
PLANNING AND RIGHTS OF WAY PANEL
MINUTES OF THE MEETING HELD ON 25 OCTOBER 2011

Present: Councillors Jones (Chair), Cunio, L Harris, Osmond, Thomas and B Harris

Apologies: Councillor Claisse and Mrs Blatchford

57. **APOLOGIES AND CHANGES IN PANEL MEMBERSHIP**

The Panel noted that Councillor B Harris was in attendance as a nominated substitute for Councillor Claisse in accordance with Procedure Rule 4.3.

58. **MINUTES OF THE PREVIOUS MEETINGS (INCLUDING MATTERS ARISING)**
RESOLVED that the Minutes of the Meetings held on 6th September 2011 and 27th September 2011 be approved and signed as a correct record.

CONSIDERATION OF PLANNING APPLICATIONS

Copy of all reports circulated with the agenda and appended to the signed minutes.

59. **LAND REAR OF 36 EDWARD ROAD / 11/00986/FUL**

Erection of 2 x two-storey, three bed semi-detached houses with associated cycle/refuse storage. The officer advised that an amended site plan had been received moving the houses back 400mm and creating 2 additional parking spaces.

Ms Ward, Mr Pope (Local residents) and Councillor Furnell (Ward Councillor) were present and with the consent of the Chair, addressed the meeting.

UPON BEING PUT TO THE VOTE THE OFFICER RECOMMENDATION TO GRANT CONDITIONAL PLANNING PERMISSION WAS CARRIED

RECORDED VOTE:

FOR: Councillors Jones, B Harris, L Harris and Osmond

AGAINST: Councillors Cunio and Thomas

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

Amended Conditions:

03. APPROVAL CONDITION - Boundary Treatment [performance condition]

Prior to the development first coming into occupation the boundary treatment shall be fully implemented in accordance with the drawing no P02 Rev C received 21.10. 2011 hereby approved and thereafter retained as approved unless agreed otherwise in writing by the Local Planning Authority.

REASON

To secure a satisfactory form of development.

04. APPROVAL CONDITION - Landscaping Implementation [Performance condition]

The hard and soft landscaping works shall be carried out in accordance with the drawing no P02 Rev C received 21.10. 2011 hereby approved. The works shall be carried out before any of the development is occupied unless agreed otherwise in writing by the local Planning Authority.

REASON:

To ensure that the works are carried out as approved in the interests of the visual amenities of the area.

06. APPROVAL CONDITION - Refuse and Cycle Storage [performance condition]

Bin and cycle storage shall be laid out with a level approach prior to the first occupation of the development hereby approved in accordance with drawing the drawing no P02 Rev C received 21.10. 2011 and drawing no P05 received 21.07.2011. The approved storage shall be retained whilst the development is used for residential purposes, with bins kept in their allotted stores on non collection days.

REASON:

In the interests of highway safety and visual amenity and to encourage recycling.

Additional Conditions:

12. APPROVAL CONDITION - Obscured glazing [Performance Condition]

The first floor windows in the side elevations of the proposed dwellings hereby approved shall be glazed in obscure glass before the development hereby permitted is first occupied and shall be permanently maintained in obscure glass.

REASON

To protect the privacy enjoyed by the occupiers of the adjoining property.

13. APPROVAL CONDITION - Approved Plans

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule, unless otherwise agreed in writing with the Local Planning Authority. In particular, two parking spaces per dwelling shall be provided and kept available at all times.

Reason:

For the avoidance of doubt and in the interests of proper planning.

REASONS FOR DECISION

The development is acceptable taking into account the policies and proposals of the Development Plan and other guidance. Other material considerations do not have sufficient weight to justify a refusal of the application. The proposed dwellings would be in keeping with the surrounding area and would not have a harmful impact on residential amenity or highway safety and the proposal is considered to be acceptable. Where appropriate planning conditions have been imposed to mitigate any harm identified. In accordance with Section 38 (6) of the Planning & Compulsory Purchase

Act 2004, Planning Permission should therefore be granted having account of the following planning policies:

“Saved” Policies – SDP1, SDP4, SDP5, SDP7, SDP9, SDP10, SDP11, SDP12, SDP13, H1, H2, and H7 of the City of Southampton Local Plan Review - Adopted March 2006 as supported by the adopted LDF Core Strategy (2010) policies CS4, CS5, CS13, CS19, and CS20 and the Council’s current adopted Supplementary Planning Guidance. National Planning Guidance contained within PPS1 (Delivering Sustainable Development), PPS3 (Housing 2010) and PPG13 (Transport 2011) are also relevant to the determination of this planning application.

