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PLANNING AND RIGHTS OF WAY PANEL (WEST)  
MINUTES OF THE MEETING HELD ON 9 FEBRUARY 2016

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Present: Councillors Denness (Chair), Lloyd (Vice-Chair), Claisse (Except Minute Number 45), L Harris and Mintoff

Apologies: Councillors

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

**RESOLVED:** that the minutes for the Panel meeting 22 December 2015 be approved and signed as a correct record.

44. **5 THE PARKWAY, SO16 3ZN 15/02017/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.

Change of use from a 6 bedroom House in Multiple Occupation (Class C4) to a 7 bedroom House in Multiple Occupation (Class Sui Generis) no external alterations.

Jean Wawman (local residents/ objecting), was present and with the consent of the Chair, addressed the meeting.

The Panel discussed the ability of the residents and future residents to apply for parking permits within the area. Panel sought clarification whether the change of use would still entitle residents to apply for permits or whether it would preclude them.

**RESOLVED** that decision on the application be differed to future meeting.

45. **237 PORTSWOOD ROAD, SO17 2NG 15/02216/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.

Variation of Condition 2 of planning permission ref. 13/00738/FUL (hot food takeaway) for increased hours of operation to 07:30 - midnight Monday to Sundays and Public Holidays (description amended - reduction of opening times to midnight).

Richard Buckle, Adrian Vinson (local residents/ objecting), and Councillor Claisse (ward councillors/objecting) were present and with the consent of the Chair, addressed the meeting.

On being put to the vote the officer recommendation to grant planning permission subject to the conditions outlined in the report was not carried. A further motion to refuse planning permission was proposed by Councillor Harris and seconded by Councillor Lloyd was put to the vote.

RECORDED VOTE to refuse planning permission  
FOR: Councillors L Harris and Lloyd  
AGAINST: Councillor Denness  
ABSTAIN: Councillor Mintoff

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

REASON FOR REFUSAL - Late night disturbance

The proposed extension to opening hours would result in an extended late night use, which is situated in a location where there are nearby residential properties. As such, the intensification of use into the late hours would cause detriment to the residential amenities of neighbours by reason of noise and disturbance as patrons leave the premises and disperse into the surrounding residential areas, in particular, those within the adjacent Portswood Residents Garden Conservation Area. Furthermore, the incremental increase of late night uses within the area, would result in a cumulative adverse effect on the amenities of nearby residents in terms of noise and disturbance, gradually eroding the quiet suburban nature of nearby residential areas. The proposal would thereby prove contrary to policies SDP1(i), SDP7(v), CLT15 and REI7 of the City of Southampton Local Plan Review (amended March 2015).

**NOTE:** Councillor Claisse declared an interest in the above application and after making his representation, left the meeting before the determination.

46. **149-153 WEST END ROAD, SO18 6PJ 15/02378/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.

Application for variation of condition 6 (relating to hours of work) of planning permission 00/01104/FUL to extend the trading hours of the petrol filling station from 06:30 - 23:30 hours to 06:00 - 00:00 hours.

Michael Adams, Brian Bedwell (local residents/ objecting) and Roddy Macleod (agent) were present and with the consent of the Chair, addressed the meeting.

On being put to the vote the officer recommendation to grant planning permission subject to the conditions outlined in the report was not carried. A further motion to refuse planning permission was proposed by Councillor Harris and seconded by Councillor Lloyd was put to the vote.

RECORDED VOTE to refuse planning permission  
FOR: Councillors Claisse, L Harris, Lloyd and Mintoff  
ABSTAIN: Councillor Denness

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

REASON FOR REFUSAL - Late night and early morning disturbance

The proposed extension of hours of the petrol filling station and retail unit in the early morning and late night would harm the amenities of the neighbouring residents due to

the intensification of the activities associated with the use, particularly the comings and goings of patrons and staff operating the retail unit. A late night and early morning use is considered to be inappropriate within this predominantly residential suburban area given that it is not a major route leading into the City. The proposal would therefore prove contrary to saved policies SDP1(i) and SDP7 (v) of the Local Plan Review (March 2015 amended).

47. **45 LODGE ROAD, SO14 6RL 15/02348/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.

Change of use of ground floor from shop (use class A1) to hot food takeaway (use class A5) with a proposed extraction flue at the rear of the building (proposed operating hours of 16:00-23:30 daily).

Ahmad Azimi (applicant) was present and with the consent of the Chair, addressed the meeting.

