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PLANNING AND RIGHTS OF WAY PANEL  
MINUTES OF THE MEETING HELD ON 20 FEBRUARY 2018

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Present: Councillors Denness (Chair), Savage (Vice-Chair), Claisse, Hecks, Murphy, Wilkinson and Shields (except Minute Number 57)

Apologies: Councillors Barnes-Andrews

53. **APOLOGIES AND CHANGES IN PANEL MEMBERSHIP (IF ANY)**

It was noted that following receipt of the temporary resignation of Councillor Barnes Andrews from the Panel, the Head of Legal and Democratic Services, acting under delegated powers, had appointed Councillor Shields to replace them for the purposes of this meeting.

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

**RESOLVED:** that the minutes for the Panel meeting on 30 January 2018 be approved and signed as a correct record.

55. **PLANNING APPLICATION - 17/02485/FUL - 17 RAYMOND ROAD**

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.

Change of use from a dwelling house (Class C3) to either a dwelling house (Class C3) or a house in multiple occupation (HMO, Class C4)

The Panel 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, Claisse, Hecks, Murphy, Savage and Shields

AGAINST: Councillors Wilkinson

**RESOLVED** that the Panel approve conditional planning permission subject to the conditions set out in the report

56. **PLANNING APPLICATION - 17/02561/FUL - 9 BASSETT GREEN DRIVE**

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.

Replacement dwelling with associated parking (Follows permission 16/01903/FUL).

Barry Smith (local resident objecting), Bhupnder and Hardeep Toor (applicant), and Councillor Harris (ward councillor objecting) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that amended plans had now been received detailing the mix of materials for the outside of the building showing predominantly red brick, rather than render as submitted previously.

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

- (i) delegated the Service Lead Infrastructure, Planning and Development to issue conditional approval subject to receipt of amended plans or written confirmation showing a mix of materials, predominantly red brick, rather than render as submitted and to overcome the earlier reason for refusal regarding material.
- (ii) delegated the Service Lead Infrastructure, Planning and Development permission to refuse to grant approval in the event that this information is not provided within a reasonable timescale.

#### 57. **PLANNING APPLICATION - 17/02389/FUL - 25 HOWARD ROAD**

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 single storey rear extension.

Kate Drummond and Kate Stirling (local residents objecting), Mr Chahal (agent), Mr Sahota (applicant) and Councillor Parnell (ward councillors objecting) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported the result of the appeal case circulated as additional information to the Panel. The Panel expressed concern that the proposed extension would be used as an additional bedroom and requested that an additional condition on use be added as set out below.

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, Hecks and Murphy

AGAINST: Councillors Claisse and Wilkinson

ABSTAINED: Councillor Savage

**RESOLVED** that the Panel approve conditional planning permission subject to the conditions set out in the report and any additional condition set out below:

Additional Condition

Condition 5 – Restricted use

The development hereby approved shall be provided as a 1 bedroom flat. The rooms identified as 'kitchen' and 'lounge' on the proposed ground floor plan of Drawing No 2017/03 Rev B shall be retained for that intended use within the existing unit and shall not be used as additional bedrooms.

Reason: To allow the Local Planning Authority to control the development and restrict the potential for further residential intensification and activity that could have a harmful impact on existing and neighboring occupiers with reference to noise and disturbance from additional occupiers, and the further need for car parking.

**NOTE:** Councillor Shields withdrew from the Panel for this Item.

58. **PLANNING APPLICATION - 17/01669/FUL - 4 PRIMROSE ROAD**

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 part single storey, part two-storey rear extension (retrospective)

Dr Bragg (local resident objecting), Sukhoev Sihota and Dajeep Sihota (applicant), and Councillor B Harris (ward councillor objecting) were present and with the consent of the Chair, addressed the meeting.

The Panel raised a number of concerns relating the retrospective application. In particular the Panel were concerned that the conditions relating to materials, set out in the previous application, had not been adhered to. The Panel felt that the impact of the change to the granted planning permission could not be assessed without a site visit and proposed that the decision on the matter be deferred until a site visit had been arranged.

**RESOLVED** that the Panel deferred decision on the application until the Panel had undertaken a site visit.

59. **PLANNING APPLICATION - 17/01600/FUL - LAND ADJACENT TO 153 ATHELSTAN ROAD**

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.

Construction of two storey, four bed detached house with associated bin/refuse, car parking and cycle storage.

Catherine Rendle and Charlotte Winfield (local residents objecting), and Councillors Keogh and Lewzey (ward councillors objecting) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported an amendment to Condition 16 of the recommendation amended to align with the condition on the previously consented application. Members expressed concerns over the access to the property and that the development would be an overdevelopment of the existing plot.

The Panel then 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 lost.

A further motion to refuse to Planning Permission for the reasons set out below was then proposed by Councillor Claisse and seconded by Councillor Savage.

RECORDED VOTE to refuse planning permission

FOR: Councillors Claisse, Murphy, Savage and Wilkinson

AGAINST: Councillors Denness and Hecks

ABSTAINED: Councillor Shields

**RESOLVED** to refuse planning permission for the reasons set out below:

#### Reasons for Refusal

##### (1) Reason for Refusal – Residential amenity

The proposed development, with particular reference to the additional two-storey massing at the rear, represents an overdevelopment of the existing plot and would result in an unneighbourly form of development which is harmful to the occupiers of the application site and neighbouring dwellings. With reference to the changing site levels, the additional bedroom and increased building footprint with associated loss of external amenity space, it is considered that the property fails to provide a good quality, usable external amenity space for the occupants of the host dwelling that is fit for its intended purpose to serve a 4 bedroom family dwelling and results in an over-intensive and cramped form of development. The additional bedroom (as proposed) and associated reduction in external amenity space to below current standards are at odds with achieving appropriate development. Furthermore, the additional massing to the rear will result in additional overshadowing of the proposed garden and the neighbouring dwelling at 153 Athelstan Road which will be exacerbated by the change in site levels. Therefore, the proposal proves contrary to SPD1(i), SDP7(i)(iii)(iv) and SDP9(i)(ii)(v) of the City of Southampton Local Plan Review (2015) and Policy CS13 of the adopted Local Development Framework Core Strategy Development Plan Document (2015), as supported by sections 2.2.1, 2.2.19, 2.2.21, 2.3.12-13 and 4.4.3-4 of the Council's approved Residential Design Guide SPD (2006).

(2) 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.