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PLANNING AND RIGHTS OF WAY PANEL  
MINUTES OF THE MEETING HELD ON 13 DECEMBER 2022

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Present: Councillors Coombs (Chair), Blatchford, M Bunday, Magee, J Payne, Prior and Shields.

Apologies: Councillors Savage and Windle.

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

It was noted that apologies had been received from Councillors Savage and Windle and that Councillors M Bunday and Shields be respectfully appointed as representatives for the purposes of the meeting.

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

The Panel noted that the minutes would be corrected to show that Councillors J Payne and Prior were present at the meeting on 1 November 2022.

41. **22/01063/FUL FORMER TENNIS COURTS, PORTSMOUTH ROAD**

The Panel considered the report of the Head of Transport and Planning in respect of an application for planning permission for the proposed development at the above address recommending that the authority be delegated to the Head of Transport and Planning to grant planning permission subject to criteria listed in the report.

Erection of 4x 3-bed semi-detached houses with associated parking and cycle/refuse storage (Departure from Local Plan).

Philip Dudley, Director, Vivid Design Studio (agent), and Councillor W Payne. (ward councillor objecting) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported an update to the recommendation, by way of an additional head of term in the S106 agreement to ensure that any damage to the adjacent highway network attributable to the build process be repaired by the developer.

During the course of the Panel discussion, it was agreed that an amendment would be added to the Performance Condition, in order to ensure that the submitted drainage scheme was maintained and retained for the lifetime of the development.

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

The Panel then considered the amended recommendation (2) to delegate authority to the Head of Transport and Planning to grant planning permission and recommendation (3). Upon being put to the vote the recommendation was carried unanimously.

**RESOLVED**

- (i) To confirm the Habitats Regulation Assessment set out in Appendix 1 of the report.
  - (ii) To delegate authority to the Head of Transport and Planning to grant planning permission subject to
    - a. the planning conditions recommended at the end of the report, as amended below.
    - b. the completion of a S.106 Legal Agreement to secure :
      - i. Public open space obligation to secure the submission of a management plan and retention of the open space proposed in line with Policy CS21 and CS25 of the adopted LDF Core Strategy (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013);
      - ii. 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.
      - iii. The additional head of term set out below.
- (iii) That the Head of Transport & Planning be given 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 Transport & Planning be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.

#### Changes to Recommendation

Additional head of term in the S106 agreement:

- iii Submission of a highway condition survey (both prior to and following completion of the development) to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer.

#### Amended Condition

##### 22. Surface / foul water drainage (Performance Condition)

The development hereby approved shall be undertaken in line with the submitted drainage plan, drawing number 35 received 07.11.2022. The approved scheme shall be maintained and retained for the lifetime of the development.

Reason: To ensure satisfactory drainage provision for the area.

#### 42. **21/01805/FUL 3 VOSPER ROAD, SOUTHAMPTON**

The Panel considered the report of the Head of Transport and Planning in respect of an application for planning permission for the proposed development at the above address recommending that the application be conditionally approved.

Change of use from Dwellinghouse (C3) to House of multiple occupancy (C4) (Retrospective).

Councillor Warwick Payne (ward councillor objecting) was present and, with the consent of the Chair, addressed the meeting.

The Panel then considered the recommendation to conditionally approve the application. Upon being put to the vote the recommendation was carried.

#### RECORDED VOTE

FOR: Councillors M Bunday, Coombs, Magee, J Payne, Prior, Shields.  
AGAINST: Councillor Mrs Blatchford.

**RESOLVED** that the application be conditionally approved subject to the conditions set out within the report.