations for Exterior Lighting Installations", by the Institution of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light 2005. The installation must be maintained in accordance with the agreed written scheme.

Reason:
To protect the amenities of the occupiers of existing nearby residential properties.

9. APPROVAL CONDITION – No windows within catslide roof (Performance Condition)
Notwithstanding condition 4 of this consent, and 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), there are to be no windows inserted within the catslide roof (meaning the eastern elevation of the roof) of the development other than those expressly authorised by this permission without prior written consent of the Local Planning Authority.

Reason:
To protect the amenities of the adjoining residential properties.

RECORDED VOTE **12/00131/FUL**
FOR: Councillors Mrs Blatchford, Cunio, Shields
AGAINST: Councillors Harris, Lloyd, Smith

NOTE: This item was carried with the use of the Chair's second and casting vote.

RECORDED VOTE **12/00132/CAC**
FOR: Councillors Blatchford, Cunio, Lloyd, Shields
ABSTAINED: Councillors Harris, Smith

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

67. **2A UNIVERSITY ROAD SO17 1TJ /12/01092/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. (Copy of the report circulated with the agenda and appended to the signed minutes).

Internal Changes to Facilitate Change Of Use From C4 (House In Multiple Occupation) To 7 Bedroom, Sui Generis HMO (Resubmission 11/00346/FUL)

Ms Taylor (supporting) (Local Resident) and Councillor Vinson (objecting) (Ward Councillor) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported an additional condition.

RESOLVED to **grant** conditional planning permission subject to the conditions in the report and the additional condition as set out below:

06 APPROVAL CONDITION – Occupancy Limit – Performance Condition
The premises shall not be occupied by more than 7 people.

Reason
In the interests of the amenities of nearby residents and the character of the area.

68. **18 THE PARKWAY SO16 3PQ /12/01011/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. (Copy of the report circulated with the agenda and appended to the signed minutes)

Change Of Use From A Dwelling House (Class C3) To A 6 - Bed House In Multiple Occupation (HMO, Class C4)

Mr Winfrey (Applicant), Mrs Wawman (objecting) (East Bassett Residents' Association), Mr Anderson (objecting) (Local Resident) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that in paragraph 2.1 of the report the words "or internal" should be deleted.

RESOLVED to **refuse** planning permission for the reasons set out below.

Reasons for Refusal

1. The proposed change of use by reason of the semi-detached nature of the property, the internal layout which proposes communal living areas adjacent to the party wall and the intensification of occupation and activity likely to occur as a result of the change of use from a C3 to a C4 Use, would be detrimental to the amenities of the occupiers of the adjacent property contrary to Policies SDP1 (i) and H4 (i) of the City of Southampton Local Plan Review 2006.

2. The internal alterations to create the additional bedroom on the ground floor results in the creation of a habitable living room without access to natural light or outlook thereby creating unsatisfactory living conditions for the occupiers contrary to paragraph 2.2.1 of the Residential Design Guide 2006.

RECORDED VOTE
FOR: Councillors Mrs Blatchford, Claisse, Cunio, Harris, Lloyd, Smith
ABSTAINED: Councillor Shields

69. **68 BLENDWORTH LANE, SO18 5HG / 12/00923/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. (Copy of the report circulated with the agenda and appended to the signed minutes).

Erection of a 2-Storey Rear Extension to facilitate conversion of existing house into 1 x 1-Bed Flat And 1 x 4-Bed Maisonette with associated cycle/refuse storage.

The presenting officer reported that section 5 of the report should have stated that a representation had been received from Councillor Smith.

Councillor Smith (objecting) (Ward Councillor) was present and with the consent of the Chair, addressed the meeting.

RESOLVED to **refuse** planning permission for the reasons set out below.

RECORDED VOTE
FOR: Councillors Claisse, Cunio, Harris, Lloyd
AGAINST: Councillors Mrs Blatchford, Shields

Reason for Refusal - Over-intensive use of the site and subsequent impact on neighbouring amenity

The intensification of the use of the property and activity associated with the proposal is considered to be out of keeping with the character of the local area and detrimental to the amenities of nearby residents due to increased parking pressure and noise from the occupants. In addition, the proposed layout of the residential accommodation fails to provide an attractive living environment for prospective residents as the proposal to obscurely glaze a bedroom window, which would otherwise overlook the amenity space serving the one bed unit, is not considered to achieve acceptable outlook for the occupants of that room. Therefore, the proposal is contrary to saved policy SDP1 (i) of the City of Southampton Local Plan Review 2006 and paragraph 2.2.1 of The Residential Design Guide 2006 [September 2006]) of the City of Southampton Local Plan Review (March 2006).

