

## ISLE OF WIGHT COUNCIL PLANNING COMMITTEE - TUESDAY, 5 JULY 2016

### REPORT OF THE HEAD OF PLANNING AND HOUSING SERVICES

#### WARNING

1. THE RECOMMENDATIONS CONTAINED IN THIS REPORT OTHER THAN PART 1 SCHEDULE AND DECISIONS ARE DISCLOSED FOR INFORMATION PURPOSES ONLY.
2. THE RECOMMENDATIONS WILL BE CONSIDERED ON THE DATE INDICATED ABOVE IN THE FIRST INSTANCE. (In some circumstances, consideration of an item may be deferred to a later meeting).
3. THE RECOMMENDATIONS MAY OR MAY NOT BE ACCEPTED BY THE PLANNING COMMITTEE AND MAY BE SUBJECT TO ALTERATION IN THE LIGHT OF FURTHER INFORMATION RECEIVED BY THE OFFICERS AND PRESENTED TO MEMBERS AT MEETINGS.
4. YOU ARE ADVISED TO CHECK WITH THE PLANNING DEPARTMENT (TEL: 821000) AS TO WHETHER OR NOT A DECISION HAS BEEN TAKEN ON ANY ITEM BEFORE YOU TAKE ANY ACTION ON ANY OF THE RECOMMENDATIONS CONTAINED IN THIS REPORT.
5. THE COUNCIL CANNOT ACCEPT ANY RESPONSIBILITY FOR THE CONSEQUENCES OF ANY ACTION TAKEN BY ANY PERSON ON ANY OF THE RECOMMENDATIONS.

#### Background Papers

The various documents, letters and other correspondence referred to in the Report in respect of each planning application or other item of business.

**Members are advised that every application on this report has been considered against a background of the implications of the Crime and Disorder Act 1998 and, where necessary, consultations have taken place with the Crime and Disorder Facilitator and Architectural Liaison Officer. Any responses received prior to publication are featured in the report under the heading Representations.**

**Members are advised that every application on this report has been considered against a background of the implications of the Human Rights Act 1998 and, following advice from the Head of Corporate Governance and Monitoring Officer, in recognition of a duty to give reasons for a decision, each report will include a section explaining and giving a justification for the recommendation.**

## LIST OF PLANNING APPLICATIONS TO COMMITTEE – 5 JULY 2016

01	<a href="#">P/00141/16 TCP/16601/K</a>	<b>Brighstone</b>	<b>Conditional Permission</b>
Page 3	Atherfield Bay Holiday Camp, Military Road, Atherfield, Ventnor, Isle of Wight, PO38 2JD  Demolition of clubhouse, chalets, swimming pool, managers dwelling, maintenance and other ancillary buildings; redevelopment comprising 63 units of holiday accommodation, clubhouse, swimming pool and service buildings		
02	<a href="#">P/00109/16 TCP/11506/U</a>	<b>Freshwater</b>	<b>Conditional Permission</b>
Page 43	Meadows, Colwell Road, Freshwater, Isle of Wight, PO40 9SW  Outline for 20 dwellings; formation of vehicular access (revised plans)		
03	<a href="#">P/00285/16 TCP/32327/A</a>	<b>Bembridge</b>	<b>Conditional Permission</b>
Page 68	land adjacent to Popes Cottage, Steyne Road, Bembridge, Isle of Wight.  Outline application for up to 9 residential units; formation of vehicular accesses (revised scheme)		
04	<a href="#">P/00160/16 TCP/27346/C</a>	<b>Ryde</b>	<b>Refusal</b>
Page 102	9 Chapel Road, Ryde, Isle of Wight, PO33 3RT  Construction of end of terrace dwelling with parking; alterations to no. 9 (revised scheme) (revised plans and corrected description)		

**01 Reference Number: P/00141/16**

**Description of application:** Demolition of clubhouse, chalets, swimming pool, managers dwelling, maintenance and other ancillary buildings; redevelopment comprising 63 units of holiday accommodation, clubhouse, swimming pool and service buildings (Revised Plans)

**Site Address:** Atherfield Bay Holiday Camp, Military Road, Atherfield, Ventnor, Isle Of Wight, PO38 2JD

**Applicant:** Sandy Lane Resorts Limited

**This application is recommended for Conditional Approval of planning permission**

**REASON FOR COMMITTEE CONSIDERATION**

- This application has been referred to the Planning Committee in accordance with the Council's Constitution as it has been submitted with an Environmental Statement.

**MAIN CONSIDERATIONS**

The main considerations relevant to the determination of this application are as follows:

- Principle of the proposed development
- Planning history including previous dismissed appeal
- Impact on the character of the area and the AONB and Heritage Coast
- Impact on neighbouring properties
- Highway Considerations
- Ecology
- Coastal stability
- Fundamentally, has the proposal sufficiently overcome the previous reason for refusal and appeal decision findings?

**1. Location and Site Characteristics**

1.1. The overall site extends to around 11.94 hectares, although the area proposed for the holiday accommodation has been reduced to approximately 5 hectares. It is located to the west of the A3055 Military Road, approximately 3 km to the south of Shorwell and 3.5 km to the south-east of Brighstone. The site is bounded by the A3055 to the north-east, Cowleaze Chine to the north-west, the shoreline to the south-west and Shepard's Chine to the south-east.

1.2 The application site is occupied by a range of single storey buildings forming the Atherfield Bay Holiday Camp, which is understood to date from 1936 and was utilised as an army camp during WW2. The buildings have been left vacant for the last 6 years and have deteriorated to such an extent that they

are now in a very poor state of repair and uninhabitable. The site is dominated by a main reception / clubhouse / swimming pool building positioned centrally adjacent to the northern boundary, with 160 chalets running in four rows on a north – south axis. The units each have one bedroom and a bathroom, and are of a basic utilitarian design constructed of artificial stone with a flat roof. There are a number of ancillary facility buildings and amenities including a tennis court, bowling green and an outdoor swimming pool surrounded by screen panels approximately 130m to the south of the main clubhouse building.

