
PLANNING AND RIGHTS OF WAY PANEL
MINUTES OF THE MEETING HELD ON 26 FEBRUARY 2019

Present: Councillors Savage (Chair), Coombs (Vice-Chair), L Harris, Mitchell, Murphy, Wilkinson and B Harris

Apologies: Councillors Claisse

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

It was noted that following receipt of the temporary resignation of Councillor Claisse from the Panel, the Director Legal and Governance acting under delegated powers, had appointed Councillor B Harris to replace them for the purposes of this meeting.

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

RESOLVED: that the minutes for the Panel meeting on 29 January 2019 be approved and signed as a correct record.

58. **PLANNING APPLICATION - 18/01820/FUL - FIRE HOUSE, VINCENTS WALK**

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.

Redevelopment of the site. Demolition of the existing building and the erection of a 9-13 storey building comprising 39 flats (11 x 2-bedroom and 28 x 1-bedroom) together with 160 sq.m of commercial floorspace (Use Class A1)

Simon Reynier (City of Southampton Society) and Graham Linecar (Southampton Commons and Parks Protection Society and The Garden Trust), George Makari (applicant), Paul Phasey(Architect), Rob Parhizakar (supporter) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that late comments from Southampton Airport had been received and that they had raised no objection subject to conditions regarding lighting and construction management. The officer reported that the proposed lighting and construction environment conditions had been amended to take into account these comments. Additionally it was reported that further correspondence had been received by the NHS but that this had not affected the report. In response to the Panel's concerns officers agreed that an additional conditions to secure ventilation for the bin storage area and that the condition relating to a green roof be amended, as set out below.

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

RECORDED VOTE to grant planning permission

FOR: Councillors Coombs, Mitchell, Murphy and Savage

AGAINST: Councilors B Harris, L Harris and Wilkinson

RESOLVED that the Panel:

- (i) confirmed the Habitats Regulation Assessment set out in Appendix 1 of the report.
- (ii) Delegated Delegate to the Service Lead – Infrastructure, Planning & Development to grant planning permission, subject to the planning conditions within the report and the additional conditions set out below, the completion of a S.106 Legal Agreement to secure:
 - (a) Financial contributions towards site specific transport contributions for highway improvements in the vicinity of the site 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 SPD relating to Planning Obligations (September 2013)
 - (b) Submission of a highway condition survey to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer:
 - (c) Either a scheme of measures or a financial contribution towards Solent Disturbance Mitigation Project 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.
 - (d) Submission of a Training & Employment Management Plan committing to adopting local labour and employment initiatives, in accordance with Policies CS24 & CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013);
 - (e) The submission, approval and implementation of a Carbon Management Plan setting out how the carbon neutrality will be achieved and/or how remaining carbon emissions from the development will be mitigated in accordance with policy CS20 of the Core Strategy and the Planning Obligations SPD (September 2013);
 - (f) Affordable housing viability clause:
- (iii) In the event that the legal agreement is not completed or progressing within a reasonable timeframe after the Planning and Rights of Way Panel, the Service Lead – Infrastructure, Planning and Development will be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement, unless an extension of time agreement has been entered into; and
- (iv) That the Planning and Development Manager be given delegated powers to add, vary and /or delete relevant parts of the Section 106 agreement and/or conditions as necessary.

Amended Condition

20. GREEN ROOF (PRE-COMMENCEMENT)

A green roof specification shall be submitted and agreed in writing with the Local Planning Authority prior to the commencement of the development hereby granted consent. The green roof to the approved specification shall be installed and rendered fully operational prior to the first occupation of the development hereby granted consent and retained and maintained thereafter.

REASON: To reduce flood risk and manage surface water run-off in accordance with core strategy policy CS20 (Tackling and Adapting to Climate Change) and CS23 (Flood risk), combat the effects of climate change through mitigating the heat island effect in accordance with policy CS20, enhance energy efficiency through improved insulation in accordance with core strategy policy CS20, promote biodiversity in accordance with core strategy policy CS22 (Promoting Biodiversity and Protecting Habitats), contribute to a high quality environment and 'greening the city' in accordance with core strategy policy CS13 (Design Fundamentals), and improve air quality in accordance with saved Local Plan policy SDP13. To mitigate against the absence of soft landscaping around this building.

