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PLANNING AND RIGHTS OF WAY PANEL  
MINUTES OF THE MEETING HELD ON 15 FEBRUARY 2022

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

Apologies: Councillors Vaughan

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

It was noted that following receipt of the temporary resignation of Councillor Vaughan from the Panel, the Service Director Legal and Business Operations acting under delegated powers, had appointed Councillor J Payne to replace them for the purposes of this meeting.

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

**RESOLVED:** that the minutes for the Panel meeting on 25 January 2022 be approved and signed as a correct record subject to the following change It was noted that Councillor Savage had abstained on the listed building consent for 1A Bugle Street.

60. **PLANNING APPLICATION - 20/00255/FUL - SOUTHAMPTON COMMON**

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.

Widening of the path known as 'Lovers Walk' that runs north to south on the eastern side of Southampton Common between Burgess Road and Westwood Road.

Graham Linecar, Laurie Stras and David Johnston (local residents/ objecting), Tom Horrell (agent), Edward Longman, Adam Tewksbury and Johnnie Dellow (supporters) were present and with the consent of the Chair, addressed the meeting.

The presenting officer noted additional correspondence had been received from the Southampton Commons and Parks Protection Society detailing its objection to the proposal and that this had been circulated and posted online. reported that 3 conditions in the report required amending as set out below.

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

RECORDED VOTE to grant permission

FOR: Councillors Prior, Coombs, Magee and J Payne

AGAINST: Councillor Savage

ABSTAINED: Councillor L Harris

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

## Amended Conditions

### **4. Shared Path Construction (Pre-Commencement condition)**

Prior to the commencement of the development hereby approved, the following details shall be submitted to and approved in writing by the Local Planning Authority:

1. A specification of the type of construction proposed for the shared path including all relevant horizontal cross-sections and longitudinal sections showing existing and proposed levels together with the method of disposing of surface water.
2. A programme for the making up of the shared path to a standard suitable for adoption by the Highway Authority.
3. Details of a management process which will maintain these areas in the future.

The shared path shall be completed in accordance with the agreed details before the development first comes into use and thereafter retained as approved for the lifetime of the development.

REASON: To ensure that the shared path is constructed in accordance with standards required by the Highway Authority.

### **5. Hours of work for Demolition / Clearance / Construction (Performance condition)**

All works relating to the demolition, clearance and construction of the development hereby granted shall only take place between the hours of:

Monday to Friday	08:00 to 18:00 hours
Saturdays	09:00 to 13:00 hours

And at no time on Sundays and recognised public holidays.

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

### **9. Ecological Mitigation Statement (Pre-commencement condition)**

Prior to development commencing including site clearance; and notwithstanding the specific location of the mitigation measures which must first be agreed in writing by the Local Planning Authority, the developer shall implement the programme of habitat and species mitigation, compensation and enhancement measures as set out in:

1. Lovers Walk, The Avenue, Southampton Common, Southampton. Ecological Method Statement, ECOSA Ltd Final Document 16th August 2018; and
2. Lovers Walk Cyclepath Upgrade, Southampton Common, Southampton. Ecological Compensation and Management Plan, Final Document (Revision 3) May 2021.

The agreed programme of habitat and species mitigation, compensation and enhancement measures shall accordingly be continued for a minimum period of 10 years.

Reason: To safeguard protected species under the Wildlife and Countryside Act 1981 (as amended) in the interests of preserving and enhancing biodiversity

## **61. PLANNING APPLICATION - 21/01534/FUL - 220 BURGESS ROAD**

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

Installation of covered seating area to front (Submitted in conjunction with 21/01535/ADV)

Mr Ansari (supporting the officer recommendation), Dr Sayan, Mr IzazAli ( objecting to the officer recommendation), and Councillor Fielker (Ward Councillor) were present and with the consent of the Chair, addressed the meeting. In addition the Panel noted that statements had been received, circulated and posted online from Dr Mohammed A Al-Gholmy, Rebecca Taylor and Councillor Bunday.

The Panel then considered the recommendation to refuse to grant planning permission. Upon being put to the vote the recommendation was lost.

RECORDED VOTE to refuse planning permission.

FOR: Councillors L Harris, Prior and Windle

AGAINST: Councillors Coombs, Magee, J Payne and Savage

A further motion to grant approval subject to conditions and delegating authority to officers to draft the conditions in line with the Panel's wishes, as set out below, was then proposed by Councillor Savage and seconded by Councillor Windle was carried.

RECORDED VOTE to grant planning permission subject to conditions.

FOR: Councillors L Harris, Coombs, Magee, J Payne, Savage  
And Windle

AGAINST: Councillor Prior

**RESOLVED** that the Panel that planning permission be approved subject to the conditions outlined by the Panel at the meeting and delegated to officers to draft the conditions as set out below.

### Conditions

#### **1. Approved Plans**

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below, unless otherwise agreed in writing with the Local Planning Authority.

REASON: For the avoidance of doubt and in the interests of proper planning.

