
PLANNING AND RIGHTS OF WAY PANEL (EAST)
MINUTES OF THE MEETING HELD ON 4 AUGUST 2015

Present: Councillors Denness (Chair), Tucker (Vice-Chair), Coombs, Hecks and Wilkinson

11. **STATEMENT FROM THE CHAIR**

RESOLVED that the Minutes of the meeting held on 23 June 2015 be approved and signed as a correct record.

12. **VACANT SITE AT TEST LANE, 14/01911/FUL**

The Panel considered the report of the Planning and Development Manager recommending delegated authority be granted in respect of an application for a proposed development at the above address.

Redevelopment of the site to provide 19,132 square metres of employment floor space in three buildings (Units 1 and 3 to be Storage and Distribution Use (Class B8), Unit 2 to be Business Use (Class B1 c) and/or Storage and Distribution Use (Class B8) with an area of open space, associated landscaping, servicing areas and car parking with vehicular access from Test Lane.

Mr Campbell (representing Lordshill Residents Association/objecting), Mr Hannam (Local Resident/objecting), Councillors McEwing, Whitbread and Pope (Ward Councillors/objecting) and Mr Chambers (Agent/supporting) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that:-

- (i) there was a typographical error in Appendix 2 (The Habitats Regulations Assessment) on Page 49, Test 1, the first sentence should read “the proposed development is located 40m to the **east** of a unit of the.....”; and
- (ii) an additional condition on night time operation be included.

Additional Condition

Between 2300 and 0700 hours the development shall not operate or be used otherwise than in accordance with a Night Time Operation Plan, which shall first have been submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure the occupiers of the building operate in a manner which would safeguard the amenities of adjoining residential occupiers.

The officer recommendation to delegate authority to the Planning and Development Manager to grant planning permission subject to the completion of a Section 106 Legal Agreement was not carried.

RESOLVED

- (i) that the Panel confirmed the Habitats Regulation Assessment in Appendix 2 of the report; and
- (ii) that the application be deferred in order that the applicant could engage with the local Residents Association and Ward Councillors to address the following issues raised:
 - traffic issues, in particular measures to limit the impact of traffic entering and exiting the site to and from the south;
 - the attenuation pond within the proposed public open space; and
 - the timescale for the provision of open space.

RECORDED VOTE to defer the planning application.

FOR: Councillors Denness, Tucker, Coombs and Wilkinson
AGAINST: Councillor Hecks

NOTE: Councillors Denness and Coombs confirmed that they had no conflicting interests with this application and remained in the meeting.

13. **LAND OPPOSITE 69-73 WHITWORTH CRESCENT, 14/01431/FUL**

The Panel considered the report of the Planning and Development Manager recommending delegated authority be granted in respect of an application for a proposed development at the above address.

Works to facilitate and use of the site for four x residential houseboats.

Mr Samwell and Mr Goddard (Local Residents/objecting), Councillor Inglis (Ward Councillor/objecting) and Mrs Gould (Agent/supporting) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported an additional clause (d) to the recommendation.

RESOLVED

- (i) that authority be delegated to the Planning and Development Manager to grant planning permission subject to the conditions listed in the report, the amended conditions set out below; and
 - a) notwithstanding the submission of an existing site survey and proposed spot levels the receipt of a satisfactory plan showing a series of cross sections to scale through the site from the road at Whitworth Crescent down to the foreshore clearly illustrating the changes in land levels at 1m intervals;
 - b) details of the earthworks (both cut and fill) required to be undertaken in terms of the volume of material required to be moved and how this work would be undertaken;

- c) no objection being received from the Council's Ecologist and Structural Engineer following receipt of the additional information; and
 - d) the submission of a unilateral agreement confirming that works to implement planning permission 930663/E will cease.
- (ii) that in the event that a satisfactory plan, sufficient details **and the submission of a unilateral agreement** (as set above) are not submitted or an objection is raised from the necessary consultees within three months from the date of this Panel meeting the Planning and Development Manager be authorised to refuse permission as necessary; and
- (iii) that the Planning and Development Manager be given delegated powers to add, vary and /or delete conditions as necessary and particularly in relation to the above matter being satisfactorily resolved.

Amended Conditions

05. APPROVAL CONDITION - Removal of Permitted Development [performance condition]

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking or re-enacting that Order, no development permitted by class E (outbuildings, enclosures or swimming pools) and F (hard surfaces) of Part 1 of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority for the houseboat hereby approved.

Reason:

In order to protect the amenities of the locality and to maintain a good quality environment.

