

**PLANNING AND RIGHTS OF WAY PANEL  
MINUTES OF THE MEETING HELD ON 27TH MAY 2008**

**Present:**

Councillor Mrs Blatchford, Cunio, Davis, Dean, Fitzhenry and Holmes.

**1. APPOINTMENT OF CHAIR**

**RESOLVED** that Councillor Mrs Blatchford the appointment Chair for the purposes of the meeting.

**5. PLANNING ENFORCEMENT REPORT ON 141 BURGESS ROAD**

The Panel considered the report of the Head of Planning and Sustainability seeking Authority to issue an Enforcement Notice in relation to the unauthorised use of the site

Mr Holmes (Agent) and Councillor Samuels (Ward Councillor) were present and, with the consent of the Chair, addressed the meeting.

UPON BEING PUT TO THE VOTE THE OFFICER RECOMMENDATION TO DELEGATE AUTHORITY TO THE DEVELOPMENT CONTROL MANAGER IN CONSULTATION WITH THE SOLICITOR TO THE COUNCIL TO SERVE AN ENFORCEMENT NOTICE AND THEN UNDER-ENFORCE WAS LOST.

**RECORDED VOTE:**

FOR: Councillor Mrs Blatchford,

AGAINST: Councillors Davis, Dean, Fitzhenry and Holmes

ABSTAIN Councillor Cunio

A FURTHER MOTION proposed by Councillor Dean and seconded by Councillor Holmes that "authority be granted to the Development Control Manager in consultation with the Solicitor to the Council to Serve an enforcement notice to require the unauthorised use of the property to cease and to reinstate the property to a residential dwelling..".

**RECORDED VOTE:**

AGAINST: Councillors Davis, Dean, Fitzhenry and Holmes

ABSTAIN Councillors Mrs Blatchford and Cunio

**RESOLVED** that authority be granted to the Development Control Manager in consultation with the Solicitor to the Council to Serve an enforcement notice to require unauthorised use to cease and to reinstate the property to a residential dwelling.

**REASON FOR ISSUING THE NOTICE**

The continued occupation of the property for the purposes of an architects studio and offices would lead to the : loss of a dwelling contrary to the provisions of Policy H6 of the City of Southampton Local Plan Review which seeks to protect the cities housing stock. The current occupation does not satisfy the criteria of H6 as there is no residential occupation of the property with only sporadic over night occupation. Further to allow the change of use to offices, would set a dangerous precedent for others to cite in similar cases, which could cumulatively undermine the character and amenity of residential areas and deplete Southampton's housing stock of family dwellings. There is an adequate supply of small office accommodation within the city and therefore no justification for the loss of a good quality residential unit.