
PLANNING AND RIGHTS OF WAY PANEL (EAST)
MINUTES OF THE MEETING HELD ON 27 OCTOBER 2015

Present: Councillors Denness (Chair), Tucker, Coombs, Wilkinson and Houghton

Apologies: Councillor Hecks

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

It was noted that following receipt of the resignation of Councillor Hecks from the Panel, the Head of Legal and Democratic Services, acting under delegated powers, had appointed Councillor Houghton to replace him for the purposes of this meeting.

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

RESOLVED: that the minutes for the Panel meeting on meeting held on 15 September 2015 be approved and signed as a correct record.

27. **LAND 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 floorspace 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.

Eugene McManus, Andrew Hannam (local residents/objecting) Ashley Chambers (agent), Jerry Vigus (supporter), Neil Dickinson (applicant) and Councillors Pope and Whitbread (ward councillors / objecting) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported:

- An amendment to the Habitats Regulation Assessment previously endorsed by the Panel with the following, additional wording, to be added to the section on 'Mobilisation of Contaminants' on Page 71 of the agenda. The new wording to read:
 - "The revised design incorporates the use of three underground tanks to accommodate surface water runoff. Installation of these tanks has the potential to mobilise contaminants which could enter ground water. To minimise the risk to ground water, all contaminated materials encountered during the installation process will be excavated and replaced with Type 1 material or topsoil. This will ensure that water quality in the neighbouring River Test will not be altered by the proposals."

RECORDED VOTE to grant planning permission
FOR: Councillors Denness, Coombs, Houghton and Tucker
AGAINST: Councillor Wilkinson

RESOLVED

- (i) the Panel confirmed the Habitats Regulation Assessment on pages 65-76 of the report, subject to the amendments set out above;
- (ii) delegated to the Planning and Development Manager approval to grant planning permission subject to a S.106 Legal Agreement and the amended condition set out below; and
- (iii) that the agreed draft Section 106 agreement would be referred to the Panel for approval before the planning permission is issued. (Note: the Panel confirmed that no further consultation with local residents or Ward Councillors was required on this matter).

Amended Condition

03. 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, 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 **including semi-mature tree planting**;
- 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
- v. a landscape management scheme.

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.

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.

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

28. **224 PORTSWOOD ROAD, PART OF THE FORMER PORTSWOOD BUS DEPOT AT THE JUNCTION OF PORTSWOOD ROAD AND BELMONT ROAD, SO17 2LB 15/01510/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.

Development of the site to provide 330 Purpose Built Student Accommodation flats (435 bed spaces) in three buildings of between 3-storey's and 6-storey's plus lower ground floor level with vehicle access from Belmont Road and associated landscaping.

Adrian Vinson, Jerry Gillen, Richard Buckle, Ben Pym (local residents/ objecting), Mark Sennitt (applicant), Paul Conway (architect) and Councillor Paul O'Neil (ward councillors/objecting) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that:

- the proposed development on the site had been altered from the published report from the provision of 260 to 330 Purpose Built Student Accommodation flats that would now provide 435 rather than 443 bed spaces; and
- the following additional clauses be added to part 2 of the S106 legal agreement:
 - xiii. the submission and implementation of a Construction Management Plan which includes the routing of construction traffic and timing of deliveries to avoid peak hours.
 - xiv. the submission, approval and implementation of Public Art in accordance with the Council's adopted Developer Contributions Supplementary Planning Document.
 - xv. a commuted sum towards off-site tree replacement or the implementation of off-site replacement tree planting, to include mature replacement tree species.

RESOLVED

- (i) to delegate to the Planning and Development Manager authority to grant planning permission subject to the completion of an amended S106 Legal Agreement and the amended and additional conditions set out below;

AMENDED / ADDITIONAL CONDITIONS

Amend Condition 3 - Materials:

Notwithstanding the information shown on the approved drawings and application form no development works shall be carried out unless and until a written schedule of

external materials and finishes has been submitted to and approved in writing by the Local Planning Authority. Development shall be implemented only in accordance with the agreed details. These shall include full details of the manufacturers, types and colours of the external materials to be used for external walls, windows, doors and the roof of the proposed buildings and include alternatives to the buff colour brick finish indicated on the submitted drawings. It is the Local Planning Authority's practice to review all such materials on site. The developer should have regard to the context of the site in terms of surrounding building materials and should be able to demonstrate why such materials have been chosen and why alternatives were discounted. If necessary this should include presenting alternatives on site.