**RESOLVED** that planning permission be granted subject to the conditions listed in the report.

48. **133 BASSETT AVENUE, SO16 7EP 16/00022/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.

Erection of a single storey outbuilding (Part retrospective).

Clive Clifford (local resident/objecting), was present and with the consent of the Chair, addressed the meeting.

During the presentation the planning officer detailed an amendment to condition 3 of the report that would prevent the use of the outbuilding as a residential annex.

On being put to the vote the officer recommendation to grant planning permission subject to the conditions outlined in the report was not carried. A further motion to refuse planning permission was proposed by Councillor Harris and seconded by Councillor Claisse was put to the vote.

RECORDED VOTE to refuse planning permission

FOR: Councillor Denness,

AGAINST: Councillor Claisse, L Harris, Lloyd and Mintoff

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

REASON FOR REFUSAL - Unacceptable impact on amenity

The proposed detached outbuilding, by means of its scale, massing and proximity to the boundary with the neighbouring flatted development in Providence Park, represents an unsympathetic and un-neighbourly form of development, harming the amenity of

neighbouring occupiers. In particular, the outbuilding would enclose the garden space for these flats and would appear overbearing when viewed from ground floor habitable room windows and erode the amenity that the garden space currently provides. The proposal is thereby contrary to saved policies SDP1(i), SDP7(i)(iii)(iv) and SDP9(i)(v) of the adopted City of Southampton Local Plan Review (March 2006) and CS13 of the adopted Local Development Framework Core Strategy Development Plan Document (January 2010), and as supported by the Residential Design Guide Supplementary Planning Document 2006.

**Note:** Members instructed the Planning and Development Manager that Enforcement Action be taken to remedy the breach of planning control.

49. **101 REDBRIDGE ROAD, SO15 0ND 15/02137/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 existing unit into 3 retail units and the installation of 3 new shopfronts and the arrangement of existing car parking area to provide a loading bay.

Denise Wyatt (local resident/objecting), Gary Young (agent and architect), and Councillor Pope (Ward Councillor/objecting) were present and with the consent of the Chair, addressed the meeting.

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

**Additional condition:**

Parking layout

The parking layout with associated loading area hereby approved shall be implemented in accordance with the submitted details (as identified in Drawing Number HYA 15044 (P) 102) prior to the first use of the subdivided retail frontage. The parking layout shall be retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of highways safety.

50. **TEST PLAYING FIELDS, LOWER BROWNHILL ROAD, SO16 6BP 15/01267/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.

Variation of condition 10 of planning permission ref 09/00191/FUL to allow the use of a public address system.

Denise Wyatt (local resident/ objecting), Martin Nailor (agent), Dennis Priestly (applicant), and Councillor Pope (Ward Councillor/objecting) were present and with the consent of the Chair, addressed the meeting.

The Panel were advised that the details of the application had changed since the publication of the report. It was noted that the number of proposed speakers had been reduced from 8 to 2. The Panel requested to the hours of operation for the public address system be amended.

**RESOLVED** that authority to grant planning permission be approved subject to the conditions in the report and the amended / additional conditions set out below.

### **Additional Conditions**

#### **34. APPROVAL CONDITION: Number of Speakers**

Unless otherwise agreed in writing, the PA system hereby approved shall comprise a maximum of 2 horn speakers positioned along the north western boundary of the pitch in accordance with the email dated 09/02/2016. Any additional speakers shall only be provided in accordance with a further noise specification, to be first submitted to and agreed in writing by the Local Planning Authority.

Reason: To protect the residential amenities of nearby occupiers.

### **Amended Conditions**

#### **2. APPROVAL CONDITION - Approved Plans (Performance)**

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below as amended by the email dated 09/02/2016 and implemented in accordance with the Community Use Agreement and Sports Development Plan adopted through the S106 agreement for 09/00191/FUL unless otherwise agreed in writing with the Local Planning Authority.

Reason: For the avoidance of doubt and in the interests of proper planning.

#### **7. APPROVAL CONDITION - Hours of operation (Public Address system) (Performance)**

Unless otherwise agreed in writing by the Local Planning Authority, the Public Address system hereby approved shall not be operated outside of the hours specified below:

Monday to Friday

12:00 hours to 22.00 hours (12:00 noon to 10.00pm)

Saturday

12:00 hours to 22.00 hours (12:00 noon to 10.00pm)

Sunday and Public Holidays

12:00 hours to 18.00 hours (12:00 noon to 6.00pm)

Reason: In the interests of the residential amenities of neighbouring occupiers.