
PLANNING AND RIGHTS OF WAY PANEL
MINUTES OF THE MEETING HELD ON 9 JANUARY 2018

Present: Councillors Denness (Chair), Savage (Vice-Chair), Barnes-Andrews, Claisse, Hecks, Murphy and Houghton

Apologies: Councillors Wilkinson

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

It was noted that following receipt of the temporary resignation of Councillor Wilkinson from the Panel, the Service Director Legal and Governance acting under delegated powers, had appointed Councillor Houghton 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 5th December 2017 be approved and signed as a correct record.

46. **PLANNING APPLICATION - 17/01570/FUL - CENTENARY QUAY, VICTORIA ROAD**

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.

Re-development of the site to provide an industrial building for the manufacture and testing of prototype wind turbine composite blades (Class B1(b) and B2 - 24 hour operation) with ancillary office accommodation, storage, access and parking, landscaping and fencing; including replacement means of enclosure along Wharf Road (total floor space of 11,633 square metres) (Major Environmental Impact Assessment Development follows permissions 08/00629/FUL and 16/01108/FUL).

Clive Hillman, Annette McCall, Charles Pickering, James Burton, Hayley Burgess, Tony Luckhurst, Simon Reyner (local residents/ objecting), Mark Noonan, Robert Sanders, Harry Hutchinson (applicant), Simon Read (architect), Councillors Hammond and Payne (Ward Councillors/ objecting) and Councillor Letts were present and with the consent of the Chair, addressed the meeting.

The Panel noted the comments of Councillor Fitzhenry regarding the scale and massing of the development.

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 Denness, Hecks and Savage
AGAINST: Councillors Claisse and Houghton
ABSTAINED: Councillors Barnes-Andrews and Murphy

RESOLVED that the Panel:

- (i) confirmed the Habitats Regulation Assessment set out in Appendix 1 of the report.
- (ii) Delegated approval to the Service Lead – Planning, Infrastructure and Development Manager to grant planning permission subject to:
 - No objections being received from the Council’s Highways Officer, following consultation with Hampshire County Council, to the amended Transport Assessment (December 2017) with particular regard to the off-site abnormal loads and associated routing to the motorway;
 - Agreement of an alternative enforceable trigger for the delivery of pontoons and berths for historic ships and a possible water taxi (currently linked to buildings P3 and L, which would no longer form part of the scheme if this proposed layout is acceptable) secured through the s.106 associated with extant permission 08/00389/OUT;
 - The submission of a telecoms, wind and microclimate assessment and scheme of mitigation for dealing with any undue risks caused by this tall building; and
 - the completion of a S.106 Legal Agreement to secure:
 - i. Either a s.278 Agreement to undertake agreed works within the highway or a financial contribution and other highway obligations, including Traffic Regulation Orders (where necessary) towards site specific transport improvements in the vicinity of the site in line with policies SDP4 and TI2 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) linked to those works agreed under 08/00629/FUL with additional works to Wharf Road to accommodate larger vehicles;
 - ii. 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;
 - iii. 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);
 - iv. The submission, approval and implementation of a Carbon Management Plan setting out how carbon neutrality will be achieved and/or how remaining carbon emissions from the development will be mitigated in accordance with Policy CS20 of

- v. Submission and implementation of a Construction Traffic Management Plan;
 - vi. Submission and implementation of an Operational Phase Lorry Routing Agreement to limit HGV traffic within residential streets;
 - vii. Submission and implementation of a Staff Travel Plan; and
 - viii. A public art scheme to comply with s.6.4 of the Council's adopted Developer Contributions SPD (April 2013)
- (iii) In the event that the legal agreement is not completed within a reasonable period following the Panel meeting, the Service Lead- Planning Infrastructure and Development be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.
- (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.

47. **PLANNING APPLICATION - 17/00750/FUL - 128-130 WEST END ROAD**

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. Erection of 10 x 3-bed, 2-storey dwellings with accommodation in roof space, in a terrace block of 5, a terrace block of 3 and 2 x semi-detached, with associated car port, parking and cycle/refuse storage, following demolition of existing public house (amended description).

Allan Lloyd, Michelle Baker, Andrea Fox (local residents/ objecting), David Bevan (agent), and Councillor Letts (objecting) were present and with the consent of the Chair, addressed the meeting.

The Panel 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 lost.

A further motion to refuse to delegate planning permission for the reasons set out below was then proposed by Councillor Denness and seconded by Councillor Hecks was carried unanimously.

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

Reasons for Refusal

1. Site Overdevelopment

The proposed redevelopment represents an overdevelopment of the site by reason of a residential layout and design that fails to respond to the established pattern of development within the locality, is reliant upon a significant amount of building and hardstanding (in excess of 50% of the site), fails to meet the Council's standards in respect of useable amenity space; particularly in respect of Units 1-3, but also in terms of usability for Units 8-10 given the boundary planting and subsequent shade, and which

proposes car parking in close proximity to the main living space of Units 8-10 to the detriment of these residents' amenity in terms of noise, disturbance and headlight glare. As such, the application is considered to fail the requirements of Local Plan Review (Amended 2015) policies SDP1(i) and SDP7 as supported by Policy CS13 of the adopted Local Development Framework Core Strategy (2015) and the relevant paragraphs from the Council's approved Residential Design Guide SPD (2006); with particular reference to sections 3.9 and 4.4 and paragraph 2.3.14.

2. Lack of Section 106 agreement to secure planning obligations.

In the absence of a Section 106 agreement the development fails to mitigate its impact in the following areas:

- i Contributions towards site specific transport 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 Developer Contributions (April 2013); and
- ii. 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; and
- iii. Contributions or otherwise towards a scheme of measures that mitigate against the impacts of the development on the Solent Special Protection Area as required by LDF Core Strategy (Amended 2015) policies CS22 and CS25; and
- iv. An Employment Training and Skills Plan to secure local employment initiatives during the construction phase as required by LDF Core Strategy Policy CS24.