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SOUTHAMPTON CITY COUNCIL  
PLANNING AND RIGHTS OF WAY PANEL  
MINUTES OF THE MEETING HELD ON 19 FEBRUARY 2013

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Present: Councillors Mrs Blatchford (Chair), Cunio (Vice-Chair), Claisse, L Harris, Lloyd, Norris and Shields

Apologies: Councillor Smith

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

The Panel noted that Councillor Norris was in attendance as a nominated substitute for Councillor Smith in accordance with Council Procedure Rule 4.3.

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

**RESOLVED** that the Minutes of the Meetings held on 11 December 2012 and 15 January 2013 be approved and signed as a correct record.

111. **THE HUB 104-106 BEVOIS VALLEY ROAD / 12/01400/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. (Copy of the report circulated with the agenda and appended to the signed minutes).

Retention of a three-storey building and a five-storey building to provide 226 square metres of commercial floorspace (Class A3) and 43 student flats with associated parking and landscaping (retrospective application).

Mr Pugsley (Agent), Mr Virgin and Ms Virgin (objecting) (Local Residents) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported an amendment to Recommendation 2 and amendments to Conditions 7, 10, 11 and 12.

**RESOLVED**

- (i) to delegate to the Planning and Development Manager to **grant** planning permission subject to the completion of a S106 Agreement, the conditions listed in the report and the amended conditions set out below;
- (ii) in the event that the legal agreement is not completed by 19 May 2013 the Planning and Development Manager be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement; and
- (iii) that the Planning and Development Manager be given delegated powers to vary relevant parts of the Section 106 agreement and to remove, vary or add conditions as necessary.

**Addition to S106 Agreement**

- vi Submission of management plan for student drop off and collection.

## Amended Conditions

### **07. APPROVAL CONDITION - Mechanical Ventilation - Performance Condition**

Full details of the mechanical ventilation system to be installed to serve the first and second floor flats in Block A which front onto Bevois Valley Road shall be submitted to and approved in writing by the Local Planning Authority within six months of the date of this permission (by 19 August 2013). The approved details shall be fully installed in full working order within 12 months of this consent (by 19 February 2014).

#### REASON

The site is located within an air quality management area and passive ventilation of the frontage units would not protect the future occupiers of the flats from fumes and odours and other emissions present in the location.

### **10. APPROVAL CONDITION - Lighting - Performance Condition**

A detailed external lighting scheme shall be submitted to and approved in writing by the Local Planning Authority for the access route, parking area and raised landscape courtyard within 6 months of the date of this consent (by 19 August 2013).

#### Reason:

To protect the amenities of the occupiers of the site and existing nearby residential properties.

### **11. APPROVAL CONDITION - Renewable Energy (Pre-Commencement Condition)**

Full details of the renewable energy systems to be incorporated within the development shall be submitted to and agreed in writing with the Local Planning Authority within 6 months of the date of this permission (19 August 2013).

#### REASON:

To reduce the impact of the development on climate change and finite energy resources and to comply with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

### **12. APPROVAL CONDITION - Fascia and Soffit Detail to commercial unit - Performance Condition**

Notwithstanding the submitted details further details of the fascia and soffit detail including any recessed lighting shall be submitted to the Local Planning Authority for written approval at no less than 1:20 scale within 6 months of the date of this consent (by 19 August 2013).

#### REASON

To ensure the detailing of the front elevation is appropriate for the street scene.

The Panel requested that officers communicate with Building Control regarding the flooding issue and fire exit issues between the application site and the property next door.

#### RECORDED VOTE

FOR: Councillors Mrs Blatchford, Claisse, L Harris, Lloyd and Norris  
AGAINST: Councillors Cunio and Shields

112. **REMOVAL OF FIVE MATURE TREES ALONG SHIRLEY AVENUE**

The Panel considered the report of the Senior Manager – City Services, recommending refusal for the removal of four trees but to allow removal of one tree outside 20 Shirley Avenue at the above site address. (Copy of the report circulated with the agenda and appended to the signed minutes).

**RESOLVED**

To refuse the removal of five mature trees in Shirley Avenue and to request that the Highway client paint a white line on the road to protect the driveway of 20 Shirley Avenue.

113. **PUBLIC RIGHTS OF WAY: ANNUAL UPDATE REPORT**

The Panel received and noted the report of the Senior Manager, Legal, HR and Democratic Services, regarding an annual update on the main activities of the Council's Rights of Way function. (Copy of report circulated with the agenda and attached to the signed minutes).