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PLANNING AND RIGHTS OF WAY PANEL  
MINUTES OF THE MEETING HELD ON 13 SEPTEMBER 2016

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Present: Councillors Denness (Chair), Coombs (Vice-Chair), Barnes-Andrews, Claisse (not including minute numbers 28 and 30), L Harris, Hecks (not including minute number 32) and Mintoff

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

**RESOLVED:** that the minutes for the Panel meeting on 2<sup>nd</sup> August 2016 be approved and signed as a correct record.

28. **PLANNING APPLICATION - 16/00740/FUL - 11 LAWN ROAD**

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.

Redevelopment of the site. Demolition of the existing building and erection of a 3-storey replacement building to provide 9 flats (2 x three bedroom, 3 x two bedroom, 4 x one bedroom) with associated parking (6 spaces) and other facilities – scheme amended following validation to reduce the number of flats.

Dr Chipp, (local residents/ objecting), Mr Stubbings (agent) and Councillor Claisse (ward councillors/objecting) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that since the publication of the report two further objections had been received. It was noted that the size of the development had been reduced to from the provision of 10 flats to provide 9 once the development was completed. It was explained that the reduction in flats was not considered significant and that therefore there had been no need for additional consultation. In addition a number of additional conditions were put forward by the planning Officer. On being put to the vote the officer recommendation to grant planning permission with the existing and additional conditions was lost.

Councillor Denness proposed a second motion which was seconded by Councillor Hecks that the application be refused that was for the reasons set out below.

**RECORDED VOTE:** to refuse planning permission

**AGAINST:** Councillor Coombs

**FOR:** Councillor Barnes-Andrews, Denness, L Harris, Hecks and Mintoff

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

Reasons for Refusal

01. Overdevelopment and harm to the character of area

The proposed development, due to the proposed footprint and hardsurfacing, would be an overdevelopment of the site when assessed against the existing spatial characteristics of the area. Subsequently, the buildings design in terms of the proposed flat roof and cat slide roof, depth of projection, bulk and scale would result in a development that would be out of character with the area. Furthermore, due to the excessive footprint the proposal would fail to provide sufficient useable amenity space, exacerbated by the tree coverage on site, to serve all residents. Consequently, the proposal is contrary to Policies SDP1, SDP7 and SDP9 of the Adopted City of Southampton Local Plan (2015), Policies CS5, CS13 and CS16 of the adopted Southampton Core Strategy (2015) and the relevant sections of the Council's Residential Design Guide. Supplementary Planning Document (September 2006) especially Parts 2, 3 and 4.

02. Failure to Enter into Section 106 Agreement

In the absence of a completed Section 106 Legal Agreement the proposals fail to mitigate against their direct impact and do not, therefore, satisfy the provisions of Policy CS25 of the adopted Local Development Framework Core Strategy (2015) as supported by the Council's Developer Contributions Supplementary Planning Document (April 2015) in the following ways:-

- a) Site specific transport works for highway improvements in the vicinity of the site which are directly necessary to make the scheme acceptable in highway terms have not been secured - in accordance with Polices CS18, CS19 & CS25 of the adopted Local Development Framework Core Strategy Development Plan Document and the adopted SPD relating to Developer Contributions;
- b) In the absence of financial contributions towards the Solent Disturbance Mitigation Project to mitigate recreational disturbance and pressure on the Solent European designated conservation sites, the proposal would be contrary to Policy CS22 of the Core Strategy and the Conservation of Habitats and Species Regulations 2010;
- c) In the absence of a mechanism for securing a (pre and post construction) highway condition survey it is unlikely that the development will make appropriate repairs to the highway - caused during the construction phase - to the detriment of the visual appearance and usability of the local highway network;

NOTE: Councillor Claisse declared an interest and withdrew from the Panel and the meeting after making a representation to the Panel.

29. **PLANNING APPLICATION- 16/00763/FUL - 216-220 SPRING ROAD**

The Panel considered the report of the Planning and Development Manager recommending that authority to grant conditional approval in respect of the application for a proposed development at the above address.

Erection of 4 x 3-bed houses (2 x detached, 2 x semi-detached) with associated parking and cycle/refuse storage.

Jo Tasker (agent) was present and with the consent of the Chair, addressed the meeting.

The presenting officer reported changes to the recommendation from conditional approval to a delegation to the Service Lead, Planning, Infrastructure and Development subject to a legal agreement setting site specific transport contributions for highway improvements. The presenting officer detailed some minor amendments to condition as set out below.