60. **36 EDWARD ROAD SO15 3GZ / 11/00987/FUL**

Conversion of existing building into 3 flats comprising of 1x 3-bed and 2x 2-bed with external alterations including new windows and doors and associated parking and cycle/refuse storage.

Ms Ward, Mr Pope (Local residents) and Councillor Furnell (Ward Councillor) were present and with the consent of the Chair, addressed the meeting.

UPON BEING PUT TO THE VOTE THE OFFICER RECOMMENDATION TO GRANT CONDITIONAL PLANNING PERMISSION WAS CARRIED UNANIMOUSLY

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

Amended condition

12. APPROVAL CONDITION - Sightlines specification [Pre-Commencement Condition]

Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 no fences walls or other means of enclosure including hedges shrubs or other vertical structures shall be erected above a height of [0.6m] above carriageway level within the sight line splays.

Additional conditions

13. APPROVAL CONDITION - Archaeological structure-recording [Pre-Commencement Condition]

No development shall take place within the site until the implementation of a programme of recording of the public house’s basement area has been secured in accordance with a written scheme of investigation which has been submitted to and approved by the Local planning Authority.

Reason:

To ensure that the recording of a significant structure is initiated at an appropriate point in development procedure.

14. APPROVAL CONDITION – Window/door refurbishment [Pre-Commencement Condition]

The existing wooden windows currently in situ shall be maintained and reused in accordance with a scheme to be submitted to and agreed in writing by the Local

Planning Authority before the development commences. In particular, UPVc window frames and door materials shall not be used. The development shall be carried out in accordance with the approved scheme unless agreed otherwise in correspondence with the Local planning Authority.

Reason:

To ensure that the character of the existing building is retained.

REASONS FOR DECISION

The development is acceptable taking into account the policies and proposals of the Development Plan and other guidance as set on the attached sheet. Other material considerations do not have sufficient weight to justify a refusal of the application. The proposed conversion would not have a harmful impact on residential amenity or highway safety and the proposal is considered to be acceptable. Where appropriate planning conditions have been imposed to mitigate any harm identified. In accordance with Section 38 (6) of the Planning & Compulsory Purchase Act 2004, Planning Permission should therefore be granted having account of the following planning policies:

“Saved” Policies – SDP1, SDP4, SDP5, SDP7, SDP9, SDP10, SDP11, SDP12, SDP13, H1, H2, and H7 of the City of Southampton Local Plan Review - Adopted March 2006 as supported by the adopted LDF Core Strategy (2010) policies CS4, CS5, CS13, CS19, and CS20 and the Council’s current adopted Supplementary Planning Guidance. National Planning Guidance contained within PPS1 (Delivering Sustainable Development), PPS3 (Housing 2010) and PPG13 (Transport) are also relevant to the determination of this planning application.

61. **3 BASSETT GREEN DRIVE SO16 3QN / 11/01329/FUL**

Part first floor and part ground floor extension of bungalow to form two storey dwelling, incorporating existing detached garage as part of the house and formation of car port.

The Panel noted that paragraph 6.5.4 of the report was no longer required and could therefore be deleted.

Ms English (Applicant), Mr Blasby and Mr Williams (Local residents) were present and with the consent of the Chair, addressed the meeting.

Councillor B Harris (Ward Councillor) was present and with the consent of the Chair, addressed the meeting. After speaking Councillor B Harris withdrew from the meeting and was not present for the determination of this item.

UPON BEING PUT TO THE VOTE THE OFFICER RECOMMENDATION TO GRANT CONDITIONAL PLANNING PERMISSION WAS CARRIED

RECORDED VOTE:

FOR: Councillors Jones, Osmond and Thomas
AGAINST: Councillor L Harris
ABSTAINED: Councillor Cunio

RESOLVED that conditional planning approval be granted subject to the conditions in the report.

