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PLANNING AND RIGHTS OF WAY PANEL

MINUTES OF THE MEETING HELD ON 4 OCTOBER 2016

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Present: Councillors Denness (Chair), Coombs (Vice-Chair), Barnes-Andrews, Claisse, L Harris, Hecks and Mintoff

34. **PLANNING APPLICATION - 16/00885/FUL- FORMER FORD MOTOR CO, WIDE LANE**

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.

Development to provide new industrial and warehouse buildings for business use (class B1c), industry (class B2) and storage/distribution (class B8) with landscaping, tree planting and new boundary treatment, new car parking and service areas, new vehicular access from Wide Lane and associated works - description amended following receipt of amended plans showing the removal of a proposed footpath through the site to Stoneham Cemetery Road and an increase to the acoustic fence between unit 1 and 4 along the southern boundary from 2.1 to 4 metres.

Steve Harley (agent), Philip O'Callaghan (Applicant) and Councillor Painton (Ward Councillors) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that following the receipt of information relating to the potential numbers of Heavy Goods Vehicle (HGV) movements the planning officer requested that the Section 106 legal agreement be amended as set out below. The Panel discussed Condition 3 of the report and agreed that it be amended as set out below. On being put to the vote the officer recommendation was unanimously approved.

**RESOLVED**

1. Delegate to the Planning and Development Manager to grant conditional planning permission subject to the conditions set out in the report and the amended condition set out below; completion of a further air quality assessment of the likely HGV increase; and a S.106 Legal Agreement to secure:
  - (i) Either a s.278 Agreement to undertake agreed works within the highway or a financial contribution and other highway obligations, including Traffic Regulation Orders, where necessary, towards site specific transport improvements in the vicinity of the site in line with policies SDP4 and TI2 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); to include additional signage and replacement/refresh of the over height warning system to the Swaythling railway bridge, replacement bus stops along Wide Lane with Real Time Information (RTI), the introduction of a dedicated cycle lane along Wide Lane (space permitting) and to introduce a signalised junction into the site, and the new access arrangement with signage, as shown on plan ref: 15/263/004 Rev A, to discourage HGVs from turning left out of the site;
- (ii) An off-site contribution towards bridge improvement works to secure access from the site to Junction 5 of the M27 as requested by Hampshire County Council and the Hampshire Chamber of Commerce, in line with policies SDP4 and TI2 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)
  - (iii) 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;
  - (iv) Submission of a Training & Employment Management Plan committing to adopting local labour and employment initiatives, both during and post construction, in accordance with Policies CS24 and 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);
  - (v) The submission, approval and implementation of a Carbon Management Plan setting out how 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);
  - (vi) Provision of public art in accordance with the Council's Public Art Strategy to reflect the site's importance, historically, to UK manufacturing;
  - (vii) Submission and implementation of a Construction Traffic Management Plan;
  - (viii) Submission and implementation of an Operational Phase Lorry Routing Agreement to limit HGV traffic turning left out of the site;
  - (ix) Submission and implementation of a Staff Travel Plan.
  - (x) Any air quality mitigation that is required following the air quality assessment addendum.
2. In the event that the legal agreement is not completed within two months of the Panel the Planning and Development Manager be authorised to refuse permission following consultation with the Chair of the Planning & Rights of Way Panel on the ground of failure to secure the provisions of the Section 106 Legal Agreement.
  3. 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. 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 bought back to the Planning and Rights of Way Panel for further consideration of the planning application.

### **Amended Planning Condition:**

#### 3. Construction Phasing (Pre-Commencement Condition)

No development shall commence (with the exception of site clearance, demolition, enabling and preparation works) until a programme of construction work has been submitted to and approved in writing by the Local Planning Authority. The programme shall define the phasing of the development to include when the buildings, the bund and landscaped buffer, the living walls, and acoustic fences along the southern boundary with the residential neighbours will be implemented. The development shall subsequently be carried out in accordance with the approved construction phase programme. **The approved tree planting along the site's southern boundary shall be implemented during the first available planting season following the commencement of development.**

No occupation of Units 2 or 3 shall take place until Units 1 and 4, and their associated acoustic fence between them, have been constructed and are largely complete as shown on the approved plans, or such alternative acoustic measures have been installed as may be approved in writing by the Local Planning Authority.

REASON: To allow the Local Planning Authority to control the construction programme in the interests of the amenities of the area and to ensure that Units 1 and 4 are in place to reduce the noise impact associated with Units 2 and 3.

#### *Note to Applicant:*

*In accordance with paragraph 3.11 of the submitted Planning Statement it is anticipated that as part of the sign off that there will be a commitment to implement the landscaped buffer along the southern boundary at an early stage of the build programme so as to mitigate against the construction phase itself and allow time for this landscaping to properly establish.*

### 35. **PLANNING APPLICATION- 16/00764/FUL - 65 SUTTONES PLACE**

The Panel considered the report of the Planning and Development Manager recommending that authority to grant conditional approval in respect of the application for a proposed development at the above address.

Change of use from a 4-bed dwelling (Class C3) to a 4-bed House in Multiple Occupation (HMO Class C4) (Retrospective)

Matthew Smith and Dr Kang (local residents/ objecting), Mr Neil March (agent), Mr Benjamin Milburn (applicant), were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported a change to the applicants name to Winlo Investments Limited. The Panel discussed the need to amend conditions relating to cycle storage the retention of the garage doors and recycling and these changes are set out below.

In addition in a further condition seeking the introduction of a management plan was added to the planning permission.

RECORDED VOTE to grant planning permission

FOR: Councillors Barnes-Andrews, Coombs, Denness and Hecks

AGAINST: Councillors Harris and Claisse

ABSTAINED: Councillor Mintoff

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

### **AMENDED CONDITIONS**

#### **06. Cycle Storage Facilities**

Within 3 months of the date of this decision notice, secure and covered storage for 4 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, whilst the property is in use as a C4 HMO.

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

#### **07. Refuse and Recycling**

Within 3 months of the date of this decision notice, details of storage for refuse and recycling, together with the access to it, shall be submitted to and approved in writing by the Local Planning Authority. The storage shall be provided in accordance with the agreed details and thereafter retained as approved. Unless otherwise agreed by the Local Planning Authority, except for collection days only, no refuse shall be stored to the front of the development hereby approved.

REASON: In the interests of visual amenity, the amenities of future occupiers of the development and the occupiers of nearby properties and in the interests of highway safety.

#### **08. Retention of Garage Doors**

Notwithstanding the plans hereby approved, the external garage doors shall be retained in situ and the garage shall remain available for use as a domestic garage at all times whilst the property is in use as a C4 HMO.

REASON: In the interests of visual amenity, the amenities of future occupiers of the development and the occupiers of nearby properties and in the interests of highway safety and to reduce opportunities for crime and antisocial behaviour.

## **ADDITIONAL CONDITION**

### **09. Management Plan**

Within 3 months of the date of this decision notice, a detailed Management Plan to deal with the day-to-day running of the HMO shall be submitted to and agreed in writing by the Local Planning Authority. The Management Plan shall include details of how noise complaints are to be handled, parking arrangements and details of refuse management, particularly at the end of tenancies. The agreed details shall apply during the lifetime of the development.

REASON: In the interest of reducing issues of noise and anti-social behaviour and in the interest of the amenities of the occupiers of nearby properties.