
PLANNING AND RIGHTS OF WAY PANEL (EAST)
MINUTES OF THE MEETING HELD ON 8 DECEMBER 2015

Present: Councillors Denness (Chair), Tucker (Vice-Chair), Coombs, Hecks (except minute number 36) and Wilkinson

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

RESOLVED: that the minutes for the Panel meeting 27th October 2015 be approved and signed as a correct record.

33. **LAND BETWEEN SHOP LANE AND BURSLEDON ROAD, BOTLEY ROAD 15/01775/FUL**

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.

Subdivision of land to form two plots for use by travelling show people including for storage of vehicles, siting of residential caravans and associated equipment. Provision of new access from Botley Road, following closure of existing access (resubmission of application reference 14/01520/FUL)

Simon Hughes, Kelly Sampson (local residents/ objecting), Richard Stone (agent), Steph Smith (supporter) and Councillor Letts (ward councillor /objecting) were present and with the consent of the Chair, addressed the meeting.

Officers detailed a number of amended and additional conditions detailed below.

The officer recommendation to delegate authority to the Planning and Development Manager to conditionally approve planning permission was amended to remove Planning Condition relating to the Temporary Time Consent.

RECORDED VOTE to remove planning condition 1 proposed by Councillor Hecks and seconded by Councillor Wilkinson

FOR: Councillors Hecks, Wilkinson and Coombs

AGAINST: Councillors Denness, Tucker

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

Amended Conditions

AMEND CONDITION 3:

APPROVAL CONDITION – Landscaping

Within three months of the date of this permission, revised landscaping details, maintenance details and an implementation timetable shall be submitted to the Local Planning Authority for approval in writing. The revised details shall include:

- i. specification of the materials to be used for the new access and main storage areas;

- ii. new planting adjacent to the new access;
- iii. the inclusion of Gorse (*Ulex europous*) and instant hedging in the planting schedule;
- iv. specification of the sight-lines from the new access and;
- v. the provision of boundary treatment, including at least 1.8 metre close boarded fencing located between the amenity grass areas on site and the edge of the boundary hedge with Botley Road.

The landscaping shall be implemented in accordance with the agreed details and timetable and thereafter retained as approved.

REASON:

To provide adequate landscape screening of the site in the interests of the visual amenity of the area.

AMEND CONDITION 4:

01. APPROVAL CONDITION – Management Plan for Arrivals and Departures
 Within three months of the date of this permission, a Management Plan shall be submitted to and approved by the Local Planning Authority in writing which addresses how the arrivals and departures of Heavy Good Vehicles and Articulated Lorries to and from the site will be managed. The plan will include the timing and routeing of vehicles to avoid peak times. For the avoidance of doubt no Heavy Goods Vehicles or Articulated Lorries shall arrive at or depart from the site outside the hours of **09:30 and 15:30**. The Management Plan will be adhered to whilst the approved use is in operation.

REASON:

In the interests of the safety and convenience of the users of the adjoining highway and residential amenity.

Additional Conditions

ADD NEW CONDITION 1:

APPROVAL CONDITION - Full Permission Timing Condition

The development works hereby permitted shall begin not later than three years from the date on which this planning permission was granted.

REASON:

To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

ADDITIONAL CONDITION 9 LANDSCAPE BUFFER

APPROVAL CONDITION – Provision and Retention of Landscape Buffer and Storage Areas

Within three months of the date of this permission, an implementation timetable shall be submitted to and approved in writing by the Local Planning Authority for the provision of the two main storage areas illustrated on the plans hereby approved. The two storage areas shall be implemented in accordance with the agreed timetable and plans hereby approved, and thereafter retained and made available for use. Once the storage areas are provided, the amenity grass area between the main storage areas and the boundary with Botley Road shall be retained as a soft-landscaped strip and kept free from all development associated with the use hereby approved, including the siting of vehicles, equipment and caravans, or any storage.

REASON:

In the interests of the amenities of nearby residential occupiers in Botley Road and in the interest of the character and appearance of the area.

