
PLANNING AND RIGHTS OF WAY PANEL
MINUTES OF THE MEETING HELD ON 24 NOVEMBER 2020

Present: Councillors Mitchell (Chair), Coombs (Vice-Chair), L Harris, Prior, Savage, Windle and Bell

Apologies: Councillors Vaughan

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

It was noted that following receipt of the temporary resignation of Councillor Vaughan from the Panel, the Service Director Legal and Business Operations acting under delegated powers, had appointed Councillor Bell to replace them for the purposes of this meeting.

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

RESOLVED: that the minutes for the Panel meeting on 3rd November 2020 be approved and signed as a correct record.

34. **OBJECTION TO THE SOUTHAMPTON (32 HOLLY HILL) TREE PRESERVATION ORDER 2020**

The Panel considered the report of the Executive Director of Place Communities regarding an objection to the Southampton (32 Holly Hill) Tree Preservation Order 2020.

Nazira Ahmed (objector) was present and with the consent of the Chair, addressed the meeting.

The Panel considered the report of the officer along with the statement of the objector and understood that the intention was to only make safe the tree as required without a bureaucratic process. Having considered the report together with the testimony of the objector the Panel voted to support the officer's recommendation unanimously.

RESOLVED that the Panel confirmed the Southampton (32 Holly Hill) Tree Preservation Order 2020.

35. **PLANNING APPLICATION - 20/00741/FUL - REAR OF SOUTHERN HOUSE AND 4-6 SIR GEORGES ROAD**

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

Redevelopment of land following demolition of existing building to erect a terraced block of 3 x 3-bed houses and 3 storey block containing 11 flats (7 x 2-bed, 3 x 1-bed and 1 x studio) with associated parking and cycle/refuse storage.

Simon Letts and Colin Macqueen (local residents objecting), David Jobbins (agent), Rob King (applicant), and Councillor Shields (ward councillor) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported to the Panel that:

- Hedgehogs were protected under schedule 6 of the Wildlife and Countryside Act 1981 so no requirement for mitigation on impact to habitat or need to survey on site.
- The Applicant had confirmed Southern Water were unable to confirm whether the sewer is present on site. It was explained that this was not a significant constraint to development coming forward to Panel and could be resolved with the addition of a planning condition, as set out below.
- That the Section 106 would require amendment following the Applicants commitment to reappraise the affordable housing contribution viability at the sales completion stage and once the actual costs and values of site were known. This was in addition to the standard affordable housing S106 clause, as set out below, to reappraise viability if the build programme deadline is not met.

Following questioning by the Panel Officers agreed to amend conditions relating to landscaping, cycle facilities and bin storage 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 Head of Planning and Economic Development to grant planning permission. Upon being put to the vote the recommendation was carried.

RECORDED VOTE to grant planning permission.

FOR: Councillors Mitchell, Coombs Bell, Prior and Windle

AGAINST: Councillors L Harris and Savage

RESOLVED that the Panel:

- (i) confirmed the Habitats Regulation Assessment set out in Appendix 1 of the report.
- (ii) Delegated approval to Head of Planning and Economic Development to grant planning permission subject to any amendments set out below and 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 or s.278 agreements including any associated Traffic Regulation Orders 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. In addition to the Council's standard viability clauses where a fresh assessment is undertaken if they exceed their build programme, a completion viability will be undertaken – if either show a surplus then the Council will require an offsite contribution towards affordable housing under policy CS15 of the Core Strategy;

- c. 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.
 - 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. 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 2017.
 - g. No eligibility for occupiers to obtain parking permits under Residential Parking Scheme.
- (iii) That authority be delegated to the Head of Planning & Economic Development to add, vary and /or delete relevant parts of the Section 106 agreement and/or conditions as necessary. In the event that the legal agreement is not completed within a reasonable period following the Panel meeting, the Head of Planning & Economic Development be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.