Reason:

To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality.

Amend Condition 8- Replacement Trees:

Any trees to be felled pursuant to this decision notice will be replaced with species of trees to be agreed in writing with the Local Planning Authority at a ratio of two replacement trees for every single tree removed. The trees will be planted within the site or at a place agreed in writing with the Local Planning Authority and shall include the following species:

- Acer platanoides Olmstead
- Incense Cedar Calocedrus decurrens for evergreen interest
- Non-Fastigate Scots Pine Pinus sylvestris Fastigiata for evergreen interest
- Prunus Amanogawa for autumn colour and spring flowers
- Small Leaves Lime Tilia cordata Greenspire (as above)
- Elm Ulmus carpiniifolia Wredei Aurea

The Developer shall be responsible for any replacements for a period of 5 years from the date of planting. The replacement planting shall be carried out within the next planting season (between November and March) following the completion of construction. If the trees, within a period of 5 years from the date of planting die, fail to establish, are removed or become damaged or diseased, they will be replaced by the site owner / site developer or person responsible for the upkeep of the land in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation.

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.

Additional Condition Tree Planting Method:

Prior to the commencement of the development hereby approved, the following shall be submitted to and approved in writing by the Local Planning Authority:

1. a root barrier for mitigating root damage to the public footway;
2. Specification for constructing the above-ground surfacing to the front of the plots in a way that allows continuous soil volumes not individual 'tree pits', while avoiding future root damage to surfacing that will bring pressure to fell for actionable nuisance.

The development shall thereafter proceed in accordance with the agreed specification.

Reason: To ensure that replacement tree planting improves the appearance of the site and enhances the character of the area.

29. **FORMER OAKLANDS SCHOOL (OASIS ACADEMY LORDSHILL), FAIRISLE ROAD, SO16 8BY 15/00340/OUT**

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.

Redevelopment of the site to provide 103 dwellings in two and three storey buildings (41 flats, 62 houses) with associated access, parking and landscaping (involves diversion of existing cycleway and footway - outline application seeking approval for access, layout, scale and landscaping).

Trevor Draper, Diane Grove, David Evans, Peter Edwards (local residents/ objecting), Ali Mew (agent), Alan Goodfellow (supporter) and Councillors Morrell and Thomas (ward councillors/objecting) were present and with the consent of the Chair, addressed the meeting.

During the meeting residents presented a petition opposing the development.

RESOLVED that planning permission be granted subject to the conditions listed in the report.

30. **18A UPPER BANISTER STREET, SO15 2EF 15/01624/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 from restaurant (Class A3) to bar (Class A4).

Steve Eddy, Ronnie Baratt, Lorraine Barter (local residents/ objecting) and Steve Hogan (applicant) were present and with the consent of the Chair, addressed the meeting.

RESOLVED that planning permission be granted subject to the conditions listed in the report.

31. **10-11 BEDFORD PLACE, SO15 2DB 15/01470/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 from restaurant/cafe (class A3) to mixed use restaurant/cafe, drinking establishment, hot food takeaway, non-residential institutions, assembly and leisure (class A3/A4/A5/D1/D2) with new folding doors and retractable awning at first floor level.

The presenting officer reported that:

- The rear of the site fronts Lower Banister Street and not Upper Banister Street as outlined in paragraph 1.1 of the Panel Report.
- Paragraph 6.2.5 of the Panel report states that it is only the first floor which will be used for D1 and D2 uses. This is incorrect. The proposed D2 use (dance and music performances) will also take place at ground floor level.

Steve Eddy, Ronnie Baratt, Lorraine Barter (local residents/ objecting) and Steve Lawrence (agent) were present and with the consent of the Chair, addressed the meeting.

RESOLVED that planning permission be granted subject to the conditions listed in the report.