REASONS FOR DECISION

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations including surrounding character and neighbouring amenity have been considered and are not judged to have sufficient weight to justify a refusal of the application. Where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - SDP1, SDP7 and SDP9 of the City of Southampton Local Plan Review (March 2006) and CS13 of the Local Development Framework Core Strategy Development Plan Document (January 2010).

62. **LAND AT YEOVIL CHASE / 11/01304/R3OL**

Redevelopment of the former school playground to provide 21 residential units (13 x 2 bedroom houses, 5 x 3 bedroom houses and 3 x 4 bedroom houses) with associated car parking and amenity space and vehicular access from Yeovil Chase (Outline application seeking approval for access, layout and scale).

UPON BEING PUT TO THE VOTE THE AMENDED OFFICER RECOMMENDATION TO DELEGATE AUTHORITY TO THE PLANNING AND DEVELOPMENT MANAGER TO GRANT CONDITIONAL PLANNING PERMISSION SUBJECT TO THE APPLICANT ENTERING INTO A SECTION 106 LEGAL AGREEMENT WAS CARRIED UNANIMOUSLY

RESOLVED

that authority be delegated to the Planning and Development Manager to grant conditional planning approval subject to:-

- a) Confirmation in writing by the applicant prior to the grant of planning permission that the attached draft Heads of Terms are acceptable to the applicant.
- b) The receipt of an undertaking from the Head of Property and Procurement Services that the contract for the sale of Council owned land, the subject of this application, will be conditional upon the purchaser and any other landowner entering into a S.106 legal agreement with the Council, prior to or simultaneously with the land transfer taking place, to provide the following planning obligations:
 - i. Financial contributions towards site specific transport contributions for highway improvements in the vicinity of the site in line with Policy SDP4 of the City of Southampton Local Plan Review (March 2006), policies CS18 and CS25 of the adopted LDF Core Strategy (2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended);

- ii. A financial contribution towards strategic transport projects for highway network improvements in the wider area as set out in the Local Transport Plan and appropriate SPG/D;
 - iii. Financial contributions towards the relevant elements of public open space required by the development in line with polices CLT3, CLT5, CLT6 of the City of Southampton Local Plan Review (March 2006), Policies CS21 CS25 of the adopted LDF Core Strategy (2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended), to mitigate for the loss of that part of the site which is currently protected open space:-
 - Amenity Open Space (“open space”);
 - Playing Field;
 - Play space/equipment.
 - iv. The provision of a minimum of 35% of the dwellings as affordable housing, in accordance with Policy CS15 of the adopted LDF Core Strategy (2010);
 - v. 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;
 - vi. that a Traffic Regulation Order within the access road serving the site be secured.
- c) The receipt of an undertaking from the Head of Children’s Services and Learning, to secure:
- i) controlled community use of the woodland area as a pocket park;
 - ii) Submission of a management plan to demonstrate how use of the pocket park will be controlled
- d) the conditions in the report and the deletion of condition no 28.

REASONS FOR DECISION

The proposal represents a departure from Policies CS21 of the City of Southampton Core Strategy (January 2010) and ‘saved’ Policy CLT3 of the City of Southampton Local Plan Review (March 2006), because it involves a net loss of protected open space. However the mitigation offered for that set out below is considered acceptable to allow a departure from the Development Plan for Southampton. The development is otherwise acceptable taking into account the policies and proposals of the Development Plan as set out below.

A suitable balance has been achieved between securing additional housing, parking, on-site amenity space and landscaping, whilst ensuring that existing residential amenity is protected.

The element of the site previously used as a playing field has not been in use for 3 years and was fenced off as part of the redevelopment of the school in 2008. The loss of this open space will be mitigated by the provision of a green within the development site, and controlled public access of the woodland fronting Yeovil Chase. The woodland will form a pocket park to be open at weekends. Whilst there will still be a net loss of open space (2,387 square metres), it is considered that this will have a limited impact on the quality of open space provision in the locality due to the existing level of provision in the locality and there would be a gain in terms of the amount and quality of publically accessible open space.

Sport England raises no objection to the loss of playing fields on the basis that substantial investment has taken place to improve the drainage of the retained playing fields thereby improving the quality and usability of the retained playing fields; and also on the basis that a community use agreement and sports development plan can be secured through planning permission 08/01317/R3CFL. Other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38 (6) of the Planning & Compulsory Purchase Act 2004 deemed Outline Planning Permission should therefore be granted.

