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PLANNING AND RIGHTS OF WAY PANEL (EAST)  
MINUTES OF THE MEETING HELD ON 12 APRIL 2016

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Present: Councillors Denness (except minute number 60) (Chair), Hecks, Coombs, Wilkinson and Mintoff

Apologies: Councillors Tucker

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

It was noted that following receipt of the temporary resignation of Councillor Tucker from the Panel the Service Director Legal and Governance, acting under delegated powers, had appointed Councillor Mintoff to replace them for the purposes of this meeting.

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

**RESOLVED:** that the minutes for the Panel meeting on held on 1st March 2016 be approved and signed as a correct record.

56. **PLANNING APPLICATION - 14/01911/FUL -VACANT SITE WEST OF M271, TEST 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.

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.

Denise Wyatt, Eugene Mcmanus (local residents/ objecting), Neil Dickinson, and Councillor Pope (Ward Councillor/objecting) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported the amendments to conditions set out within the report and noted that further correspondence had been received from Councillor Whitbread, who was unable to the meeting, seeking the addition of real time bus information to the nearest bus stop to the Redbridge roundabout to the S106 and the plausibility of setting up a site liaison group.

RECORDED VOTE to approve the officer recommendation.

FOR: Councillors Coombs, Denness and Mintoff

AGAINST: Councillor Wilkinson

ABSTAINED: Councillor Hecks

## **RESOLVED**

- (i) Delegate to the Planning and Development Manager to grant planning permission subject to the amended planning conditions set out report and the amendment set out below and the completion of the S.106 Legal Agreement in the form shown in Appendix 1.
- (ii) 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.
- (iii) That the Panel agreed that the suggestion for a Site Liaison Group would be taken forward at the discretion of the Planning and Development Manager and would not be included within the Section 106 agreement or conditions.

### **Amended Condition**

36. No open storage of metal containers (Performance Condition)

No open storage of metal **shipping** containers shall take place within the service yards or car parking areas of this development.

Reason: To mitigate potential noise problems in the interests of the amenities of residential neighbours.

### 57. **PLANNING APPLICATION - 15/02401/FUL - 536-540 PORTSWOOD ROAD**

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. Demolition of the existing buildings and erection of two linked buildings of 5 and 6 storeys above basement to provide 199 units of student residential accommodation with associated communal living spaces, landscaping and parking.

Matthew Pardoe (agent), and Councillor Mintoff (Ward Councillors/objecting) were present and with the consent of the Chair, addressed the meeting.

The presenting officer corrected an error in Paragraph 6.3 of the report and reported that there are no cluster flats within the development. The Panel encouraged the applicant to consider measures for storing water within the development to help cope with potential peak demands and due to the known problems of water pressure in this area.

## **RESOLVED**

- (i) that the Panel confirmed the Habitats Regulations Assessment in Appendix 2 to this report.
- (ii) to delegate to the Planning and Development Manager to grant planning permission subject to the completion of a S106 Legal Agreement, the conditions listed in the report, and the amendment to the S106 and amended conditions, set out below.

### **Amended Condition**

Delete Condition 05

05. Reuse of uncontaminated soils [Performance Condition]

No soils, sub-soil or other spoil material generated from the construction must be re-used on the near-surface soils unless it can be validated as being fit for use (i.e. evidently undisturbed, natural soils or, if otherwise, tested to ensure it is free of contamination).

Reason: The property is in an area where there land has been unfilled or reclaimed. It would be prudent to ensure any potential fill material excavated during construction is not reused in sensitive areas unless it is evident that it is unlikely to present a land contamination risk

NOTE: Councillor Mintoff declared an interest and withdrew from the meeting for the consideration of this item.

### 58. **PLANNING APPLICATION - 16/00196/FUL - CAPITAL HOUSE, HOUNDWELL PLACE**

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.

Alterations and conversion of Capital House to provide purpose built student accommodation; demolition of the Royal Oak Public House, and erection of 4 and 5-storey buildings to provide student townhouses (total accommodation 156 units comprising 423 bedspaces) with associated facilities and parking; a 2-storey commercial unit (260 square metres, Classes A1, A2, A3, A4 or A5); an extension of East Street to provide a new pedestrian access to Evans Street.

Graham Linecar (local residents/ objecting), Max Plotnek (agent), were present and with the consent of the Chair, addressed the meeting.

On being put to the vote the recommendation to confirm the Habitats Regulation Assessment set out in the report was confirmed unanimously.

RECORDED VOTE to grant planning permission

FOR: Councillors Coombs and Denness  
AGAINST: Councillors Hecks and Wilkinson  
ABSTAINED: Councillor Mintoff

NOTE: The motion to grant planning permission was passed on the use of the Chair's second and casting vote.

