
PLANNING AND RIGHTS OF WAY PANEL
MINUTES OF THE MEETING HELD ON 14 MARCH 2023

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

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

RESOLVED: that the minutes for the Panel meetings on 24 January and 21 February 2023 be approved and signed as a correct record.

51. **PLANNING APPLICATION - 22/00351/FUL - MAYFIELD CARS, ARCHERY RD**

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 subject to criteria listed in the report.

Redevelopment of site with the erection of 8 x dwellings (6 x 3-bed and 2 x 4-bed) and associated access and parking.

Richard Darch (applicant) and Councillor W Payne (Ward Councillor) were present and with the consent of the Chair, addressed the meeting. A statement from Mrs Julie Barker (local Resident) was circulated to the Panel and read ahead of the meeting. The statement was published online prior to the meeting.

The presenting officer reported additional correspondence had been received following a 14 day notification of amended plans that made comment in regard to the application's relationship to: forthcoming traffic calming scheme in Archery Road; waste storage; and the installation of bat boxes. It was noted that a number of conditions required to be amended and added, as set out below.

In addition the officer noted that the published recommendation would need to be amended reflecting the changes to the conditions and additional comments.

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

The Panel then considered the recommendation (2) that authority be delegated to the Head of Transport and Planning to grant planning permission subject to criteria listed in the report as amended at the meeting and recommendations (3) and (4) . Upon being put to the vote the recommendations were 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

1. That the Panel confirm the Habitats Regulation Assessment in Appendix 1 of this report.
2. Delegate to the Head of Transport and Planning to grant planning permission subject to:

- (a) the receipt of an amended site plan to show convenient refuse storage for general, glass and recycling;
 - (b) the planning conditions recommended at the end of this report and any amended or additional conditions set out below; and
 - (c) the completion of a S.106 Legal Agreement to secure:
 - (i) Completion of a successful Traffic Regulation Order (TRO), with the applicants to pay all the Council's reasonable administrative charges in connection therewith, for double yellow lines within Archery Road on both sides of the street down to Weston Lane roundabout.
 - (ii) Either the developer enters into an agreement with the Council to provide a financial contribution towards sustainable transport measures 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);
 - (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.
 - (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 Transport and Planning be given delegated powers 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 Transport and Planning be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.

CHANGES TO CONDITIONS

Amended Conditions

07. Landscaping (Pre-Commencement)
- Notwithstanding the submitted details, before the commencement of any site works a detailed landscaping scheme and implementation timetable shall be submitted to and approved by the Local Planning Authority in writing, which includes:
- (i) proposed finished ground levels or contours; provision of low level security lighting for the northern parking area; hard surfacing materials to include a non-permeable surfacing to prevent surface water run off onto the adjoining parking courtyard;

- (ii) planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants and trees, noting species, plant sizes and proposed numbers/planting densities where appropriate;
- (iii) details of any proposed boundary treatment and means of enclosure and;
- (iv) a landscape management scheme.

The approved hard and soft landscaping scheme for the whole site shall be carried out prior to occupation of the building or during the first planting season following the full completion of building works, whichever is sooner. This is with exception to the other works approved to be carried out prior to occupation of the dwelling. The approved scheme implemented shall be maintained for a minimum period of 5 years following its complete provision and the other works shall be retained as approved for the lifetime of the development.

Any trees, shrubs, seeded or turfed areas which die, fail to establish, are removed or become damaged or diseased, within a period of 5 years from the date of planting shall be replaced by the Developer in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation. The Developer shall be responsible for any replacements for a period of 5 years from the date of planting.

REASON: To improve the appearance of the site and enhance the character of the development in the interests of visual amenity, to ensure that the development makes a positive contribution to the local environment and, in accordance with the duty required of the Local Planning Authority by Section 197 of the Town and Country Planning Act 1990

12. Access & Parking (Pre-occupation)

Prior to the occupation of the dwelling hereby approved, the approved access and parking shall be provided in accordance with the approved plans, and shall thereafter be retained for the duration of the lifetime of the development. Parking shall be allocated at 1 parking space maximum per dwelling. In particular, the access provided shall be a vehicle crossover in existing footway in accordance with the agent's email received on 20th September 2022. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order amending, revoking or re-enacting that Order within Schedule 2, Part 2, Class A, no fences walls or other means of enclosure shall be erected above a height of 0.6m above ground level adjacent to the site entrance where otherwise shown on the approved plans.

REASON: In the interests of securing safe access in the interests of highways safety.

