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PLANNING AND RIGHTS OF WAY PANEL  
MINUTES OF THE MEETING HELD ON 21 NOVEMBER 2023

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Present: Councillors Savage (Chair), Windle (Vice-Chair), J Baillie, Beaurain, Cox (From Agenda item 6), A Frampton and Greenhalgh.

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

The Committee noted the resignation of Councillor Mrs Blatchford, and the appointment of Councillor Greenhalgh in place thereof in accordance with the provisions of Council Procedure Rule 4.3.

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

**RESOLVED:** that the minutes for the Panel meeting on 12 September 2023 be approved and signed as a correct record.

35. **THE MAKING OF THE SOUTHAMPTON (WOOLSTON INFANT SCHOOL) TREE PRESERVATION ORDER**

The Panel considered the report of the Head of City Services in respect of The Southampton (Woolston Infant School) Tree Preservation Order 2023.

Mr Bradley Smith, External Consultant Representative, Woolston School (objector) and Councillor W Payne (Ward Councillor) were present and with the consent of the Chair, addressed the meeting.

The Panel considered the officer recommendation to confirm the TPO. Upon being put to the vote the recommendation was carried.

**RECORDED VOTE:**

**FOR** Councillors Frampton, Greenhalgh, Savage, Windle

**ABSTAINED:** Councillors J Baillie, Beaurain

**RESOLVED** that the TPO be confirmed as set out in the recommendation.

36. **23/01255/FUL 382 WINCHESTER 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 authority be delegated to the Head of Transport and Planning to grant planning permission subject to the criteria listed in the report.

Redevelopment of the site. Erection of a part two, part three storey Apart Hotel (Class C1) comprising 20 serviced rooms with staff office, cafe/meeting space, car parking (10 spaces), secure cycle storage and e-scooter docking station at ground floor, following demolition of existing offices (Revised application to 23/00079/FUL) (amended description).

Mr Johnson, on behalf of Old Bassett Residents' Association and local residents, and Simon Reynier, City of Southampton Society (objecting), David Jobbins, Director, Lukenbeck (agent), and Councillor Blackford (ward councillor/objecting) were present and with the consent of the Chair, addressed the meeting. In addition, the Panel noted that statements had been received, circulated, read, to be posted online from Karen Becheley-Price, David Crampton-Barden, and Josie Sengers Gray (local residents/objecting).

The presenting officer reported that a separate SDMP heading would be added within the S.106 and that three conditions had been amended in respect of (14) onsite vehicular parking, (16) Cycle storage, and (34) the Green Roof as set out in full below.

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

The Panel then considered 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 and recommendation (3) and (4). Upon being put to the vote the recommendations were carried.

#### **RECORDED VOTE**

FOR: Councillors J Baillie, Beaurain, Cox, Frampton, Savage, Windle  
ABSTAINED: Councillor Greenhalgh

#### **RESOLVED**

1. To confirm the Habitats Regulation Assessment set out in Appendix 1 of the report.
2. That authority be delegated to the Head of Transport and Planning to grant planning permission subject to the conditions in the report and the amended conditions set out below, and the completion of the amended S.106 Legal Agreement.
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 grounds of failure to secure the provisions of the Section 106 Legal Agreement.

#### **Amended conditions in full:**

14. On site vehicular parking; 10 spaces [Pre-Occupation]  
The 10 approved vehicular parking spaces (measuring at least 5m x 2.4m) and adjacent vehicular manoeuvring space (measuring at least 6m wide) shall be constructed and laid out in accordance with the approved plans prior to the first occupation of the hereby approved development. Throughout the lifetime of the development hereby approved the parking spaces and manoeuvring space adjacent shall not be used for any other purpose other than for the parking of vehicles associated with hotel customers and staff and shall be retained for that purpose only.

Reason: To avoid congestion of the adjoining highway which might otherwise occur because the parking provision on site has been reduced or cannot be conveniently accessed; and to remove confusion of occupants in the interests of discouraging car ownership by a large proportion of residents by not providing car parking spaces free for any occupant to use.

#### 16. Cycle storage facilities [Performance]

Before the development hereby approved is first occupied, secure and covered storage for a minimum of 12 bicycles shall be provided in accordance with the plans hereby approved. At all times the spaces shall be made available for customers and staff; and shall be retained for that purpose thereafter throughout the lifetime of the development.

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

#### 34. Green Roof Implementation (Pre-commencement)

Prior to the commencement of the development hereby approved, a specification and management plan for the green roof shall be submitted to and agreed in writing by the Local Planning Authority. The green roof must be installed to the approved specification before the building hereby approved first comes into use or during the first planting season following the full completion of building works, whichever is sooner. The approved scheme implemented shall be maintained for the lifetime of the development. If the green roof dies, fails to establish or becomes damaged or diseased, it shall be replaced by the Owner in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To reduce flood risk and manage surface water runoff in accordance with core strategy policy CS20 (Tackling and Adapting to Climate Change) and CS23 (Flood risk), combat the effects of climate change through mitigating the heat island effect in accordance with policy CS20, enhance energy efficiency through improved insulation in accordance with core strategy policy CS20, promote biodiversity in accordance with core strategy policy CS22 (Promoting Biodiversity and Protecting Habitats), contribute to a high quality environment and 'greening the city' in accordance with core strategy policy CS13 (Design Fundamentals), and improve air quality in accordance with saved Local Plan policy SDP13.

#### 37. **23/01174/FUL REAR OF 92 MERRYOAK 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 authority be delegated to the Head of Transport and Planning to grant planning permission subject to the criteria listed in the report.