- 1.3 The site is served by an existing vehicular access from the A3055 in the north-eastern corner of the site, leading to a small parking and turning area adjacent to the main clubhouse building. Public footpath BS2 runs north—south across the site from the A3055 to the western end of Shepard’s Chine. Footpath BS3 runs around Cowleaze Chine to the west of the site, and then crosses the application in a north-west / south-east direction. These footpaths link into BS1 which runs around Shepherd’s Chine to the south-east and then south-eastwards along a coastal route towards Chale.
- 1.4 The application site is situated in an exposed rural location on the coastal plain forming the south-western coastline of the Island. The land to the north of the application site is used as a caravan and camping site (Chine Farm Campsite). Chine Farm House is a Grade II Listed Building situated on the eastern side of the A3055 opposite to the site, with a range of single storey residential buildings nearby. Land to the south-east of the site is utilised as open agricultural land.
- 1.5 It is noted that the application site does not incorporate the detached bungalow adjacent to the eastern boundary of the main holiday camp site (with its own access on the A3055) – this was previously incorporated into P/01199/13. The red and blue lines extend around the common boundaries of this dwelling.

## **2. Details of Application**

- 2.1 The application proposes the demolition of the existing buildings on the site and their replacement with 63 units of holiday accommodation, clubhouse, swimming pool and service buildings.
- 2.2 The application has been revised with the submission of amended plans which has reduced the red line of the site to only incorporate the holiday buildings area – the fields to the east and west and land to the south (close to the cliff) have been removed from the red line and is now within a blue lined area. The revised plans also relocate two of the parking ‘circles’ further into the site with lodges around them and re-orientate some of the units to the most southerly part of the site – so that they are more ‘end-on’ as viewed from the cliff direction. New sections of a footpath are proposed to the south of the site and extending north-westwards. A revised plan has also been submitted for Unit A type – to remove the rooflights and change the study to a bedroom.

- 2.3 The development would utilise the existing vehicular access to the site from the A3055 (Military Road) which would lead to a parking area in front of the clubhouse, swimming pool and other communal facilities. Adjacent to this area to the south-east would be 6 units, shown as 'show homes'. These would eventually become part of the holiday provision. A circular access road would then extend through the site leading to four circular parking areas (each providing parking for 16 cars) with communal facilities within, including the refurbishment of the tennis courts and provision of other recreational/communal facilities.
- 2.4 The submitted plans show that there would be four designs for the proposed holiday units, with unit types A-D, providing a mix of 23 x 2 bedroom and 40 x 3 bedroom holiday homes. These are shown to be of a prefabricated design individually sited on 12 concrete pads, with floor levels 1m above existing ground levels, with materials indicated as cladding with the colour to be agreed and grey slate tiles. Units A and D are rectangular whilst B and C are L-shaped and the size of the units vary from 12.3 to 18.3m in length and 6.1m to 6.7m in overall width with an overall height of 3.8m above the ground. Illustrative plans show that each of the units would have a low decked amenity area bounded by low level posts linked by rope.
- 2.5 The clubhouse building would be constructed in the north-eastern section of the holiday lodge site, close to the vehicular access into the site from the A3055 (Military Road). The submitted plans show that the building would be single storey in scale with a length of 30.2m, a width of 12.6m with a hipped roof to a ridge height of 6m and would have a canopied main entrance feature. The building would provide a reception and office, a coffee shop/bar area with a kitchen and stores, a gymnasium and associated changing rooms opening out onto an open air swimming pool and sun terrace. Materials for this building are shown to be "CanExel" engineered wood cladding and a slate roof. There would be 20 parking spaces and a cycle parking area to the front of this building.
- 2.6 The proposal also includes the refurbishment of the existing tennis courts, a petanque court, barbeque area and a children's play area. Two service buildings would be located to the east of the tennis courts (a maintenance store and a general store). Each building would have a width of 7m and depth of 5m with a pitched roof and height of 4.5m. Materials for these buildings are shown to be "CanExel" engineered wood cladding (colour to be agreed).and a slate roof.
- 2.7 The previous application was screened by the Council and concluded an Environment Statement was required. The current application has been submitted with an Environment Statement. This includes a Landscape Visual Impact Assessment (LVIA).The application has also been accompanied by reports which include ecology, drainage, heritage, flood risk assessment and geotechnical.

- 2.8 Following pre-application discussions, the applicant has revised the application from that which was refused and through negotiation has also refined this current application. The applicant has also stated that the site would close down for 2 months in January and February as per the applicant's other parks (cease operations between 6 January - 6 March and would be agreeable to a condition stating this as well as other conditions relating to when demolition can take place, for a detailed lighting scheme and drainage details to be agreed.

### **3. Relevant History**

- 3.1. P/00743/14 – Demolition of clubhouse, chalets, swimming pools, managers dwelling, maintenance and other ancillary buildings; redevelopment comprising 92 units of holiday accommodation, clubhouse, two swimming pools, leisure centre, play area and service buildings; refurbishment of reception building (to include provision of managers accommodation) and tennis courts; parking (revised scheme) – Withdrawn – 02/09/2014 – It is noted that this proposed a larger site area.
- 3.2 P/01199/13 - Demolition of clubhouse, chalets, swimming pools, managers dwelling, maintenance and other ancillary buildings; redevelopment comprising 95 units of holiday accommodation, clubhouse, two swimming pools and service buildings (revision to layout of chalets and parking areas and addendum to Environmental Statement) (readvertised application) – Refused - 18/02/2014 for the following reasons:

*The proposed development by virtue of its scale, size, massing and density would fail to protect, conserve or enhance the quality of the natural environment in this location, and would have an adverse visual impact within the landscape. In consequence the proposal is contrary to the aims of Policies SP4 (Tourism), SP5 (Environment), DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.*

The subsequent appeal was dismissed on 14/04/2015 (APP/P2114/A/14/2223277). The key findings of the Appeal are summarised at paragraph 6.1.