Amended Conditions

07. Landscaping, lighting & means of enclosure detailed plan (Pre-Commencement)

Notwithstanding the submitted details, before the commencement of any site works a detailed landscaping scheme and implementation timetable shall be submitted to and approved by the Local Planning Authority in writing, which includes:

- i. proposed finished ground levels or contours; means of enclosure; hard surfacing materials; external lighting;
- ii. ii. planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate. This shall include native and/or ornamental species of recognised value for wildlife;
- iii. detailed specification of the green roof areas to be provided on the cycle/bin store and first floor terraces biodiverse mix is used, to include wildflowers as well as sedum to provide greater benefits for wildlife
- iv. details of any proposed boundary treatment, including retaining walls and gated car park entrance for block B to include a lock system operated by a coded key pad or alternative communal key system for the benefit of the residents of block A and B to access. No front boundary is to exceed the height of 600mm in order to secure pedestrian and vehicular sightlines;
- v. v. details of secure pedestrian gates at the rear of gardens of block A and;
- vi. a landscape management scheme.

The approved hard and soft landscaping scheme (including parking and means of enclosure and access for residents of block A and B) for the whole site shall be carried out prior to occupation of the dwellings or in relation to the landscaping works during the first planting season following the full completion of building works, whichever is sooner. The approved scheme implemented shall be maintained for a minimum period of 5 years following its complete provision. The other works approved including the access for residents of block A across the land of block B shall be retained for the duration of the development.

Any trees, shrubs, seeded or turfed areas which die, fail to establish, are removed or become damaged or diseased, within a period of 5 years from the date of planting shall be replaced by the Developer in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation. The Developer shall be responsible for any replacements for a period of 5 years from the date of planting.

REASON: In the interests of highways safety. To enhance the biodiversity of the site and improve the appearance of the site and enhance the character of the development in the interests of visual amenity, to ensure that the development makes a positive contribution to the local environment and, in accordance with the duty required of the Local Planning Authority by Section 197 of the Town and Country Planning Act 1990. To ensure residents of block A secure and retain access across the land of block B to and from the Shirley Road entrance to allow the terraced dwellings convenient access to store cycles in their gardens to promote sustainable travel.

18. Euro Bin Storage Block B (Pre-Occupation)

Notwithstanding the approved plans submitted, prior to the occupation of block B hereby approved, details of storage for refuse and recycling, together with the access to it and a private collection management plan, shall be submitted to and approved in writing by the Local Planning Authority. This shall include the separation from the cycle store and relocation of a freestanding bin store within the site closer to the courtyard parking area. In particular, the specification of the refuse storage shall include:-

- i. The bin store shall be constructed of masonry under a suitable weatherproof roof, with adequate ventilation. The collection doors are to be of sturdy construction and hinged to open outwards with a minimum opening of 1.4m wide, to have level access avoiding thresholds, and install a lock system operated by a coded key pad or alternative communal key system on the refuse store door and any gated car entrance approved under condition 7 for block B for the benefit of the residents of block A and B to access. It must be possible to secure the doors open whilst moving the bins.
- ii. Internal lighting to operate when doors are open, and a tap and wash down gulley to be provided, with suitable falls to the floor.
- iii. Internal doors/walls/pipework/tap/conduits to be suitably protected to avoid damage cause by bin movements.
- iv. The access path to the bin store shall be constructed to footpath standards and to be a minimum width of 1.5m.
- v. The gradient of the access path to the bin store shall not exceed 1:12 unless suitable anti-slip surfacing is used, and still shall not exceed 1:10.

- vi. A single dropped kerb to the adjacent highway will be required to access the refuse vehicle with the Euro bin.

The storage shall be provided in accordance with the agreed details before block B is first occupied and thereafter retained as approved. Unless otherwise agreed by the Local Planning Authority, except for collection days only, no refuse shall be stored outside the approved store.

REASON: In the interests of visual amenity, the amenities of future occupiers of the development and the occupiers of nearby properties and in the interests of highway safety. To improve access for residents and refuse collection operators and to increase separation from neighbouring residential properties. To ensure residents of block A secure and retain access across the land of block B to and from the Shirley Road entrance to allow the terraced dwellings convenient access to store cycles in their gardens to promote sustainable travel.

21. Cycle storage facilities (Pre-Occupation Condition)

Notwithstanding the approved plans submitted, before the development hereby approved first comes into occupation, secure and covered storage for bicycles for block A and B shall be provided in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. This shall include details of the provision of internal horizontal stands to secure each cycle, entrance locking system for residents, and specification of internal and external lighting to be fitted. The cycle store for block B shall be freestanding and separate to the refuse store, and a lock system installed to be operated by a coded key pad or alternative communal key system on any gated car park entrance approved under condition 7 for block B for the benefit of the residents of block B and block A to access. The storage shall be thereafter retained as approved.