Erection of 2x 3-bed semi-detached houses with associated parking and cycle/refuse storage (Resubmission ref 22/01104/FUL).

No representers addressed the meeting.

The presenting officer reported that additional correspondence had been received from the Council's Archaeologist, which confirmed that no Archaeology conditions were

required. The presenting officer also reported some amendments to the conditions, as set out below, and one additional condition, also set out below.

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

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

## **RESOLVED**

1. To confirm the Habitats Regulation Assessment set out in Appendix 1 of the report.
2. That authority be delegated to the Head of Transport and Planning to grant planning permission subject to the conditions in the report and any additional or amended conditions or planning obligations set out below.
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. 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 (By Officer)**

Added a section to prevent the provision of fencing above one metre to the front of the properties without consent;

### **3. Residential Permitted Development Restriction (Performance)**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended or any Order amending, revoking or re-enacting that Order, no building or structures within Schedule 2, Part 1 and Part 2, Classes as listed below shall be erected or carried out to any dwelling house hereby permitted without the prior written consent of the Local Planning Authority:

Part 1:

Class A (enlargement of a dwelling house), including a garage or extensions,

Class B (roof alteration),

Class C (other alteration to the roof),

Class E (curtilage structures), including a garage, shed, greenhouse, etc., and

Class F (hard surface area)

Part 2:

Class A (gates, fences, walls etc)

Reason: In order that the Local Planning Authority may exercise further control in this locality given the specific circumstances of the application site and in the interests of the comprehensive development with regard to the amenities of the surrounding area.

Changed the refuse condition to enable details of separate refuse storage to the frontage as per the standard pre-commencement condition.

Altered the refuse storage condition to seek details to provide refuse storage to the front of the properties;

**5. Refuse & Recycling (Pre-Commencement) (amended to provide separate cycle and refuse facilities).**

Prior to the commencement of development, details of storage for refuse and recycling, together with the access to it, shall be submitted to and approved in writing by the Local Planning Authority. The storage shall be provided in accordance with the agreed details before the development is first occupied and thereafter retained as approved. Unless otherwise agreed by the Local Planning Authority, except for collection days only, no refuse shall be stored to the front of the development hereby approved.

Reason: In the interests of visual amenity, the amenities of future occupiers of the development and the occupiers of nearby properties and in the interests of highway safety.

Note: In accordance with para 9.2.3 of the Residential Design Guide (September 2006): if this development involves new dwellings, the applicant is liable for the supply of refuse bins and should contact SCC refuse team at Waste.management@southampton.gov.uk at least 8 weeks prior to occupation of the development to discuss requirements.

Added an additional section added to conditions 12 and 13 to secure energy reduction.

**12. Water & Energy (Pre-Construction)**

With the exception of site clearance, demolition and preparation works, no development works shall be carried out until written documentary evidence demonstrating that the development will achieve a maximum 100 Litres/Person/Day internal water use. A water efficiency calculator shall be submitted to the Local Planning Authority for its approval, unless an otherwise agreed timeframe is agreed in writing by the LPA. Written documentary evidence shall be submitted demonstrating that the development will achieve at minimum 15% improvement over 2021 Dwelling Emission Rate (DER)/ Target Emission Rate (TER) in the form of a design stage SAP calculations. It should be demonstrated that SCC Energy Guidance for New Developments has been considered in the design.

Reason: To ensure the development minimises its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (Amended 2015).

**13. Water & Energy (Performance)**

Within 6 months of any part of the development first becoming occupied, written documentary evidence proving that the development has achieved 100 Litres/Person/Day internal water use in the form of a final water efficiency calculator and detailed documentary evidence confirming that the water appliances/fittings have been installed as specified shall be submitted to the Local Planning Authority for its approval. Written documentary evidence shall be submitted demonstrating that the development will achieve at minimum 15% improvement over 2021 Dwelling Emission Rate (DER)/ Target Emission Rate (TER) in the form of a final SAP calculations. It should be demonstrated that SCC Energy Guidance for New Developments has been considered in the construction.

Reason: To ensure the development has minimised its overall demand for resources and to demonstrate compliance with Policy CS20 of the Adopted Core Strategy (Amended 2015).

4. Additional condition by officer:

**Sustainable Drainage Systems (Pre-Commencement)**

Prior to the commencement of the development hereby approved, a scheme for surface water drainage shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall be informed, and accompanied, by an assessment of the potential for disposing of surface water by means of a sustainable drainage system, in accordance with the principles set out in the non-statutory technical standards for SuDS published by Defra (or any subsequent version), and the results of the assessment provided to the local planning authority.

Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i. provide information about the design storm period and intensity; the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The agreed means for disposing of surface water shall be fully implemented in accordance with the agreed details before the development first comes into use and thereafter retained as agreed.

Reason: To seek suitable information on Sustainable urban Drainage Systems as required by government policy and Policy CS20 of the Southampton Core Strategy (Amended 2015).

38. **23/00882/FUL 48 SEAFIELD 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 the criteria listed in the report.

Change of use of residential outbuilding to a beauty salon -use class Sui Generis (Submitted in conjunction with 23/00883/ADV) (Retrospective)

Mr Sanjeev Sharma (applicant) was present and with the consent of the Chair, addressed the meeting. In addition, it was noted that a statement and photograph had been received from Councillor Goodfellow (ward councillor), which had been circulated and read by the Panel in advance of the meeting.

The presenting officer confirmed that there were no updates to the report.

The Panel then considered recommendation that the application be conditionally approved subject to criteria listed in the report. 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.