
PLANNING AND RIGHTS OF WAY PANEL
MINUTES OF THE MEETING HELD ON 3 NOVEMBER 2020

Present: Councillors Mitchell (Chair), Coombs (Vice-Chair), L Harris, Prior, Savage (except Agenda item 6), Windle and Bell

Apologies: Councillors Vaughan

26. **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.

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

RESOLVED: that the minutes for the Panel meeting on 6 October 2020 be approved and signed as a correct record.

28. **PLANNING APPLICATION - 19/01145/FUL - MARITIME WALK, OCEAN VILLAGE**

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

Redevelopment of the site. Erection of a building ranging from 9 to 24-storeys to provide 199 flats with associated access, parking, cycle storage, substation and landscaping.

Dr Bridge – Chair Pacific Close Residents’ Association, Brett Spiller representing local businesses, Gavin Hall (agent), Tim Tolcher (architect), and Councillors Bogle, Noon and Paffey (Ward Councillors) were present and with the consent of the Chair, addressed the meeting.

In addition the Panel received and noted written representations from Mr and Mrs Braybrook, Mr Richardson (Chair of the Admirals Quay Apartment Residents’ Association and Johnathan Jarman from Bell Cornwell were circulated to the Panel and paraphrased at the meeting. The Panel noted that Kristi Roger representing the development company had encountered technical issues but, that her statement had been delivered by Gavin Hal.

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

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

Reasons for Refusal

01. Design & the effect on the character and appearance of the area

The proposed development would result in significant harm to the character and appearance of the area by reason of the following:

- (i) The bulk, excessive scale and massing of the development fails to relate to the prevailing scale and massing of buildings which immediately neighbour the site and results in a proposed building with bulky proportions that fails to create a pleasing landmark within Ocean Village. This having regard to the adopted Development Plan which does not support tall buildings in this location; promoting, instead, the location of landmark buildings on the waterfront in Ocean Village rather than this set-back site where policies require development to relate to the scale and mass of existing buildings within their context.
- (ii) The development would intrude into the clear space in the skyline around the Grade II Listed Royal Pier Entrance Building when viewed from Mayflower Park, lessening this building's dominance in this vista. Likewise, the development would impose upon the southern backdrop of the buildings located within Canute Road Conservation Area. The scale and mass of the new development, coupled with its standard high-rise design fails to create a visual benefit, to these elements which make up the historic character of the area. As such, the proposals would fail to preserve view/s to the nearby heritage asset/s that positively contribute/s to their setting and significance.
- (iii) The paucity of ground floor space or an appreciable setting to the building compounds the scale and massing of the development, resulting in a building which would appear cramped within the site and over-bearing within the streetscene. Furthermore, the ground floor of the development is dominated by servicing, particularly on its southern elevation failing to provide activity to the public realm.
- (iv) The loss of mature protected trees and the pollarding of remaining trees that would erode the soft landscape relief that the existing trees currently provide to an otherwise hard-landscape dominated area.
- (v) The elevational design and tripartite design approach lacks appropriate reference to local character or vernacular, appears bulky, monotonous and authoritarian, failing to achieve a locally distinctive form of development.

As such, in the opinion of the Local Planning Authority, the development would prove contrary to the provisions of policies AP16, AP17 and AP35 of the City Centre Action Plan Adopted Version March 2015, policies CS13 and CS14 of the Local Development Framework Core Strategy Development Plan Document Amended Version March 2015, policies SDP1, SDP12, HE1 and HE3 of the City of Southampton Local Plan Review Adopted Version 2nd Revision 2015 as supported by relevant sections of the Council's approved Residential Design Guide Supplementary Planning Document 2006 and the NPPF (2019) emphasis on securing high quality design.