### **4. Development Plan Policy**

#### National Planning Policy

- 4.1. National Planning Policy Framework (NPPF) constitutes guidance for local planning authorities and decision-takers both in drawing up plans and as a material consideration on determining applications. At the heart of the NPPF is a presumption in favour of sustainable development. The site is within the Isle of Wight Area of Outstanding Natural Beauty and Tennyson Heritage Coast. The application site is within the nationally designated Compton Chine to Steephill Cove Site of Special Scientific Interest (SSSI), and lies adjacent to

the South Wight Maritime Special Area of Conservation (SAC). The application site also falls within the Isle of Wight Area of Outstanding Natural Beauty and the Tennyson Heritage Coast.

- 4.2 The following sections are of particular reference to this application:
- Section 1 - Building a strong, competitive economy
  - Section 3 - Supporting a prosperous rural economy - support given to sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors and respect the character of the countryside.
  - Section 7 - Requiring Good Design - In particular design should respond to local character, reflect the identity of local surroundings, whilst not preventing or discouraging appropriate innovation..
  - Section 10 - seeks to meet the challenge of climate change, flooding and coastal change. Paragraphs 99 – 104 give detailed guidance on how Local Authorities should take flood risk into account in bringing forward new development.
  - Section 11 - Conserving and enhancing the natural environment - the planning system should contribute to conserving and enhancing the natural environment in particular by protecting, and enhancing valued landscapes, and minimising impacts on biodiversity. Specific reference is made to the refusal of proposed developments likely to adversely impact on Sites of Special Scientific Interest, as well as European designated sites.
  - Section 12 sets out advice for conserving and enhancing the historic environment
  - Paragraph 17 sets out 12 core land use planning principles which underpin both plan making and decision taking. Of particular relevance to this development are the core principles which; proactively drive and support economic development, secure high quality design, support the transition to a low carbon future taking full account of flood risk, conserving and enhancing the natural environment, promoting mixed use developments, and conserving heritage assets.

- 4.3 Due regard and weighting has been applied to the principles advocated within the NPPF (paragraphs 186 and 187) which require LPAs to encourage decision taking in a positive way, to look for solutions rather than problems, and to seek to approve applications where possible.

Good Practice Guide on Planning for Tourism in May 2006

- 4.4 Government published guidance seeks to promote good quality tourism development which maximises economic, social and environmental benefits in locations where they are accessible to visitors and where they do not have an adverse impact upon sensitive environments.

Local Planning Policy

- 4.5 The Island Plan Core Strategy identifies the application site as being within the

Wider Rural Area. The following policies are relevant to this application

- SP1 Spatial Strategy
- SP3 Economy
- SP4 Tourism
- SP5 Environment
- SP7 Travel
- DM1 Sustainable Build Criteria for New Development
- DM2 Design Criteria for New Development
- DM8 Economic Development
- DM11 Historic and Built Environment
- DM12 Landscape, Seascape, Biodiversity and Geodiversity
- DM14 Flood Risk
- DM17 Sustainable Travel

4.6 *Isle of Wight AONB Management Plan 2014-2019*

4.7 *The Isle of Wight Council Tourism Development Plan*

4.8 *The Isle of Wight Council Destination Management Plan (Visit Isle of Wight)*

*Brighstone Neighbourhood Development Plan*

The Isle of Wight Council has designated the Brighstone Neighbourhood Plan Area. Following on from a draft plan and consultation, the proposed Neighbourhood Plan was submitted to IWC on 7th Jan having been ratified by the Parish Council on 6th January. A consultation period ran until 7 March 2016. The independent Examiner's Report was published on 8th April 2016 which provides suggestions and guidance towards the final version of the Neighbourhood Plan. The plan is not yet adopted and thus the policies are still at draft stage, but given the stages it has gone through then some weight can be given to it with regards the planning decision-making process at this point. The following are considered to be relevant to this application:

- Draft Policy POE1 (Conserving and enhancing our environment) – consider impact of proposals on landscape, natural and historic environments;
- Draft Policy POE2 (Tranquillity) – to preserve tranquillity – reduce light spill into dark skies and reduce noise;
- Draft Policy TT1 (car parking for new development) – at least one off-road space for new 1-2 bed properties and at least 2 for 3+. Other developments to provide sufficient off-road spaces.
- Draft Policy TT3 (sites along Military Rd) – traffic generation and ways to mitigate such as through the use of public transport and public rights of way network.
- Draft Policy JE2 (Zone 2 existing large scale tourist businesses) – supports the retention of the existing businesses in this zone and wants them to remain viable, but recognises the sensitivity of the area re: landscape and nature conservation. Of particular relevance is that improvements should be:



- of an appropriate scale and design in keeping with the location;
- are predominantly within the existing footprint
- fully considered traffic generation, landscape and the tranquillity of the area
- have incorporated opportunities to conserve and where possible enhance the landscape and natural and historic environment

This policy acknowledges the application site but notes that it is now largely derelict having been closed a number of years ago. It also notes that because of their more remote location these sites are more difficult to access using sustainable transport.

- Draft Policy D1 (Design) – in keeping with local area; not impact on neighbours; appropriate landscaping; not impact on important views; have sufficient amenity areas.
- Draft Policy ICS2 (public access) – proposals which maintain/enhance Public Rights of Way network and open access land will be supported
- Draft Policy CS1 (Flood risk) – all new development required to include an assessment of flood risk – consideration of ground conditions; surface run-off.
- Draft Policy CS2 (Coastal development) – consider impact of coastal erosion/coastal change.

*Shorwell Parish Plan 2005 and accompanying document: Shorwell Landscape Character Assessment*

4.9 The Landscape Character Assessment includes views from key advantage points including from Gore southwards towards Atherfield and the coast and that Atherfield falls within the Shorwell Arable Plain area described as:

*“This is an open and exposed landscape with large fields which are predominantly arable in cultivation. Few hedgerows or trees; those present have had their growth suppressed and affected by the south-westerly winds in the area. This is an area of dispersed settlement, with a number of individual farmsteads, and on occasion cottages occurring alongside the lane which provides access through this landscape. Settlement is often accompanied by shelter belt planting. Watercourses, ditches and drains are a feature of the landscape, often providing a haven for wildlife within an intensively farmed landscape.”*

5. **Consultee and Third Party Comments**

Internal Consultees

5.1 The Council’s Tree Officer raises no objection stating that having reviewed the landscaping information it is seen the species choice is suitable to the surroundings and would be complimentary to the rural setting. However to ensure the landscaping is sufficient it will be necessary to detail the size of the plants intended to be used, the stocking density and planting patterns for areas such as hedges and therefore a condition is suggested.

