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PLANNING AND RIGHTS OF WAY PANEL  
MINUTES OF THE MEETING HELD ON 17 SEPTEMBER 2024

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Present: Councillors Windle (Chair), Greenhalgh (Vice-Chair), Beaurain, Cox, Mrs Blatchford, G Lambert and Wood

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

**RESOLVED:** that the minutes for the Panel meeting on 27 August 2024 be approved and signed as a correct record.

18. **PLANNING APPLICATION - 24/00405/FUL - 348 WINCHESTER ROAD**

The Panel considered the report of the Head of Transport and Planning in respect of an application for planning permission for the proposed development at the above address recommending that the application be conditionally approved subject to the criteria listed in the report.

Change of use from C2 (residential care home) to 10 person house in multiple occupation (Sui Generis).

Paddy Kuun (local residents/ objecting), Mark James (agent), and Councillor Blackman (ward councillor) were present and with the consent of the Chair, addressed the meeting. In addition the Panel noted that a statement from Denis O'shea had been received, circulated, read and posted online.

The presenting officer advised the Panel that the report should have referred to the threshold tests from the Houses of Multiple Occupancy Supplementary Planning Document rather than Policy BAS6 of the Bassett Neighbourhood Plan. The Panel were also advised that the application no longer had a requirement for a contribution to the Community Infrastructure Levy following the removal of the additional floorspace. It was noted that the Habitats Regulation Assessment attached to the report as appendix 1 needed to be amended with the correct address and assessment and Panel were advised that an updated version had now been posted online.

The presenting officer also advised that a further condition is needed to application in order to address the removal of the fire escape at the rear of the building, as set out below.

The presenting officer also advised that a further condition needed to application in order to address the removal of the fire escape at the rear of the building, as set out below.

Upon being put to the vote the Panel confirmed the Habitats Regulation Assessment.

The Panel then considered recommendation (2) that [the application be conditionally approved subject to criteria listed in the report as amended.. Upon being put to the vote the recommendation as amended was carried.

## RECORDED VOTE

FOR: Councillors Windle, Greenhalgh, Beaurain,  
Blatchford, Cox, G Lambert  
ABSTAINED: Councillor Wood

## **RESOLVED**

- (i) The Panel confirmed the Habitats Regulation Assessment set out in Appendix 1 of the report.
- (ii) That planning permission be approved subject to the conditions set out within the report and any additional condition set out below

### Additional condition

#### FIRE ESCAPE REMOVAL (PRE-OCCUPATION)

Prior to first occupation of the building as a HMO the fire escape and associated door on the first floor of the north elevation shall be removed and made good in accordance with a scheme of works that have first been submitted to and approved in writing by The Local Planning Authority.

REASON: In the interests of the privacy and amenity of the neighbouring residential occupiers

#### 19. **PLANNING APPLICATION - 24/00132/FUL - 3-7 MACNAGHTEN ROAD**

The Panel considered the report of the Head of Transport and Planning in respect of an application for planning permission for the proposed development at the above address recommending that authority be delegated to the Head of Transport and Planning to grant planning permission subject to the criteria listed in the report.

Erection of 6 x semi-detached, 3-bedroom houses following demolition of existing buildings

Dan Roycroft (agent) was present and with the consent of the Chair, addressed the meeting. In addition the Panel noted that a statement had been received, circulated, read and posted online from a resident of Macanaghten Road.

Upon being put to the vote the Panel confirmed the Habitats Regulation Assessment.

The Panel then considered remaining recommendations that authority be delegated to the Head of Transport and Planning to grant planning permission subject to criteria listed in the report. Upon being put to the vote the recommendations were carried unanimously.

## **RESOLVED**

1. To confirm the Habitats Regulation Assessment set out in Appendix 1 of the report.
2. That authority be delegated to the Head of Transport and Planning to grant planning permission subject to the conditions in the report and the completion of a S.106 Legal Agreement to secure :
  - i. Either the developer enters into an agreement with the Council under s.278 of the Highways Act and/or undertakes a scheme of works or provides a financial contribution towards site specific transport contributions for highway improvements in the vicinity of the site including provision of a Traffic Regulation Order (TRO) to provide double yellow lines around the junction to protect sightlines and vehicle swept paths in line with Policy SDP4 of the City of Southampton Local Plan Review (as amended 2015), policies CS18 and CS25 of the adopted LDF Core Strategy (as amended 2015) and the adopted Developer Contributions SPD (April 2013);
  - ii. Submission of a highway condition survey (both prior to and following completion of the development) to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer.
  - iii. Either a scheme of measures or a financial contribution to mitigate against the pressure on European designated nature conservation sites in accordance with Policy CS22 of the Core Strategy and the Conservation of Habitats and Species Regulations 2010.
3. That the Head of Transport and Planning be given delegated powers to add, vary and/or delete relevant parts of the Section 106 agreement and/or conditions as necessary.
4. In the event that the legal agreement is not completed within a reasonable period following the Panel meeting, the Head of Transport and Planning be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.