15. Ecological Mitigation Statement (Pre-Occupation)

Prior to occupation of the development hereby approved, the developer shall submit a programme of habitat and species mitigation and enhancement measures, which unless otherwise agreed in writing by the Local Planning Authority shall be implemented in accordance with the programme prior to occupation. This shall include a swift nesting brick in each dwelling, native species as part of the soft landscaping planting scheme, and bat boxes. The agreed mitigation measures shall be thereafter retained as approved for the lifetime of the development.

REASON: To safeguard protected species under the Wildlife and Countryside Act 1981 (as amended) in the interests of preserving and enhancing biodiversity.
Note to applicant: The Hampshire Swifts have requested that this mitigation incorporates swift boxes.

19. Stop up access (Performance)

Prior to the first occupation of the dwelling hereby approved, the existing lowered kerb accesses from the site to Archery Road shall be raised up with the installation of new kerb stones and thereafter retained in this manner for the lifetime of the development.

REASON: In the interests of highway safety.

20. Traffic Regulation Order on Archery Road (Grampian Condition)

The development hereby approved shall not be commenced until a Traffic Regulation Order has been made by the Council to provide no waiting restrictions on both sides of Archery Road adjacent to the site to the Weston Lane roundabout.

REASON: In the interests of highways safety.

ADDITIONAL CONDITIONS

External Lighting Scheme (Pre-Occupation)

Prior to the development hereby approved first coming into occupation, external lighting for the car park on the northern part of the site shall be implemented in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be thereafter retained as approved for the lifetime of the development.

REASON: To minimise the impact on protected species.

Arboricultural Method Statement (Pre-Commencement)

No development shall take place until a site specific Arboricultural Method Statement has been first submitted to and agreed in writing by the Local Planning Authority. It will be written with contractors in mind and will be adhered to throughout the duration of the demolition and development works on site. The Method Statement will include the following:

- (i) A specification for the location and erection of protective fencing around all vegetation to be retained;
- (ii) Specification for the installation of any additional root protection measures;
- (iii) Specification for the removal of any built structures, including hard surfacing, within protective fencing areas;
- (iv) Specification for the construction of hard surfaces where they impinge on tree roots;
- (v) Specification of underground services and utilities including electric vehicle charging to be installed within the tree protection area;
- (vi) The location of site compounds, storage areas, car parking, site offices, site access, heavy/large vehicles (including cranes and piling rigs)
- (vii) An arboriculture management strategy, to include details of any necessary tree surgery works, the timing and phasing of all arboricultural works and protection measures.
- (viii) Specification for soft landscaping practices within tree protection zones or the canopy of the tree, whichever is greatest.

The Arboricultural Method Statement shall be fully adhered to throughout the course of the development.

REASON: To ensure that provision for trees to be retained and adequately protected throughout the construction period has been made.

Glazing - soundproofing from external noise [Pre-Commencement Condition]

Works pursuant to this permission shall not be commenced until a scheme for protecting the proposed flats and houses from traffic noise from Archery Road has been submitted to and approved by the local planning authority in writing. Unless otherwise agreed in writing, that scheme shall specify either:- Outer pane of glass - 10mm

Air gap between panes - 12mm

Inner pane of glass - 6 mm

or, with secondary glazing with a -

Outer pane of glass - 6mm

Air gap between panes - 100mm

Inner pane of glass - 6.4 mm

There shall be no trickle vents installed in any case. For ventilation purposes in all cases, provision of acoustically treated 'BBA' approved mechanically powered ventilation should be the preferred option. However, provision of acoustic trickle vents will be acceptable. Once approved, that glazing shall be installed before any of the flats are first occupied and thereafter retained at all times.

REASON: In order to protect occupiers of the flats from traffic noise.

52. **PLANNING APPLICATION - 23/00014/FUL - 17 LORDSWOOD 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 application be conditionally approved subject to criteria listed in the report.

Erection of detached single storey garage with communal storage for 2 flats and refuse storage enclosure

Steve Bascombe (local resident objecting), was present and with the consent of the Chair, addressed the meeting.

The presenting officer reported a change to Condition 2, as set out below.

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 the amended conditions set out below

AMENDED CONDITIONS

Condition 2: Use of garage - domestic ancillary use (Performance Condition)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (As amended) or any other order amending, revoking or re-enacting that order, the garage hereby approved shall be made available and used at all times for the parking of domestic vehicles related to the residential use of the occupiers of the flats at 17 Lordswood Road and for associated incidental domestic

storage, as confirmed in the applicant's correspondence received on 13/03/2023. At no time shall the garage be used for the parking of commercial vehicles or used for any trade, business, manufacturing or industrial purposes whatsoever and shall not be incorporated into the house as part of the domestic living accommodation.

REASON: To protect residential amenity and to ensure the use is in accordance with correspondence of the applicant dated 13/03/2023