
SOUTHAMPTON CITY COUNCIL
PLANNING AND RIGHTS OF WAY PANEL
MINUTES OF THE MEETING HELD ON 22 APRIL 2014

Present: Councillors Mrs Blatchford (Chair), Claisse, Cunio (Vice-Chair), L Harris, Lewzey, Lloyd and Norris

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

RESOLVED that the minutes of the meeting held on 25th March 2014 be approved and signed as a correct record.

120. **14/00122/FUL - WOOL HOUSE, TOWN QUAY**

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 Museum (Use Class D1) to Public House and Restaurant (Use Class A3/A4) (submitted in conjunction with 14/00123/LBC).

Ian Knight (Agent), Ros Cassy (Friends of Town Quay Park) and Jane Clark and Joe Hudson (local residents / objecting) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported an amendment to the condition regarding extract ventilation.

The Panel agreed additional conditions regarding the use and storage of outside tables and chairs and the use of the side entrance as a fire exit only.

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

Amended Condition

03. APPROVAL CONDITION - Extract Ventilation - control of noise, fumes and odour [Pre-Commencement Condition]

No development shall take place until a written scheme for the control of noise, fumes and odours from extractor fans and other equipment, to include the compressor located externally, have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and findings.

REASON:

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

Additional Conditions

APPROVAL CONDITION – Side access door

The external access door within the side (east facing) elevation shall only be used for fire escape and shall not be used for general access to Town Quay Park.

REASON:

For the avoidance of doubt and to prevent customers accessing into Town Quay Park.

APPROVAL CONDITION – External seating area

Prior to first occupation of the use hereby approved details of external tables and chairs to the front of the building shall be submitted and agreed in writing with the Local Planning Authority. The development shall be carried out in accordance with the agreed details. The tables and chairs shall only be kept outside during the trading hours hereby approved and shall be stored inside the building at all other times.

REASON:

To protect the setting of the listed building

121. 14/00123/LBC - WOOL HOUSE, TOWN QUAY

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).

Listed Building Consent sought for internal alterations to enable conversion of the existing museum into a Public House and Restaurant (submitted in conjunction with 14/00122/FUL).

Ian Knight (Agent), Ros Cassy (Friends of Town Quay Park) and Jane Clark and Joe Hudson (local residents / objecting) were present and with the consent of the Chair, addressed the meeting.

The Panel requested the addition of a note to the applicant regarding signage.

RESOLVED that Listed Building Consent be granted subject to the conditions in the report and the note to the applicant as set out below.

Note to Applicant

01. Any additional signage will require separate listed building and advertisements consent.

122. 14/00304/FUL - 367A WINCHESTER ROAD

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 kitchen showroom (Class A1) to beauty salon. Change of use from kitchen showroom (Class A1) to beauty salon.

Cheryl Howard (applicant) was present and with the consent of the Chair, addressed the meeting.

The presenting officer reported an amendment to Condition 3 regarding hours of use to allow opening until 8pm.

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

Amended Condition

3. APPROVAL CONDITION - Hours of Use - Beauty Salon [Performance Condition]
The beauty salon hereby permitted shall not operate (meaning that customers shall not be present on the premises, no preparation or sale on or off the premises) outside the following hours:

Monday to Sunday and recognised public holidays
09.00 hours to 20.00 hours (9.00am to 8.00pm)

Unless otherwise agreed in writing by the Local Planning Authority. A notice to this effect shall be displayed at all times on the premises so as to be visible from the outside.

REASON:

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

123. **14/00029/OUT - 83 WATERHOUSE LANE**

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).

Erection of a three storey building including accommodation in the roofspace, comprising one x one bed and four x two bed flats (outline application seeking approval for access, appearance, layout and scale).

John Warwick (Agent), Audrey Archer and Robert Attwater (local resident / objecting) and Councillors Furnell and Thorpe (ward councillors / objecting) were present and with the consent of the Chair, addressed the meeting.

The Panel noted that the applicant had not submitted a parking survey.

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

Reasons for Refusal

1. Reason for Refusal - Overdevelopment and impact on character of the area and amenities of nearby residents.

The proposals represent an overdevelopment of the site given the low accessibility area which has significant on road parking demands. The provision of 5 units in this location at a density of 142 dwellings per hectare without parking is likely to add further to the pressure and demands for on road parking which would have a detrimental impact on

the character of the street and the amenity enjoyed by local residents. Furthermore the cramped layout and footprint of the building results in the failure to achieve the minimum outlook distance of 12.5m from the rear windows of 87 Waterhouse Lane to the flank wall of the new building. Therefore the proposal fails to protect or enhance the character of the existing neighbourhood and as such is contrary to Policy CS5 of the Southampton City Council Development Framework Core Strategy 2010 and paragraphs 2.2.1 and 2.2.7 of the Residential Design Guide 2006.

2. Reason for Refusal, Lack of Section 106 agreement to secure planning obligations. In the absence of a Section 106 agreement the development fails to mitigate its impact in the following areas:

- (i) Financial contributions towards site specific transport 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).
- (ii) The provision of affordable housing in accordance with Policy CS15 of the Core Strategy.
- (iii) 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.
- (iv) Contributions towards the Carbon Offset Fund as required by Policy CS20 of the Core Strategy.

