
PLANNING AND RIGHTS OF WAY PANEL
MINUTES OF THE MEETING HELD ON 1 AUGUST 2017

Present: Councillors Denness (Chair), Barnes-Andrews, Claisse, Hecks, Murphy, Wilkinson and Coombs

Apologies: Councillor Savage

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

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

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

RESOLVED: that the minutes for the Panel meeting on 11 July 2017 be approved and signed as a correct record.

20. **PLANNING APPLICATION -15/00306/FUL - FORMER REDBRIDGE SIDINGS**

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.

Change of use of land from open space and landscaping into operational railway use and construction of new railway sidings.

Graham Linecar (Southampton Commons and Parks Protection Society) Denise Wyatt and John Davies (local residents objecting), Alec Samuels (City of Southampton Society) Santana Deen (applicant), and Councillors McEwing and Pope (Ward Councillors objecting) were present and with the consent of the Chair, addressed the meeting.

The Panel Members noted that the development was contrary to the Local Plan and that the Panel had to protect the wellbeing and the amenities of residents within the City.

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 lost.

A further motion to refuse to delegate approval to the Service Lead: Planning, Infrastructure and Development for the reasons set out below was then proposed by Councillor Barnes-Andrews and seconded by Councillor Claisse.

RECORDED VOTE to refuse planning permission
FOR: Councillors Barnes-Andrews, Claisse, Murphy, and
Wilkinson
AGAINST: Councillors Coombs and Hecks
ABSTAINED: Councillor Denness

RESOLVED to refuse planning permission for the reasons set out below:

REFUSAL REASON – LOSS OF OPEN SPACE

The proposed change of use results in the loss of public open space to the detriment of the usability of the Park, its access and, with the associated removal of 118 mature trees, its appearance contrary to Policy CS21 of the LDF Core Strategy (Amended 2015), which seeks to retain the quantity of open space in the City.

21. **PLANNING APPLICATION -17/00325/FUL - LAND TO REAR OF THE BROADWAY PORTSWOOD ROAD**

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.

Redevelopment of the site. Erection of a part 2-storey, part 4-storey building to contain 43 units of student accommodation with communal facilities and cycle/refuse storage.

Richard Buckle, Jane Jameson, Verena Coleman, Johnathan Chipp and Adrian Ford (local residents objecting), and Peter Atfield (agent) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that one additional objection had been received since the publication of the report. The Panel raised concerns including issues to site access: for the arrival of students; the collection of waste; and for the emergency services. In addition the Panel raised concerns on how the development would relate to neighbouring properties

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 officer recommendation to delegate approval was lost.

A further motion to refuse to delegate approval to the Service Lead: Planning, Infrastructure and Development for the reasons set out below was then proposed by Councillor Hecks and seconded by Councillor Denness.

RESOLVED to refuse planning permission for the reasons set out below:

Reasons for Refusal

(i) Overdevelopment and poor access

The proposed development due to its density, height, site coverage and siting close to neighbouring boundaries results in an overdevelopment of the site which is out of character with the area. In addition due to the sites backland position the access to the proposed development is contrived and fails to address the needs of the future occupiers in terms of safety, security and design. As such the proposal is contrary to 'saved' policies SDP1, SDP7, SDP10 and H7, H13 of the Amended Local Plan Review (2015) and policy CS13 of the Amended Core Strategy (2015)

(ii) Impact on neighbouring occupiers and poor residential environment

The close proximity of the proposed development to the neighbouring properties (notwithstanding the relationship of the existing building on site to the neighbouring properties) results in detrimental harm to the outlook and perceived privacy of the neighbouring occupiers. Furthermore due to the proposal failing to provide any outdoor amenity or internal communal space the development results in harm to future occupiers residential amenities. As such the proposal is contrary to 'saved' policies SDP1 and H7 and of the City of Southampton Local Plan Review (as amended 2015) and policies CS13 of the Core Strategy 2015 and part 2 and Part 4 – paragraph 4.4 of the Residential Design Guide Supplementary Planning Document 2006

(iii) Failure to enter into S106 agreement

In the absence of a completed Section 106 Legal Agreement, the proposals fail to mitigate against their direct impacts and do not, therefore, satisfy the provisions of Policy CS25 of the adopted Local Development Framework Core Strategy (2015) as supported by the Council's Developer Contributions Supplementary Planning Document (2013) in the following ways:-

