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PLANNING AND RIGHTS OF WAY PANEL  
MINUTES OF THE MEETING HELD ON 13 NOVEMBER 2018

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Present: Councillors Savage (Chair), Coombs (Vice-Chair), Claisse (except minute number 40), L Harris, Mitchell, Murphy and Wilkinson

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

**RESOLVED:** that the minutes for the Panel meeting on 9 October 2018 be approved and signed as a correct record.

37. **PLANNING APPLICATION - 18/00823/FUL - THORNHILL YOUTH CENTRE**

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 to provide a three storey building comprising of 12 x 2 bed flats and the erection of 5 x 3 bed houses with associated car parking, bin/refuse, cycle storage and landscaping.

Doug Chancellor, Rob Stummer and Barry Cooper (local residents objecting), Kieran Amery (agent), and Councillor Streets (Ward Councillor objecting) were present and with the consent of the Chair, addressed the meeting.

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 Savage, Coombs, Claisse and Mitchell

AGAINST: Councillors L Harris, Murphy and Wilkinson

**RESOLVED** that the Panel:

- (i) confirmed the Habitats Regulation Assessment set out in Appendix 2 of the report.
- (ii) Delegated approval to the Service Lead – Planning, Infrastructure and Development Manager to grant planning permission subject to 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); and
  - f. Off-site affordable housing contribution based on the DVS Viability Assessment dated 21st September 2018 in accordance with Policies CS15, CS16 & 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).
- (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.

38. **PLANNING APPLICATION - 17/01683/FUL - 119-122 HIGH STREET**

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.

Demolition of existing buildings and re-development of the site with a 5 - 6 storey building to accommodate 188 student bedrooms in the form of 18 cluster flats with associated communal facilities, management office and cycle store; 4 separate retail units; vehicular, pedestrian and cycle access; access for adjoining properties, and landscaping.

David Bayliss, Theresa Gover, Jeff Nibblett, John Wright, Jean Willis and Charlotte Gunn (local residents objecting), Peter Atfield (agent) were present and with the consent of the Chair, addressed the meeting.

The presenting officer requested that an additional clause within the section 106 legal agreement relating to an accredited management scheme for the development. In response to questions from the Panel, officers agreed to add a further clause to the section 106 legal agreement seeking a financial contribution towards off-site tree replacement. The Panel also requested that an amendment to conditions for the provision of laundry facilities and that an additional condition be added for cycle storage facilities, details 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 unanimously.

**RESOLVED** that the Panel:

- (i) confirmed the Habitats Regulation Assessment set out in Appendix 3 of the report.
- (ii) Delegated approval to the Service Lead – Planning, Infrastructure and Development Manager 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 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 lieu of an affordable housing contribution an undertaking by the developer that only students in full time education be permitted to occupy the development.
  - 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. Restrictions to prevent future occupiers benefitting from parking permits in surrounding streets. No student, with the exception of registered disabled drivers, shall be entitled to obtain parking permits to the Council's Controlled Parking Zones.
  - g. The submission and implementation of a Construction Management Plan which includes the routing of construction traffic and timing of deliveries to avoid peak hours.
  - h. Submission and implementation of a Waste Management Plan.
  - i. Submission and implementation of a Travel Plan.
  - j. Submission and implementation of a Public Route Management Plan.
  - k. Submission, details and implementation of a turning area.
  - l. Financial contributions towards Solent Disturbance Mitigation in accordance with policy CS22 (as amended 2015) of the Core Strategy and the Conservation of Habitats and Species Regulations 2010;
  - m. Submission, approval and implementation of a 'Student Intake Management Plan' to regulate arrangements at the beginning and end of the academic year;

- n. Submission, approval and implementation of a CCTV network that can be linked into and/or accessed by the Council and its partners (if required); and
  - o. Submission, details and implementation of a scheme of public art.
- (iii) That the Service Lead – Infrastructure, Planning & Development be given delegated powers to add, vary and /or delete relevant parts of the Section 106 agreement and/or conditions as necessary.
- (iv) In the event that the legal agreement is not completed within a reasonable period following the Panel meeting, the Service Lead-Infrastructure, Planning & Development be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement. In the event that the scheme’s viability is tested prior to planning permission being issued and, following an independent assessment of the figures, it is no longer viable to provide the full package of measures set out above then a report will be brought back to the Planning and Rights of Way Panel for further consideration of the planning application.
- (v) 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.
- (vi) 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.