#### **2. Materials**

The materials and finishes to be used in the construction of the covered seating area hereby permitted shall be as specified and detailed in the application form and plans.

REASON: To enable the Local Planning Authority to control the development in detail in the interest of the visual amenities of the locality and to endeavour to achieve a building of high visual quality and satisfactory visual relationship of the new development to the existing.

#### **3. Side elevations**

The side elevations of the approved structure shall remain open as shown on the approved plans and shall not be enclosed with any material.

REASON: In the interests of neighbour amenity and to reduce the bulk and massing of this covered seating area

#### **4.No sound amplification systems**

At no time shall sound equipment be employed within the extension hereby permitted to broadcast or amplify music or sound.

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

#### **5.Hours of use**

The use of the covered seating area hereby permitted shall not be used outside the following hours:

Monday to Saturday 10:00hours to 23:00hours

Sunday and recognised public holidays - 10:00hours to 22:00hours

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

62. **PLANNING APPLICATION - 21/01652/FUL - 2 NEWTOWN ROAD**

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.

Redevelopment of the site. Erection of a 3-storey building containing 7 flats (4x 1-bed, 2x 2-bed and 1x 3-bed) with associated parking and cycle/refuse storage, following demolition of existing building

Neil March (agent), and Councillors W Payne and Stead (ward councillors) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that wording of the second recommendation needed to be amended, slightly, to reflect that a Traffic Regulation Order was required.

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

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

**RESOLVED** that the Panel:

1. confirmed the Habitats Regulation Assessment set out in Appendix 1 of the report.
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:
  - a. An agreement between the applicant and the Council under s.278 of the Highways Act to undertake a scheme of works or provide a financial contribution towards site specific transport contributions for highway improvements, including a Traffic Regulation Order and the reinstatement of the dropped kerb, 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);
  - b. The 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. 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 authority to add, vary and /or delete relevant parts of the Section 106 agreement and/or conditions as necessary.
4. 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 authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.

63. **PLANNING APPLICATIONS - 21/00910/FUL & 21/01244/FUL - HAWKESWOOD ROAD**

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

Andrew Peterson and Debra Clothier (local residents), Chris Glencoe (applicant) and Councillor Fuller (ward councillor) were present and with the consent of the Chair, addressed the meeting.

**Planning application 21/00910/FUL**

Installation of new shop front and external alterations including installation of trolley bays, refuse store and ramp and reconfiguration of car park layout (retrospective)

Following the presentations the presenting officer amended the recommendation in the report seeking to grant approval subject to the conditions to a request that Panel delegate the approval to the Head of Planning and Economic Development subject to the agreement of Servicing and Delivery Management condition, as set out below.

Upon being to the vote the amended recommendation to delegate approval to the Head of Planning and Economic Development was carried unanimously

**RESOLVED** that

- (i) Panel grant delegated authority to the Head of Planning and Economic Development to grant planning permission subject to the planning conditions with the report and the amended condition below.
- (ii) That the Head of Planning and Economic Development be delegated authority to vary the condition subject to agreement on delivery times for Sundays.

**Amended Condition**

**Condition 2 - Servicing & Delivery Management (Performance)**

Unless otherwise agreed in writing, the servicing and delivery of the premises shall only be carried out in accordance with the approved servicing and delivery management plan 63312/03/DL/ZW (22nd September 2021). HGV deliveries shall not take place outside the hours 06:00-20:30 Monday to Saturdays and 08:00-16:00 on Sundays and Bank Holidays. Furthermore, during opening hours there shall be no HGV deliveries to take place during network peak hours between the hours of 08:00-09:00 and 16:00-18:00 on weekdays; and between 12:00-14:00 on Saturdays.

REASON: In the interests of residential amenity and highways safety.

### **Planning Application 21/01244/FUL**

External alterations to eastern elevation and installation of external lighting (part retrospective)

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

### 64. **PLANNING APPLICATION - 21/01352/FUL - 7 LEIGH 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.

Erection of a roof extension with dormer windows to front and rear elevations and part demolition of front boundary wall to form vehicular access with dropped kerb.

Roger Brown, Jim Hodder and Jerry Gillen (local residents/ objecting), and Mrs Tariq (applicant) were present and with the consent of the Chair, addressed the meeting. In addition the Panel noted that a statement of objection had been received, circulated and posted online from Ed Easton and Kieran Ingram.

Following the presentations the Panel voted to approve the inclusion of an additional condition, as set out below.

The Panel then considered the recommendation to grant conditional planning permission with the additional condition. 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 and any additional or amended conditions set out below.

#### **Amended Condition**

##### 7. Obscure Glazing (Performance)

The approved dormer window and rooflight in the south west and north east roofslopes shall be obscurely glazed and fixed shut up to a height of 1.7 metres from the internal floor level before the development is first occupied. The windows shall be thereafter retained in this manner.

REASON: To protect the amenity and privacy of the adjoining property.