REASON: To encourage cycling as an alternative form of transport. To ensure residents of block A secure and retain access across the land of block B to and from the Shirley Road entrance to allow the terraced dwellings convenient access to store cycles in their gardens to promote sustainable travel.

36. PLANNING APPLICATION - 20/00708/OUT - LAND BETWEEN EVANS STREET/LIME STREET

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

Erection of a 5-15 storey 268-bed hotel (Use Class C1) with detached two-storey duplex hotel suite and associated car parking (Outline application seeking approval for ACCESS, LAYOUT and SCALE) (amended)

Simon Reynier (City of Southampton Society, Shaun Adams (applicant) and Gareth Hooper (agent) were present and with the consent of the Chair, addressed the meeting. Additionally, the Panel noted the apologies of the Ward Councillors and from the two members of public who had registered but were unable to attend

The presenting officer reported that there was a need to amend the recommendation to confirm the Habitat Regulation Assessment (HRA), The officer explained that the HRA required amendment to remove all reference to New Forest recreation disturbance mitigation and sought approval to delegate approval to the Head of Planning and

Economic Development to confirm the Assessment. The Panel noted that officers wished to add terms to the Section 106 for a Travel Plan, a Construction Traffic Management Plan and Public Art (as set out below)

The Panel then considered the recommendation to delegate authority to the Head of Planning and Economic Development to grant planning permission. Upon being put to the vote the recommendation was carried.

RECORDED VOTE to grant planning permission.

FOR: Councillors Bell, Coombs, L Harris, Prior and Mitchell

AGAINST: Councillors Savage and Windle

RESOLVED that the Panel:

- (i) Delegated authority to the Head of Planning and Economic Development to confirm the Habitats Regulation Assessment set out in Appendix 2 of the report following the removal all reference to New Forest recreation disturbance mitigation.
- (ii) Delegated authority to the Head of Planning and Economic Development to grant planning permission subject to the amendments set out below and 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 or provision through a s.278 agreement 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. Submission, approval and implementation of a CCTV network that can be linked into and/or accessed by the Council and its partners;
 - g. Submission of a scheme of works and management plan for the areas around the site accessible to the public;

- h. Clause to define the apart-hotel rooms with a maximum period of occupancy to ensure the apart-hotel rooms fall within planning use class C1.
 - i. Submission, approval and implementation of a Travel Plan for hotel staff;
 - j. Submission and implementation of a Construction Traffic Management Plan; and
 - k. Submission, approval and implementation of Public Art in accordance with the Council's Public Art Strategy, and the adopted SPD relating to 'Developer Contributions' (September 2013),
- (iii) In the event that the legal agreement is not completed within a reasonable period following the Panel meeting, the Head of Planning and Economic Development be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.
- (iv) That the Head of Planning and Economic Development be given delegated powers to add, vary and /or delete relevant parts of the Section 106 agreement and/or conditions as necessary.

37. **PLANNING APPLICATION - 20/01160/FUL - COSTCO PETROL STATION, REGENTS PARK ROAD**

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

Implementation of planning permission 17/02525/FUL not in accordance with condition 8 (hours of use). Variation of condition 8 to allow for earlier opening hours for customers Monday-Saturday only (06:00) and to allow unrestricted deliveries every day between 07:00 - 21:00 – description amended following validation.

Danny Simmonds (RPS Planning Consultant) and Clive Bentley (Sharps Redmore Acoustic Consultant) were present and with the consent of the Chair, addressed the meeting. In addition statements from Mr and Mrs Nyman and Councillor S Galton were circulated to the Panel in advance and read at the meeting.

The Panel then considered the recommendation to grant conditional planning permission. 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.

38. **PLANNING APPLICATION - 20/00862/FUL - SHIRLEY JUNIOR SCHOOL - BELLEMOOR ROAD**

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

Erection of play equipment in school playing ground and Installation of 3.7m High Wire Mesh Fence.

The Panel received a statement on behalf of the residents from numbers 1-5 Moorlands Road which was circulated to the Panel and paraphrased at the meeting.

Stefan Bleeck (Governor of Shirley Junior School) was present and with the Consent of the Chair addressed the meeting.

The Panel then considered the recommendation to grant conditional planning permission. 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.

39. **QUARTERLY DEVELOPMENT MANAGEMENT FIGURES**

The Panel considered and noted the report of the Head of Planning of Economic Development detailing the Planning Department's performance against key planning metrics.