06. APPROVAL CONDITION - Storage / Removal of Refuse Material [Pre-Occupation Condition]

Before the houseboats are first occupied full details of facilities to be provided for the storage and removal of refuse from the site, together with the provision of suitable bins accessible with a level approach shall be submitted to and approved in writing by the Local Planning Authority. The facilities shall include accommodation and the provision of separate bins for the separation of waste to enable recycling. The approved refuse and recycling storage shall be retained whilst the Houseboats are used for residential purposes.

Reason:

In the interests of visual amenity, the amenities of future occupiers of the development and the amenities of occupiers of nearby properties.

Remove condition 12 as duplication and renumber the conditions from condition 12 onwards.

Amend Condition 25 now 24 to read as set out below.

24. APPROVAL CONDITION – Restriction on number of boats [Performance Condition]

At no time shall more than four boats be moored to the pontoon hereby permitted. No boat shall in any case be so moored as to project beyond the outer support pile.

Reason:

To protect the character of the area and in the interests of the visual amenities of nearby residents.

RECORDED VOTE to grant planning permission.

FOR: Councillors Denness, Hecks, Tucker and Coombs

ABSTAIN: Councillor Wilkinson

14. **BOLDREWOOD CAMPUS, 15/01025/FUL**

The Panel considered the report of the Planning and Development Manager recommending conditional approval be granted in respect of an application for a proposed development at the above address.

Construction of a four storey building to provide 5620 square metres of floor space for University use (Class D1) and associated surface car parking to provide 59 parking spaces, together with access, landscaping and cycle store - description amended following to increase the floor area by 167sq.m formed within an extended basement.

Councillor Claisse (Councillor/objecting) and Mr Reay (Agent/supporting) were present and with the consent of the Chair, addressed the meeting.

RESOLVED that planning permission be granted subject to the conditions in the report and the amended condition as set out below.

Amended Condition

21.APPROVAL CONDITION – Lockers

Details of secure staff/student lockers, **and shower facilities**, for use by cyclists shall be submitted to and agreed in writing by the Local Planning Authority prior to the first occupation of Block D/G hereby approved. The agreed lockers **and shower facilities** shall be installed prior to the first occupation of Block D/G and retained thereafter.

Reason:

To encourage cycling as an alternative mode of travel to the private car.

NOTE: Councillor Denness declared an interest in the above application and remained in the meeting.

15. **225 PORTSWOOD ROAD, 15/01285/FUL**

The Panel considered the report of the Planning and Development Manager recommending conditional approval be granted in respect of an application for a proposed development at the above address.

Change of use of ground floor from retail (class A1) to restaurant/café (class A3),
Installation of a new shop front, extract flue and air conditioning units to rear.

Dr Buckle and Mrs Jameson (Portwood Residents Association/objecting), Councillor Claisse (Ward Councillor/objecting) and Mr Weymes (Agent/supporting) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that:-

- (i) one additional letter of objection had been received since the report was written;
and
- (ii) that air conditioning units had been removed from the proposal.

RESOLVED that planning permission be granted subject to the conditions in the report and the amended and additional conditions set out below.

Amended Conditions

02 APPROVAL CONDITION - Hours of business and Deliveries

The ground floor A3 restaurant use hereby approved shall not be open for customers outside the following hours of 11:00-23:00 Monday to Sunday **and no deliveries shall take place outside of the hours of 09:00 to 18:00.**

Reason:

In the interests of protecting the amenity of the occupiers of the nearby residential properties.

03 APPROVAL CONDITION – Soundproofing Measures (internal noise source) [Pre-Commencement Condition]

Prior to the commencement of the development hereby approved, a scheme for soundproofing of the restaurant to prevent noise disturbance to the first floor residential units, shall be submitted to and approved in writing by the Local Planning Authority. The soundproofing measures shall be implemented before the use hereby approved commences and thereafter retained as approved.

Reason:

To protect the amenities of the occupiers of existing nearby properties.

04 APPROVAL CONDITION – Extraction Equipment [performance condition]

Prior to the use hereby approved commencing, the extraction equipment shall be provided in accordance with the submitted details and thereafter retained and maintained as approved.

Reason:

To minimise noise and odour in the interests of residential amenity.

Additional Condition

08 APPROVAL CONDITION - Takeaways [performance condition]

No takeaways/deliveries from the premises shall take place unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of residential amenity.

NOTE TO APPLICANT - Air Conditioning Units

The installation of external air conditioning units would first require full planning permission.

16. **18 CAVENDISH GROVE, 15/01330/FUL**

The Panel considered the report of the Planning and Development Manager recommending conditional approval be granted in respect of an application for a proposed development at the above address.

Use of property as either a House in Multiple Occupation (HMO, Class C4) or a dwelling house (Class C3).