RECORDED VOTE
FOR: Councillors Claisse, Cunio, Harris, Lloyd
AGAINST: Councillors Mrs Blatchford, Shields

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

70. **BOLDREWOOD CAMPUS, BASSETT CRESCENT EAST, UNIVERSITY OF SOUTHAMPTON / 12/01167/REM**

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. (Copy of the report circulated with the agenda and appended to the signed minutes).

Application for reserved matters approval of layout, scale, appearance and landscaping pursuant to Block H and associated works of the outline planning permission reference 11/00963/TIME for redevelopment of the Boldrewood campus.

Mr Reay (Agent), Mr Osbourne (Architect) and Mrs Wawman (objecting) (East Bassett Residents' Association) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that two additional letters of objection had been received and that when the bird hazard management plan (12/01223/DIS) was discharged reference to distressed bird calls would be removed.

RESOLVED

(i) to **grant** conditional planning permission subject to the conditions in the report;

(ii) to delegate power to the Planning and Development Manager to discharge conditions 2 (additional detail), 11 (landscaping), 14 (arboricultural method) and 15 (tree safeguarding) of permission 11/00963/TIME, in consultation with the relevant officers, and remove, vary or add consultations to 12/01167/REM as necessary.

71. **FORMER ORDNANCE SURVEY OFFICES ROMSEY ROAD SO16 4GU / 12/01029/OUT**

The Panel considered the report of the Planning and Development Manager recommending delegated authority be granted in respect of an application for a proposed development at the above address. (Copy of the report circulated with the agenda and appended to the signed minutes).

Redevelopment of the site to provide 179 new dwellings (90 flats and 89 houses), Offices and /or Healthcare (Class B1office - up to 1,742 square metres and Healthcare up to 836square metres), shops (Class A1), restaurants and cafes (Class A3) and drinking establishments (Class A4 - combined floor space of 1,394 square meters) Outline application seeking approval for layout and access.

Councillor Pope (objecting) (Ward Councillor) was present and with the consent of the Chair, addressed the meeting.

RESOLVED

i) to delegate to the Planning and Development Manager to **grant** planning permission subject to the conditions listed in the report;

ii) that the Planning and Development Manager be given delegated authority to add, delete or vary any of the planning conditions and relevant parts of the Section 106 agreement; and

iii) that the Planning and Development Manager be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement in the event that the legal agreement is not completed within 3 months (by 16 January 2013).

72. **SECTION 102 ORDER: VICTORIA ROAD FRONTAGE, WOOLSTON**

The Panel considered the report of the Senior Manager, Planning, Transport and Sustainability in consultation with the Head of Legal, HR and Democratic Services seeking authority to serve a Section 102 order should the second hand furniture not be removed from land adjoining 16-18 Victoria Road. (Copy of the report circulated with the agenda and appended to the signed minutes).

The presenting officer reported that the owner of 16 Victoria Road had confirmed in writing that no consent had ever been given to display goods on the private forecourt of 16 Victoria Road. He also stated that since 2009, there had been further case law whereby the possible payment of compensation to those served with a S 102 Notice could be a material consideration when deciding whether it was expedient to take such action.

The presenting officer reported amendments to the recommendations.

RESOLVED that the Head of Legal, HR and Democratic Services be authorised:

(i) To write to the owners of 16-18 Victoria Road requesting them to remove the second hand furniture from their unit's retail frontage within 7 days; and

(ii) If the furniture is not removed within 7 days from the date of the letter, or then re-appears thereafter, to serve a Section 102 Order on the 1m wide private forecourts to the front of units comprising 16 and 18 Victoria Road, Woolston on grounds of amenity (see attached plan) imposing a condition on the continued use of the private forecourts for the display of retail items requiring any retail use of the forecourt to be subject to the submission of a scheme to be approved in writing by the LPA detailing:-

   i. the manner in which items are to be stored and/or displayed on the forecourt.
   ii. The type of items to be stored and/or displayed on the forecourt.
   iii. The area of the retail display.

RECORDED VOTE
FOR: Councillors Mrs Blatchford, Claisse, Cunio, Harris, Shields, Smith
ABSTAINED: Councillor Lloyd