
PLANNING AND RIGHTS OF WAY PANEL
MINUTES OF THE MEETING HELD ON 31 JANUARY 2017

Present: Councillors Denness (except Minute Numbers 64 and 66) (Chair), Coombs (Vice-Chair), Barnes-Andrews, Claisse (except Minute Number 63), L Harris, Hecks and Mintoff

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

RESOLVED: that the minutes for the Panel meeting on 10th January 2017 be approved and signed as a correct record.

62. **PLANNING APPLICATION - 16/01805/FUL - REAR OF 19 CRABWOOD ROAD**

The Panel considered the report of the Service Head, Planning, Infrastructure 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 2 storey building containing 4 x 1 bed maisonettes with access from Wimpson Gardens and associated parking and cycle/refuse storage

Kevin Liles, Denise Wyatt (local residents objecting), and Matt Holmes (agent), were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported some late correspondence from a Ward Councillor detailing their objection to the application. In addition the presenting officer updated the Panel with amendments to the proposed conditions set out within the report. It was explained adjustments were required to condition 5 relating to bin storage and that an additional condition would be required in relation to glazing.

On being put to the vote the officer recommendation to delegate approval to the Service Lead, Planning, Infrastructure and Development was LOST, with the use of the Chairs casting vote.

A further motion proposed by Councillor L Harris and supported by Councillor Denness to refuse the application was then put to the vote.

RECORDED VOTE to refuse planning permission
FOR: Councillors Claisse, Denness, L Harris
AGAINST: Councillor Coombs
ABSTAINED: Councillors Barnes-Andrews, Hecks and Mintoff

RESOLVED that conditional planning permission be refused for the reasons set out below:

1. Overdevelopment and harm to the character of area

The redevelopment of the site in the manner proposed, due to the proposed footprint and hard surfacing, would result in a combined building footprint and

hardstanding area (including parking and circulation) exceeding 50% of the site coverage and, therefore, will represent an overdevelopment of the site. Furthermore, due to the siting of the proposal, the scheme would fail to provide sufficient useable amenity space, exacerbated by the tree coverage on the adjacent sites and its north facing position, to serve all residents. Additionally, car parking arising from the development could have a detrimental impact on the amenity of nearby residents. Consequently, the proposal is contrary to Policies SDP1, SDP7 and SDP9 of the Adopted City of Southampton Local Plan (2015), Policies CS5 and CS13 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.

2. Lack of Section 106 or unilateral undertaking to secure planning obligations.

In the absence of either a completed Section 106 legal agreement or unilateral undertaking to support the development the application fails to mitigate against its wider direct impact with regards to the additional pressure that further residential development will place upon the Special Protection Areas of the Solent Coastline. Failure to secure mitigation towards the 'Solent Disturbance Mitigation Project' in order to mitigate the adverse impact of new residential development (within 5.6km of the Solent coastline) on internationally protected birds and habitat is contrary to Policy CS22 of the Council's adopted LDF Core Strategy as supported by the Habitats Regulations.

63. PLANNING APPLICATION - 16/01869/FUL - 12 RUSSELL PLACE

The Panel considered the report of the Service Head, Planning, Infrastructure 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 first floor rear extension and enlargement of rear dormer window.

Dr Buckle, Simon Hill (local residents objecting), Les Weymes (agent), and Councillor O'Neill (ward councillor objecting) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported noted the receipt of an addition objection to application had been received. Upon being put to the vote the officer recommendation to grant conditional approval was carried.

RECORDED VOTE to grant planning permission

FOR: Councillors Barnes- Andrews, Coombs, Denness and Hecks

AGAINST: Councillors L Harris and Mintoff

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

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

COUNCILLOR COOMBS IN THE CHAIR

64. PLANNING APPLICATION - 16/01724/FUL - LAND ADJACENT - 65 CHAMBERLAIN ROAD

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

Replacement and widening of existing steps and ramp (temporary diversion of public right of way)

Ian Loynes (SPECTRUM), Simon Hill (local resident objecting), and Graham Linecar (Southampton Commons and Parks Protection Society), Daniel Hopgood (applicant), and Sue Ingham (supporter) were present and with the consent of the Chair, addressed the meeting.

