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PLANNING AND RIGHTS OF WAY PANEL (EAST)  
MINUTES OF THE MEETING HELD ON 7 APRIL 2015

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Present: Councillors Lewzey (Chair), Denness (Vice-Chair), Fitzhenry, Hecks and Tucker

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

**RESOLVED** that the minutes of the meeting held on 10<sup>th</sup> March 2015 be approved and signed as a correct record.

57. **FORMER B AND Q STORE, MAYFIELD ROAD, 14/02108/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. Demolition of the existing retail building and erection of three, four, five and six storey buildings to provide purpose built student accommodation (comprising 525 bedrooms in 80 flats and 103 studio rooms), with associated communal facilities, landscaping, cycle storage, parking and independent cafe, with vehicle access retained from Mayfield Road.

Charles Fish (Applicant), Kristine Salowon-Olsen (Hampshire Chamber of Commerce/supporting), Tim Barrett-Smith (Local Resident/objecting), Councillor Mintoff and Councillor Painton (Ward Councillors/objecting) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported an additional condition.

**RESOLVED**

- (i) that authority be delegated to the Planning and Development Manager to grant planning permission subject to the completion of a S.106 Legal Agreement, the conditions listed in the report and the additional condition as set out below;
- (ii) that in the event that the legal agreement is not completed within two months of the date of the decision, the Planning and Development Manager be authorised to refuse permission on the grounds of failure to secure the provisions of Section 106 Legal Agreement; and
- (iii) 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 Condition

#### 42. APPROVAL CONDITION - Details of a Management Plan (Pre-Occupation Condition)

Notwithstanding the information provided as part of the application, a management plan setting out measures for the day to day operation of the building shall be submitted to and approved in writing by the Local Planning Authority before the building is first occupied. The management plan shall include details of staffing levels, car parking arrangements and measures for mitigating noise and disturbance which might affect the amenities of neighbours. The development shall operate in accordance with the approved management plan for the lifetime of the use of the site for student residential accommodation unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To satisfy the Council that the operation of the site would not be to the detriment of the residential amenities of neighbouring occupiers.

RECORDED VOTE to grant planning permission.

FOR: Councillors Lewzey, Hecks, Fitzhenry and Tucker

AGAINST: Councillor Denness

#### 58. **71 ARCHERY GROVE, 15/00070/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.

Erection of a two-storey side extension to create two x two-bed flats with associated parking and cycle/refuse storage and retain existing dwelling.

Gordon Rogers (Agent), Howard Bown (local resident/objecting), Councillor Payne and Councillor Hammond (Ward Councillors/objecting) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported an amended condition and additional conditions listed below.

### Amended Condition

#### 4. APPROVAL CONDITION - Residential - Permitted Development Restriction [Performance Condition]

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), or any Order amending, revoking or re-enacting that Order, no building or structures within Schedule 2, Part 1, Classes as listed below shall be erected or carried out to the existing dwelling house on-site without the prior written consent of the Local Planning Authority:

Class A (enlargement of a dwelling house), including a garage or extensions,  
Class B (roof alteration),

Class C (other alteration to the roof),  
Class E (curtilage structures), including a garage, shed, greenhouse, etc.,  
Class F (hard surface area).

Reason:

In order that the Local Planning Authority may exercise further control in this locality given the small private garden and amenity areas provided as part of this development in the interests of the comprehensive development and visual amenities of the area.

#### Additional Conditions

##### APPROVAL CONDITION – Sites Sections [Pre-Commencement Condition]

Prior to the commencement of development additional plans detailing the finished levels and sections of the proposed development shall be submitted to and be approved in writing by the Local Planning Authority. The proposed development shall be carried out in accordance with the approved plans unless otherwise agreed in writing.

Reason:

To improve the appearance of the site and enhance the character of the development in the interests of visual amenity.

##### APPROVAL CONDITION - Sustainable Drainage Systems (Pre-Commencement Condition)

Prior to the commencement of development (except site set up and demolition) a feasibility study demonstrating an assessment of the potential for the creation of a sustainable drainage system on site shall be carried out and submitted to the Local Planning Authority. Any measures shown to be feasible shall be verified in writing by the Local Planning Authority and implemented prior to first occupation of the development hereby granted consent. If the study demonstrates the site has the capacity for the implementation of a sustainable drainage system, a specification shall be agreed in writing with the Local Planning Authority. A sustainable drainage system to the approved specification must be installed and rendered fully operational prior to the first occupation of the development hereby granted consent and retained thereafter. In the development hereby granted consent, peak run-off rates and annual volumes of run-off shall be no greater than the previous conditions for the site.

Reason:

To conserve valuable water resources, in compliance with and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010) and to prevent an increase in surface run-off and reduce flood risk.

**RESOLVED** to refuse planning permission for the reasons set out below.

#### Reasons for Refusal

1. REFUSAL REASON - Residential environment

The proposed extension to provide two additional residential units by reason of its physical appearance in terms of its bulk, mass and footprint results in an overdevelopment of the site that is harmful to the general character of the area due to its prominence in the streetscene. As such the proposal creates an unacceptable residential environment contrary to Policies CS13 and CS16 of the Southampton Core Strategy (2010), SDP1 (Saved Policy) of the Southampton Local Plan Review (2006) and Section 2 and Section 4.4 of the Council's 'Residential Design Guide' Supplementary Planning Document (2006).

## 2. REFUSAL REASON -Standard Solent Disturbance Mitigation Project

Failure to provide financial contribution to secure planning obligations. In the absence of a financial contribution or alternative provision to support the development the application fails to mitigate against its wider direct impact with regards to the additional pressure that further residential development will place upon the Special Protection Areas of the Solent Coastline. Failure to secure mitigation towards the 'Solent Disturbance Mitigation Project' in order to mitigate the adverse impact of new residential development (within 5.6km of the Solent coastline) on internationally protected birds and habitat is contrary to Policy CS22 of the Council's adopted LDF Core Strategy (2012) as supported by the Habitats Regulations.

### 59. **FORMER OASIS MAYFIELD ANNEXE, PORCHESTER ROAD, 14/00101/R30L**

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

Redevelopment of the site, demolition of the existing buildings and erection of two, two and half and three-storey buildings to provide 40 dwellings (17 x one-bedroom, 10 x two-bedroom, 10 x three-bedroom and 3 x four-bedroom) with associated parking and vehicular access from Porchester Road (Outline application seeking approval for access, layout and scale).

Ali Mew (Agent), Sandra Marsland (Local Resident/objecting), Councillor Payne and Councillor Hammond (Ward Councillors/objecting) were present and with the consent of the Chair, addressed the meeting.

#### **RESOLVED:**

- (i) that authority be delegated to the Planning and Development Manager to grant outline planning permission subject to the receipt of an undertaking from the Head of Property and Procurement Services that the contract for the sale of Council owned land would be conditional upon the purchaser and any other landowner entering into a S106 Legal Agreement with the Council prior to or simultaneously with the land transfer taking place and the conditions listed in the report;
- (ii) that in the event that the legal agreement is not completed within three months of the date of the decision, the Planning and Development Manager be authorised to refuse permission on the grounds of failure to secure the provisions of Section 106 Legal Agreement; and

- (iii) that the Planning and Development Manager be given delegated powers to add, vary and/or delete relevant parts of the Section106 Agreement and/or conditions as necessary.

60. **96 GAINSFORD ROAD, 14/02086/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.

Replacement dwelling with associated parking.

John Taylor (Applicant), Elma Hillhouse and Neil Burrow (Local Residents/objecting) 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.