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PLANNING AND RIGHTS OF WAY PANEL  
MINUTES OF THE MEETING HELD ON 20 JUNE 2017

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Present: Councillors Savage (Vice-Chair), Claisse, Hecks, Murphy, Wilkinson and Letts

Apologies: Councillors Denness and Barnes-Andrews

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

It was noted that following receipt of the temporary resignation of Councillor Denness from the Panel, the Service Director Legal and Governance acting under delegated powers, had appointed Councillor Letts to replace them for the purposes of this meeting. The Panel also received apologies from Councillor Barnes-Andrews.

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

**RESOLVED:** that the minutes for the Panel meeting on 23 May 2017 be approved and signed as a correct record.

9. **PLANNING APPLICATION - 16/01899/FUL - UPPER SHIRLEY HIGH**

The Panel considered the report of the Service Lead, Planning, Infrastructure and Development recommending delegated authority be granted in respect of an application for a proposed development at the above address.

Removal of two temporary classrooms and erection of a two storey building to provide 10 new classrooms with ancillary accommodation (amended to provide 12 additional car parking spaces and construction access details)

Liz Harrison and Frank Winter (local residents/ objecting), Bradley Smith (agent), and Julie Prince (Upper Shirley High Business Manager) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported some adjustments to conditions listed below. The Panel sought to strength the section 106 requirement for the green travel plan by introducing a requirement to achieve at least a silver rating in the Sustainable Travel Accreditation and Recognition for Schools scheme. The Panel also requested that conditions relating to deliveries and the temporary access be adjusted to stipulate a delivery time of after 9:00am as set out below.

The Panel considered the recommendation to delegate authority to the Service Lead: Planning, Infrastructure and Development to grant planning permission. Upon being put to the vote the recommendation was carried.

**RESOLVED** that the Panel:

- (i) Delegated approval to the Service Lead – Planning, Infrastructure and Development Manager to grant planning permission subject to any amendments set out below and the completion of a S.106 Legal Agreement to secure:
  - (a) The submission and approval of a Green Travel Plan aimed at:
    - reducing the reliance of the private car in relation to staff and pupil trips to/from the school and a financial contribution to ensure a meaningful implementation of the approved Green Travel Plan; and
    - making the school achieve a silver accreditation against Sustainable Travel Accreditation and Recognition for Schools (STARS) scheme and that this would have an initial 6 month review.
  - (b) A highway condition survey to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer.
- (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.

**ADDITIONAL AND AMENDED CONDITIONS**

**03. HOURS OF WORK FOR DEMOLITION / CLEARANCE / CONSTRUCTION (PERFORMANCE)**

All works relating to the demolition, clearance, construction vehicle access and construction of the development hereby granted shall only take place between the hours of:

Monday to Friday	08:00 to 18:00 hours
Saturdays	09:00 to 13:00 hours

And at no time on Sundays and recognised public holidays.

Any works outside the permitted hours shall be confined to the internal preparations of the buildings without audible noise from outside the building, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To protect the amenities of the occupiers of existing nearby residential properties.

**04. CONSTRUCTION MANAGEMENT PLAN (PRE-COMMENCEMENT)**

Before any development or demolition works are commenced details shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Plan for the development. The Construction Management Plan shall include details of:

- (a) parking of vehicles of site personnel, operatives and visitors within the site to prevent overspill parking onto Bellemoor Road and surrounding streets;
- (b) loading and unloading of plant and materials;
- (c) storage of plant and materials, including cement mixing and washings, used in constructing the development;

- (d) treatment of all relevant pedestrian routes and highways within and around the site throughout the course of construction and their reinstatement where necessary;
- (e) measures to be used for the suppression of dust and dirt throughout the course of construction;
- (f) details of construction vehicles wheel cleaning;
- (g) details of how noise emanating from the site during construction will be mitigated. The approved Construction Management Plan shall be adhered to throughout the development process unless agreed otherwise in writing by the local planning authority; and
- (h) details of height and position of temporary access gates.

REASON: In the interest of health and safety, protecting the amenity of local land uses, neighbouring residents, the character of the area and highway safety.

#### 15. APPROVAL CONDITION - PLAYING FIELDS (PRE-COMMENCEMENT)

No development shall commence until a scheme for the removal of the temporary works which includes the temporary construction traffic route and access on playing field land and the long jump pit and track has been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The scheme must be in accordance with Sport England guidance "Natural Turf for Sport" (2011) Within one month of first use of the classrooms hereby approved, the temporary works carried out under this permission shall be removed from the site and the playing land and long jump pit and track reinstated in accordance with details that have previously been submitted to the Local Planning Authority and approved in writing.

REASON: To ensure the site is restored to a condition fit for purpose and to accord with policies CS21 of the Core Strategy and 'saved' policy CLT3 of the Local Plan Review.