'Saved' Policies - SDP1, SDP4, SDP5, SDP7, SDP8, SDP9, SDP10, SDP11, SDP12, SDP13, SDP21, SDP22, NE4, HE6, CLT5, CLT6, H1, H2, H3, H6 and H7 of the City of Southampton Local Plan Review (March 2006) as supported by the City of Southampton Core Strategy (January 2010) policies CS4, CS5, CS13, CS14, CS15, CS16, CS18, CS19, CS20, CS22, CS23 and CS25.

63. **24-28 JOHN STREET / 11/01220/OUT**

Re-development of the site to erect a four-storey building containing 10 flats (7 x one-bed, 2 x two-bed and 1 x three-bed) and commercial unit on ground floor with associated parking, cycle and refuse storage (Outline application seeking approval of means of Access, Appearance, Layout and Scale with landscaping reserved) (Resubmission of 11/00021/OUT).

Mr Wiles (Agent) and Mr Townsend (Local resident) were present and with the consent of the Chair, addressed the meeting.

UPON BEING PUT TO THE VOTE THE OFFICER RECOMMENDATION TO DELEGATE AUTHORITY TO THE PLANNING AND DEVELOPMENT MANAGER TO GRANT CONDITIONAL PLANNING PERMISSION SUBJECT TO THE APPLICANT ENTERING INTO A SECTION 106 LEGAL AGREEMENT WAS CARRIED UNANIMOUSLY

RESOLVED

that authority be delegated to the Planning and Development Manager to grant conditional planning approval subject to:

- a) the completion of a S.106 Agreement to secure the following heads of terms which are the subject of a viability assessment:
 - i. Financial contributions towards site specific highway improvements in the vicinity of the site in accordance with polices CS18, CS19 & CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted

Version (January 2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended);

- ii. A financial contribution towards strategic transport improvements in the wider area in accordance with policies CS18 & CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (January 2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended);
- iii. Financial contributions towards the relevant elements of public open space required by the development in line with policies CLT5, CLT6 of the City of Southampton Local Plan Review (March 2006), Policy CS25 of the adopted LDF Core Strategy (2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended) with regard to
 - Amenity Open Space (“open space”);
 - Play Space and;
 - Playing Field.
- iv. Provision of affordable housing in accordance with Policies CS15, CS16 & CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (January 2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended);
- v. 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;
- vi. The restriction of parking permits for the surrounding streets for the future occupants of the development and;

That the Planning and Development Manager be delegated power to vary relevant parts of the Section 106 agreement and to add or vary conditions as necessary as a result of the full appraisal of the viability assessment submitted by the applicant and any further negotiations with the applicant.

In the event that the legal agreement is not completed within two months 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.

- b) the conditions in the report and the deleted and additional condition below.

Condition 3 to be deleted. (amend numbering to run concurrently).

Additional Condition:

15. APPROVAL CONDITION - Wheel Cleaning Facilities [Pre-Use Condition]

During the period of the preparation of the site, excavation for foundations or services and the construction of the development, wheel cleaning facilities shall be available on the site and no lorry shall leave the site until its wheels are sufficiently clean to prevent mud being carried onto the highway.

Reason:

In the interests of highway safety.

REASONS FOR DECISION

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations including the revised more traditional design and its impact on the setting of the Conservation Area and the character of the street scene, the potential risk to future occupiers from flooding, the level of car parking, the number and layout of units, the amenity and privacy of adjacent occupiers and the provision of a commercial unit at ground floor level have been considered and are not judged to have overcome the original reasons for refusal and do not have sufficient weight to justify a refusal of the application. Where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - SDP1, SDP4, SDP5, SDP6, SDP7, SDP9, SDP10, H1, H2, H5, H7, HE1, HE2, HE6 and MSA1 of the City of Southampton Local Plan Review (March 2006) and CS1, CS4, CS5, CS13, CS14, CS15, CS16, CS19 and CS20 of the Local Development Framework Core Strategy Development Plan Document (January 2010).

64. **SOUTHAMPTON GENERAL HOSPITAL, TREMONA ROAD / 11/01270/FUL**

Demolition of the Transport Depot Building and extension of the adjoining Fast Park Car Park to create new ground and first floor parking. (94 additional Spaces).

