
PLANNING AND RIGHTS OF WAY PANEL
MINUTES OF THE MEETING HELD ON 12 MARCH 2024

Present: Councillors Savage (Chair), Windle (Vice-Chair), Beaurain and Cox

Apologies: Councillor J Baillie, A Frampton and Greenhalgh

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

The Panel noted the apologies of Councillors J Baillie, A Frampton and Greenhalgh.

58. **THE SOUTHAMPTON (GRENVILLE COURT) TREE PRESERVATION ORDER 2023**

The Panel considered the report of the Head of City Services detailing an objection received to the making of a tree preservation order that protects 4 trees at Grenville Court, Old Farm Drive.

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 that the Panel confirm the Southampton (Greville Court) Tree Preservation Order 2023.

59. **22/01341/FUL ST MARY'S COLLEGE, MIDANBURY LANE**

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.

Re-development of the site to create 84 dwellings (8 x one bed apartments, 24 x 2 two apartments, 27 x two bed houses, 22 x three bed houses, 3 x four bed houses) with associated car and cycle parking, landscaped areas, play space and associated works.

Sally Wraight, (Cllr) Mrs Katherine Barbour (local residents/objecting), Graham Linecar (SCAPPS/objecting), Mrs Valeries Bourne, Mr David Fuller, Mrs Vivien Leckey, and Mr Peter Rykowski (St Mary's Opposition Resident's Committee/objecting), David Ramsey and Jenny Grote (agents), 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: Ward Cllr A Bunday, Residents; Mr Simon Bemister, Mr Sebastian Whitham, and St Mary's Opposition Resident's Committee.

The presenting officer reported the following amendments to the recommendation at paragraph 2:

- i. Paragraph 2(a) amended to “referral of the application to the Secretary of State, via the Planning Casework Unit, following an objection by Sport England in accordance with The Town and Country Planning (Consultation) (England) Direction 2024, for a period of 21 days”.
- ii. A new head of term in paragraph 2(b) “xii. any replacement trees (on a 2:1 basis) that cannot be planted on site would be secured via an off-site contribution through the s.106 process.

During discussion on the item, at the request of Cllr Savage, officers agreed to consider, through an additional delegation, how any off-site open space mitigation package might include improved stepped access into the River Itchen from Riverside Park.

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

The Panel then considered the recommendation 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). Upon being put to the vote the recommendation (as amended) was lost.

RECORDED VOTE

FOR: Councillor Cox
 AGAINST: Councillors Beaurain, Savage, Windle.
 ABSTAINED:

The Panel then considered the motion that the application be delegated to the Head of Transport and Planning to refuse planning permission on the grounds set out below. Upon being put to the vote the motion was carried.

RECORDED VOTE

FOR: Councillors Beaurain, Savage, Windle.
 AGAINST:
 ABSTAINED: Councillor Cox

RESOLVED

- 1. To confirm the Habitats Regulation Assessment set out in Appendix 1 of the report.
- 2. To delegate to the Head of Transport and Planning to REFUSE the application on the following grounds:

1) Loss of Open Space and playing fields

The proposed development would result in the direct loss of a designated open space and sports playing pitches of important local value, whilst increasing local demand for such spaces, in a part of the city where there are current deficiencies and would fail to deliver sufficient new open space and playing pitches of the

same quantity and quality on site and/or off site by way of mitigation. Whilst the site has not been available for public use the site has value in terms of both its openness and the possibility of its future use by either private or public sports for recreational facilities. The proposals would be directly contrary to saved Policy CS21 of the adopted Local Development Framework Core Strategy Development Plan Document Partial Review (March 2015) and would not meet any of the exception tests outlined within Sport England's Playing Fields Policy and Guidance Document or meet the criteria of paragraph 103 of the National Planning Policy Framework 2023.

2) Design

The proposed development, by way of its 'pedestrian' design and layout is not context-driven and would not be commensurate with the building-plot ratios and architectural aesthetic of surrounding development, nor respond positively to the green character of the site and its surroundings. As such the proposed development would be contrary to saved policies SDP1(i), SDP7, SDP9 of the City of Southampton Local Plan Review (2015) and saved Policy CS13 of the Local Development Framework Core Strategy Development Plan Document Partial Review (March 2015), Sections 2 and 3 of the Council's approved Residential Design Guide (2006), and the guidance contained within Chapter 12 of the National Planning Policy Framework 2023 in respect of achieving well-designed and beautiful places that respect existing context and local character, as set out in paragraphs 135-139.

3) Residential Amenity

The proposed development would be served by a singular point of vehicle access and would generate additional traffic movements along Monastery Road, which would significantly harm and change the established character of this quiet cul-de-sac in terms of adverse noise, vehicle movements and disturbance impacts on neighbouring properties caused by travel associated with the proposed development. As such the proposed development would be contrary to saved policies SDP1(i) and SDP7 of the City of Southampton Local Plan Review (2015).

4) S.106 Mitigation

In the absence of a completed Section 106 Legal Agreement, the proposals fail to mitigate against their direct impacts in relation to: Site Specific Transport Works; Affordable Housing; provision and maintenance of on-site open space and play equipment; Highway Condition Survey; Employment and Skills; Carbon Management; Special Protection Areas of the Solent Coastline; Waste Management, Controlled Parking Zones, Replacement Trees, and Permitted Highway Route. Therefore, the application does not, satisfy the provisions of saved Policies SDP1, SDP4, CLT6 of the City of Southampton Local Plan Review (2015) and saved Policies CS15, CS16, CS18, CS20, CS22, CS24 and CS25 of the Local Development Framework Core Strategy Development Plan Document Partial Review (2015) as supported by the Council's Developer Contributions Supplementary Planning Document (2013).

60. **23/01424/FUL 18 BRIDGE 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.

Change of use from a dwelling house (Class C3) to a 7- person house in multiple occupation (HMO, class Sui-generis).

Lorraine Barter (Local resident, objecting and Councillor Keough (ward councillors/objecting) were present and with the consent of the Chair, addressed the meeting. In addition the Panel noted that a statement had been received from Mr Morris (Local resident objecting), which was read out at the meeting and had been circulated, read and posted online.

The presenting officer reported that there were no updates to the report.

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 and recommendation (3). Upon being put to the vote the recommendations were carried unanimously.

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.

61. **23/01585/FUL 1 BRIGHTON 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 that authority be delegated to the Head of Transport and Planning to grant planning permission subject to the criteria listed in the report.

Change of use from a House in Multiple Occupation for up to 6 people (Use Class C4) to an 8-bed House in Multiple Occupation (Sui-Generis).

Lorraine Barter and Nick Pingelli (local residents/ objecting), and Nick Ellis (applicant), were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported no changes to the application.

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 and recommendation (3). Upon being put to the vote the recommendations were carried unanimously.

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.

62. **24/00090/FUL 35 GURNEY 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.

Erection of a single storey outbuilding at rear of garden.

Roland Fugh (Applicant) was present and with the consent of the Chair, addressed the meeting.

The Officer reported no changes to the report. The application was brought before Panel as the Applicant was an SCC employee known to the Planning Department.

The Panel then considered recommendation the application be conditionally approved, and planning permission granted subject to criteria listed in the report. 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.