
PLANNING AND RIGHTS OF WAY PANEL
MINUTES OF THE MEETING HELD ON 30 JANUARY 2018

Present: Councillors Denness (Chair), Savage (except Minute Number 51) (Vice-Chair), Barnes-Andrews, Claisse, Hecks, Murphy and Wilkinson

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

RESOLVED: that the minutes for the Panel meeting on 9th January 2018 be approved and signed as a correct record.

49. **5PLANNING APPLICATION - 17/01486/FUL - CHURCH ROAD**

The Panel considered the report of the Service Lead, Planning, Infrastructure and Development recommending that application for the proposed development, at the above address, be refused.

Erection of 2x 2-storey, 3-bed semi-detached houses with accommodation in roof space and front dormer windows, with associated cycle/refuse storage, following demolition of existing building.

Juilan Boswell (agent and architect) was present and with the consent of the Chair, addressed the meeting.

The presenting officer presented an amended reason for refusal, as set out below. The Panel then considered the recommendation to delegate authority to the Service Lead: Planning, Infrastructure and Development to refuse planning permission. Upon being put to the vote the recommendation was carried.

RESOLVED that the Panel refuse to grant planning permission for the following reasons:

- (i) Reason for Refusal – Overdevelopment
The proposed residential development by reason of its siting, size, design, height and scale results in an overdevelopment of the plot. It is considered that the scale, degree of site coverage and failure to provide adequate private amenity space that is fit for purpose is symptomatic of overdevelopment which is not in keeping with the character and rhythm of the surrounding street scene and would cause material harm to the character and appearance of the area. As such the proposal is contrary to SDP1(i), SDP7(iii)(iv)(v) and SDP9(i)(v) of the adopted City of Southampton Local Plan Review (as amended 2015) and policies CS13 of the adopted Local Development Framework Core Strategy Development Plan Document (as amended 2015) as supported by section 2.3.14, 3.7.7-8, 3.9.2 and 4.4 of the Residential Design Guide SPG (September 2006).

- (ii) Reason for Refusal – Impact on neighbouring occupiers (overbearing)
The proposed development by reason of its scale and design represents an unneighbourly form of development through the increase in massing in immediate proximity to the common boundary and worsens the existing relationship through the creation of an overbearing form of development (with particular reference to 14 Obelisk Road). The proposal thereby proves contrary to saved policies SPD1(i), SDP7(iii)(iv) and SDP9(i)(v) of the adopted City of Southampton Local Plan Review (2015) and CS13 of the adopted Local Development Framework Core Strategy Development Plan Document (2015), with particular reference to sections 2.2.7 and 2.2.21 of the Councils Residential Design Guide (2006).
- (iii) Reason for Refusal – Poor quality residential environment
The proposed development results in the creation of a poor quality residential environment for the occupiers of neighbouring properties and occupiers of the proposed dwellings. The introduction of windows which directly overlook the existing private garden to the rear and overlooking of the proposed rear gardens of the properties on the application site are considered to have a harmful impact on the privacy and amenities of the relevant properties. The proposal thereby proves contrary to saved policies SPD1(i), SDP7(iii) and SDP9(v) of the adopted City of Southampton Local Plan Review (2015) and CS13 of the adopted Local Development Framework Core Strategy Development Plan Document (2015), with particular reference to sections 2.2.1, 2.3.12-13 and 4.4.1-4 of the Councils Residential Design Guide (2006).
- (iv) Reason for Refusal - Lack of Section 106 or unilateral undertaking to secure planning obligations.
In the absence of either a scheme of works or a completed Section 106 legal agreement or unilateral undertaking to support the development the application fails to mitigate against its wider direct impact with regards to the additional pressure that further residential development will place upon the Special Protection Areas of the Solent Coastline. Failure to secure mitigation towards the 'Solent Disturbance Mitigation Project' in order to mitigate the adverse impact of new residential development (within 5.6km of the Solent coastline) on internationally protected birds and habitat is contrary to Policy CS22 of the Council's adopted LDF Core Strategy as supported by the Habitats Regulations.

