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PLANNING AND RIGHTS OF WAY PANEL  
MINUTES OF THE MEETING HELD ON 13 JULY 2021

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

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

**RESOLVED:** that the minutes for the Panel meeting on 22 June 2021 be approved and signed as a correct record.

15. **PLANNING APPLICATION - 21/00412/FUL -182-184 BITTERNE RD WEST**

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

Erection of a part 3 part 4 storey building with roof terrace, for use as specialist supported accommodation comprising 5 no.1-bed flats within use class C3, with associated communal accommodation and staff office at ground floor level, bin store and parking, following demolition of the existing building.

Gareth Jenkins (architect), Kate Dench (supporter) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported a required change the wording of the recommendation of the S106 wording in order to clearly define the C3(b) class of property, as set out below. It was also explained that there was an amendment to the green wall condition required. During the debate the Panel sought the assurances of a management plan and these changes and amendments to the conditions and recommendation are set below

Upon being put to the vote the Panel confirmed the Habitats Regulation Assessment.

The Panel then considered the recommendation to delegate authority to the Head of Planning and Economic Development grant planning permission. Upon being put to the vote the recommendation was carried unanimously.

**RESOLVED** that the Panel:

1. That the Planning Panel confirm the Habits Regulations Assessment set out at Appendix 8; and
2. Delegated authority to the Head of Planning and Economic Development to grant planning permission subject to the planning conditions recommended at the end of this report and the completion of a S.106 Legal Agreement to secure:
  - i. Either the developer enters into an agreement with the Council under s.278 of the Highways Act to undertake a scheme of works or provides a financial contribution towards site specific transport contributions for highway improvements in the vicinity of the site 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 Developer Contributions SPD (April 2013);

- ii. An undertaking by the developer that limits the occupation of the building for use as specialist supported accommodation to class C3 (b). Residents will be supervised by staff 24 hours a day, 7 days a week; and on-site staff will be employed by registered care providers with the accommodation managed by Southampton City Council's adult social care team.
  - iii. 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.
  - iv. Either a scheme of measures or a financial contribution 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.
3. That the Head of Planning and Economic Development be delegated powers to add, vary and /or delete relevant parts of the Section 106 agreement and/or conditions as necessary. In the event that the legal agreement is not completed within a reasonable period following the Panel meeting, the Head of Planning and Economic Development be granted authority to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.

### **Additional and Amended Conditions**

#### 27. Green wall implementation, specification and maintenance [Pre-Occupation Condition].

Prior to the occupation of the development hereby approved the green wall shall be implemented and installed in accordance with the specification detailed within the approved 'Living Wall Proposal' document referenced below. The green wall shall be maintained in full accordance with approved 'Living Wall Proposal' document throughout the lifetime of the development.

- Living Wall Proposal, 04/06/2021, biotecture, received 08.06.2021

REASON: In the interests of the visual amenities of the area, air quality, biodiversity and in order to safeguard a critical aspect of the developments overall design.

#### 30. APPROVAL CONDITION - Nitrates (pre-commencement condition)

No occupation of the development hereby approved shall take place until the Council has received and agreed written evidence that the applicant has purchased sufficient credits from Eastleigh Borough Council to offset the [2.8 kg nitrates] identified in the budget and the HRA from the development.

REASON: To secure mitigation 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; and in order to address the refusal reason as set out in the appeal decision with reference APP/D1780/W/19/3220123.

31. APPROVAL CONDITION - Residential Accommodation Management Plan [Pre-Occupation Condition]

Prior to the occupation of the development hereby approved a Residential Accommodation Management Plan, to include details of safety and security measures, practices and procedures that serve the hereby approved residential accommodation in specialist use [class C3(b)] and which includes details of the following shall be submitted to and approved in writing. Once approved the development shall be implemented in accordance with the approved details:

- Management arrangements for access and use of the roof top terrace including hours of use and supervision;
- Security measures preventing residents from leaving the building without supervision (if their care packages/risk assessments deem it unsafe to do so) including at night;
- Confirmation of on-site staffing by registered care providers on a 24 hour/7 days a week basis; and,
- Emergency procedures.

REASON: To safeguard the residential amenities of neighbouring properties, in the interests of highways safety and in the interest of the safety and security of all residents within the development hereby approved.

16. **PLANNING APPLICATION - 19/01773/FUL - UNIT 1D, QUAYSIDE PARK**

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 to gym (class D2) (retrospective)

A statement from Graham George was circulated to Panel Members and presented to the meeting.

The Panel then considered the recommendation to grant conditional planning permission. Upon being put to the vote the recommendation was carried unanimously.

**RESOLVED** that planning permission be approved subject to the conditions set out within the report.

17. **PLANNING APPLICATION - 20/01317/FUL - 230 - 234 WINCHESTER ROAD**

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

18. **PLANNING APPLICATION - 21/00619/FUL - 11 MONKS WAY**

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.

Erection of a single storey side extension

Michelle Bezant (local residents/ objecting), Eric Stone (applicant) and Councillor Fielker (ward councillors/objecting) were present and with the consent of the Chair, addressed the meeting.

RECORDED VOTE to grant planning permission  
FOR: Councillors L Harris, Prior, Magee and Coombs  
AGAINST: Councillor Windle

**RESOLVED** that planning permission be approved subject to the conditions set out within the report.