The presenting officer updated the Panel by explaining that the ownership of 65 Chamberlain Road was not in the ownership of the University as stated in the report. It was also explained that an additional objection to the report had been received.

Upon being put to the vote the officer recommendation to grant conditional approval LOST with a unanimous vote.

A further motion proposed by Councillor L Harris and seconded by Councillor Mintoff to refuse the application for the reasons set out below was carried by unanimous vote.

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

REASONS FOR REFUSAL

1. Access and Discrimination

The proposed steps fail to provide full access to all users, including those using wheelchairs, and as such the application is not fully inclusive and has been assessed, therefore, as contrary to adopted Local Plan Review (Amended 2015) Policy SDP11 and adopted LDF Core Strategy (Amended 2015) Policy CS13(9) as supported by the requirements of the Equalities Act (2010).

2. Impact on Southampton Common & Character

The alterations to the top of the steps have not been fully explained and the introduction of a rolled gravel surface finish with the additional width is not considered to relate well to the established character of this part of The Common. As such the application does not accord with adopted Local Plan Review (Amended 2015) Policy HE5.

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

COUNCILLOR DENNESS IN THE CHAIR

65. PLANNING APPLICATION - 16/01883/R3CFL - SOUTHAMPTON COMMON PADDLING POOL

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

Installation of a replacement play area with fencing, associated structures and changes in level, following removal of paddling pool

Elizabeth Gates (local resident objecting), Graham Linecar (Southampton Commons and Parks Protection Society) and Nick Yeats (applicant), were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that additional correspondence had been received from the Hampshire Constabulary whom had requested that CCTV be positioned within the new play scheme. In addition the Panel discussed the both the style of fencing and the positioning of the fencing around the scheme. Upon being put to the vote the officer recommendation to grant authority for approval, subject to the conditions set out in the report and the amendments set out below, was carried unanimously.

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

Amended Condition

10. HARD AND SOFT LANDSCAPING

Notwithstanding the submitted details, before the commencement of any site works a detailed landscaping scheme and implementation timetable shall be submitted to and approved by the Local Planning Authority in writing, which includes:

- i. proposed finished ground levels or contours; pedestrian access and circulations areas, hard surfacing materials, structures and ancillary objects (refuse bins, etc.);
- ii. means of enclosure – to include a design appropriate for the Common;
- iii. 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;
- iv. a landscape management scheme.

The approved hard and soft landscaping scheme for the whole site shall be carried out prior to the first use of the playarea hereby approved 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.

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.

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

Note to Applicant:

The design of the fence shall not be the 1.2m high galvanised steel dark green powder coated fence submitted within Davies White (25th October 2016) report and should respond more to the character of the Common.

Addition Condition

11. CORONATION AVENUE

Notwithstanding the plans hereby approved no development shall take place until amended plans showing a revised location for the playground's boundary fence along Coronation Avenue have been submitted to and agreed in writing by the Local Planning Authority. The fencing shall be implemented in accordance with the agreed revised details and shall be retained as approved thereafter.

REASON: As the installation of fencing at the back edge of Coronation Avenue is considered to harm the open character to this part of the Common.

Additional note to the applicant

The Planning and Rights of Way Panel recommends that the applicant should investigate the feasibility of providing a CCTV scheme to support these proposals following the objection from Hampshire Constabulary.

COUNCILLOR COOMBS IN THE CHAIR

66. **PLANNING APPLICATION - 16/01906/ADV - BOLDREWOOD CAMPUS BURGESS ROAD**

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

Installation of freestanding externally illuminated sign

Graham Linecar (Southampton Commons and Parks Protection Society) and Robin Reay (agent) were present and with the consent of the Chair, addressed the meeting.

Upon being put to the vote the officer recommendation seeking conditional approval was lost.

