
SOUTHAMPTON CITY COUNCIL
PLANNING AND RIGHTS OF WAY PANEL
MINUTES OF THE MEETING HELD ON 13 MAY 2014

Present: Councillors Mrs Blatchford (Chair), Claisse, Cunio (Vice-Chair), L Harris, Lewzey (Except Agenda Item 8 / Minute 135), Lloyd and Norris

130. **STATEMENT FROM THE CHAIR**

The Chair expressed her thanks to the Panel for their service over the past year on this last meeting of the municipal year and on behalf of the Panel expressed thanks to Councillor Cunio who would not be standing for re-election in the forthcoming City elections.

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

RESOLVED that the minutes of the meeting held on 22nd April 2014 be approved and signed as a correct record.

132. **13/01940/FUL 11-12 VINERY 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).

Retention of building works already undertaken, reconstruction and extension to form a block of five self-contained flats (four x two bedroom, one x three bedroom).

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

The presenting officer reported that the applicant had submitted an appeal for non determination with respect to this application and that the recommendation had been amended as, in order to defend the appeal the Local Planning Authority needed to indicate to the Planning Inspector what the Council's decision would have been had an appeal for non-determination not been made prior to the Planning Committee's consideration of the application.

The Planning Officer also reported that Condition 1 had been deleted and wording to Condition 9 regarding the Code for Sustainable Homes amended.

Amended Condition

09. APPROVAL CONDITION - Code for Sustainable Homes [Pre-Commencement Condition]

Before the commencement of any further site works, written documentary evidence demonstrating that the development will achieve at minimum Level 4 of the Code for

Sustainable Homes in the form of a design stage assessment, shall be submitted to the Local Planning Authority for its approval, unless an otherwise agreed timeframe is agreed in writing by the LPA.

Reason:

To ensure the development minimises 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).

RESOLVED to indicate to the Planning Inspector that the Council's decision would have been to refuse the application had an appeal for non-determination not been made by the applicant prior to the Planning Committee meeting being held.

Reasons for Refusal

1. REFUSAL REASON - Overdevelopment of the site/Impact on Neighbour.

The proposed development by reason of its design, depth of two-storey rear projection, height, massing and proximity to the boundary with 13 Vinery Road would appear unduly dominant and overbearing when viewed from 13 Vinery Road and would be harmful to the character and appearance of the area. Furthermore the proposed roof extension by reason of bulk and massing and contrived dormer design would be out of keeping with the host building, harmful to the visual amenities of the area and would appear overbearing and unduly dominant when viewed from neighbouring occupiers. The aforementioned concerns are symptomatic of a site overdevelopment. The development proposal is therefore contrary to 'saved' Policies SDP1 (i), (and be contrary to paragraphs 2.2.1 and 2.2.18, 2.3.1, 2.3.2, 2.5.2 and 2.5.4 of the approved Residential Design Guide SPD 2006) SDP7 (iv) and (v) and SDP9 (i) and (v) of the adopted saved City of Southampton Local Plan March 2006 and Policy CS13 of the adopted Local Development Framework Core Strategy Development Plan Document (January 2010).

2. REFUSAL REASON - Parking.

In spite of the parking survey, the intensification of the use of the property with nil parking to support it would result in localised overspill parking from the development to the detriment of existing neighbours who are reliant on the street for parking and who would then face further competition for space and the possibility of parking further away from their homes. The development proposal is therefore contrary to approved Policy SDP1 (i) of the saved City of Southampton Local Plan March 2006 and the requirements of the Council's Approved Parking Standards SPD (2011).

133. **14/00074/FUL - 57 WESTRIDGE 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 six-bedroom House in Multiple Occupation (Class C4) to eight-bedroom HMO [Retrospective].

David Neame (agent), Mrs Mansfield and Mrs Theobald (local residents / objecting) and Councillor Vinson (ward councillor / objecting) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported:-

- amendments to the conditions relating to cycle and refuse storage;
- receipt of a Parking Survey; and
- that the property had been registered as six person HMO (C4 Use) on 8 March 2012 and re-registered as an eight person HMO (Sui Generis Use) on 30 March 2012.

Amended Conditions

2. APPROVAL CONDITION – Refuse storage

Within two months of the decision notice details shall be submitted to be agreed in writing by the Local Planning Authority for refuse storage providing facilities for domestic and recyclable waste, where the structure shall not be taller than the existing front boundary treatment. Unless the approved scheme is carried out and completed within one month of the Local Planning Authority's approval, the occupation of the use approved shall cease until such time as details of the refuse storage referred to above have been submitted, approved and the works completed to the written satisfaction of the Local Planning Authority (such consent not to be unreasonably withheld or delayed) and thereafter retained on site for those purposes.

Reason:

As the approved works will regularise a breach in planning control in the interest of visual amenity and for the safety and convenience of the users of the adjacent footway.

3. APPROVAL CONDITION - Cycle storage [Regularisation Condition]

Unless within two months of the decision notice details shall be submitted to be agreed in writing by the Local Planning Authority for a secure, covered space with cycle stands to provide for eight bicycles to be stored. Unless the approved scheme is carried out and completed within one month of the Local Planning Authority's approval, the occupation of the use approved shall cease until such time as details of the cycle store referred to above have been submitted, approved and the works completed to the written satisfaction of the Local Planning Authority (such consent not to be unreasonably withheld or delayed) and thereafter retained on site for those purposes.