RECORDED VOTE to refuse planning permission:-

FOR: Councillors Mrs Blatchford, Claisse, Cunio, Harris, Lloyd and Norris
AGAINST: Councillor Lewzey

124. **13/01900/FUL - ACORN ESTATE REAR OF 137 WARREN AVENUE**

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 of unit for storage of scrap metal.

John Hannam (applicant) was present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that whilst raising no objection, Environmental Health had requested an advisory note to the applicant that registration for T9 scrap metal exemption was required.

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

Note to Applicant

Environmental Permit - The applicant will require registration of a T9 Recovery of Scrap Metal exemption from the Environment Agency in order to operate from the site. However the applicant is restricted in the scale and nature of the operations this licence

normally permits by the planning conditions imposed on this consent which shall be adhered to at all times.

125. **14/00164/FUL - 5 CHAFEN ROAD**

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).

Conversion of existing dwelling house into one x one-bed and one x three-bed flats with associated bin/cycle storage and car parking spaces.

Stephen Andrews (agent), Mrs Buckley and Miss Williams (local residents / objecting) and Councillor Baillie (ward councillor / objecting) were present and with the consent of the Chair, addressed the meeting.

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

Reasons for Refusal

1. REFUSAL REASON - Failure to Provide Genuine Family Housing
Although a three bedroom flat is retained it fails to provide a reasonable or useable internal layout for future occupiers, particularly with regard to the two front bedrooms with limited circulation or storage space and the rear bedroom which shows the access door would not be able to fully open due to the size and function of the room as a bedroom and, as such, the proposal would result in the loss of an existing family dwelling house undermining the delivery of a mix of different house types in the City contrary to the objectives of Section 6 the National Planning Policy Framework (2012), Policy CS16 of the adopted LDF Southampton Core Strategy (2010) and saved policy H1 of the Southampton Local Plan Review (2006) as supported by Part 6 of the Council's approved Residential Design Guide SPD (2006).
2. REFUSAL REASON - Impact of Hardstanding to frontage.
The proposal will result in the loss of a front garden area to hardstanding to provide parking for the development; this would have a stark and urbanising impact which would be detrimental to visual amenity and out of keeping with the street scene contrary to saved policy SDP7 of the adopted Southampton Local Plan Review (2006).
3. Reason for Refusal - Design and impact on character of the area
The proposed sub-division of the front room requires a dividing wall to be provided centrally to the bay window which is an important feature of the houses in the streetscene. The sub-division would be visible from the street through the physical alterations to the window and the potential for different forms of screening to be provided within those windows. The appearance of the property would therefore be materially altered as a direct result of the works to the detriment of the character of the host dwelling and the visual amenities of the streetscene contrary to Policy SDP7 (iii and v) of the City of Southampton Local Plan 2006.

126. **14/00043/FUL - 13 BASSETT GREEN ROAD**

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 part two storey, part single storey side/rear extension to facilitate conversion of existing house into three flats (one x three-bed, two x one-bed) with associated cycle/refuse storage (resubmission of 13/00428/ful).

Ellen Shears (local resident / objecting) was present and with the consent of the Chair, addressed the meeting.

The presenting officer reported an amendment to the condition regarding the parking layout as set out below.

Amended Condition

8. APPROVAL CONDITION - Parking [Pre-commencement Condition]

Notwithstanding the details submitted, prior to the commencement of development details of a revised parking layout for 2 parking spaces and suitable soft landscaping of the front garden shall be submitted to and agreed in the writing by the Local Planning Authority. The development to which this consent relates shall not be occupied in full or in part until space has been laid out within the site in accordance with the approved layout and thereafter retained.

REASON:

Further details are required given the obstruction of existing lamp column to the proposed vehicle access and to improve vehicle and pedestrian circulation. This is in order to prevent obstruction to traffic in neighbouring roads and in the interests of highway safety. In the interests of protecting the appearance of the street scene by retaining a sufficient level of soft landscaping to avoid creating a stark appearance from a high level of hard surfacing.

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

Reasons for Refusal

1. **REFUSAL REASON - Impact on Amenity and Quality of Living Environment**
The proposed development, by reason of its layout, would result in an over-intensive use of the site affording its proposed occupiers cramped living conditions and unacceptable levels of outlook, privacy and usable amenity space therefore creating an unsatisfactory residential environment contrary to Section 6 of the National Planning Policy Framework (2012), saved policies H1 and SDP1 of the Southampton Local Plan Review (2006) and Section 2 of the Residential Design Guide Supplementary Planning Document (2006).

2. **REFUSAL REASON - Impact of Driveway**
The proposal will result in the loss of a front garden area to hardstanding to provide parking for the development, this would have a stark and urbanising impact which would be detrimental to visual amenity and out of keeping with the street scene contrary to saved policy SDP7 of the adopted Southampton Local Plan Review (2006).

