
PLANNING AND RIGHTS OF WAY PANEL
MINUTES OF THE MEETING HELD ON 20 FEBRUARY 2024

Present: Councillors Savage (Chair), J Baillie, Beaurain, Cox, A Frampton, Greenhalgh and Mrs Blatchford

Apologies: Councillor Windle

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

The Committee noted the apologies of Councillor Windle and the appointment of Councillor Mrs Blatchford as representative for the purposes of the meeting.

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

RESOLVED: that the minutes for the Panel meetings held on 23 January 2024 be approved and signed as a correct record.

50. **OBJECTION TO THE CONFIRMING OF THE SOUTHAMPTON (DVSA GREEN LANE) TREE PRESERVATION ORDER 2023.**

The Panel considered the report of the Executive Director of Place seeking confirmation of the Southampton (DVSA Green Lane) Tree Preservation Order 2023.

No members of public or ward councillor were in attendance and there were no updates presented to the Panel.

Upon being put to the vote the officer recommendation to confirm the tree preservation order was carried unanimously.

RESOLVED that the Panel confirm the Southampton (DVSA Green Lane) Tree Preservation Order 2023.

51. **MARLHILL COPSE TREE WORK APPLICATION 23/00060/TPO**

The Panel considered the report of the Executive Director of Place detailing a tree work application to reduce the height of trees at Marlhill Copse.

Steve Thurston, Head of Planning & Development, AGS Airports Ltd (agent) in support of the application on behalf of Southampton International Airport was present and with the consent of the Chair, addressed the meeting. Cllr T Bunday (Ward Councillor) had submitted a statement, which was circulated and read before the meeting.

No updates were reported. The Panel considered the officer recommendation to refuse consent for all work within the application. Upon being put to the vote the officer recommendation was carried unanimously.

RESOLVED that the Panel refused the application.

52. **TREE WORK APPLICATION 23/00281/TPO**

The Panel considered the report of the Head of City Services.

Frank Spooner, Operations Director SJA Trees (agent) was present and with the consent of the Chair, addressed the meeting. Comments were received from the Historic Environment Officer and circulated to the Panel before the meeting.

No updates were reported. The Panel considered the officer recommendation and upon being put to the vote the officer recommendation was carried unanimously.

RESOLVED that the Panel:

- (i) Refuse the felling of the Monterey pine numbered 97 on the plan and listed in recommendation (i); and
- (ii) Approve the felling of the trees listed in recommendation (ii) to (xv)

53. **PLANNING APPLICATION - 23/01352/FUL - 89 KINGSLEY ROAD**

The Panel considered the report of the Head of Transport and Planning in respect of an application for planning permission for the proposed development at the above address recommending that the application be conditionally approved subject to the criteria listed in the report.

Change of use from a dwelling house (class C3) to a house in multiple occupation (HMO, class C4).

Mr John Asiamah (applicant/supporter) and Councillor Shields (ward councillor/objecting) were present and with the consent of the Chair, addressed the meeting. In addition, the Panel noted that statements had been received, circulated, read, and posted online from local residents Lorraine Barter and Stewart Morris.

The presenting officer reported no updates to the recommendation.

The Panel then considered recommendation that the application be conditionally approved subject to criteria listed in the report. Upon being put to the vote the recommendation was carried.

RECORDED VOTE

FOR:	Councillor/s J Baillie, Beaurain, Cox, Blatchford, Greenhalgh, Savage.
ABSTAINED:	Councillor Frampton

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

54. **PLANNING APPLICATION - 23/00649/FUL - OLLECO, ROYAL CRESCENT ROAD**

The Panel considered the report of the Head of Transport and Planning in respect of an application for planning permission for the proposed development at the above address

recommending that authority be delegated to the Head of Transport and Planning to grant planning permission subject to the criteria listed in the report.

