
PLANNING AND RIGHTS OF WAY PANEL
MINUTES OF THE MEETING HELD ON 21 SEPTEMBER 2021

Present: Councillors L Harris (Chair), Prior (Vice-Chair), Coombs, Magee, Savage, Vaughan and Windle

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

RESOLVED: that the minutes for the Panel meeting on 24th August 2021 be approved and signed as a correct record.

26. **PLANNING APPLICATION - 20/00138/FUL -QUAY 2000**

The Panel considered the report of the Head of Planning and Economic Development recommending refusal for an application to vary the planning obligation set out at The Second Schedule (Waterfront Access) of the Section 106 Agreement dated the 16th November 1998, allowing the Waterfront Access (the walkway) gates to remain locked outside of the following hours: 1st April - 31st October (Summer Period) 08:00 - 20:00, 1st November - 31st March (Winter Period) 08:00 - 16:00 (Revised submission to application 19/00719/FUL).

Ian Johnson (agent), Andrew Mitchell (applicant), and Councillor Mitchell (ward councillor) were present and with the consent of the Chair, addressed the meeting. In addition the Panel statements from Sarah Brightwell and the Southampton Commons and Parks Protection Society, (SCAPPS), were circulated to the Panel and posted online.

The Panel then considered the officer recommendation to refuse to vary access to the walkway. Upon being put to the vote the recommendation was carried unanimously.

RESOLVED that the Panel:

- (i) Rejected the request to vary the previous decision (19/00719/FUL) of the Planning & Rights of Way Panel (July 2019) under S106A of the Town & Country Planning Act that the planning obligation shall continue to have effect without modification, as contrary to CLT10 – Public Waterfront and Hards and CS 12 – Accessible & Attractive Waterfront.
- (ii) Authorised the Head of Planning and Economic Development – Infrastructure, Planning and Development to take enforcement action in respect of any breach of the extant planning obligation if the Deed of Variation is not completed within 3 months from the date of this Panel meeting and/or the Management Plan hasn't been agreed as required; and,
- (iii) Authorised the Head of Planning and Economic Development – Infrastructure, Planning and Development to take enforcement action in respect of any breach of the revised hours, in line with the agreed amendment within 1 month from the written approval by the Council of the Management Plan.

27. **PLANNING APPLICATION - 21/00764/FUL -30-32 ST MARYS PLACE**

RESOLVED The Panel noted that this item had been withdrawn from consideration at this meeting.

28. **PLANNING APPLICATION - 21/01047/FUL - 20 HOWARD ROAD**

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

Change of use of premises to Offices (Class E (g)(i))

Duncan Bendermarcher (local resident objecting), Carl Patrick (agent), and Councillor Shields (ward councillors/objecting) were present and with the consent of the Chair, addressed the meeting. In addition a statement from Mr Brian True was circulated to the Panel and posted online.

The presenting officer reported that Condition 4 required amending and that an additional condition would be required for parking layout. Members voted to add a further condition that detailed occupancy levels. The additional conditions are set out below.

The Panel then considered the recommendation to grant conditional planning permission (subject to the additional conditions set out below. Upon being put to the vote the recommendation was carried.

RECORDED VOTE to grant planning permission

FOR: Councillors L Harris, Prior, Magee, Savage, Coombs and
Windle

AGAINST: Councillor Savage

RESOLVED that planning permission be approved subject to the conditions set out within the report and any additional or amended conditions set out below:

ADDITIONAL AND AMENDED CONDITIONS

4. CYCLE PARKING (Performance Condition)

Before the development hereby approved first comes into occupation, the storage for bicycles shall be provided and made available for use in accordance with the plans hereby approved and the details contained in the applicant's correspondence dated 20/08/2021. The storage shall thereafter be retained as approved.

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

6. PARKING (PERFORMANCE)

The parking layout shall be provided in accordance with the plans hereby approved before the offices first comes into use and shall thereafter be retained as approved for the lifetime of the office use and the non-designated parking areas shall be kept clear at all time.

REASON: To prevent obstruction to traffic in neighbouring roads and in the interests of highway safety.

7. OCCUPANCY LIMIT

The maximum number of staff employed on site at any one time shall not exceed 7 employees.

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