
PLANNING AND RIGHTS OF WAY PANEL
MINUTES OF THE MEETING HELD ON 22 JUNE 2010

Present: Councillors Fitzhenry (Except Minute Item 11) (Chair), Jones (Vice-Chair), Letts (Except for Minute Items 13 and 14), Mead, Osmond (Except Minute Items 13 and 14), Slade (Except Minute Items 11, 13, 14 and 15) and Thomas

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

RESOLVED that the Minutes of the meeting held on 25th May 2010 be approved and signed as a correct record.

CONSIDERATION OF PLANNING APPLICATIONS

Copy of all reports circulated with the agenda and appended to the signed minutes.

8. **20 - 26 COLLEGE STREET AND 29 - 35 RICHMOND STREET - 10/00581/MMA**

Minor material amendment sought to consent 06/00246/FUL - (Redevelopment of the site to provide 90 flats (45 x one-bedroom and 45 x two-bedroom flats), 1220 square metres of commercial floorspace within buildings ranging in height from 6 to 8 storeys and 43 car parking spaces with vehicular access from Richmond Street and College Street) - to alter development mix on 1st floor, putting 7 flats (2 x 1-bed and 5 x 2-bed) in place of 488 square metres of class B1 office floor space.

Ms Bourke (Environment Agency) was present and with the consent of the Chair, addressed the meeting.

UPON BEING PUT TO THE VOTE THE AMENDED OFFICER RECOMMENDATION TO GRANT CONDITIONAL PLANNING PERMISSION SUBJECT TO THE APPLICANT ENTERING INTO A SECTION 106 LEGAL AGREEMENT WAS CARRIED UNANIMOUSLY

RESOLVED

- (i) that authority be delegated to the Head of Planning and Sustainability to grant conditional planning approval subject to:-
 - a. the Environment Agency confirming in writing that they have removed their written holding objection relating to flood risk matters;
 - b. the conditions in the report;
 - c. the applicant entering into a Section 106 Legal Agreement to secure:

1. a financial contribution towards the provision of public open space in accordance with policy CLT5 and IMP1 of the adopted City of Southampton Local Plan and applicable SPG;
 2. a financial contribution towards the provision of a new children's play area and equipment in accordance with policy CLT6 and IMP1 the adopted City of Southampton Local Plan and applicable SPG;
 3. provision of affordable housing in accordance with appropriate SPG;
 4. site specific transport obligation for highway improvements in the vicinity of the site in accordance with appropriate SPG to encourage sustainability in travel through the use of alternative modes of transport to the private car;
 5. adherence to the previously submitted Travel Plan;
 6. details outlining a waste management scheme for the flats;
 7. dedication of land to public use to enable widening of footways and an undertaking to enter into Section 278 Agreement;
 8. a financial contribution towards strategic transport contributions for highway network improvements in the wider area as set out in the Local Transport Plan and appropriate SPG;
 9. a financial contribution towards public realm improvements in accordance with policy;
 10. a financial contribution to the provision of Public Art in accordance with policy;
 11. obligations relating to water, energy and waste management conservation measures to achieve a minimum of Code Level 3 of the Code for Sustainable Homes for all 97 flats within the development, to comply with policy SDP13 of the City of Southampton Local Plan Review (March 2006) and Policy CS20 of the City of Southampton Core Strategy (January 2010);
 12. an undertaking to ensure that the commercial units are completed (shell and core finish) before first habitation of the flats;
 13. a highway condition survey to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer; and
 14. the submission, agreement and implementation of a flood risk management plan.
- (ii) that the Head of Planning and Sustainability be authorised to refuse permission should the Section 106 Agreement not be completed by 9th

July 2010, on the grounds of failure to secure the provisions of the Section 106 Agreement.

REASONS FOR THE DECISION

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Although the proposed development does not accord with policy REI11 (vi), particular account has been taken of the quality of the proposed replacement employment floorspace, current market conditions, the overall viability of the scheme and delivery of more affordable housing. Other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38 (6) of the Planning & Compulsory Purchase Act 2004, a Minor Material Amendment to Permission 06/00246/FUL should therefore be granted.

South East Plan: Regional Spatial Strategy (May 2009) Policies – SP2, SP3, SP4, CC1, CC2, CC3, CC4, CC6, CC7, CC8, RE1, RE3, RE6, H1, H2, H3, H4, H5, T1, T2, T4, T5, NRM1, NRM2, NRM4, NRM5, NRM10, W1, W2, BE1, BE6, TC1, TC2, S1, S5, SH1, SH3, SH4, SH5, SH6, SH7 and SH8.

City of Southampton Local Plan Review (March 2006) Policies – SDP1, SDP4, SDP5, SDP6, SDP7, SDP9, SDP8, SDP10, SDP 11, SDP 12, SDP 13, SDP 16, SDP17, SDP19, SDP22, HE1, HE6, CLT 5, CLT 6, H1, H2, H7, H9, REI 11 (vi) and MSA1. City of Southampton Core Strategy (January 2010) Policies – CS1, CS4, CS5, CS6, CS7, CS8, CS13, CS14, CS15, CS16, CS18, CS19, CS20, CS22, CS23 and CS25.