02. Failure to enter into S106 agreement

In the absence of a completed Section 106 Legal Agreement, the proposals fail to mitigate against their direct impacts and do not, therefore, satisfy the provisions of Policy CS25 of the adopted Local Development Framework Core Strategy (2015) as

supported by the Council's Developer Contributions Supplementary Planning Document (2013) in the following ways:-

- i. Site specific transport works for highway improvements in the vicinity of the site which are directly necessary to make the scheme acceptable in highway terms have not been secured in accordance with Policies CS18, CS19, and CS25 of the Southampton Core Strategy (2015) and the adopted Developer Contributions SPD (2013);
- ii. The provision of affordable housing in accordance with Policies CS15, CS16 & CS25 of the Local Development Framework Core Strategy Development Plan Document - (Amended 2015) and the adopted SPG relating to Planning Obligations (August 2005 as amended) taking account of the viability position presented and assessed;
- iii. The provision of public art in accordance with policy CS25 of the Core Strategy and the adopted Developer Contributions SPD;
- iv. A Refuse Management Plan to address the storage and collection of waste from the development in accordance with the Residential Design Guide Supplementary Planning Document 2006;
- v. A Flood Management Plan to address the management of flood risks for future occupants of the development in accordance with policy CS23 of the Core Strategy;
- vi. In the absence of a mechanism for securing a (pre and post construction) highway condition survey it is unlikely that the development will make appropriate repairs to the highway, caused during the construction phase, to the detriment of the visual appearance and usability of the local highway network;
- vii. In the absence of Submission of a Training & Employment Management Plan committing to adopting local labour and employment initiatives, both during and post construction, in accordance with Policies CS24 and 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);
- viii. In the absence of a mechanism for securing 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) and;
- ix. In the absence of either a scheme of works or a contribution 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 and New Forest. 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.

29. **PLANNING APPLICATION - 19/01469/FUL - ITCHEN BUSINESS - KENT ROAD**

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

Change of use to storage and distribution (Use Class B8). Siting of a shipping container and re-siting of commercial waste bins (Retrospective).

Councillor Savage (ward councillor) was present and with the consent of the Chair, addressed the meeting.

In addition the Panel received a statement objecting to the application from Mr and Mrs Young, residents in Kent Road, that was circulated to the Panel and read out at the meeting. It was also noted that officers had received a request to present to the Panel by the applicant, joining instructions had been sent to the stated email address and then resent during the meeting but that no representative had joined the meeting.

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

RESOLVED that the Panel refused planning permission for the reasons set out below:

Reasons for Refusal

Impact on neighbouring business operations and sewage disposal associated with the Portswood Waste Water Treatment Works & highways safety.

On the basis of inadequate plans and supporting information, and owing to the proximity of the site to neighbouring businesses and the access to Portswood Waste Water Treatment Works; and the access into the parking area associated with the business park the Local Planning Authority is not satisfied that the proposed use can be adequately serviced by vehicles (in particular large articulated commercial vehicles) without obstructing access to other businesses and access to the Portswood Waste Water Treatment Works. The proposal therefore prejudices the operation of neighbouring businesses and the Waste Water Treatment Works and undermines the vitality and viability of Itchen Business Park. Failure to demonstrate safe vehicle tracking might also lead to servicing vehicles having to reverse back out onto Kent Road (and vice versa) which would also represent a highways safety hazard. There is also no confirmation that the development would have indefinite and unfettered access over the likely amount of space required within the private roads to perform the turning manoeuvre. As such the proposal is considered contrary to the provisions of Policies SPD1 (i) and TI 2 of the City of Southampton Local Plan Review (2015) and CS6 and Cs18 of the amended Local Development Framework Core Strategy Development Plan Document (2015); as supported by the NPPF (2019).

NOTE: Councillor Savage withdrew from the Panel for this item to make a presentation to the Panel as a Ward Councillor and withdrew from the meeting whilst the matter was debated.

30. **PLANNING APPLICATION - 20/01160/FUL - COSTCO - REGENTS PARK ROAD**

The Panel noted that this application would be deferred to enable further analysis of technical data prior to coming forward for decision.

31. **PLANNING APPLICATION - 20/00631/FUL - 59 BURGESS 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.

Application for variation of condition 3 (Drainage - retaining wall) of planning permission ref 19/01530/FUL to alter the proposed drainage system.

David Johnston and Gary Annetts (local residents/ objecting), were 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.

RECORDED VOTE to grant planning permission

FOR: Councillors Bell, Coombs, Mitchell, Prior, Savage and
Windle

AGAINST: Councillor L Harris

RESOLVED that planning permission be approved subject to the conditions set out within the report