- 5.2 The Council's Ecology Officer raises no objection although initially raised concerns on a lack of information submitted, but following the revised plans and reduced red lines area which excludes the grassland to the east and west of the main site, these concerns have been overcome (with the imposition of appropriate conditions).
- 5.3 The Council's Environmental Health Officer raises no objection but notes that section 2.1.4 of the Environmental Statement states "*As the existing facility consists of a number of dated, dilapidated and now redundant structures, many of which due to the age of construction are likely to contain materials such as asbestos*". As such a condition is suggested to address any the risk from possible asbestos contamination.
- 5.4 The Council's The Rights of Way Team raises no objections. They note that the situation has changed since the original application in that it was possible to reinstate public footpath BS1 through Shepherd's Chine, although it is currently closed due to coastal erosion suffered during last winter. A path on top of the cliff is therefore considered essential as conditions in the chine will only continue to worsen leading to eventual closure of the path on the grounds of health and safety or it not existing due to coastal erosion. A path along the top of the cliff would secure the future of the coastal path in this location and avoid the possibility of having to walk along a stretch of the Military Road. They suggest a condition and informative.
- 5.5 The Council's Building Control Manager has raised no objections in relation to stability matters stating that the key issue is erosion at the cliff face, which would lead to cliff recession and considers the method of determining the future cliff line appear reasonable but also states this is an issue that the Coastal Engineer should comment on.
- 5.6 Principal Coastal Engineer has raised no objection to the proposed development on coastal erosion grounds.
- 5.7 The Council's Planning Archaeologist raises no objection although notes that the County HER records numerous multi period sites and monuments within the coastal plain occupied by the current development. A condition requiring a programmed of archaeological works is suggested.
- 5.8 The Island Roads Highway Engineer raises no objection and suggests conditions relating to the provision of visibility splays and turning/parking areas, provision of wheel washing during the construction period, details of the junction and disposal of surface water.

#### External Consultees

- 5.9 Natural England has raised no objections. They acknowledge the siting is within/close proximity to a European designated site and nationally designated sites (SSSI) and therefore has the potential to affect its interest features. They note that the LPA has screened the proposal and they agree that significant

effects from the proposal are unlikely to occur, stating that “given the nature and scale of this proposal, Natural England is satisfied that there is not likely to be an adverse effect on this site as a result of the proposal being carried out in strict accordance with the details of the application as submitted”. They have suggested conditions relating to ensuring future development is away from the cliff edge/predicted erosion line and management plans for the overall development and use of the site (including a recreation management plan). These conditions are required to ensure that the development, as submitted, will not impact upon the features of special interest for which Compton Chine to Steephill Cove is notified.

- 5.10 The AONB Partnership initially objected to the use of the outer lying fields for part of the holiday site (which were shown to have informal recreations with seating and interpretation) and concerns regarding the circular parking areas (suggesting they be moved away from the boundary of the site with the units there instead - to shield views of the parked cars from outside the site), that rooflights be removed from some of the units and that the colour of the units be changed from that proposed New England style of bright colours (should be muted, natural shades and not pastel). Following the receipt of revised plans, the AONB Partnership has raised no overall objection to the proposal and considers the current scheme addresses many of the reasons for the previous refusal and dismissal at appeal. Conditions are suggested relating to materials, lighting and restrictions on further development.
- 5.11 Environment Agency has not raised any objections in principle but note that an Environmental Permit is required with regards the discharge of foul sewage into the water course (an informative is suggested) and conditions are suggested relating to details of surface water drainage scheme, and details of a landscape management plan.

#### Parish Council Comments

- 5.12 It is noted that the application site is situated within both the Parishes of Brighstone and Shorwell. The administrative boundary line runs along the eastern edge of the proposed holiday chalets, thus the main built form of the development is within Brighstone Parish and the landscaped area to the east within Shorwell. It is noted these comments have been received prior to the submission of revised plans which include the reduction of the red line area.
- 5.13 Brighstone Parish Council do not raise an objection in principle but insist on the following conditions be imposed if the application is approved:
- That the site is closed for a designated two months per year which is enforced by the site owners.
  - That the fields to the East and West of the site are left in a natural state with no surface footpaths or roads and no incidental recreational use.
  - To control when the existing site is cleared, including the removal of asbestos, to give consideration to adjacent businesses (to avoid the main tourist season).
  - In order to protect the dark skies there should not be any skylights in

any of the units.

- There is one parking space per unit, it is felt that this is inadequate with some of the units clearly for more than one family.
- That the buildings are not a bright colour and a colour is chosen which would blend in with the environment
- There is a real concern regarding road safety and several accidents have occurred close to the entrance of the site since the last application. Brighstone Parish Council would like a no overtaking single white line and speed restrictions either side of the site entrance.

5.14 Shorwell Parish Council acknowledge this would affect the surrounding area but do not raise an objection in principle but based on the scheme being restricted to the original camp site area, noting that the density of accommodation has been greatly reduced, but would like strict conditions placed on the following points:

- 10 months occupation. With some of the properties to be in private ownership, there must be no slippage so that the "holiday camp" becomes a "residential development"
- Adjoining green area. To preserve the landscape, this must be left undeveloped, and there must be no future extension of the developed area.
- Dark Skies. Strict controls must be placed on all aspects of lighting, so that there is no light pollution.