#### 16. APPROVAL CONDITION - SERVICING AND DELIVERIES

The development shall be carried out in accordance with the pre-construction traffic management analysis dated March 2017 in relation to routing of construction vehicles, permitted construction traffic hours, site access requirements, vehicle call up procedures and provision of wheel cleaning facilities.

No deliveries shall take place between 18.00-09.15 hours and 14:30-15:30 hours Monday to Friday.

Any deliveries or servicing on Saturdays between 09:00 to 13:00 hours shall only be made by small/medium size vehicles which shall access the site through the main entrance.

REASON: In the interests of pedestrian safety and neighbouring amenities

#### 17. APPROVAL CONDITION - TEMPORARY CONSTRUCTION ACCESS

Prior to commencement of the use of the temporary construction traffic access, the existing dropped kerb shall be assessed to ensure it can withstand overrunning by heavy goods vehicles, with details to be submitted and agreed in writing with the Local Planning Authority. Core samples will need to be taken to establish the construction, across the full width likely to be overrun by an articulated vehicle, and if the construction

does not meet the councils standards for a heavy duty crossover, it will need to be constructed as such, and the crossing widened to accommodate the tracking of the largest vehicle likely to use the access. Any works to upgrade the existing dropped kerb will need to be undertaken under a s171 notice and completed prior to commencement of the use of the temporary construction traffic access.

Prior to occupation of the classrooms hereby approved, or during the first planting season following the full completion of building works, whichever is sooner, the temporary construction access shall be stopped up and a secure boundary treatment comprising fencing and hedgerow shall be reinstated. Details of the fencing and hedgerow to be agreed in writing with the Local Planning Authority prior to the commencement of development. The fencing and hedgerow shall be installed and retained as agreed.

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.

REASON: To protect the amenities of adjacent properties, in the interests of highway safety, and to improve the appearance of the site and enhance the character of the development in the interests of visual amenity

CONDITION 18 DELETED

NOTE: Councillor Savage announced that he had two children in attendance at the school but did not feel that this would not prejudice his ability make an impartial decision.

10. **PLANNING APPLICATION -17/00607/FUL- 123 UPPER SHIRLEY AVENUE**

The Panel considered the report of the Service Lead, Planning, Infrastructure and Development recommending that conditional planning permission be granted in respect of an application for a proposed development at the above address.

Erection of a detached double garage and 2m high boundary wall to Upper Shirley Avenue (resubmission 16/00395/FUL) (Amended to reduce the depth of the garage by 1125mm and to remove roof lights)

Derek Goodchild (local resident objecting) and John Warwick (agent) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported a requirement for an additional condition seeking removal of the existing garage as set out below. At the Panel's request a further condition, set out below, was added to restrict the usage of the structure.

The Panel then considered the recommendation to grant conditional planning permission. Upon being put to the vote the recommendation was carried.

RECORDED VOTE to grant planning permission

FOR: Councillors Claisse, Hecks, Letts, Murphy and Savage

AGAINST: Councillor Wilkinson

**RESOLVED** that the Panel granted planning approval subject to the conditions set out in the report and any amended and additional conditions set by the Panel, set out below.

#### ADDITIONAL CONDITIONS

##### APPROVAL CONDITION – REMOVAL OF EXISTING GARAGE

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), prior to first occupation of the garage hereby approved, the existing garage shall be fully demolished.

REASON: In the interests of the visual amenities of the area and to prevent excessive overprovision of on-plot parking spaces.

##### APPROVAL CONDITION - USE OF GARAGE - DOMESTIC ANCILLARY USE [PERFORMANCE CONDITION]

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) the garage hereby approved shall be made available and used at all times for the parking of domestic vehicles related to the residential use of the dwelling house and associated ancillary storage relating and incidental to the enjoyment of the occupation of the dwelling house. At no time shall the garage be used for the parking of commercial vehicles or used for any trade, business, manufacturing or industrial purposes whatsoever and shall not be incorporated into the house as part of the domestic living accommodation.

REASON: To maintain high quality living environment for the occupiers of the dwelling house and the residential amenities of the surrounding neighbourhood.

#### 11. **PLANNING APPLICATION - 17/00333/FUL- 8-9 PREMIER PARADE, FOREST HILLS DRIVE**

The Panel considered the report of the Service Lead, Planning, Infrastructure and Development recommending that conditional planning permission be granted in respect of an application for a proposed development at the above address.

Application for variation of condition 4 (Extraction equipment) of planning permission 16/00256/FUL to alter the height of the external vertical extract duct to 1.2 metres above roof height (full height).

Les Weymes was present and with the consent of the Chair, addressed the meeting.

The Panel considered the recommendation to grant conditional planning permission. Upon being put to the vote the recommendation was carried.

**RESOLVED** that the Panel granted planning approval subject to the conditions set out in the report (and any amended and additional conditions set by the Panel, set out below)