

Planning and Rights of Way Panel

Tuesday, 31st October, 2023
at 4.00 pm

PLEASE NOTE TIME OF MEETING

Conference Room 3 and 4 - Civic Centre

This meeting is open to the public

Members

Councillor Savage (Chair)
Councillor Windle (Vice-Chair)
Councillor J Baillie
Councillor Beaurain
Councillor Mrs Blatchford
Councillor Cox
Councillor A Frampton

Contacts

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ADDITIONAL INFORMATION AND PRESENTATIONS

5 PLANNING APPLICATION - 23/01158/FUL - FIREHOUSE, VINCENTS WALK
(Pages 1 - 2)

Statements received

7 PLANNING APPLICATION - 23/01099/FUL - 39 MEADOWMEAD AVENUE
(Pages 3 - 4)

Statements received

8 PLANNING APPLICATION - 22/01503/FUL - 9A-10A SHIRLEY HIGH STREET
(Pages 5 - 10)

Statements received

Agenda Item 5

Statement For Firehouse Redevelopment Plan 23/01158/FUL Site code 3194

It seems counter intuitive to me that a city that last year lost the bid to be city of Culture 2025 would be considering shutting down another cultural venue but here we are. The Firehouse is a staple of the rock and metal music community and is one of the only venues that consistently has live bands playing these genres in Southampton. The report suggesting that this city had enough alternative pubs and music venues is from 2018, a pre-pandemic world away that ignores all of the small business closures that have happened in the last five years. I understand that moving the pub to a smaller venue is being considered but this would still hamper the ability to play live music bands and make the festivals that the pub plays host to such as Abyssal and Abysmal unviable. So many music venues in cities across the country have to keep fighting to exist - we ask do not add any more to this number before we suffer significant societal loss.

Even if we are to lose the Firehouse, developing it into student housing would be a greedy cash grab by the developers. We have seen in recent years a huge amount of student accomodation getting built, increasing in luxury instead of the cheaper alternatives available when I was a student just ten years ago. As a housing development officer has previously pointed out as of May 2023 there were 7666 people in Southampton on the housing register who need affordable rented accomodation, which this bid does nothing to address. Considering cost of living crisis it would be irresponsible to proceed with this plan.

Thank you very much for taking this into consideration.

Clemency Hazel

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Agenda Item 7

I write to put forward my comments and objections to the above planning in Meadowmead Avenue Southampton as a Homeowner in the street.

I object for various reasons.

The planning is overbearing and does not appear to be safe by any means. The work appears to be sub standard on various areas. The planning portal shows the plans for this property and I believe an application will be made to turn this into a HMO which I would strongly object to.

I bought my house in August 2020 for over £330k, and a HMO, in my opinion would devalue mine and surrounding properties.

I have written to my local MP and councillors objecting this application but understand the case officer is subject to approve this. Assuming said case officer would have no issue with a HMO in their own area or next door to them?

My local MP has confirmed that the government are relaxing rules for applications to convert properties into a HMO. If this is applied for and approved, if the property is then filled with migrants, many of whom are illegal, I will be taking further action as far as possible. To be clear, the street and residents reject this planning application and strongly object to any HMO in our street.

The street is majority of couples and families of well kept homes. This particular construction work is an eye sore, does not appear to be up to standard nor does it appear safe.

Residents views and concerns need to be taken into account. I feel for the poor neighbour having to deal with all this aggravation.

The application must be discarded and I would strongly recommend someone from the council attend this property for an assessment to see the dire state it is being left in.

With Regards,

Mr Coady
Homeowner Meadowmead Avenue

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Application No: 22/01503/FUL

Dear Sir/Madam,

I am writing to you as I received a panel invitation letter. I would like to have my say on this as I own the business next door (Sam's Chicken 8A), but unfortunately cannot attend the meeting. For that reason I will be writing a short statement on my say. I would like to reject this panel as because it will be at the back of the restaurant, it will take up my parking space at the back. They have already used up their parking space for storage and currently use my parking space as their own, which I have told many times not to do but they do not listen. Hence to add additional storage space, it will have to take up my parking. This will cause issues such as blocking my fire exit for the restaurant.

Kind regards
Jeyatharan Visuvanathi

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9A-10A Shirley High Street

I am one of the joint owners of 8A Shirley High Street which adjoins the application site and shares use of the rear access from Mayflower Road. We have three main concerns:

1. Paragraph 6.4.1 of your officer's report states that the extension 'marginally increases' the footprint of building over the unadopted highway but this is misleading. No evidence has been provided of the date of construction of any part of the extension and the only logical comparison is therefore with the extension approved retrospectively in 2007. This was about 15.1 sq. m. whereas the total extent of the building is now about 42.3 sq. m. That is nearly three times the size of the approved extension which cannot be described as a marginal increase. It is not a 'small infill' as stated in Paragraph 6.2.3 but it is a substantial increase occupying the whole width and length of the unadopted highway behind 9A-10A Shirley High Street.
2. Paragraph 2.2 refers to Certificate D. This states that 'all reasonable steps have been taken' to find out the owners of the land occupied by the extension. As this is part of an unadopted highway and we are immediate neighbours it would obviously have been 'reasonable' to contact us or our agents. This was not done, and in our opinion, the Certificate is therefore invalid. All the frontagers have a legitimate interest in anything that affects the use of the unadopted highway, and we believe that this should be recognised in determining this application.
3. Paragraph 5.4 states that the 'new extension would not result in further restrictions to parking than that previously experienced.' This is incorrect. The extension approved in 2007 allowed space behind the original building for a vehicle to park and for refuse containers to be stored. This is no longer the case, adding to congestion and obstruction in the remainder of the unadopted highway.