Redevelopment of the site. Demolition of existing buildings and construction of new buildings of up to 17 storeys to provide co-living accommodation comprising up to 397 private studio rooms with associated access, internal and external amenity spaces, landscaping, and public realm improvements; and including publicly accessible community cafe, co-working space, and gym at ground floor level (Sui Generis)

Colin Beaven (Local resident) and Simon Renier (City of Southampton Society (objecting), Amanda Ollie (agent), Darren Border (applicant), were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported the following updates to the report:

Para 3.5 of the report corrected to read that “vacuum cleaners would be available for hire at no extra charge”.

Para 8.3.7 updated to confirm that the applicant wish it to be known that they have not given an indication that they would likely appeal a CIL liability notice.

During discussion on the item, members raised the issue and officers agreed to amend the recommendation by the amendment of condition 4 on Flood Resistance and Resilience Measures and the addition of a condition regarding Provision/Retention of Kitchen Facilities (Performance) as set out in full below. Upon being put to the vote, the amendments to the recommendation were carried.

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

The Panel then considered recommendation (2) that authority be delegated to the Head of Transport and Planning to grant planning permission subject to criteria listed in the report (as amended) and recommendation (3). Upon being put to the vote the recommendations as amended were carried.

RECORDED VOTE

FOR: Councillors J Baillie, Beaurain, Cox, A Frampton, Greenhalgh, Savage.

ABSTAINED: Councillor Mrs Blatchford

RESOLVED

1. To confirm the Habitats Regulation Assessment set out in Appendix 1 of the report.
2. That authority be delegated to the Head of Transport and Planning to grant planning permission subject to the conditions in the report and the additional and amended conditions set out below and the completion of a S.106 Legal Agreement to secure all conditions and the amended and additional conditions.
3. Changes to recommendation/conditions

Amended Condition 04 Flood Resistance and Resilience Measures
(performance)

The development shall be carried out in accordance with the submitted Flood Risk Assessment (ref: Royal Crescent Road, Southampton, FLOOD RISK ASSESSMENT Version 5.0, dated 24 January 2024), and the following mitigation measures it details:

- Section 5.6 of the FRA - Finished floor levels (FFLs) shall be set no lower than 4.6 metres above Ordnance Datum (AOD) with no habitable rooms at ground floor level.
- To account for a minimum freeboard of 300mm flood resilience/resistance measures will be provided to a height of 4.98mAOD.
- The flood resistance measures shall conform to BS PAS 1188-1 and include the following up to a height of 4.98mAOD: watertight windows and flood doors; waterproof construction for foundations floor slab and walls; airbrick covers or auto-closing airbricks; non-return valves on foul drainpipes and foul inspection chambers.
- The flood resilience measures should include the following up to a height of 4.98mAOD: flood resistant material within walls and floors; flood-proof flooring; pipe insulation replaced with closed cell.
- Likewise, the following should be excluded below the height of 4.98mAOD: ground floor main ring; consumer unit; electricity/gas meters; boilers and associated pumps and controls.
- These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements.
- The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

The condition is in line with the Planning Practice Guidance (PPG) to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change.

Additional Condition 39 Provision/Retention of Kitchen Facilities (Performance)

The kitchen facilities within the studio rooms on the plans hereby approved shall be provided before the respective studio rooms come into occupation and shall thereafter be retained as approved.

Reason: To secure an acceptable residential environment.

55. **PLANNING APPLICATION - 23/01548/FUL - 6 HULSE ROAD**

The Panel considered the report of the Head of Transport and Planning in respect of an application for planning permission for the proposed development at the above address recommending that authority be delegated to the Head of Transport and Planning to grant planning permission subject to the criteria listed in the report.

Redevelopment of the site. Erection of purpose-built student accommodation with a 5-storey building containing 198-bed spaces with associated amenity space, cycle and refuse storage, following demolition of existing building.