Additional clauses to the Section 106 legal agreement

- p. The student housing scheme to be bound by the terms of the Southampton Accreditation Scheme (or an alternative scheme as may be approved by the Council in writing).
- q. A financial contribution towards off-site tree replacement to secure 2 no. Lime Trees within the Bargate Ward.

Amended conditions

27 PROVISION AND RETENTION OF ANCILLARY FACILITIES (PERFORMANCE CONDITION)

The ancillary facilities for the student accommodation as shown on the approved plans, to include the communal lounges, communal recreation area (basement), gym, student leisure/café, **laundry**, bin and cycle storage; and associated external amenity spaces, shall be provided in accordance with the approved plans before the residential accommodation is first occupied and retained thereafter for the duration of the use of the building as student accommodation. Suitable lift access shall be provided to the basement during the lifetime of the development in accordance with the approved plans.

REASON: In the interests of the amenities of future occupiers of the building.

Additional Conditions

CYCLE STORAGE FACILITIES (PRE-COMMENCEMENT CONDITION)

Before the development hereby approved first comes into occupation, secure and covered storage for bicycles shall be provided in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The storage shall be thereafter retained as approved.

REASON: To encourage cycling as an alternative form of transport.

#### LAUNDRY FACILITIES (PRE-COMMENCEMENT CONDITION)

Prior to the commencement of groundworks, details of laundry facilities for the student accommodation hereby approved shall be first submitted to and approved in writing by the Local Planning Authority. The laundry facilities shall be installed prior to first occupation and thereafter retained as approved.

REASON: To ensure adequate communal laundry facilities are provided on site to meet the day to day needs of the student accommodation hereby approved.

### 39. **PLANNING APPLICATION - 18/01442/FUL - 10 OAKMOUNT 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.

Alterations to site frontage including partial demolition of existing wall and provision of extended hard standing area to facilitate on site car parking (Part retrospective)

Dr Rafia Deader (applicant) and Jerry Gillen (Highfield Residents Association - supporting) were present and with the consent of the Chair, addressed the meeting.

The presenting officer detailed the need for an amendment to the condition setting out a time frame for the completion of the work, as set out below. In addition the Panel requested an additional condition in regard to the drop kerb, 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 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:

#### Amended condition

##### APPROVED PLANS

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below, with the works completed within 3 months from the date of this decision unless otherwise agreed in writing with the Local Planning Authority.

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

#### Additional Condition

##### DROPPED KERB

A dropped kerb to highway standards shall be installed to serve the access prior to the first use of the parking space hereby approved for its intended purpose. The dropped kerb shall be retained thereafter.

REASON: In the interests of highway safety

NOTE: Councillor Claisse declared an interest and withdrew from the Panel for this item.

40. **PLANNING APPLICATION - 18/01483/ FUL - 100 SPRING 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.

Change of use of shop (Class A1) to hot food takeaway (Class A5) with the installation of an extractor flue to rear.

Mr H Rose (local resident objecting) and Councillor Houghton (ward councillor objecting) were present and with the consent of the Chair, addressed the meeting.

The presenting officer confirmed that the Council's environmental health team had visited the premises and had raised no objection to the application. In response to concerns regarding the storage of waste within the area an additional condition was added, 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 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:

**Additional condition**

7. Refuse & Recycling (Performance)

Before the development hereby approved first comes into occupation the storage for refuse and recycling shall be provided in accordance with the plans hereby approved and thereafter retained as approved. The bins associated with this development shall only be moved to the site frontage on collection day, after which they shall be returned to the side access as shown on the approved drawings where they shall be kept for the remainder of the week.

Reason: In the interest of visual and residential amenity.

41. **QUARTERLY DEVELOPMENT MANAGEMENT FIGURES**

The Panel considered and noted the report of the Service Lead - Infrastructure, Planning and Development detailing the Planning Department's performance against key planning metrics.