A further motion proposed by Councillor L Harris and seconded by Councillor Claisse was carried.

RECORDED VOTE to refuse planning permission
FOR: Councillors Claisse, L Harris and Mintoff
AGAINST: Councillors Coombs and Hecks
ABSTAINED: Councillor Barnes-Andrews

RESOLVED that conditional planning permission be refused for the reasons set out below:

The proposed signage, being located in a prominent junction, at a key route into and out of the city, would have a deleterious effect on the visual amenity of the area. This is particularly due to its height, scale and illuminated nature which would appear highly prominent within the area and would detract from the attractive, sylvan character of Bassett Avenue, which is a locally distinctive feature of importance in the city. This impact would be more acute since, with the exception of the University, the surrounding area is predominantly residential in nature, devoid of advertisements and signage, meaning the introduction of a prominent sign would appear as an alien feature within this context. The proposal would, therefore, prove contrary to the following adopted Development Plan Policies:

The City of Southampton Local Plan Review (amended version adopted March 2015)

Policy SDP1 - in that that sign would unacceptably affect the visual amenity of the city.

Policy SDP24 - since the scale, size and luminance of the sign fails to respect the character of the area.

Policy NE6 - By detracting from the attractive wooded corridor along Bassett Avenue

The Bassett Neighbourhood Plan (adopted following examination, public consultation and referendum July 2016)

BAS4 - By detracting from the trees and shrubs that are the dominant characteristic of the Avenue, thereby eroding the impressive entrance to the City.

The Southampton Local Development Framework Core Strategy Development Plan Document (amended version adopted March 2015)

Policy CS13 - By failing to positively integrate with the surroundings and contribute positively to the local distinctiveness.

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

COUNCILLOR DENNESS IN THE CHAIR

67. PLANNING APPLICATION - 16/01867/FUL - BASSETT WOOD NORTH

The Panel considered the report of the Service Head, Planning, Infrastructure 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 single storey rear extension with flue.

Mr Dermody (local resident objecting) was present and with the consent of the Chair, addressed the meeting.

Upon being put to the vote the officer recommendation to grant conditional approve was lost. A further motion to refuse permission subject to the reason set out below was then carried unanimously carried.

RESOLVED that conditional planning permission be refused for the reasons set out below:

Overdevelopment

The proposed single-storey rear extension, by means of its scale, massing and site coverage ratio, is considered to represent an overdevelopment of the site, with the proposed extension appearing out of proportion with the main dwelling and unbalancing the building-to-plot ratio of the application site. In particular, the extension would be out-of-character with the spacious context of surrounding properties, which is a locally distinctive feature, especially since the plot is already uncharacteristically smaller than others within the immediate area. The effect would be compounded due to the projection of the extension, further to the East than the existing building line of the host dwelling and neighbouring dwelling Bassett Wood House, and the manner in which the extension would span almost the entire side boundary with Bassett Wood House, and leaving insufficient gap to the rear boundary with The Coach House to the East. The proposal would, therefore, prove contrary to the following adopted development plan policies:

The City of Southampton Local Plan Review (amended version adopted March 2015)

Policy SDP1 (i) – in that the proposal would unacceptably affect the visual amenity of the City.

Policy SDP7 (iii), (iv), (v) – in that the development does not respect the existing layout of buildings.

Policy SDP9 (i) – By not respecting the site's surroundings in terms of the massing and plot coverage.

The Southampton Local Development Framework Core Strategy Development Plan Document (amended version adopted March 2015)

Policy CS13 (1), (2) (6) – By failing to positively integrate with the surroundings and contribute positively to the local distinctiveness and the erosion of the landscape quality of the site.

The Bassett Neighbourhood Plan (adopted following examination, public consultation and referendum July 2016)

BAS1 – By being out of character with the scale and massing of neighbouring buildings and the density and landscape features of the surrounding area.

BAS 4 – By failing to respect the character of the surrounding area in terms of scale, spacing and massing of neighbouring properties.

