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PLANNING AND RIGHTS OF WAY PANEL  
MINUTES OF THE MEETING HELD ON 14 DECEMBER 2021

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Present: Councillors L Harris (Chair), Prior (Vice-Chair), Coombs, Magee, Savage, Windle and J Payne

Apologies: Councillor Vaughan

44. **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 Head of Legal and Democratic Services, acting under delegated powers, had appointed Councillor J Payne to replace them for the purposes of this meeting.

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

**RESOLVED:** that the minutes for the Panel meeting on 23 November 2021 be approved and signed as a correct record.

46. **PLANNING APPLICATION - 21/00653/FUL - ITCHEN COLLEGE - MIDDLE 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.

Erection of a two-storey extension to the south elevation of Itchen College to provide 5 x classrooms and 2 x offices.

Alex Scott (applicant), and Councillor J Baillie (ward councillor) were present and with the consent of the Chair, addressed the meeting. In addition, the Panel noted that a statement from the Itchen Valley Residents' Association had been received, circulated and posted online.

The presenting officer reported that there had been additional comments received from a resident in St Aubins Avenue and the residents' association advising officers of concerns relating to car parking and the traffic survey. It was noted that the Council's Education Department had also responded with support for the scheme.

In addition, the presenting officer explained that reference to 'unless otherwise agreed in writing by the Local Planning Authority' would be required to be deleted from conditions 3, 5 and 8, 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 unanimously.

**RESOLVED** that the Panel:

- (i) Delegate approval to the 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. Either the developer enters into an agreement with the Council under s.278 of the Highways Act to undertake a scheme of works or provides a financial contribution 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 Developer Contributions SPD (April 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. Submission and implementation of a Travel Plan.
- (ii) That the Head of Planning and Economic Development be given delegated power 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 and Economic Development be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.

### **Amended conditions**

#### **3. OCCUPANCY RESTRICTION (Performance)**

The occupancy level of the College as whole shall not exceed 1585 students in line with the supporting information submitted as part of the application.

REASON: To ensure the development complies with the submitted parking impact assessment to prevent issues of highway safety.

#### **5. CONSTRUCTION MANAGEMENT PLAN (Pre-Commencement)**

Before any development or demolition works are commenced details shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Plan for the development. The Construction Management Plan shall include details of:

- (a) parking of vehicles of site personnel, operatives and visitors;
- (b) loading and unloading of plant and materials;
- (c) storage of plant and materials, including cement mixing and washings, used in constructing the development;
- (d) treatment of all relevant pedestrian routes and highways within and around the site throughout the course of construction and their reinstatement where necessary;
- (e) measures to be used for the suppression of dust and dirt throughout the course of construction;
- (f) details of construction vehicles wheel cleaning; and,
- (g) details of how noise emanating from the site during construction will be mitigated. The approved Construction Management Plan shall be adhered to throughout the development process.

REASON: In the interest of health and safety, protecting the amenity of local land uses, neighbouring residents, the character of the area and highway safety.

## **8. APPROVED PLANS**

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below.

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

### **47. PLANNING APPLICATION - 21/00708/FUL - 2-4 COBDEN AVENUE**

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.

Installation of a shipping container to accommodate hot food takeaway with associated stepped access from Whitworth Crescent.

Gurdeep Landa (applicant), and Councillor Fuller (ward councillor) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported a required change to the wording of conditions in the report, as set out below. It was noted that the officer would remove the wording unless 'otherwise agreed in writing with the Local Planning Authority' in Condition 2 and that the reason for Condition 8 of the consent had not been included within the panel report.

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 and any additional or amended conditions set out below.

## **02. APPROVED PLANS**

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below.

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

## **08. RESTRICTED USE**

The development hereby permitted shall only be used for the preparation and cooking of pizza and associated foods. All cooking shall be undertaken using a gas fired oven only as outlined in section 3.1 of the submitted Design and Access statement and demonstrated on the submitted plan MELT21001-4.

REASON: To protect the amenities of the occupiers of existing nearby properties.

### **48. PLANNING APPLICATIONS - 21/01527/FUL AND 21/00764/FUL - 30-32 ST MARYS PLACE**

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.

21/01527/FUL

Retrospective change of use to tyre retail and fitting centre (sui generis use)

21/00764/FUL

Retrospective canopy

Mr Mostafa Ahyai (applicant), was present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that there were no updates required to either of the applications. The Panel then considered the recommendations to grant conditional planning permissions for the two applications. Upon being put to separate votes the recommendations were carried unanimously.

**RESOLVED :**

21/01527/FUL

Retrospective change of use to tyre retail and fitting centre (sui generis use)

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

21/00764/FUL

Retrospective canopy

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

49. **PLANNING APPLICATION - 21/01402/FUL - 158-160 SHIRLEY 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.

Part demolition of existing buildings for conversion from Retail unit and workshop (Class E Use) to form 3 dwellings (2 x 2 bed, 1 x 4 bed) and erection of 1 x 3 bed dwellings with associated works (Description Amended on 09.11.21 - reduction of 1 dwelling fronting Lisbon Road)

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

The presenting officer reported that an additional condition was required, as set out below.

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

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 Prior, Coombs, Magee, Savage and J Payne

AGAINST: Councillor L Harris

**RESOLVED** that the Panel:

1. confirmed the Habitats Regulation Assessment set out in Appendix 1 of the report.
2. Delegated to the Head of Planning and Economic Development to grant planning permission subject to the planning conditions recommended at the end of this report; the amended condition set out below; and the completion of a S.106 Legal Agreement to secure:
  - Contribution towards the Solent Disturbance Mitigation Project to mitigate impact on European designated sites due to an increase in recreational disturbance.
3. That the Head of Planning and Economic Development be delegated powers 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 and Economic Development be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.

**Additional Condition**

**STOP UP ACCESS (Pre-occupation)**

Prior to the first occupation of the dwellings hereby approved, the existing lowered kerb access(es) from the site to Shirley Road and Lisbon Road shall be permanently stopped up with a raised kerb.

REASON: In the interests of highway safety.

Informative

The applicant is advised that the future residents will not be eligible for parking permits.

50. **PLANNING APPLICATION - 21/01383/FUL - 217 BASSETT AVENUE**

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 a single-storey rear extension (resubmission: 21/00860/FUL)

The presenting officer reported that there no update required. 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.