50. **PLANNING APPLICATION - 17/01541/FUL - 171 OSBORNE ROAD NORTH**

The Panel considered the report of the Service Lead, Planning, Infrastructure and Development recommending delegated authority be granted in respect of an application for a proposed development at the above address.

Erection of a two storey rear extension to facilitate conversion into 2 flats (1 x 1 bed and 1 x 2 bed) with associated bin and cycle storage (Resubmission of 17/00784/FUL).

The Panel considered the recommendation to delegate authority to the Service Lead: Planning, Infrastructure and Development to grant planning permission. Upon being put to the vote the recommendation was carried.

RESOLVED that the Panel:

- (i) delegated to the Service Lead: Infrastructure, Planning and Development to grant planning permission subject to the planning conditions recommended at the end of this report and to secure financial contribution towards Solent Disturbance Mitigation Project (SDMP) 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.
- (ii) granted authority to the Service Lead: Infrastructure, Planning and Development to add, vary and /or delete relevant conditions as necessary.
- (iii) delegated authority to the Service Lead: Infrastructure, Planning and Development to refuse to grant planning permission for failure to satisfy the requirements of the Conservation of Habitats and Species Regulations 2010 in the event the Solent Disturbance Mitigation Project (SDMP) financial contribution is not resolved.

51. **PLANNING APPLICATION - 17/01840/FUL - 14 SPRING CRESCENT**

The Panel considered the report of the Service Lead, Planning, Infrastructure and Development recommending that conditional planning permission be granted in respect of an application for a proposed development at the above address.

Erection of a first floor extension to the east elevation and associated changes to the front elevation (amended after validation to remove alterations to the west elevation and to include changes to front elevation).

Verena Coleman, Johnathan Chipp and David Edwards (local residents/ objecting), and Councillor Savage (ward councillor/objecting) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that an additional letter of objection had been presented to officers following the publication of the report. Panel Members discussed the detailing of the flat roofed extension and requested that an additional condition, as set out below, be added

The Panel then considered the recommendation to grant conditional planning permission. Upon being put to the vote the recommendation was carried.

RESOLVED that the Panel grant planning permission subject to the conditions set out in the report and the amendment set out below.

ADDITIONAL CONDITION

First floor flat roof and eaves detail [Pre-commencement Condition]

Prior to the commencement of the development hereby approved, detailed drawings of the first floor flat roof and eaves design at a scale of 1:20, together with details of the materials to be used, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall subsequently be incorporated in the construction of the development hereby approved.

REASON: To secure a development of appropriate proportions and high visual quality in order to respect the character of the locally listed host dwelling and the wider local area.

NOTE: Councillor Savage declared an interest and withdrew from the Panel.

52. **PLANNING APPLICATION - 17/02384/NMA - TEST LANE**

The Panel considered the report of the Service Lead, Planning, Infrastructure and Development recommending that conditional planning permission be granted in respect of an application for a proposed development at the above address.

Non material amendment sought to planning permission ref: 14/01911/FUL comprising changes to the internal layout of unit 3 and external changes to units 1, 2 and 3 including a revised canopy design and provision of louvres and a level access door to unit 3

Matthew Thomas (agent), and Councillor McEwing (Ward Councillor/objecting) were present and with the consent of the Chair, addressed the meeting.

The Panel raised concerns in regard to the potential for additional noise with the internal adjustments to unit 3 and requested that officers adjust the condition to counter any addition disturbance. The Panel then considered the recommendation to grant conditional planning permission. Upon being put to the vote the recommendation was carried.

RECORDED VOTE to grant planning permission
FOR: Councillors Denness, Barnes-Andrews,
Claisse, Hecks, Murphy, Savage
AGAINST: Councillor Wilkinson

RESOLVED that the Panel confirmed that the proposed changes sought by this request are considered to provide a Non-Material Amendment to the approved planning permission (as already amended). All planning conditions applicable to the approved planning permission remain in force with amendment requested by Panel, to following condition.

Noise - plant and machinery (Pre-Commencement)

The use of Unit 3 shall not commence until details of measures to minimise noise from plant and machinery associated with the proposed development, as amended by the introduction of louvres to the western elevation as hereby approved, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details before the use hereby approved commences and thereafter retained as approved.

REASON: To protect the amenities of the occupiers of existing nearby properties.