RECORDED VOTE to refuse planning permission:-

FOR: Councillors Claisse, Cunio, Harris, and Norris

AGAINST: Councillor Mrs Blatchford, Lewzey and Lloyd

127. **14/00025/FUL - 51 HIGH 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. (Copy of the report circulated with the agenda and appended to the signed minutes).

Demolition of the existing building and erection of a two-storey building (with additional accommodation in the roofspace) to provide 17 self contained studio flats for student accommodation with associated facilities.

Peter Atfield (agent) and Blake Jones (local resident / objecting) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported the addition of informative notes to the applicant regarding liability for the Community Infrastructure Liability and at the request of Southern Water regarding sewers.

The Panel requested an amendment to the landscaping condition regarding security gates / means of enclosure.

RESOLVED

- (i) that the Planning and Development Manager be given delegated powers to grant planning permission subject to the completion of a S106 legal agreement, the conditions in the report, the amended conditions below and the additional notes to the applicant as set out below;
- (ii) that in the event that the legal agreement is not completed by 6th May 2014 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; and
- (iii) 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.

Amended Condition

4. APPROVAL CONDITION - Landscaping, lighting and means of enclosure detailed plan [Pre-Commencement Condition]

Notwithstanding the submitted details before the commencement of any site works a detailed landscaping scheme including both the front and rear of the proposed building and implementation timetable shall be submitted, which includes:

- i. proposed finished ground levels or contours; means of enclosure including a new wall to the site frontage and secure fence/gate to the side passage in consultation with Hampshire Constabulary; 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;
 - iii. an accurate plot of all trees to be retained and to be lost. Any trees to be lost shall be replaced on a favourable basis (a two-for one basis unless circumstances dictate otherwise);
 - iv. details of any proposed boundary treatment, including retaining walls; and
 - v. 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 five 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 five 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 five 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 Planning Informatives:

1. Note to Applicant - Community Infrastructure Liability (Approval)

You are advised that the development appears liable to pay the Community Infrastructure Levy (CIL). Please ensure that you assume CIL liability prior to the commencement of the development (including any demolition works) otherwise a number of consequences could arise. For further information please refer to the CIL pages on the Council's website at: <http://www.southampton.gov.uk/s-environment/policy/community-infrastructure-levy-guidance.aspx> or contact the Council's CIL Officer.

2. Note to Applicant – Public Sewer

A formal application for connection to the public sewerage is required in order to service this development. Please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

RECORDED VOTE to grant planning permission:-

FOR: Councillors Mrs Blatchford, Claisse, Harris, Lewzey, Harris and Norris
ABSTAINED: Councillor Cunio

128. **14/00330/MMA - THE BUNGALOW, 54A ROSELANDS GARDENS**

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).

Minor Material Amendment to planning permission ref 12/01376/FUL for a one-bedroom single storey dwelling not in accordance with Condition 8 (Code for Sustainable Homes). Application proposes to change the requirement from Code for Sustainable Homes Level 4 to Level 3. [Retrospective]

The presenting officer reported an amendment to the recommendation to delegate authority to the Planning and Development Manager regarding the conditions.

RESOLVED that the Planning and Development Manager be given delegated powers to grant planning permission subject to the conditions listed in the report and the amended conditions as set out below.

Amended Conditions

01. APPROVAL CONDITION - Code for Sustainable Homes

Within six months from the date of this decision, written documentary evidence proving that the development has achieved at minimum a score of 63 in the Code for Sustainable Homes in the form of a post construction assessment and a certificate issued by a legitimate Code for Sustainable Homes certification body shall be submitted to the Local Planning Authority for its approval.

REASON:

To ensure the development has minimised its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

02. APPROVAL CONDITION - Compliance with condition 01

If no certificate from a Code for Sustainable Homes body is submitted to the local planning authority in accordance with Condition 01 above the occupation of the development shall cease until a certificate from a Code for Sustainable Homes body is submitted and approved by the local planning authority.

REASON:

To ensure the development has minimised its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

RECORDED VOTE to grant planning permission:-

FOR: Councillors Mrs Blatchford, Cunio, Harris, Lewzey, Lloyd and Norris

ABSTAINED: Councillor Claisse

129. **REMOVAL OF SIX TREES - STATION QUARTER**

The Panel considered the report of the Head of City Services seeking approval for the removal of four Fraxinus Excelsior (Common Ash) at Southbrook Road car park in order to accommodate a two tier cycle stacking storage facility; and the removal of two

Acer Platanoides (Norway Maple) between south east corner of Frobisher House and the bottom of Wyndham Place, in order to facilitate the rebuilding of the retaining wall of the planting bed as part of the overall re-landscaping scheme. (Copy of the report circulated with the agenda and appended to the signed minutes).

RESOLVED

- (i) that approval be given for the removal of six trees to improve the station forecourt and to improve cycle and pedestrian links from the station; and
- (ii) that approval be given for the provision of four Alnus Cordata (Italian Alder) to replace two Norway Maples, the replacements for the four Fraxinus Excelsior (Common Ash) to be included within the overall landscaping scheme.

RECORDED VOTE to approve the recommendations:

FOR: Councillors Mrs Blatchford, Claisse, Cunio, Harris, Lewzey and Norris

ABSTAINED: Councillor Lloyd