
PLANNING AND RIGHTS OF WAY PANEL
MINUTES OF THE MEETING HELD ON 2 FEBRUARY 2021

Present: Councillors Mitchell (Chair), Coombs (Vice-Chair), L Harris, Savage, Vaughan, Windle (except Agenda item 7) and G Galton

Apologies: Councillors Prior

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

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

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

RESOLVED: that the minutes for the Panel meeting on 12 January 2021 be approved and signed as a correct record.

47. **TREE WORK APPLICATION BY THE GREGG SCHOOL**

The Panel considered the report of the Head of City Services setting out considerations in relation to application 20/00184/TPO for the felling of 1 x Monterey Pine and 2 x Norway Maples both located within Marlhill Copse.

Upon being put to the vote the Panel unanimously agreed the officer recommendations.

RESOLVED that the Panel

- (i) granted consent to the felling of one Monterey Pine within Marlhill Copse with an attached condition to replant one native tree species.
- (ii) refused consent to the felling of 2 Norway Maple's within Marlhill Copse.

48. **TREE WORK APPLICATIONS AND NOTIFICATIONS FOR SAFETY WORK AT MARLHILL COPSE**

The Panel considered the report of the Head of City Services in relation to applications 20/00303/TPO, 20/00305/TPO and 20/00077/TCA for the felling of 60 individual trees and 8 groups of trees located within Marlhill Copse.

Mike Weeks (agent) was present and with the consent of the Chair, addressed the meeting.

The presenting officer confirmed the numbers of individual trees was 60 and not 61 and that there were 8 groups of trees and not 7 groups of trees, as stated in the report.

In addition it was noted that the report needed updating to state that only those trees classified within the red group in survey would require action at this stage. A number of changes of paragraphs within the report that resulted from this adjustment and it was noted that recommendation 3 of the report could be removed as it would not be required at this stage as it referred to a tree in the yellow group.

Upon being put to the vote the Panel unanimously supported the amended officer recommendations.

RESOLVED that the Panel considered the requests set out applications 20/00303/TPO, 20/00305/TPO and 20/00077/TCA located with Marhill Copse and

- (i) granted consent to the Tree Preservation Order applications for the felling of 60 trees in 8 groups with an attached condition for suitable replacement tree planting scheme,
- (ii) raised no objection to the notification of felling of trees in the Conservation Area; and

49. **PLANNING APPLICATION - 20/01460/FUL - 26 BUTTERFIELD 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.

Extensions and alterations to existing garage, including a front extension, raising the roof and the insertion of dormer windows to facilitate the formation of a 2-bedroom self-contained dwelling.

Mr M Patel (applicant), was present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that a further 3 objections had been received following the publication of the report. It was noted that the newly received correspondence echoed the objections already submitted in relation to the application. Additionally, the presenting officer noted that the applicant had submitted an updated site plan. It was explained that changes were required to condition numbers 4 and 6 and that the reason for granting approval had been bolstered by referencing the considerations that had taken by the officer with regard to the Basset Neighbourhood Plan, as set out below.

The Panel (*updates / points not covered by the resolution inc amended / additional conditions etc*)

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

The Panel then considered the recommendation to delegate authority to the Service Lead: Infrastructure, Planning and Development to grant planning permission. Upon being put to the vote the recommendation was carried.

RECORDED VOTE to grant planning permission.

FOR: Councillors Coombs, Mitchell and Savage

AGAINST: Councillors G Galton, L Harris and Vaughan

Motion was carried on the use of the chair's casting vote.

RESOLVED that the Panel:

- (i) confirmed the Habitats Regulation Assessment set out in Appendix 1 of the report.
- (ii) Delegated authority to the Head of Planning & 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 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) That the Head of Planning & Economic Development be delegated authority to add, vary and /or delete conditions as necessary, and to refuse the application in the event that item 2 above is not completed within reasonable timescales.

Amended reason for Granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 39-42 and 46 of the National Planning Policy Framework (2019). Policies –SDP1, SDP4, SDP5, SDP7, SDP9, SDP10, SDP12, SDP13, H1, H2, and H7 of the City of Southampton Local Plan Review (Amended 2015), policies CS4, CS5, CS13, CS16, CS19, CS20, CS22, CS25 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015) and policies BAS1, BAS4 and BAS5 of the Bassett Neighbourhood Plan (adopted 2016).

Amended Conditions

04. Landscaping detailed plan (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 hard surfacing materials;
- ii. proposed boundary treatments for the whole site;
- iii. planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate. This shall include native and/or ornamental species of recognised value for wildlife;

The approved hard and soft landscaping scheme (including parking) 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. The approved scheme implemented shall be maintained for a minimum period of 5 years following its complete provision.

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 enhance the biodiversity of the site and 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.

06. Cycle storage facilities (Pre-Occupation)

Before the development hereby approved first comes into occupation, secure and covered storage for bicycles, and the access to this storage, shall be provided in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The storage shall be thereafter retained as approved for the lifetime of the development.

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

NOTE: Councillor Windle withdrew from the meeting for this application with technical issues.