Simon Renier (City of Southampton Society) and John Henton (Local resident) (objecting), Grant Leggett, Boyer, and James Potter, WGP Architects) (agents), were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported an update to conditions 18 & 19 to provide flexibility so that a minimum of BREEAM Excellent is achieved but that BREEAM Outstanding is targeted.

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

The Panel then considered recommendation (2) that the application be delegated to the Head of Transport and Planning to grant planning permission subject to criteria listed in the report (as amended) and recommendation (3) and (4). Upon being put to the vote the recommendations were carried.

RECORDED VOTE

FOR: Councillors J Baillie, Mrs Blatchford, A Frampton,
Greenhalgh, Savage.
ABSTAINED: Councillors Beaurain, Cox

RESOLVED that planning permission be delegated to the Head of Transport for approval subject to the conditions set out within the report and any additional or amended conditions set out below:

Changes to conditions

Amend conditions 18 & 19 to provide flexibility so that a minimum of BREEAM Excellent is achieved but that BREEAM Outstanding is targeted.

Amended conditions in full:

18. BREEAM Standards (Performance)

With the exception of site clearance, demolition and preparation works, no development works above ground shall be carried out until written documentary evidence demonstrating that the development will achieve Excellent against the BREEAM Standard, but which nevertheless seeks to achieve Outstanding against the BREEAM Standard, in the form of a design stage report, is submitted to the Local Planning Authority for its approval, unless an otherwise agreed timeframe is agreed in writing by the LPA.

Reason: To ensure the development minimises its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

19. BREEAM Standards (Performance)

Within 6 months of any part of the development first becoming occupied, written documentary evidence proving that the development has achieved the BREEAM score agreed via condition 18 in the form of post construction assessment and certificate as

issued by a legitimate BREEAM certification body shall be submitted to the Local Planning Authority for its approval.

Reason: To ensure the development has minimised its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

56. **PLANNING APPLICATION - 23/01500/FUL - NORTH QUAY, WHARF ROAD**

The Panel considered the report of the Head of Transport and Planning in respect of an application for planning permission for the proposed development at the above address recommending that the application be conditionally approved subject to the criteria listed in the report.

Short and long-term secure car park for cruise passengers for a period of 5 years, including security fencing, and ancillary staff and customer facilities in ISO containers.

Amy Siney (local resident/objecting), Simon Brookwell (applicant), were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported amendments to the report to advise that the site is located within Peartree and not Woolston Ward, and that Peartree Ward Councillors had been correctly consulted.

During discussion on the item, members raised the issue and officers agreed to amend their recommendation to delegate to the Head of Transport & Planning to grant planning permission subject to the planning conditions recommended at the end of the report and in consultation with applicants as set out in full below.

The Panel considered amended recommendation that authority be delegated to the Head of Transport and Planning to grant planning permission subject to criteria listed in the report and as set out in full below. Upon being put to the vote the amended recommendation was unanimously carried.

RESOLVED

4. That authority be delegated to the Head of Transport and Planning to grant planning permission subject to the conditions in the report and any additional or amended conditions or planning obligations set out below.

Changes to recommendation/conditions

1. Delegate to the Head of Transport & Planning to grant planning permission subject to the planning conditions recommended at the end of this report and in consultation with applicants and EHO regarding suitable wording, scope, trigger points and timescales for additional conditions, in order to secure:
 - Tarmacadam hard surfacing within access and turning areas to reduce dust;
 - Appropriate measures to prevent odour nuisance from the on-site WC; and
 - Introduction of a notice at the site entrance to provide manned out of hours contact details for neighbouring residents.

2. In the event that the above additional conditions cannot be agreed within a reasonable timeframe after the Planning and Rights of Way Panel, the Head of Transport and Planning will be authorised to refuse permission on the ground of failure to adequately mitigate against the impacts of noise, odour and dust nuisance and to commence enforcement action to require cessation of the unauthorised cruise car parking use and for the land to be restored to its former condition with the removal of security fencing and ISO containers.