#### Third Party Representations

5.15 18 letters of objection have been received. Whilst some of these comments are clearly in objection to the scheme, other comments are generally in support but raise such concerns as to include them within the 'objectors' to the scheme. It is also noted these comments have been received prior to the submission of revised plans which include the reduction of the red line area. The content of which can be summarised as follows:

#### Principle

- Does not consider accommodation would meet the needs – majority of walkers, cyclists and countryside lovers would choose camping, individual self-catering properties/B&Bs;
- Refers to the Brighstone Parish Neighbourhood Plan and that only small scale incremental residential developments be acceptable in this area (considers the application is for residential park homes not tourism);

#### Design and visual impacts

- Whilst reduced in scale/size still inappropriate for this sensitive and prominent clifftop location;
- Visual impact on AONB, SSSI and Heritage Coast – part of the remaining relatively remote, unspoiled stretch of coast on the Island;
- Over-development of the site when compared to existing buildings on site;

- Could result in further expansion into adjoining fields;
- If the areas to the west and east of the site are left entirely undeveloped these fields would help to limit the scale and impact of the proposed development;
- creation of new pathways, seating areas, information signs and displays and any number of other ancillary functions is inappropriate use for green field pasture fields in the AONB and also unnecessary to the proposed development
- Still concerns that the quality of the units is poor;
- Design of units lack architectural merit and no reference to local traditional building styles;
- Object to the New England style blue colour of the chalets (as previously recommended) and suggests a dark green;
- Another suggests the units be either grey or green;
- Rooflights on some of the units – impact on the Dark Skies;
- No indication on any of the plans of the 'access road for sludge tankers' referred to on page 10 of the drainage survey which would be necessary into the Western 'Bee' field;
- Adequate mitigation of the additional impact is essential;
- Conditions that dark skies are maintained;
- Condition in relation to the colour and cladding of the units to blend in as much as possible;
- Landscaping needs to be appropriate to the area – i.e. with regards to the strong salt winds.

#### Future use of the site

- Concerns that this would become a housing project;
- If to be approved then strict conditions need to control both the extent of the site and the operation of the site (to prevent it becoming permanent residential);
- use of the east and west fields would be a material change of use and should not be part of the planning unit;
- Concerns of enforcement of the 10 months use – need physical measures to ensure compliance (turn off utilities, lock entrances);

#### Ecology

- Pathways etc. into the adjacent fields – encroachment into the AONB/SSSI land;
- Objects strongly to use of the east and west fields – green pasture and never have been part of the site – essential for maintaining AONB status and for wildlife. The use of these fields is not clear but seems to be pathways, signs and other recreational areas – a managed space;
- these open fields to the east and west form part of the general designated landscape of open fields, but also host a number of species including reptile populations such as common lizards and grass snakes and are hunting grounds for barn owls;
- Impact on wildlife/ecology – need timings for works;
- Flora and fauna will suffer;

- The site is returning to nature and is demolished would encourage more grass snakes, lizards, birds etc. – should return to its natural state;

#### Highway safety

- Concerns of highway impacts and states that previous use of the site included numbers of people transported there by coach;
- Concerns that visitors will use small lanes to access it – and highway safety;

#### On neighbouring uses/users

- Also timings of works to limit impact on main tourist season;
- Noise pollution;

#### Ground stability/erosion

- Inability of the developer future proof the site against erosion;
- Scale of development and run off from new roads/hard surfacing will aggravate this problem;

#### Environmental/Drainage/Contamination

- Environmental impact of sewage outfall into a small waterway and subsequently onto a beach used extensively by sea swimmers and fishermen;
- Drainage scheme needed for 300 plus people and increase of discharge of foul and surface water;
- Concerns of drainage layout and further eroding of land and Chines;
- Concerns that the position of the sewage treatment plant in western field indicates future for the development of this part of the site – this concerns is in conjunction with previous claim that any less than 94 units would be unviable;
- Risk of the presence of asbestos and other hazardous materials in existing buildings;

#### Other matters, including some overall support with imposition of conditions

- Lack of clarity of the buildings known as Stocks Cross – southern part of the eastern field (derelict farm cottage/stable tack room) – previous submission this was to be converted into a 2 storey bar;
- Previously objected to the proposal and now supports the demolition of the existing buildings and accepts the right to develop the brownfield site but redevelopment of the site must have the 10 month use; a low density of buildings and materials sympathetic (no gleaming white and no illuminated signs); worries about surrounding fields and potential spread (these need to be protected)
- Chine Farm Camping site on Military Rd agree in principle subject to conditions: no development in east and west fields; 10 month occupation; sympathetic timings of demolition outside of main summer season; traffic calming outside the site e.g. 40mph, no overtaking lines);

#### Other comments

- Impact on adjacent successful tourism businesses [Case Officer Note: concerns with regards to competition cannot be given significant material planning consideration].

5.16 Three comments have been received in support of the development including Visit Isle of Wight and Wightlink are summarised below:

- the derelict buildings and vandalism that has occurred over the past 10 years has created an eyesore far greater than any leisure development might otherwise have done and is of considerable damage to the AONB;
- accommodation requirements for the Island's visitor economy continuing to grow in terms of quality self-catering with high quality services, the developer's proposals will more than meet the demand;
- the proposal is looking to utilise top of the range accommodation supported with appropriate facilities that customers are now demanding from a Holiday Park in the 21st Century in line with the Islands Economic Development Plan increase employment opportunities.

5.17 Hampshire and IOW Wildlife Trust has raised an objection to the development of a highly designated and protected coastal site and consider that the proposals would negatively impact the interest features of both the SSSI and the SAC. They do acknowledge the revised scheme has reduced the units and the size of the site but that mitigation measures are insufficient as are measures aimed at mitigating impacts on the barn owl. They are also concerned that the proposals would see future conflicts between the owners of the site and the natural processes of coastal re-alignment in the long term and are therefore unsustainable. It is noted these comments have been received prior to the submission of revised plans to reduce the red line area.

5.18 Campaign To Protect Rural England( CPRE-IW) has raised no objection and support the removal of the existing eye-sore and 'carbuncle' in this prime AONB location and acknowledges the reduction in size of the site to the approximate footprint of the existing site, use of appropriate lighting and the closing down of the site for two months per annum. They note that no green technology or energy saving measures have been proposed (i.e. solar panels) and that the landscaping scheme may not work given the site's location.