Reason:

As the approved works will regularise a breach in planning control to encourage cycling as an alternative form of transport.

RESOLVED:-

- (i) that the application be refused planning permission for the reasons set out below; and
- (ii) that authority be delegated (to the Planning and Development Manager in consultation with the Head of Legal and Democratic Services) to take enforcement action against the unauthorised use of the premises as an eight person HMO (Sui Generis Use) to revert to a C4 use.

Reason for Refusal

1 - REASON FOR REFUSAL Impact on character of the local area

The Intensification of occupation of the property to an eight person HMO will result in an adverse impact on the overall character and amenity of the area surrounding the application site in terms of the mix and balance of households in the local community and the residential amenity of neighbours. Therefore, the proposal will be contrary to saved policies SDP1 (i) and H4 (ii) of the City of Southampton Local Plan Review (Adopted March 2006) and policy CS16 of the City of Southampton Local Development Framework Core Strategy Development Plan Document (Adopted January 2010) as supported by the relevant sections of the Houses in Multiple Occupation Supplementary Planning Document (Approved March 2012), in particular sections 5.4 and 6.7.

RECORDED VOTE to refuse planning permission and delegate authority to take enforcement action.

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

134. 14/00253/OUT - 1 BEECHMOUNT 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 two x four-bedroom houses with integral garages (Use Class C3) arranged on three floors (top floor in roof space) with associated bin/cycle storage and car parking spaces following demolition of existing house (Outline application seeking approval of access, appearance, layout and scale) (amended description).

Rob Wiles (agent) was present and with the consent of the Chair, addressed the meeting.

The presenting officer reported amendments to Conditions 1 and 12 and an additional condition regarding obscured glazing to prevent overlooking.

The Panel requested the addition of an informative note to the applicant that occupation by three or more unrelated individuals would require planning permission for change of use.

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

Amended Condition

01. APPROVAL CONDITION - Outline Permission Timing Condition

Outline Planning Permission for the principle of the development proposed and the following matters sought for consideration, namely the layout of buildings and other external ancillary areas, the means of access (vehicular and pedestrian) into the site

and the buildings, the appearance and design of the structure, the scale, massing and bulk of the structure is approved subject to the following:-

- (i) Written approval of the details of the landscaping reserved matters shall be obtained from the Local Planning Authority prior to any works taking place on the site;
- (ii) An application for the approval of the outstanding reserved matter shall be made in writing to the Local Planning Authority before the expiration of three years from the date of this Outline Permission;
- (iii) The development hereby permitted shall be begun either before the expiration of three years from the date of this Outline permission, or before the expiration of two years from the date of approval of the last application of the reserved matters to be approved (whichever is the latter).

Reason:

To enable the Local Planning Authority to control the development in detail and to comply with Section 91 and Section 92 of the Town and Country Planning Act 1990 (as amended).

12. APPROVAL CONDITION - Garages and parking spaces to be retained for vehicle parking

Notwithstanding the provisions of Class A of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), or any Order amending, revoking or re-enacting that Order, the garages and parking spaces shown on the approved plans shall only be used in connection with the dwelling units hereby approved and for no other purpose unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure adequate on-site car parking provision for the approved dwelling units remains available for that purpose and to prevent parking on the adjoining highway. To provide a landscaped setting to the development in the interests of the verdant character of the area.

Additional Condition

APPROVAL CONDITION - Glazing panel specification

The first-floor windows in the side elevations of the building hereby approved shall be glazed in obscure glass and shall only have a top light opening. The window as specified shall be installed before the development hereby permitted is first occupied and shall be permanently maintained in that form.

Reason:

To protect the privacy enjoyed by the occupiers of the adjoining property.

Note to applicant

Planning permission is hereby granted for two x four-bedroom dwelling houses within Use Class C3. A citywide Article 4 direction has removed the permitted development rights of house owners to convert a single dwelling house (Class C3) into an HMO (Class C4). Therefore if the building is occupied by three or more unrelated individuals then planning permission will be required for change of use.

135. **14/00261/FUL - FORMER TELEPHONE RELAY STATION, GARFIELD 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).

Redevelopment of the site. Erection of two detached two storey houses (one x three-bedroom, one x four-bedroom) with associated parking, refuse and cycle storage following demolition of the existing building.

John Pardey (agent / architect), Benedicta Kumar (local resident / objecting) and Councillor Lewzey (ward councillor / objecting) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that a total of three car parking spaces were proposed to serve the development and a resulting amendment to the condition regarding car parking.

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

Amended Condition

24. APPROVAL CONDITION - Car Parking

The car parking spaces hereby approved shall be laid out with two spaces provided for the four-bed dwelling and one space for the three-bed dwelling. The car parking area shall be fully laid out and surfaced to the satisfaction of the Local Planning Authority before the buildings are first brought into use and shall be retained and made available for that purpose at all times.

Reason: To ensure adequate on-site car parking provision and to avoid congestion on the adjoining highway.

NOTE: Councillor Lewzey declared an interest and after addressing the meeting, withdrew for the consideration of this item.