Mr Bell and Mr Cook (Local resident) were present and with the consent of the Chair, addressed the meeting.

A PROPOSAL TO AMEND THE OFFICERS RECOMMENDATION WAS MOVED AND SECONDED TO REQUIRE THE PLANTING OF A GREEN SCREEN. UPON BEING PUT TO THE VOTE THE AMENDMENT TO THE RECOMMENDATION WAS LOST

THE PROPOSAL WAS LOST 3:4 WITH THE CHAIR USING HIS CASTING VOTE

UPON BEING PUT TO THE VOTE THE ORIGINAL OFFICER RECOMMENDATION TO GRANT CONDITIONAL PLANNING PERMISSION WAS CARRIED UNANIMOUSLY

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

Amended Condition:

3. APPROVAL CONDITION - Details of building materials to be used [Pre-Commencement Condition]

The materials to be used shall match the existing decked car park unless an alternative schedule of materials and external finishes including colour to be used for external walls including privacy screen has been submitted to and approved in writing by the Local Planning Authority prior to the commencement of any site works. Development shall be implemented and maintained only in accordance with the agreed details.

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.

Additional Conditions:

5. PERFORMANCE CONDITION - Post construction traffic monitoring/junction improvement work

6 months after the parking deck extension hereby approved first becomes operational, the applicant shall re-survey the junction of Cxford Road and the hospital access road to assess the impact that the development has had on queuing traffic and junction capacity. Should it be found that the development has created an unacceptable impact on the junction, the applicant shall enter into consultation with Southampton City Council for carrying out appropriate works to the junction to minimise the impact of the development. These works shall be carried out at the applicant's expense and in accordance with all design principles agreed prior to the commencement of any junction improvement works. The improvements works - where necessary - shall then be implemented within a 12 month period of their being agreed in writing with the local planning authority.

Reason:

In the interests of highway safety and to ensure to safe and efficient flow of traffic on the adjoining highway network.

6. PERFORMANCE CONDITION - Additional 'green wall' planting.

Notwithstanding the 'green wall' planting agreed with the local planning authority under permission 10/00921/FUL, which has been planted out, before the first operational use of the decked car park extension hereby approved, the applicant shall submit a scheme of further planting to the existing decked car park for the written approval of the local planning authority. This scheme shall specify a more rapidly growing species, its density at planting and provision for its future maintenance. Once approved, that scheme of further planting shall be carried out before the car park extension is first brought into use or the first available planting season during construction of the car park extension, which ever is the sooner.

Reason: To mitigate the visual impact of the enlarged decked car park to occupiers of adjoining residential properties, given the relative slow rate of growth and limited 'spread' of what has already been planted.

7. PERFORMANCE CONDITION - Privacy screens

Privacy screens to match those placed on the adjoining decked car park, shall be installed on the south-west facing upper deck wall prior to the car park extension - hereby approved - first coming into use. Once installed, that screening shall be retained at all times thereafter.

Reason:

To protect the privacy and amenity of occupiers of adjoining residential properties from overlooking and glare from vehicle headlamps.

REASONS FOR DECISION

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. The provision of additional car parking spaces within the allocated campus of Southampton General and Princess Anne Hospitals to make up some of the currently permitted shortfall of parking on the site is fully in accordance with Policy CS10 of the Core Strategy and Policy HC1 of the City of Southampton Local Plan Review which promotes and safeguards the Hospital site for the development of Healthcare and support facilities. Other material considerations such as light pollution, visual impact, loss of privacy, noise disturbance, air quality and impact on ecology have been mitigated through the design of the car park and do not have sufficient weight to justify a refusal of the application on the site. In accordance with Section 38 (6) of the Planning & Compulsory Purchase Act 2004 Planning Permission should therefore be granted.

“Saved” Policies – SDP1, SDP5, SDP7, SDP9, SDP10, SDP12, SDP15, SDP16 and HC1 of the City of Southampton Local Plan Review - Adopted March 2006 as supported by the adopted LDF Core Strategy (2010) policies CS10, CS13 and CS22, and the Council’s current adopted Supplementary Planning Guidance. National Planning Guidance contained within PPS1 (Delivering Sustainable Development) and PPG13 (Transport) are also relevant to the determination of this planning application.