In our opinion the site has been overdeveloped resulting in serious inconvenience to neighbouring occupiers. We therefore ask you to refuse this retrospective application and to enforce the removal of the unauthorised building.

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Notes regarding the Planning Application to be heard regarding the retention of a large storage building to the rear of Turkish Restaurant, 9a-10a Shirley High Street, So15 3LR

In both cases the owner of the property doesn't seem to feature. I would have thought this was imperative in such cases.

Application in 2022 07/00222/FUL – Application from 2007

Basically 2007 the Planning permission was granted on untrue/incorrect information, the then lessee Mr Jung who ran the Little Buddah Restaurant, claimed to own the whole of the access back lane from his restaurant right to Mayflower Road. This was untrue and he must have known it. He completed the application for a Certificate A

Also on Mr Jung's application he gives the address as 6a-8a Shirley High Street. This is not the property from where he ran his Little Buddah business. (9a-10a Shirley High Street) I do not know if the owner of the property was involved in this but I think they should have been and not just solely given to a lessee.

Under the Town and Country Planning Act I have read that if Planning Permission has been granted on **false information** then it can be revoked. I think this should be put in place with regards to this illegal development and the buildings removed.

The land was illegally taken with false information given and not checked out properly by the council.

Application in 2022 22.01503/FUL -Current Application

In the November 2022 Application I see no information about the actual owner of the property.

The current lessee, Mr Teymuroglu, completed his application in and entered that he was the owner of the land and completed and signed a Certificate A (this was false and I am certain he knew he was wrong as he was aware of bad feeling about the original store being there. He has now considerably extended on this filling the **ENTIRE** back lane with storage buildings. If he was so certain he was the owner why didn't he apply for Planning **BEFORE** he build the bigger store. He was building on the previous application which he knew had been given permission, but may not have known the above discrepancies.

Change of Certificate - My understanding is that a planning application procedure would normally take less than 3 months However in August 2023, 10 months after making the application Mr Teymuroglu makes a substantial change to his application. A change that none of the objectors/neighbours know about. He changed his knowledge of ownership to Certificate D – to be completed if you don't know the names and addresses of any other owners or people with an interest in the land'

Posting in the local press - I believe as a condition he was required to post a note in the Daily Echo (the paper that no one reads with an extremely low circulation) – this was done in early August. We the objectors knew nothing of this. This was wrong - we should not have been informed.

It says on the note be posted in the Daily Echo on 04/08/23 that he had -

'taken all reasonable steps have been taken to find out the names and addresses of everyone else who, on the 21 days before the date (04/08/2023) was an owners and /or agricultural tenant of any part of the land to which this application relates, but I ,the applicant/ have been unable to do so.

He **did** not know who the ownership was unknown (we have understood the road is unadopted) but there certainly are interested persons and he knows who they are. This is false information as he knew neighbours had objections and interests and 'all reasonable steps' would have included writing to inform them of this change – he didn't do this.

When I enquired about what was holding up the planning appeal I was told correct documents were being required – I was not told what they were.

No consultation - Mr Teymuroglu had clearly made no attempt whatsoever to contact any of his neighbours. The action was taken I believe with no contact in the hope that no one would know about it. He did after all know his neighbours had made objections about the unlawful development.

In my emails to the Planning Department I have asked questions about the reference to a 'consultation period between 27 August and 7 September 2023 and have received no answer to this question. Regarding the question of 'reasonable steps were not taken', I was told 'the applicant has taken the required action to serve notice with neighbours/relevant parties not being required to be notified via site notices or letters' (TB 26.10/03)

Alerts on the Planning Portal - My colleague and I have an alert on this planning application online and we have had no update about new Certificates, or posted documents, consultation time, in the local paper. Surely an alert should give such information. We feel left deliberately in the dark.

The only statement on the front page is 'Decision is awaited' The reference to any dates only appears loosely under planning Application Dates and does not explain what the consultation is about. I strongly feel we should have been alerted to this considerable change to the application. I do not feel we have been kept informed on this alert

Changing Certificates - I have also read that if someone submits the wrong certificate, as Mr Teymuroglu did a year ago then the Certificate should not be just changed/alterd but the case closed and they have to reapply – this did not happen... people are not supposed to change their statement about ownership. The fact that this change was made 10 months after the first application seems suspicious and I would have thought should have resulted in a fresh case.

I think the whole business is flawed, unfair and seeks to undermine all those who objected to passing this retrospective planning. It would seem to set a precedent for others to grab land and get away with it.

The initial permission was given on false evidence and probably no consultation and this case definitely seeks to allow people to commandeer land that is not theirs to take.