**RESOLVED**

1. that the Panel delegated authority to the Service Lead, Planning, Infrastructure and Development to grant planning permission subject to the planning conditions set out in the report, the amended conditions set out below and the completion of a S.106 Legal Agreement to secure:
  - a. Financial contributions towards site specific transport contributions for highway improvements in the vicinity of the site in line with Policy SDP4 of the City of Southampton Local Plan Review (as amended 2015), policies CS18 and CS25 of the adopted LDF Core Strategy (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013);
2. That the Planning and Development Manager be given delegated powers to add, vary and /or delete relevant parts of the Section 106 agreement and/or conditions as necessary.

**Additional / Amended Conditions:**

4. Use of uncontaminated soils and fill (Performance)

Only clean, uncontaminated soil, subsoil, rock, aggregate, brick rubble, crushed concrete and ceramic shall be permitted for infilling and landscaping on the site. Any such materials imported on to the site must be accompanied by documentation to validate their quality and be submitted to the Local Planning Authority for approval prior to the occupancy of the site.

REASON: To ensure imported materials are suitable and do not introduce any land contamination risks onto the development.

11. Visibility Splays (Pre-Commencement)

Visibility Splay [shown on the approved drawing A-1200 Revision 3; of 2.4m by 70m] shall be provided before the use of any building hereby approved commences, and

notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 no fences walls or other means of enclosure shall be erected above a height of 0.6m above ground level within the sight line splays. This is with exception to the metal railings to be erected above the boundary wall, whereby the spacing of the railings shall be adequately spaced and installed to maintain visibility in accordance with details to be submitted and agreed in writing by the Local Planning Authority prior to the first commencement of the building hereby approved and, thereafter, retained and maintained for the duration of the residential use.

REASON: To provide safe access to the development and to prevent congestion on the highway.

30. **PLANNING APPLICATION- 16/01037/FUL- 51-57 BROOKVALE ROAD**

The Panel considered the report of the Planning and Development Manager recommending that authority to grant conditional approval in respect of the application for a proposed development at the above address.

Erection of a gazebo structure.

Andrew Pickles (applicant) was present and with the consent of the Chair, addressed the meeting.

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

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

31. **PLANNING APPLICATION - 16/00665/FUL - SOUTHERN WATER - WESTERN AVENUE**

The report of the Planning and Development Manager recommending delegated authority was withdrawn from the Agenda and it was noted that the item would be considered at a future meeting.

32. **PLANNING APPLICATION- 16/01163/FUL - 1 CUNNINGHAM CRESCENT**

Report of the Planning and Development Manager recommending that authority be refused in respect of an application for a proposed development at the above address.

Erection of a two storey side extension and single storey rear extension (resubmission)

Neil March (agent), Tim Morolia (applicant), and Councillor Hecks (ward councillor) were present and with the consent of the Chair, addressed the meeting.

Upon being put to the vote the presenting officer's recommendation to refuse the grant planning approval was lost. Councillor Denness proposed a second motion, which was seconded by Councillor L Harris, to delegate the approval to officers subject to amendments to either the width or the set back of the extension.

RECORDED VOTE to delegate approval to officers

FOR: Councillors Barnes-Andrews, Coombs, Denness, L Harris and Mintoff

ABSTAINED: Councillor Claisse

**RESOLVED** that the Panel delegated approval of the application back to officers subject to securing amendments to the proposal to either reduce the width of the extension or increase the set-back of the extension from the front elevation.

NOTE: Councillor Hecks declared an interest and withdrew from the Panel and the meeting after making a representation to the Panel.

33. **PLANNING APPLICATION - 16/00346/FUL - 4 PRIMROSE ROAD**

The Panel considered the report of the Planning and Development Manager recommending that authority to grant conditional approval in respect of the application for a proposed development at the above address.

Erection of a part 2-storey, part single-storey rear extension.

Graeme Bragg, Jean Wawman (local residents/ objecting), Sukhden Sihota (applicant) and Councillor B Harris (ward councillor objecting) were present and with the consent of the Chair, addressed the meeting.

The Panel requested that an additional condition be added to the application in order to secure boundary treatment for the application.

RECORDED VOTE to grant planning permission

FOR: Councillors Barnes-Andrews, Claisse, Coombs, Denness

AGAINST: Councillors L Harris, Hecks and Mintoff

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

**Additional / Amended Conditions**

**Boundary Treatment**

Prior to the commencement of the development hereby approved, details of boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be installed in accordance with agreed details before the extension hereby approved first comes into use and thereafter retained as approved.

Reason: To ensure a satisfactory form of development.