## 6. **Evaluation**

### Planning History

6.1 It is noted that this application is a new proposal and not a direct revised 'free go' application, but the LPA must act reasonably in consideration of similar proposals and relevant issues. However, regard and weight must be taken to the recently refused and dismissed at appeal application and the comments made by the Inspector and as such, it is considered relevant to the current assessment to include the following points from the Inspector's comments:

- The existing buildings "*are of no architectural merit and are mostly in a*

very poor condition. **They detract from the quality of the landscape”.**

- The proposed development would have local and more distant impacts on the landscape and the scenic beauty of the AONB.
- The local impact would, to a large extent, be confined to public views by users of the adjoining road and the public footpaths that run through the site, to the south east of the site and between the site and the coast.
- *“There are also longer views from which the buildings on the site are clearly discernible, in particular from Military Road to the north west of the site where the road rises up. From here, travelling towards Ventnor, there are clear views of the site. There are numerous other viewpoints that I saw...e.g. an extensive view of this stretch of countryside between the road and the coast, and especially of the Heritage Coast, when looking north west from the A3055 just as it enters Chale. From here the undeveloped nature of much of this land is clearly evident, as is the lack of significant vegetation of any height. Most trees along this stretch are stunted and misshapen by the prevailing winds. Where there are groups of trees, in particular on the inland side of the A3055, they are generally around farms or other buildings and appear to act as shelter belts. Apart from inside the chines, where there is a greater degree of shelter, there is little natural vegetation of any height along this stretch of the coast.”*
- Footpaths *“offer views of the derelict buildings and the extent of the site. In particular, Footpath BS2, as shown on the extract from the Definitive Footpath Map, runs adjacent to one of the long chalet blocks. However, this does not obstruct the principal views which are towards the coast and the countryside to the north west. The Coastal Path, which makes detours inland around the adjoining Shepperd’s and Cowleaze Chines, offers open views of the site.”*
- The chalets proposed are *“modern and are much larger than those to be replaced. In addition, they have large areas of decking around them and the proposals include new access roads and 6 car parking hubs dispersed throughout the site as well as parking near the site entrance. Overall, **the extent and density of development would greatly exceed that of the existing built development within the holiday camp.** The appellants have stated that the amount of development now proposed represents about a 25% increase, but the calculations exclude the areas of decking, parking, access roads and stores. **All told, the proposals would significantly exceed the amount of development currently on the site.”***
- *“**More importantly, however, is the increase in the spread of the development.** The scale, intensity and extent of the development would be wholly out of keeping with its surroundings. The current development is relatively low key; what is now proposed is much more extensive and intensive to the extent that it would be severely harmful to the landscape and scenic beauty of the AONB.”*
- Proposed landscaping itself out of character of the area and due to the harsh and salt laden winds seems unlikely to become established for many years;
- Re-routing of Footpath BS2 through the site - between chalets and across an access road – the footpath’s character would be transformed;



- Impact on Heritage Coast;
- The Inspector gives less weight than the LVIA to the harm arising from the derelict condition of the existing buildings and much greater weight to the harmful impact on the views of users of the public footpaths.
- While the chalets and buildings may be coloured to reduce their visual impact, the same cannot be said of the clusters of cars that will be dispersed throughout the site.
- Overall, there would be harm to the landscape and scenic beauty of the AONB. This would be experienced by walkers on the footpaths and by drivers and passengers on the main coast road (A3055). There would be harm to the longer view from the road to the north west and, to a lesser extent, to long views.
- In the mid to long distance views it would be the physical extent of the development that would jar in the landscape. **The current holiday camp is far more compact** and so does not result in the same concerns about scale when compared to farms and other developments in the surrounding countryside.
- The Inspector acknowledged there would be economic benefits for the area arising from the new jobs created and by the probability of the visitors and chalet owners spending in the immediate area and also that the proposals would bring the quality of the accommodation up to the standards that are now expected in such facilities (i.e. car parking close to the chalets; good facilities within the chalets). Also notes the average spend by the visitors and chalet owners seem realistic. These carry weight in its favour and accords with the NPPF which seeks to encourage economic growth.
- The proposals would improve the quality of the tourism offer but would be seriously harmful to the landscape and scenic beauty of the AONB and harmful to the Heritage Coast.
- The Inspector balanced the presumption in favour of sustainable development v the economic and other benefits with this environmental harm.
- Considers conflict with the policies that seek to protect the landscape and the proposals would fail to protect the integrity of the landscape;
- No evidence to demonstrate that an expansion of built development of the scale now proposed is necessary to make any redevelopment economically viable;
- Other matters: ecology, highway, noise and light pollution that the authorised use of the site had to be taken into account.

The Inspector's conclusion was:

*“On balance, due to the conflict with the development plan and the harm to the landscape and scenic beauty of the AONB and to the Heritage Coast, the economic benefits and the benefit of bringing a derelict site back into use do not outweigh the totality of the harm. I have had regard to the suggested conditions but do not consider that the imposition of conditions would overcome the identified harm. The appeal is therefore dismissed.”*

## Principle

- 6.2 The Island Plan Core Strategy identifies the application site as being situated in the Wider Rural Area. Policy SP1 (Spatial Strategy) states that development would not be supported outside of defined settlements unless a specific local need is identified. Proposals for tourism related development will be supported in accordance with Policy SP4. This policy supports sustainable growth in high quality tourism that increases the quality of existing tourism destinations and accommodation across the Island. Such development proposals are expected to utilise the unique characteristics of the historic and natural environments without compromising their integrity and to promote the Island as an all year round tourism destination which develops green and new niche tourism products. Therefore the thrust of the strategic policies are towards the promotion of high quality tourism development.
- 6.3 Policies SP3 (Economy) and SP4 (Tourism) seek to ensure that development proposals which can contribute to the Islands economy are supported. They also seek to direct economic employment opportunities to the key settlements, but accept that tourism can benefit the rural economy. SP4 also encourages proposals which will contribute to a diverse and high-quality tourism offer, in line with the principles of the Good Practice Guide for Tourism. Policy DM8 supports the conversion and re-use of existing buildings. The Good Practice Guide on Planning for Tourism advises that proposals should fit in well with their surroundings and be in harmony with the local environment. Advice is also given for developments in less sustainable locations which may offer the opportunity for landscape enhancement and assist with the diversification of rural economies.
- 6.4 The Isle of Wight Council Tourism Development Plan seeks to ensure that the Isle of Wight maximises the potential of the tourism industry and enables it to grow in a way that is economically, socially and environmentally sustainable. The plan aims to reduce seasonality by encouraging activities which make the Island an all-year-round destination and this links through to the type of accommodation which is provided. The plan also emphasises the quality of tourism and under its actions, objectives and 2020 vision for accommodation wants to encourage self-catering development which is in rural areas and can operate throughout the year. The Isle of Wight Council Destination Management Plan explains the importance and value of tourism to the national and Island economy, acknowledging the growth in short breaks and seeks to further develop a viable and sustainable visitor economy and balance conservation and enhancement. Government advice in the NPPF seeks to proactively drive and support sustainable economic growth, with particular support given to sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors and respect the character of the countryside. This further reinforces the policy context of the Island Plan Core Strategy.
- 6.5 The site is currently occupied by a range of buildings which formed the Atherfield Bay Holiday Camp, although the site has not been occupied since

