

**PLANNING AND RIGHTS OF WAY PANEL  
MINUTES OF THE MEETING HELD ON 19 JULY 2011**

**Present:**

Councillors Jones (Chair), Claisse (Vice-Chair), Mrs Blatchford, Cunio, L Harris, Osmond and Thomas

**CONSIDERATION OF PLANNING APPLICATIONS**

Copy of all reports circulated with the agenda and appended to the signed minutes.

**25. 3 BEDFORD PLACE (CASPIAN KEBAB) 11/00939/FUL**

Minor Material Amendment to planning permission 1463/P18 (The use of an existing shop at 3 Bedford Place, as a shop for the sale of cooked food (with opening hours of 9.00 a.m. to 11.30 p.m.)) to alter the operating hours from 09.00 - 23.30 hours to 11.00- 04.00 hours Monday to Sunday (resubmission of planning application reference 10/01424/MMA).

Mr Rathore (Agent), Mr Nouroozi (Owner of 9 Bedford Place), Mrs Barter (Local resident), Mrs Badham and Sergeant Marshman (Police), Councillor Noon (Ward Councillor) were present and with the consent of the Chair, addressed the meeting.

UPON BEING PUT TO THE VOTE THE OFFICER RECOMMENDATION TO REFUSE PLANNING PERMISSION AND DELEGATE AUTHORITY TO SERVE AN ENFORCEMENT NOTICE WAS CARRIED

**RECORDED VOTE**

FOR: Councillors Jones, Mrs Blatchford, Claisse, Cunio, L Harris, Osmond

ABSTAINED: Councillor Thomas

**RESOLVED**

(i) that minor material amendment to planning permission be refused for the reasons set out below; and

(ii) that authority be given for the Head of Legal and Democratic Services to serve a Breach of Condition notice.

**REASONS FOR REFUSAL**

**1 - Harmful Intensification**

The proposed extension to opening hours would result in an extended late night use, which is situated in a location where there are nearby residential properties. As such, it is considered that the intensification of use into the early hours of the morning would cause further detriment to the residential amenities of neighbours by reason of noise, litter and disturbance as patrons leave the premises and disperse into the surrounding residential areas. Furthermore, the proposal in conjunction with other similar application proposals that would likely follow would set a precedent for late opening of other premises within the vicinity of the site would create a cumulative harmful impact on the residential amenity. The proposal would thereby prove contrary to the provisions of saved policies SDP1, SDP 16, REI7 and CLT 14 of the adopted City of Southampton Local Plan Review (2006) and policy CS1 of the adopted Local Development Framework Core Strategy Development Plan Document

(January 2010) as supported by the comments made to the application by Hampshire Constabulary.

## 2 - Impact on Crime and Disorder

The proposed extension to the opening hours encourages patrons of nearby nightclubs and drinking establishments to stay within the Bedford Place area for longer after they have left those premises and to also remain after the other uses have closed. This exacerbates the crime and disorder problems identified within this location and therefore proves contrary to the provisions of saved policies SDP1, REI7 and CLT14 of the City of Southampton Local Plan Review (adopted version 2006), policy CS1 of the Local Development Framework Core Strategy Development Plan Document and therefore also fails to meet the aims of the Crime and Disorder Act 1998, as evidenced by the comments made to the application by Hampshire Constabulary.

## FORM OF CONDITIONAL PERMISSION FOR DEVELOPMENT

## TOWN AND COUNTRY PLANNING ACT 1971

S. Vines Esq.,  
Tower House,  
West Dean,  
Salisbury,  
WILTS.



In pursuance of its powers under the above-mentioned Act, the Southampton City Council, as the local planning authority, hereby PERMITS:

The use of an existing shop at 3 Bedford Place, as a shop for the sale of cooked food (with opening hours of 9.00 a.m. to 11.30 p.m.)

in accordance with Application No. 1463/P18 and details submitted therewith and subject to the condition(s) specified below:

- (1) The development to which this permission relates must be started not later than the expiration of five years beginning with the date (specified below) on which this permission is granted.
- (2) Details of any external alterations, including extraction equipment, being agreed with the authority before the use of the premises hereby permitted commences.

The reason(s) for the condition(s) specified above, are:

- (1) To meet the requirements of Section 41 of the Town and Country Planning Act 1971.
- (2) In the interests of the amenities of the area.

Dated 4th September 1973

  
City Planning Officer

Bk 8. p. 122 4112 NE

CITY OF SOUTHAMPTON  
TOWN AND COUNTRY PLANNING ACT, 1971

RECEIVED OFFICE  
15 AUG 1973  
Code No. 78 28/1463/P.78  
CITY OF SOUTHAMPTON

# TOWN PLANNING APPLICATION FORM

To the SOUTHAMPTON CITY COUNCIL—

I/We hereby apply for planning permission to carry out the building/engineering operations and for changes of use as described in this application and on the attached plans and drawings.

SIGNED S Vines

DATE 14 Aug 73

If signed by an Agent: Name of Agent: \_\_\_\_\_

Address of Agent \_\_\_\_\_

Telephone No. \_\_\_\_\_

CITY PLANNING OFFICE  
15 AUG 1973  
CITY OF SOUTHAMPTON

(1) Name and address of applicant (i.e. developer)	Surname <u>VINES</u> Other Names <u>SIDNEY</u> Postal Address <u>Tower House West Dean</u> <u>Salisbury Wilts</u>
(2) Address or location of land to be developed.	<u>3 Bedford Place Southampton</u> <u>coloured RED on attached plans</u>
(3) Describe the proposed development	Change of use to "Take Away Shop" selling hot & cold food to take away. Opening hours - 9am to 11.30pm every day.
(4) State (a) the purpose to which the land is NOW put (if for more than one purpose, give details)  (b) Other previous uses including that on 1st July, 1948	(a) <u>wet fish shop</u>  (b) _____
(5) State whether the proposed development involves the construction of a new, or the alteration of an existing, access to or from a highway. If so, state the purpose for which the new or altered access is required.	<u>No</u>
(6) If development involves the erection or extension of a non-residential building, state: (a) Estimated number of occupants. (b) Estimated number of vehicles likely to be attracted.	(a) No. of occupants _____ (b) (i) Employees' cars/vehicles _____ (ii) Firm's cars/vehicles <u>NA</u> (iii) Visitors' cars/vehicles _____



NOTE: (1) This application is for planning permission only and does NOT cover Building Regulation approval.  
(2) This application cannot be considered until the appropriate certificate has been submitted (see overleaf).  
(3) If the application relates to an industrial building with an aggregate floor space of 5,000 square feet an Industrial Development Certificate must be submitted.

P.T.O.

