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PLANNING AND RIGHTS OF WAY PANEL  
MINUTES OF THE MEETING HELD ON 27 AUGUST 2019

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Present: Councillors Savage (Chair), Mitchell (Vice-Chair), Coombs, G Galton, L Harris, Vaughan and Windle

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

**RESOLVED:** that the minutes for the Panel meeting on 6<sup>th</sup> August 2019 be approved and signed as a correct record.

24. **PLANNING APPLICATION - 18/01532/FUL - 73, THE AVENUE**

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. Demolition of existing buildings and construction of Class A1 foodstore with associated parking, landscaping and access works.

Simon Reynier -City of Southampton Society, John Morgan, Brian Medham, Pat Usher, Stephen Evans and Susan Swallow -Outer Avenue Residents Association (local residents/ objecting), James Mitchell (agent), and Councillors Leggett and Shields (ward councillors) were present and with the consent of the Chair, addressed the meeting.

The Panel noted the amended list of conditions circulated by the presenting officer and posted online. A concern was raised by Members in regard to the access and egress to the site by car, especially by those wishing to turn right into Banister Road when exiting the site. Officers agreed to amend to recommendation, as set out below. Additional concern was raised with regard to the provision of safe cycling and pedestrian facilities on entering the site and it was noted that the Section 106 legal agreement would address these concerns with the development and approval of a Travel Plan. The Panel requested that conditions relating to the provision of charging points for electric cars and the hours of use and delivery be amended, as set out below. In addition the Panel requested that officers use the BREEAM standard conditions listed as conditions 23 and 24 to ensure that the feasibility of a range of environmental measures are fully investigated.

The Panel then considered the recommendation to delegate authority to the Service Lead: Infrastructure, Planning and Development to grant planning permission.

Upon being put to the vote the recommendation was carried unanimously.

**RESOLVED** that the Panel:

- (i) Delegate authority to the Service Lead – Infrastructure, Planning and Development to grant planning permission subject to: agreeing further plans addressing access to and egress from the site; the amended planning conditions circulated prior to the start of the meeting and posted online; the

amended conditions 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 including the provision of a right turn lane and improvements to sustainable travel links to 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. Submission, approval and implementation of a Travel Plan;
  - d. Submission, approval and implementation of a Servicing Management Plan including the routing of HGVs that service the store;
  - e. Submission, approval and implementation of a Construction Management Plan;
  - f. Submission, approval and implementation of a Site Waste Management Plan;
  - g. 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); and
  - h. 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).
- (ii) That the Service Lead – Infrastructure, Planning and Development be given delegated powers to add, vary and /or delete relevant parts of the Section 106 agreement and/or conditions as necessary.
- (iii) In the event that the legal agreement is not completed within a reasonable period following the Panel meeting, the Service Lead-Infrastructure, Planning and Development be delegated authorisation to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.

### **Amended Conditions**

#### **25.Electric Vehicle Charging Points (Pre-Commencement Condition)**

Prior to commencement amended plans detailing the location of electric charging points (covering at least two parking spaces) within the proposed car parking shall be submitted to and be approved in writing by the Local Planning Authority unless agreed otherwise in writing. The approved scheme shall be implemented and maintained in perpetuity unless agreed otherwise in writing by the Local Planning Authority.

REASON: To combat the effects of climate change and reduce the emission of pollutants in accordance with policy CS20

**37. Hours of Use & Delivery (Performance Condition)**

The food store hereby approved shall not operate outside of the hours hereby set out:

- 7am to 10pm (Monday to Saturday - including recognised Public Holidays) and
- 10am and 5pm (Sundays)

No deliveries shall be taken or despatched outside the hours hereby set out:

- 7am to 11pm (Monday-Saturday - including recognised Public Holidays);
- 9am to 8pm (Sundays)

REASON: In the interests of existing and proposed residential amenity.

**NOTE:** Councillor Windle declared that as a newly elected Freemantle Councillor she had not be previously been involved in this matter and did not withdraw from the meeting.

Chair



17 September 2019