ADDITIONAL CONDITION 10 – ON-SITE MAINTENANCE

APPROVAL CONDITION – Restriction of on-site maintenance

No maintenance of fairground rides and equipment or heavy good vehicles shall take place on site.

REASON:

In the interests of the amenities of nearby residential occupiers

ADDITIONAL CONDITION 11 – REFUSE AND RECYCLING STORAGE

Within three months of the date of this permission, details and an implementation timetable for refuse storage shall be submitted to and approved in writing by the Local Planning Authority. The refuse storage shall be provided in accordance with the agreed details and timetable and thereafter retained as approved.

REASON:

In the interests of highway safety, the character and appearance of the area and residential amenity.

Addition Condition 12:

APPROVAL CONDITION Archaeological watching brief investigation [Pre-Commencement Condition]

No development shall take place within the site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved by the Local planning Authority.

REASON:

To ensure that the archaeological investigation is initiated at an appropriate point in development procedure.

Addition Condition 13:

APPROVAL CONDITION Archaeological watching brief work programme [Performance Condition]

The developer will secure the completion of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved by the Local planning Authority.

REASON:

To ensure that the archaeological investigation is completed.

RECORDED VOTE to grant planning condition as amended.

FOR: Councillors Coombs, Denness and Hecks,

AGAINST Councillor Tucker

ABSTAINED Councillor Wilkinson

34. **68-76 AND 80-84 PORTSWOOD ROAD 14/02045/FUL**

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.

Redevelopment of the site to provide 71 student flats (10 x one bedroom, 45 x two bedroom and 16 x three bedroom) in 3, 4 and 5 – storey buildings with associated facilities and an office/commercial unit with parking and storage

Paul Bainbridge, Gordon Gillies, Adrian Vinson (local residents/ objecting) and Gareth Jenkins (architect) were present and with the consent of the Chair, addressed the meeting.

RESOLVED

- (i) to delegate to the Planning and Development Manager to grant planning permission subject to the completion of a S106 Legal Agreement, the conditions listed in the report, and the additional and amended conditions, set out below.

Amended Conditions

6. APPROVAL CONDITION - Archaeological evaluation [Performance Condition]

The developer **shall** secure the completion of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority.

REASON:

To ensure that the archaeological investigation is completed.

7. APPROVAL CONDITION - Archaeological investigation (further works) [Performance Condition]

The Developer **shall** secure the implementation of a programme of archaeological works in accordance with a written scheme of investigation which will be submitted to and approved by the Local Planning Authority.

REASON:

To ensure that the additional archaeological investigation is initiated at an appropriate point in development procedure.

8. APPROVAL CONDITION - Archaeological work programme (further works) [Performance Condition]

The developer **shall** secure the completion of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority.

REASON:

To ensure that the archaeological investigation is completed

16. APPROVAL CONDITION - Energy & Water [Pre-Commencement Condition]

Before the development commences, written documentary evidence demonstrating that the development will achieve at minimum 19% improvement over 2013 Dwelling Emission Rate (DER)/Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and 105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of a design stage SAP calculations and a water efficiency calculator 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).

17. APPROVAL CONDITION - Energy & Water [performance condition]

Within 6 months of any part of the development first becoming occupied, written documentary evidence proving that the development has achieved at minimum 19% improvement over 2013 Dwelling Emission Rate (DER)/ Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and 105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of final SAP calculations and water efficiency calculator and detailed documentary evidence confirming that the water appliances/fittings have been installed as specified 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).

35. **VOODOO LOUNGE, VINCENT'S WALK 15/01857/FUL**

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.

Re-development of the site. Demolition of the existing building and erection of a part 8-storey, part 9-storey and part 11-storey building to provide a commercial unit and purpose built student accommodation (44 cluster flats, 97 studios - 283 total bed spaces) with associated facilities.

Graham Linecar, Simon Reymier (local residents/ objecting), Amanda Sutton (agent) and Mike Skilton (architect), were present and with the consent of the Chair, addressed the meeting.