## 20. **PLANNING APPLICATION - 24/00110/FUL - 40 ATHERLEY ROAD**

The Panel considered the report of the Head of Transport and Planning in respect of an application for planning permission for the proposed development at the above address recommending that the application that authority be delegated to the Head of Transport and Planning to grant planning permission subject to the criteria listed in the report.

Erection of a part two-storey, partly single-storey side & rear extension to facilitate conversion into 4 x dwellings (2 x 1-bedroom, 1 x 2-bedroom, 1 x 3-bedroom) with roof alterations and associated amenities.

Kate Drummond (local resident objecting) was present and with the consent of the Chair, addressed the meeting.

The presenting officer advised that plans had been received to amend the layout of the garden areas. Upon being put to the vote Members agreed unanimously that the application would have 2 garden areas one for each of the ground floor flats.

During discussion on the item, Members raised the need for an additional condition on biodiversity net gain and officers agreed to the addition on the additional condition as set out below.

Upon being put to the vote the Panel confirmed the Habitats Regulation Assessment.

The Panel then considered the remaining recommendation that the application be delegated to the Head of Transport and Planning to grant planning permission subject to criteria listed in the report as amended. Upon being put to the vote the recommendation as amended was carried unanimously.

### **RESOLVED**

1. To confirm the Habitats Regulation Assessment set out in Appendix 1 of the report.
2. To Delegate authority to the Head of Transport and Planning to grant planning permission in accordance with the revised plan showing gardens for ground floor flats only and removal of fenced compartments following the securing of the appropriate Solent Disturbance Mitigation Project (SDMP) Mitigation. In the event that the SDMP contribution cannot be secured delegation is sought to refuse the application for failing to mitigate the impacts of the development on the relevant designated Special Protection Areas.

#### **Additional Condition**

##### **18. Ecological Mitigation Statement**

Within three months of the date of this consent the developer shall submit a programme of habitat and species mitigation and enhancement measures, which shall be implemented in accordance with the agreed programme. The agreed mitigation measures shall be thereafter retained as approved.

REASON: To safeguard protected species under the Wildlife and Countryside Act 1981 (as amended) in the interests of preserving and enhancing biodiversity.

#### 21. **PLANNING APPLICATION - 24/00472/FUL - 38 CLAUSENTUM ROAD**

The Panel considered the report of the Head of Transport and Planning in respect of an application for planning permission for the proposed development at the above address recommending that authority be delegated to the Head of Transport and Planning to grant planning permission subject to the criteria listed in the report.

Temporary change of use to a MOT testing station together with facilities to carry out the repair and servicing of motor vehicles (part retrospective), (Departure from local plan).

Mr Rasooli (applicant) was present and with the consent of the Chair, addressed the meeting.

The presenting officer advised Panel that the reasons for granting permission set out in the report needed to be adjusted as set out below. In addition the Panel were advised that parking management condition needed to be adjusted, as set below.

The Panel then considered the recommendation that the application be conditionally approved subject to criteria listed in the report as amended. Upon being put to the vote the recommendation was carried unanimously.

**RESOLVED** that planning permission be approved subject to the conditions set out within the report and the amended conditions set out below

#### Amended reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below and based on a temporary 4 year permission. Other material considerations including highways safety; neighbouring amenity; housing need, supply & delivery; and employment & economic growth have been considered and are not judged to have sufficient weight to justify a refusal of the application, despite the housing allocation under saved policy H1, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 39-42 and 46 of the National Planning Policy Framework (revised 2023). Policies – CS4, CS6 & CS19 of the of the Local Development Framework Core Strategy Development Plan Document (Amended 2015). Policies – SDP1, SDP5, SDP16, H1 & REI10 of the City of Southampton Local Plan Review (Amended 2015).

#### Changes to conditions

##### 06. Parking Management & External Storage [Performance]

No more than 14 cars shall be parked on site at any one time.

Parking will be limited to the locations identified on the approved site layout plan only. The external space on site will be kept free for the manoeuvring and parking of vehicles only and shall not be obstructed or used for any other storage purposes. All MOTs, servicing and repairs will be managed and carried out by appointment only and from within the building. At no time shall light or heavy goods vehicles be MOT tested, serviced or repaired.

REASON: In the interests of highways safety and to limit on road parking pressure.