- a. Financial contributions towards site specific transport contributions for highway improvements in the vicinity of the site, including any necessary Traffic Regulation Orders to facilitate any changes, in line with Policy SDP4 of the City of Southampton Local Plan Review (as amended 2015), policies CS18 and CS25 of the adopted LDF Core Strategy (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013);
- b. In lieu of an affordable housing contribution from the student residential block an undertaking by the developer that only students in full time higher education be permitted to occupy the identified blocks and that the provider is a member of the Southampton Accreditation Scheme for Student Housing (SASSH) (or equivalent) in accordance with Local Plan Policy H13(v);
- c. Submission of a Training & Employment Management Plan committing to adopting local labour and employment initiatives, both during and post construction, in accordance with Policies CS24 and CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013);
- d. Submission of a highway condition survey to ensure that any damage to the adjacent highway network attributable to the construction process is repaired by the developer;

- e. Restrictions to prevent future occupiers benefitting from parking permits in surrounding streets;
- f. Financial contribution towards a consultation exercise to assess whether there is a demand for a Residents Parking Scheme; and if appropriate, to ensure that the Residents Parking Scheme is implemented in full;
- g. Submission, approval and implementation of a 'Student Intake Management Plan' to regulate arrangements at the beginning and end of the academic year;
- h. Submission and implementation of a Construction Traffic Management Plan;
- i. Submission and implementation of a Servicing Management Plan;
- j. Submission and implementation of a Travel Plan.
- k. Submission, approval and implementation of a CCTV network that can be linked into and/or accessed by the Council and its partners, with contributions towards community safety associated with the needs of the late night commercial uses
- l. Financial contributions towards Solent Disturbance Mitigation in accordance with policy CS22 (as amended 2015) of the Core Strategy and the Conservation of Habitats and Species Regulations 2010; and
- m. The submission, approval and implementation of a Carbon Management Plan setting out how the carbon neutrality will be achieved and/or how remaining carbon emissions from the development will be mitigated in accordance with policy CS20 of the Core Strategy and the Planning Obligations SPD (September 2013).

NOTE: Councillor Claisse withdrew from the Panel for this Item to make a presentation as a Ward Councillor.

22. **PLANNING APPLICATION -17/00583/FUL- LAND TO REAR OF 65/67 RADSTOCK ROAD**

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.

Erection of a 2 storey, 3 bed detached house with associated car parking and refuse storage following demolition of existing garage.

Katie Bax (local residents objecting), and Councillors Keogh and Lewzey (ward councillors objecting) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported adjustments to conditions 7 and 11 as set out below. In addition the Panel requested that conditions relating to the boundary be strengthened.

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.

RECORDED VOTE to grant planning permission
FOR: Councillors Denness, Barnes-Andrews,
Claisse, Murphy, Coombs and Wilkinson
ABSTAINED: Councillor Hecks

RESOLVED that the Panel:

- (i) Delegated approval to the Service Lead – Planning, Infrastructure and Development Manager to grant planning permission subject to the planning conditions set out in the report, and any additional or amended condition/s set out below, and securing a financial contribution (or alternative) towards Solent Disturbance Mitigation Project to mitigate against the pressure on European designated nature conservation sites in accordance with Policy CS22 of the Core Strategy and the Conservation of Habitats and Species Regulations 2010.
- (ii) Delegated permission for the Service Lead – Planning, Infrastructure and Development to add, vary and /or delete conditions as necessary and to refuse permission should the Solent Disturbance Mitigation Project payment not be made.

AMENDED CONDITIONS

07. SIGHTLINES SPECIFICATION (Pre-Commencement)

Sight lines shown on the approved drawing ADP/1704/P/00B Rev A of 2m by 2m measured at the back of footway shall be provided before the use of any building hereby approved commences, and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 no fences walls or other means of enclosure shall be erected above a height of 0.6m above ground level within the sight line splays.

REASON: To provide safe access to the development and to prevent congestion on the highway.

11. REFUSE & RECYCLING (Performance)

Before the development hereby approved first comes into occupation, 2 x 360litre wheeled bins (one with green lid, one with blue lid) and a glass collection box for refuse storage shall be provided and thereafter retained on site. The bins shall only be moved to the footway on the day of collection and shall remain within the residential curtilage at all other times.

REASON: In the interest of visual and residential amenity.

NOTE TO APPLICANT: In accordance with para 9.2.3 of the Residential Design Guide (September 2006): if this development involves new dwellings, the applicant is liable for the supply of refuse bins, and should contact SCC refuse team at Waste.management@southampton.gov.uk at least 8 weeks prior to occupation of the development to discuss requirements.

13. LANDSCAPING & MEANS OF ENCLOSURE DETAILED PLAN (Pre-Commencement)

Notwithstanding the submitted details, before the commencement of any site works a detailed landscaping scheme and implementation timetable shall be submitted to and approved by the Local Planning Authority in writing, which includes:

- i. means of enclosure and section drawings to show the height of enclosure in relation to neighbouring garden levels; 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;
- iii. details of any proposed boundary treatment, including retaining walls; and
- iv. a landscape management scheme.
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
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 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