65. **15 MERTON ROAD, SO17 3RB / 11/01195/FUL**

Part two storey part single storey side and rear extension with detached cycle and refuse store.

Ms Fox was present and with the consent of the Chair, addressed the meeting.

UPON BEING PUT TO THE VOTE THE OFFICER RECOMMENDATION TO GRANT CONDITIONAL PLANNING PERMISSION WAS CARRIED

RECORDED VOTE:

FOR: Councillors Jones, Cunio, L Harris, Osmond and Thomas

AGAINST: Councillor B Harris

RESOLVED that authority be delegated to the Planning and Development Manager to grant conditional planning approval subject to the conditions in the report and the additional conditions set out below.

Additional conditions

6 APPROVAL CONDITION - Cycle storage for development only [Pre-Occupation Condition]

The cycle storage and storage outbuilding as shown on the approved plans shall be used for purposes ancillary to the main dwelling house only and for no other purpose unless otherwise agreed in writing with the Local Planning Authority.

Reason:

To ensure adequate cycle store provision and in the interests of the local planning authority retaining control over the use of the store.

7 APPROVAL CONDITION - Tree Retention and Safeguarding [Performance Condition]

The two cherry trees on site shall be fully safeguarded during the course of all site works including preparation demolition, excavation, construction and building operations. Fencing shall be erected around the trees so as to protect them from the buildings works prior to the commencement of development, and no storage of goods including building materials, machinery and soil, shall take place underneath the crown spread of the trees at any time.

Reason:

To ensure that trees to be retained will be adequately protected from damage throughout the construction period in order to protect the said trees in the interests of the visual amenities and character of the locality.

REASONS FOR DECISION

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations including impact on the appearance of the host dwelling, character and appearance of the area and residential amenities (including the intensification of use) have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - SDP1 (i) (ii), SDP7 (iv) and SDP9 (i) (v) of the City of Southampton Local Plan Review (March 2006) and CS13 of the Local Development Framework Core Strategy Development Plan Document (January 2010).

66. LAND AT 43 TO 45 VESPASIAN ROAD / 11/00959/FUL

Application to waive the requirement to provide affordable housing (5x 2-bed flats) at 43-45 Vespasian Road under the relevant clauses and schedules of planning agreement dated 10th May 2002, signed in connection with the granting of planning permission reference 00/00320/FUL.

Mr Evans (Sea Cadets Chairman) was present and with the consent of the Chair, addressed the meeting.

UPON BEING PUT TO THE VOTE THE AMENDED OFFICER RECOMMENDATION TO AUTHORISE THE HEAD OF LEGAL AND DEMOCRATIC SERVICES TO ENTER INTO A DEED OF VARIATION PRIOR TO ANY LAND TRANSFER TO RELEASE THE LAND FROM THE REQUIREMENT THAT IT IS USED FOR AFFORDABLE HOUSING AND RESTRICT THE USE OF LAND TO COMMUNITY USE WAS CARRIED UNANIMOUSLY

RESOLVED that authority be given for the Head of Legal and Democratic Services to enter into a deed of variation prior to any land transfer to release the land from the requirement that it is used for affordable housing and restrict the use of the land to community use.

REASONS FOR DECISION

It is considered reasonable to remove the requirement to provide affordable housing at 43-45 Vespasian Road under the relevant clauses and schedules of planning agreement dated 10th May 2002, signed in connection with the granting of planning permission reference 00/00320/FUL. This is because the applicant has demonstrated that there are sequentially preferable sites to develop for housing, which are not located within a high category flood risk zone, as advised by Planning Policy Statement 25 (Flood Risk). The Local Planning Authority is also satisfied that even if habitable accommodation within a building were raised up above the relevant level, a satisfactory means of escape away from the site in times of flood could not be achieved successfully. This is in respect of adverse visual/amenity impact of some form of gantry oversailing the highway and the prohibitive cost of constructing and maintaining such a means of escape in terms of the overall viability of such a development. As such, the Local Planning Authority is satisfied that 43-45 Vespasian Road should no longer be developed residentially. By providing an alternative requirement to develop the land for community group use purposes, the agreement will continue to serve a useful purpose to the wider benefit of the local community.