Additional Conditions

32. EXTRACT VENTILATION (PRE-COMMENCEMENT)

Unless otherwise agreed in writing, the refuse storage area within the basement shall be served by mechanical extract ventilation. No development shall take place (excluding site set up and demolition, archaeology, site investigations, services and diversions) until a written scheme for the control of noise, fumes and odours from extractor fans within the basement refuse store and other equipment have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and findings before the development first comes into occupation and shall be retained thereafter.

REASON: To protect prevent noise and odour nuisance to occupiers.

59. **PLANNING APPLICATION - 18/02235/FUL - 64A WHITES 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.

Proposed development: Change of use from a dwelling house (class C3) to a house in multiple occupation (HMO, class C4) - Retrospective

Martin Duggan (local resident objecting), and Anna Easton (representing the applicant), were present and with the consent of the Chair, addressed the meeting.

The presenting officer amended his report by deleting Condition 1 of the report and amending the wording of Condition 4, 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 Coombs, Mitchell, Murphy and Savage

AGAINST: Councillors B Harris, L Harris and Wilkinson

RESOLVED that planning permission be approved subject to the conditions set out within the report and any additional or amended conditions set out below:

Amended Condition

CONDITION 4 – AMENDED (CONDITION 3 ON THE NOTICE)

Parking, landscaping, boundary treatment & bins (Time limited)

Within 3 months of the date of this decision notice, the layout and surfacing of the parking and access, the landscaping, bin storage and boundary treatment shall be provided in accordance with drawing no. WR005B as approved under application 17/01780/DIS for the discharge of condition 3 (landscaping) and shall thereafter be retained and maintained as approved. Unless otherwise agreed by the Local Planning Authority, except for collection days only, **no refuse bins shall remain outside the storage area.**

REASON: To remedy the harm arising from the breach of planning under permission 16/01779/FUL. To prevent obstruction to traffic in neighbouring roads and in the interests of highway safety. In the interests of residential amenity and visual amenity.

60. **PLANNING APPLICATION - 18/02261/FUL - RIDGEMOUNT AVENUE**

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.

Conversion of ground floor garage to a gym not in accordance with 12/01697/FUL condition 6 (Domestic Ancillary Use) and provision of integral log store

Amanda Burnie and Graham Bartlett (local residents objecting), and Councillor B Harris (ward councillor objecting) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that conditions 2 and 5 need to be amended as per the wording 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 Coombs, L Harris, Mitchell, Murphy and Savage

AGAINST: Councillor Wilkinson

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

Amended Conditions

Condition 2 APPROVAL CONDITION - No other windows or doors other than approved [Performance Condition]

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any order amending, revoking or re-enacting that Order), no windows, doors or other openings including roof windows or dormer windows other than those expressly authorised by this permission shall be inserted in the development hereby permitted without the prior written consent of the Local Planning Authority.

REASON: To protect the amenities of the adjoining residential properties

Condition 5 Approved Plans

The development hereby permitted shall be carried out in accordance with the approved plans, including the installation and retention of the garage doors to the log store, listed in the schedule attached below, unless otherwise agreed in writing with the Local Planning Authority. The garage doors to the log store shall be installed prior to the ground floor space being used for any purpose other than the parking of cars.

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

NOTE Councillor B Harris declared an interest in the item and withdrew to address the Panel

61. **PLANNING APPLICATION - 18/02188/FUL - 194 BASSETT GREEN 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 rear conservatory (resubmission of planning permission ref: 18/01372/FUL).

Dave Denholm (local resident objecting), and Graham Barker (agent), were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that a condition for the roof lantern would be required, as set out below. The Panel reviewed what would be permissible to construct using permitted development rights. The Panel then voted on and agreed to add an additional condition seeking obscured glass of the windows and doors within the angled side elevations, 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 Coombs, B Harris, L Harris, Mitchell, Murphy and Savage

AGAINST: Councillor Wilkinson

RESOLVED that planning permission be approved subject to the conditions set out within the report and any additional or amended conditions set out below:

Additional Conditions

Prior to its installation on the roof of the extension hereby approved, full details of the design and materials of the roof lantern, including its footprint on the roof and its height, shall be agreed in writing with the Local Planning Authority. The lantern shall then be installed in accordance with the approved plans.

REASON. In the interests of visual amenity and the character of the building.

Further additional condition added: The top two rows of glazing of the windows and doors within the angled side elevations of the extension hereby approved shall be installed using obscure glazing to a minimum level 3 obscurity and thereafter permanently retained in that condition.

REASON. To protect the neighbours from perceived overlooking of their rear garden areas.