
PLANNING AND RIGHTS OF WAY PANEL
MINUTES OF THE MEETING HELD ON 4 APRIL 2017

Present: Councillors Denness (Chair), Coombs (Vice-Chair), Barnes-Andrews, L Harris, Hecks, Mintoff and B Harris

Apologies: Councillors Claisse

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

It was noted that following receipt of the temporary resignation of Councillor Claisse from the Panel. The Service Director Legal and Governance, acting under delegated powers, then appointed Councillor B Harris to replace him for the purposes of this meeting.

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

RESOLVED: that the minutes for the Panel meeting on 14th March 2017 be approved and signed as a correct record, subject to the following amendment.

The Panel noted that Minute Number 78 “Planning Application – 15/02410/FUL – 69-73 Anglesea Road” should have noted that Councillor Hecks voted to support the officer recommendation.

87. **PLANNING APPLICATION - 16/01108/FUL - PART OF FORMER VOSPER THORNYCROFT SITE AND WATERFRONT SOUTHAMPTON**

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 to provide industrial building (Class B2 - 24 hour operation) with ancillary office/research and development accommodation, storage, access and parking (total floor space of 3,147 square metres) (Environmental Impact Assessment Development follows permission 08/00629/FUL).

Dr Ian White, Simon Reynier and Rosie Johnson (local residents objecting), Councillors Bogle and Fitzhenry (City Councillors objecting) Harry Hutchinson, Robert Sanders and Paul Hayden (applicant), Simon Read (architect), and Councillor Payne (Ward Councillor objecting) were present and with the consent of the Chair, addressed the meeting.

Officers agreed to adjust the delegation set out as recommendation (iv) below to ensure that any adjustment to the operating times would return to Panel for consideration. The Panel were concerned around the range of activities that could be undertaken within the area known as the “Yard Work Zone” and requested that this and the hours that work could be undertaken be conditioned as set below. The Panel also requested that the permitted hours of external working for the wharf and cranes area outside of the

'Yard Work Zone' be amended to prevent the 1 day a week set out within the conditions becoming 2 consecutive days over 2 weeks. In addition the Panel requested an amendment to the condition relating to cycle parking.

Upon being put to the vote the Panel confirmed the Habitats Regulation Assessment. The Panel then 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, Coombs, Claisse, L Harris and Hecks

AGAINST: Councillor Barnes-Andrews

ABSTAINED: Councillor Mintoff

RESOLVED that the Panel:

- (i) confirmed the Habitats Regulation Assessment set out in Appendix 1 of the report.
- (ii) 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. Either a s.278 Agreement to undertake agreed works within the highway or a financial contribution and other highway obligations, including Traffic Regulation Orders (where necessary) towards site specific transport improvements in the vicinity of the site in line with policies SDP4 and TI2 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) linked to those works agreed under 08/00629/FUL with additional works to Wharf Road to accommodate larger vehicles;
 - b. 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;
 - 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. The submission, approval and implementation of a Carbon Management Plan setting out how 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);
 - e. Submission and implementation of a Construction Traffic Management Plan;
 - f. Submission and implementation of an Operational Phase Lorry Routing Agreement to limit HGV traffic within residential streets; and
 - g. Submission and implementation of a Staff Travel Plan

- (iii) In the event that the legal agreement is not completed or progressing within a reasonable timeframe after the Planning and Rights of Way Panel, the Service Lead – Planning, Infrastructure and Development will be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement, unless an extension of time agreement has been entered into.
- (iv) 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. This delegation does not extend to amending the hours of operation agreed by the Planning and Rights of Way Panel as listed in the report considered and approved.

AMENDED CONDITIONS

4. OPERATIONAL HOURS (Performance)

The restricted B2 use hereby approved (and defined above) shall not operate outside of the following hours:

- Internal Working within the Building:
Permitted 24 hours per day (7 days)
- External Working – ‘Yard Work Zone’ (as defined in the submission):
Monday – Sunday (7 days) – 7am to 7pm
- External Working – Wharf and Cranes outside of the ‘Yard Work Zone’
Monday – Sunday (7 days) – 7am to 7pm

In the event that the development is occupied by a business involved principally in the manufacture of wind turbine blades, for which a case has been made within the submitted documents, the following extension to operational hours shall apply to the following areas only:

- External Working – ‘Yard Work Zone’ (as defined in the submission):
Monday – Sunday (7 days) – 7pm to 11pm
- External Working – Wharf and Cranes outside of the ‘Yard Work Zone’
Monday – Sunday (7 days) – 7pm to 11pm for 1 day per calendar week – non consecutive

The Yard Work Zone as shown in the 24Acoustics Noise Impact Assessment (7th March 2017) shall be clearly marked out on site prior to the first use of the building and shall thereafter be retained for the lifetime of the development. For these extended hours the Yard Work Zone shall only be used for those activities and processes that shall have been agreed in writing with the Local Planning Authority prior to first use of the site for the approved use. At no time shall the external yard be used for manufacturing activities and processes other than those agreed.

REASON: In the interest of the amenities of neighbouring occupiers as established by the approved Environmental Impact Assessment and the amended 24Acoustics Noise Impact Assessment (7th March 2017), with bespoke details provided for a wind turbine blades manufacturer, following input from the Council’s Environmental Health Officer.

11.CYCLE PARKING (Performance Condition)

Before the occupation of each building the cycle storage, changing, washing and shower facilities for members of staff shall be provided and made available for use in accordance with revised details that shall have been agreed in writing with the Local Planning Authority prior to the first occupation of the development hereby approved. The storage shall thereafter be retained as approved.

REASON: To encourage cycling as an alternative form of transport.

88. **PLANNING APPLICATION - 17/00083/FUL - 7 WILLIS ROAD**

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

Construction of a single storey outbuilding for storage and parking purposes, to the rear of the property following demolition of the existing outbuilding

Roger Shephard, Kathryn Young (local residents objecting), Amrik Chahal (agent) and Councillor Vassiliou (ward councillor objecting) were present and with the consent of the Chair, addressed the meeting.

Upon being put to the vote the officer recommendation recommending refusal was carried.

RESOLVED that conditional planning permission be refused for the reasons set out below.

Reason for Refusal

The proposed outbuilding is considered excessive and out of character, in particular its height and width on the site, with the scale of developments in the area. Furthermore, the footprint, height and proximity to the boundary with nos 36a and 38 Bassett Green Road, largely spanning the full width of these gardens would appear over-bearing and oppressive when viewed from the neighbouring gardens. The use of the garages by vehicles would also erode the enjoyment of the adjoining neighbouring gardens, particularly those at 36a and 38 Bassett Green Road, due to noise and disturbance. This would, therefore, be harmful to the amenities currently enjoyed by these residents. The development is therefore contrary to Policies SDP1, SDP7 and SDP9 of the City of Southampton Local Plan Review amended version (March 2015) and Policy CS 13 of the Southampton City Council Local Development Framework Core Strategy (2015).