2007 and has fallen into a state of disrepair, thus the site has an established use for holiday accommodation. This holiday use was first established in 1936, with the existing accommodation providing small one bedroom units, which relied on the main facilities building for meals. Even before they fell into disrepair, the holiday chalets were poor quality and constituted a holiday format that has now become outdated.

- 6.6 This site would constitute a "previously-developed" site, and therefore development in principle could be acceptable.
- 6.7 The current application has reduced the number of units and built form and the overall site coverage, reducing the site to the east and west and revised plans reducing these areas to outside the red line. The proposal is for a variety of size of units along with a range of recreational facilities and would provide a site offering high quality tourist accommodation within one of the most beautiful parts of the Island and thus an attractive location for visitors. There would be good links to the many scenic walks within the immediate area and also links to the more distant tourism destinations, restaurants and other facilities within surrounding villages. It is considered that the revisions made to this previous application are sufficient to reconsider the principle of the proposal and that the revised proposal to increase the quality of tourist accommodation on this site is considered to be acceptable in principle, subject to the detailed material planning considerations, as set out in this report.
- 6.8 It is noted that comments have been received which question how a scheme with such a reduction in number of units could be viable, given that during the last application it was mentioned that it was not viable for less than 94 units. The applicant has stated that the overall viability of scheme has now changed making this scheme viable for a number of reasons which include: that the general economy is more buoyant, compared to a few years ago; that the proposed development costs are considerably reduced on the smaller scheme by omission of the Stocks Cross refurbishment, infinity pool, refurbishment of former reception building; less infrastructure costs; smaller clubhouse; the retention of the existing bungalow. Therefore, it is considered that this matter is not a reason to refuse this planning application.
- 6.9 A number of comments have been received which raise concerns that the site could be used for permanent residential use with suggestions that it should be closed for part of the year. Whilst it is noted the site is situated within a relatively exposed part of the coast line and therefore subject to the prevailing winds, which could make it less desirable to stay at during winter months, there are no specific concerns relating to the site being used all-year round – for holiday use, noting that Policy SP4 encourages all-year round tourism use. However, the applicant has stated that this would be operated in line with their other parks which normally cease operations between 6 January to 6 March each year. Given this and the comments received, it is considered appropriate at this stage to suggest a condition to restrict occupation for part of the year.

## Impact on the character of the area

- 6.10 The planning application has been supported by a Landscape and Visual Impact Assessment (LVIA), which is set out in Chapter 6 of the Environmental Statement, and accompanied by photographs showing the context of the site from various viewpoints in the locality. The submitted LVIA is based on accepted methodology and is considered fit-for-purpose. It concludes that the landscape is capable of absorbing the proposed redevelopment with a minimal loss of visual amenity at close proximity, and that there would be no loss of visual amenity from any long distance viewpoints, or from the sea.
- 6.11 The application site is situated in an exposed rural location on the on the south-western coastal plain forming the south-western coastline of the Island and is within the Isle of Wight Area of Outstanding Natural Beauty and Tennyson Heritage Coast, thus forms part of a nationally protected landscape. The site is bounded by the A3055 to the north-east, Cowleaze Chine to the north-west, the shoreline and coastal cliffs to the south-west and Shepard's Chine to the south-east. The landscape in this location is characterised by open farmland that is used for growing a range of crops, which is broken by low level windblown hedgerows, making views within the general area extensive and panoramic. Whilst the coastal plain is generally undeveloped, there are small pockets of development in the form of holiday camps and clusters of dwellings and farm buildings. The application site itself is occupied by a range of single storey buildings forming the Atherfield Bay Holiday Camp which dates to the inter-war period, comprising a main reception / clubhouse / swimming pool building, with 160 chalets running in four rows on a north – south axis, an outdoor swimming pool to the south, as well as a detached bungalow to the east. The land to the north of the application site is used as a caravan and camping site (Chine Farm Campsite). Chine Farm House is a Grade II listed building situated on the eastern side of the A3055 opposite to the site, with a range of single storey residential buildings nearby. Land to the south-east of the site is utilised as open agricultural land. Therefore the landscape is already disturbed by the built form of the existing buildings on this site and the surrounding land with a camping site to the north and a cluster of dwellings to the east.
- 6.12 Informed by an inspection of the site and surrounding area, Officers note that the site is situated within a low bowl within the landscape, with land rising to a low ridge around 400 metres to the north-west of the site, thereby limiting views from the north-west. Likewise views from A3005 to the south-east are similarly restricted by a low ridge around 1,500 metres from the site. Short to medium views from the north-east are restricted to some degree by the built development and vegetation around Chine Farmhouse. Public footpaths BS1, BS2 and BS3 run along the cliff edge and chines around the site, as well as crossing the site itself, thus the site is very prominent from these viewpoints. The site is visible in longer range views from the higher land to the north (Limerstone Down 3.2 km) and the south-east (Blackgang viewpoint 5.5 km), although from these distances the site is seen as occupied by a built form of development and provided that the materials are subdued in colour to blend

into the landscape, the additional impact from these longer range viewpoints in terms of the replacement of the buildings and extension into undeveloped areas would be minimal. Therefore it is mainly short range views from a 1 km section of the A3055, as well as the coastal footpath from which the site is prominent.