**RESOLVED**

- (i) the Panel confirmed the Habitats Regulation Assessment in Appendix 2 to the report
- (ii) to delegate to the Planning and Development Manager to grant planning permission subject to the completion of a S106 Legal Agreement, the conditions listed in the report.

59. **PLANNING APPLICATIONS - 15/02412/R3CFL AND 15/02444/OUT - SPRINGWELL SCHOOL**

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.

- a) 15/02412/R3CFL. Phase 1 expansion of Springwell School, erection of a single-storey school building.
- b) 15/02444/OUT. Phase 2 expansion of Springwell School consisting of two x two storey blocks and a multi-use games area (MUGA) providing additional teaching, health, sports and community facilities for children with special educational needs (Outline application seeking approval for layout and access - affects a public right of way).

Carey Ely, Adam Moniz, Graham Linecar (local residents/ objecting), Vanessa Orekan (Agent), Nigel Mullan (Applicant), were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that the object raised by the planning ecologist had been removed subject to securing funding to displace the dog walking activity currently taking place on the site into the Shoreburs Greenway. However it was noted that The Open Spaces Team had not removed their objection to the application despite the mitigation measures proposed. As a result the recommendation needed to be altered to reflect this.

On being put to the vote the officer recommendation relating to Phase 1 of the development (Application Number 15/02412/R3CFL) was passed unanimously. Officers noted the concerns of residents living opposite the school and noted that the issues raised would be considered as part of the Traffic Regulation Order and that they would approach colleagues in the housing in regard to the provision of signing.

A separate vote on the officer recommendation relating to Phase 2 of the development (Application Number 15/02444/OUT) was lost unanimously. A further motion proposed

by Councillor Hecks and seconded by Cllr Denness to defer decision on this item was passed unanimously.

## **RESOLVED**

### **APPLICATION NUMBER 15/02444/OUT**

- (i) that decision on Application Number 15/02444/OUT be deferred to a future meeting;

### **APPLICATION NUMBER 15/02412/R3C6FL**

- (ii) to delegate to the Planning and Development Manager to grant planning permission( for application number 15/02412/R3C6FL) subject to amended recommendations, as set below, and the completion of a S106 Legal Agreement, the conditions listed in the report, and the amendments to the S106, set out below.

### **AMENDED RECOMMENDATIONS**

1. Subject to the receipt of an on-site public open space retention phasing plan (to include means of enclosure) refer the application to the National Planning Casework Unit (NPCU) in accordance with The Town and Country Planning (Consultation) (England) Direction 2009 following objection from Sport England.
2. In the event that the National Planning Casework Unit (NPCU) confirm that the Secretary of State does not wish to 'call in' the application and that the matter can be determined by the Local Planning Authority then delegate to the Planning and Development Manager to grant planning permission for both 15/02412/R3CFL and 15/02444/OUT subject to the completion of a unilateral Undertaking to secure the following planning obligations:

### **AMENDED S106 OBLIGATIONS**

- 2(iv) Open Space and Playing Field Loss Mitigation including provision of an onsite MUGA, onsite green corridor from Hinkler Road to Donkey Common, improvements to Shoreburs Greenway and improvements to Hinkler Green playing fields in line with policy CLT3 of the City of Southampton Local Plan Review (as amended 2015), policy CS21 of the adopted LDF Core Strategy (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013)
- 2(viii) The design, landscaping and formation of a green corridor and permissive route linking Hinkler Road with Byron Road and Donkey Common. The delivery of this corridor to be linked to the first occupation of any development.

60. **PLANNING APPLICATION - 15/02461/FUL - UNIVERSITY OF SOUTHAMPTON,  
SALISBURY ROAD**

**COUNCILLOR COOMBS IN THE CHAIR**

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.

Landscaping and traffic calming measures to Salisbury Road, including alterations to vehicular access and utilities following proposed stopping up of Salisbury Road as public highway.

Stephen Edwards, Graham Linecar, Adrian Vinson (local residents/ objecting), Kevin Monaghan (applicant), Anthony Guay (consultant for the applicant) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that additional information had been submitted by the University of Southampton (UoS) detailing further negotiations with a local cyclist group and Southampton Common and Parks Protection Society together with a safety audit provided to UoS assessing the proposed works.

RECORDED VOTE to grant planning permission  
FOR: Councillors Coombs, Hecks and Wilkinson  
ABSTAINED: Councillor Mintoff

**RESOLVED** to delegate to the Planning and Development Manager to grant planning permission subject to the completion of a S106 Legal Agreement, the conditions listed in the report

**NOTE:** Councillor Denness declared an interest and withdrew from the meeting for the consideration of this item.