Mr Dunleavy and Mr McCall (Local Residents/objecting) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that one of the reported objections was from the City of Southampton Society, that an objection had been received from Councillor Parnell and that, in total, seven letters of objection had been received.

RESOLVED that planning permission be granted subject to the conditions in the report and the amended conditions set out below.

Amended Conditions

03 APPROVAL CONDITION - Room restrictions [Performance Condition]

The rooms annotated on the submitted floor plans as the lounge, dining room and kitchen shall remain as communal space for the occupiers of the dwelling throughout the occupation of the building as a Class C4 HMO and shall at no time be used as bedrooms unless otherwise agreed upon in writing by the Local Planning Authority.

Reason:

To maintain sufficient residential environment for occupiers and to ensure that there is not intensification of use of the site as a whole in the interests of residential amenity, given the semi-detached nature of the property, and the character of the Conservation Area.

04 APPROVAL CONDITION - Number of occupiers [Performance Condition]

The number of occupiers within the property, when in Class C4 use, shall not exceed 3 persons unless otherwise agreed upon in writing by the Local Planning Authority.

Reason:

In the interests of protecting the residential amenity of local residents from intensification of use and define the consent for avoidance of doubt. This is having regard to the semi-detached nature of the property and the location of the site within a Conservation Area.

RECORDED VOTE to grant planning permission.

FOR: Councillors Denness, Tucker and Coombs

ABSTAIN: Councillors Hecks and Wilkinson

17. **LAND ADJACENT TO 153 ATHELSTAN ROAD, 15/01346/FUL**

The Panel considered the report of the Planning and Development Manager recommending conditional approval be granted in respect of an application for a proposed development at the above address.

Erection of a two-storey, three-bed detached house with associated parking and formation of new vehicular access (resubmission).

Mrs Kendrick and Mr Richards (Local Residents/objecting) and Councillors Lewzey and Keogh (Ward Councillors/objecting) were present and with the consent of the Chair, addressed the meeting.

RESOLVED that planning permission be granted subject to the conditions in the report and the amended conditions set out below.

Amended Conditions

04 APPROVAL CONDITION - Landscaping, lighting & means of enclosure detailed plan [Pre-Commencement Condition]

Notwithstanding the submitted details, before the commencement of any site works a detailed landscaping scheme and implementation timetable shall be submitted to and approved by the Local Planning Authority in writing, which includes:

- (i) proposed finished ground levels or contours; means of enclosure; car parking layouts; other vehicle pedestrian access and circulations areas, hard surfacing materials, structures and ancillary objects (refuse bins, lighting columns etc.);
- (ii) planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate;
- (iii) an accurate plot of all trees to be retained and to be lost. Any trees to be lost shall be replaced on a favourable basis (a two-for one basis unless circumstances dictate otherwise and agreed in advance);

- (iv) details of any proposed boundary treatment, including retaining walls **and a front boundary treatment of no more than 600 mm in height when measured from pavement level**; and
- (v) a landscape management scheme.

The approved hard and soft landscaping scheme (including parking) for the whole site shall be carried out prior to occupation of the building or during the first planting season following the full completion of building works, whichever is sooner. The approved scheme implemented shall be maintained for a minimum period of 5 years following its complete provision.

Any trees, shrubs, seeded or turfed areas which die, fail to establish, are removed or become damaged or diseased, within a period of 5 years from the date of planting shall be replaced by the Developer in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation. The Developer shall be responsible for any replacements for a period of 5 years from the date of planting.

Reason:

To improve the appearance of the site and enhance the character of the development in the interests of visual amenity, to ensure that the development makes a positive contribution to the local environment and, in accordance with the duty required of the Local Planning Authority by Section 197 of the Town and Country Planning Act 1990

16 APPROVAL CONDITION - Construction Environment Management Plan (Pre-Commencement Condition)

Prior to the commencement of any development a written construction environment management plan shall be submitted to and approved by the Local Planning Authority. The plan shall contain method statements and site specific plans to prevent or minimise impacts from noise, vibration, dust and odour for all operations, as well as proposals to monitor these measures at the site boundary to ensure emissions are minimised beyond the site boundary; **measures to protect the neighbouring properties from land instability; details for the routing of HGVs required for site preparation and construction; the location for the parking of contractors vehicles on the site.** All specified measures shall be available and implemented during any processes for which those measures are required.

Reason:

In the interests of highway safety and to protect the amenities of the occupiers of existing nearby properties.

RECORDED VOTE to grant planning permission.

FOR: Councillors Denness, Hecks and Coombs
AGAINST: Councillors Tucker and Wilkinson