The Residential Design Guide (adopted as a Supplementary Planning Document following full public consultation September 2006)

Paragraphs 2.2.1 – 2.2.2 – By failing to maintain an appropriate gap between the proposed extension and neighbouring buildings.

Paragraph 3.2.4 – 3.2.5 – By failing to deliver a design that is appropriate to its context and by representing an over-development of the site that will have a negative impact on the character of the area and local amenity.

Paragraphs 3.9.1-3.9.2 – Since the resultant coverage of the plot by buildings and hard surfacing would be notably more intensive than is typical in nearby dwellings.

68. **PLANNING APPLICATION - 16/01898/FUL -ST MARYS STADIUM BRITANNIA ROAD**

The Panel considered the report of the Service Head, Planning, Infrastructure and Development Manager recommending that authority delegated for approval in respect of the application for a proposed development at the above address.

Application for variation of condition 6 of planning permission Ref 07/01397/VC to increase the maximum number of concerts to be held at the stadium in any calendar year from 4 to 6.

David Jobbins (agent) was present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that the planning conditions would be updated to re-impose requirements on the original permission. Upon being put to the vote the officer recommendation to delegate to the Service Lead, Planning, Infrastructure and Development permission to grant approval was carried unanimously.

RESOLVED

- (i) That the Panel delegated approval to the Service Lead, Planning Infrastructure and Development Manager to grant planning permission subject to the planning conditions recommended at the end of this report and the completion of a deed of variation to the original S.106 Legal Agreement to secure:
 - a. The submission, implementation and annual review of a Concert Management Plan, which includes the Vanguardia Noise Management Plan, to minimise noise and disturbance, transport impacts; safety and security and; anti-social behaviour in accordance with policies SDP1,

- SDP15 SDP16, SDP17 of the amended Local Plan Review 2015 and Policies CS19 and CS25 of the Core Strategy (revised 2015);
- b. To minimise disruption to local residents, mitigate transport impacts and reduce the air quality impact of the development, in accordance with policies SDP1, SDP5, SDP15 of the Local Plan and policies CS18, CS19 and CS25 of the Core Strategy and the Developer Contribution SPD, secure a scheme for the implementation of transport and parking measures to include:
 - The provision of satellite car parking;
 - The provision of a shuttle bus service from the Central Station and Ferry Terminals;
 - Other Highway and Traffic Measures including CCTV monitoring, residents parking schemes and traffic regulation orders;
 - The provision of a combined ticket or other method of payment to encourage public transport use; and
 - A Travel Plan.
 - c. To retain the operation of a scheme of mitigation measures for residents in Britannia Road in the interests of residential amenity and to meet the requirements of policy SDP1 of the Local Plan and policy CS25 of the Core Strategy.
 - d. To retain the implementation of a litter strategy in accordance with policy SDP1 of the Local Plan and policy CS25 of the Core Strategy.
 - e. To retain community facilities in accordance with policy CS3 of the Core Strategy 2015.
 - f. To secure and retain a Stadium Monitoring Group for community liaison with relevant local groups including the Stadium, the Police and the Council in accordance with policies SDP1, SDP10, SDP16 of the Local Plan and policy CS25 of the Core Strategy.
 - g. To secure off-site stewarding including at satellite car parking sites in the interest the safety and convenience of users of the public highway in accordance with policy SDP1 of the Local Plan Review (amended 2015), CS18 and CS25 of the Core Strategy (amended version 2015).
- (ii) In the event that the legal agreement is not completed or progressed within a reasonable timeframe after the Planning and Rights of Way Panel, the Service Lead Planning, Infrastructure and Development Manager will be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement, unless an extension of time agreement has been entered into.
 - (iii) That the Service Lead Planning, Infrastructure 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. In the event that the scheme's viability is tested prior to planning permission being issued and, following an independent assessment of the figures, it is no longer viable to provide the full package of measures set out above then a report will be brought back to the Planning and Rights of Way Panel for further consideration of the planning application.