RESOLVED

- (i) to delegate to the Planning and Development Manager to grant planning permission subject to the completion of a S106 Legal Agreement, the conditions listed in the report.

36. **LEISURE TRAIL, MANSBRIDGE ROAD 15/01903/FUL**

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.

Mr Brown (local residents/ objecting), Robin Peat (agent), and Councillor White (ward councillor/objecting) were present and with the consent of the Chair, addressed the meeting.

Change of use to car wash and valet (class sui generis) and enclosure to jet wash (resubmission)

The officer detailed an amendment to the Time Limited (Temporary) Permission Condition changing the proposed date expire date to 8th September

The officer recommendation to delegate authority to the Planning and Development Manager to conditionally approve planning permission was not carried.

RECORDED VOTE to grant planning permission
FOR: Councillors Coombs and Tucker
AGAINST: Councillors Denness, Wilkinson

The motion to grant planning permission was lost on the use of the Chairs casting vote.

RESOLVED that conditional planning permission be refused for the reason set out below:

REASON FOR REFUSAL - Adverse noise and amenity impact

The nature and intensity of the proposed use has the potential for a high volume of vehicles coming and going throughout the week, and especially the weekend when the occupiers of the adjacent residential property Brindle House are expecting quiet and peaceful enjoyment of their property. Notwithstanding that the site is already within commercial use, the activities associated with the proposed car wash in terms of comings and goings are considered to be significantly greater in intensity than the previously approved car sales business (ref. no. 14/00477/FUL). As such, the proposed use would cause an undue disturbance to these occupiers. As such the proposal will have an unacceptable impact on residential amenity and is therefore contrary to saved policies SDP1(i) and SDP7 (v) and SDP16 of the City of Southampton Local Plan Review (2015).

NOTE: Councillor Hecks declared an interest and withdrew from the meeting for the consideration of this item.

37. **53 VICTORIA ROAD, SO19 9DZ 15/00157/OUT**

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.

Redevelopment of site and the stopping up of a public footpath. Erection of 4 dwellings (4 x 3 bed) (1 x 3 storey and 3 x part 3 storey with rooms in the roof) with associated parking and amenity space. (Outline application seeking approval for access, layout and scale).

The officer recommendation to delegate authority to the Planning and Development Manager to authority to grant outline planning permission subject to criteria listed in report was not carried.

RESOLVED that conditional planning permission be refused for the reasons set out below.

REASON FOR REFUSAL - Overdevelopment

The proposed development represents an overdevelopment of the site in terms of the excessive number of dwellings proposed by reason of:

- (a) There is insufficient external space available (excluding the hardstanding and footprint coverage for each plot) to provide functional and useable private amenity spaces given their over-enclosed and cramped nature. This would not provide the quality of amenity space expected under the Council's standards as set out in paragraph 2.3.14 and section 4.4 of the Residential Design Guide, thereby resulting in a poor quality residential environment;
- (b) The narrow frontages of the dwellings proposed does not reflect the characteristic plot widths of the typical terraces within Victoria Road this would result in the development appearing cramped within the street scene;
- (c) There is insufficient off-street car parking provided for the future occupiers of the development in an area of known on-street car parking stress. It has not been demonstrated that the level of car parking proposed would be sufficient to serve the development, as required by the adopted Parking Standards Supplementary Planning Document and, as such, the proposal could result in over-spill car parking on the surrounding streets. The resulting pressure on available on-street parking from the additional demand would have detrimental impact on the amenities of the neighbouring occupiers as local residents would be less likely to park in convenient walking distance of their properties.

As such, the proposal would be contrary to saved policies SDP1(i), SDP7(iii)/(iv), SDP9 and H7 of the Local Plan Review (amended March 2015) and policies CS13 and CS19 of the Core Strategy (amended March 2015) as supported by the guidance set out in the Residential Design Guide Supplementary Planning Document (September 2006) and the Parking Standards Supplementary Planning Document (September 2011).

REASON FOR REFUSAL - Lack of Section 106 or unilateral undertaking to secure planning obligations.