- 6.13 From short range views, in particular from, the public rights of way network and the A3055, the site is currently dominated by the existing buildings which are in a poor state of repair and detract from the visual amenity of the landscape. Therefore the removal and replacement of these buildings with a higher quality form of development would enhance the appearance of the area.
- 6.14 The scale of the buildings, which are proposed as single storey around a larger clubhouse building, would be similar to that currently on the site. Given these similarities, the proposal is considered to be acceptable in this regard. The main difference between the existing and proposed developments is the expansion of the built form into the currently underdeveloped areas of amenity space, specifically into the central open area, thus increasing the density of the built form. From the A3055 this expansion of the site would not be prominent because it would largely be screened by the built form created by the siting of existing buildings, and also lies adjacent to the neighbouring camping and caravan site. The main impact would be from the coastal footpath network, where the built form of development would be limited to the main existing site, thus in visual terms this is considered to be the least sensitive part of the site, and could be satisfactorily accommodated into the landscape without undue harm to its character and appearance.
- 6.15 Being in a coastal location, the seascape impact of the proposal is a particularly important consideration. The submitted LVIA shows photographs of the site from the sea, and shows that the development would not be visible from the beach itself or closer inshore waters due the topography of the landform and the intervening cliff face. The site is however visible from further out to sea, although at these distances of around 1.5 km the built form and its impact on the wider seascape would be similar to that of the existing buildings, thus any additional seascape impact would be minimal.
- 6.16 The proposal and the site area have been significantly reduced from the previously refused 2013 application. The number of units has been reduced by approximately 30 per cent (from 95 to 63) and the application site has been reduced with the red line now only extending around the main existing holiday area. The Landscape and Visual Impact Assessment provides comparisons in area of the existing and built form, stating that the proposed development for accommodation and the clubhouse would be 5,626 sqm with a further 2,832sqm, compared to 6001sqm as existing, with the tennis courts, swimming pool and terrace, roads and car parking proposed as 6,871sqm as compared to 5,667sqm as existing – therefore not a significant increase in the overall footprint of built form with more intensification of the same ‘built-up’ area.

- 6.17 As stated above, this is a significant decrease from the refused scheme and with the decrease in built form and the extent of the area that built form would cover (i.e. it is mainly confined to the main existing site) and it is considered that this would address the Appeal Inspector's comments: "*that the proposals would significantly exceed the amount of development currently on the site...more importantly, however, is the increase in the spread of the development*". Significant weight is also given to the Inspector's acknowledgment that the current holiday camp is far more compact so does not result in the same concerns about scale when compared to farms and other developments in the surrounding countryside.
- 6.18 The Inspector also commented on the visual impact of the clusters of cars that will be dispersed throughout the site. The current scheme has significantly reduced the number of units and thus has also reduced the level of parking provision within the site. When the current application was first submitted, Officers raised concerns in relation to the visual impact of the four circular parking areas (each providing parking for 16 cars). As a result of those discussions revised plans were provided that relocated the parking areas further within the built form of the site so that the proposed holiday units would provide a screen and prevent the parking areas from appearing intrusive within the landscape. It is considered this reduction in parking areas along with their location has addressed the previous concerns raised by the Inspector.
- 6.19 Officers therefore conclude that the significantly reduced scale and form of the proposal would now be acceptable within the landscape and the AONB from short, medium and longer range viewpoints to allow the built form of the development to be successfully assimilated into the landscape. Moreover, it is considered that the proposed development would not appear visually intrusive from public viewpoints. Therefore it is considered that the proposal would have an acceptable visual impact with the landscape, in accordance with Policies SP5, DM2 and DM12 of the Core Strategy.

#### External Lighting

- 6.20 The application site is located within the Isle of Wight Area of Outstanding Natural Beauty and the Tennyson Heritage Coast, which in this location contains some of the darkest skies on the Island. Therefore in this location it is essential that the design of the development and any external lighting minimises the potential for light spillage, in order to conserve the tranquil character of the area and to comply with the aims of the AONB Management Plan.
- 6.21 The applicant's Landscape and Visual Impact Assessment sets out that to reduce light spillage a lighting scheme would be produced which would fulfil the criteria for Environmental Zone 1, as recommended for AONBs by the Institute of Lighting Professionals. The proposed buildings have been designed to incorporate roof overhangs to minimise vertical light spillage, with landscaping proposed to screen the outermost buildings to minimise outward glare from windows. Supplementary details have been supplied showing

indicative lighting for the scheme, which would include road and pathways marked by Starpath glow discs with zero upward lighting and reflective bollards designed to throw light in a downwards direction. The holiday units would only have one exterior light – to the front door and to be designed to reduce light bleed and the roofs would have an overhang to further reduce upward spillage.

- 6.22 The proposals have been considered with technical advice from the AONB Partnership and officers have concluded that all lighting should be low level and designed along the lines of the supplementary details supplied. Officers consider that a lighting strategy to meet standards for AONBs to include details for the height, locations, design and measures to prevent spillage for any external lighting, along with curfew periods during which the external lighting would be switched off could be satisfactorily controlled through a condition. Comments from the Campaign to Protect Rural England are acknowledged which approve of the use of warm-white LED luminaires of around 3000K (Kelvin) and suggests that this should be written into any condition. However, this is very specific and it is considered such specifications would be too prescriptive and not meet government guidance on the use of conditions. An appropriately worded condition to secure a detailed lighting scheme is recommended below.

#### Archaeology and Cultural Heritage

- 6.23 Policy DM11 supports proposals that positively conserve and enhance the special character of the Island's historic and built environment and proposals which demolish or cause substantial harm to designated and non-designated heritage assets and their setting will be resisted. The planning application is supported by a Heritage Statement which details the heritage assets of the site and those in the immediate vicinity, based on a desk based study and interrogation of the Council's Heritage Environment Record (HER). The site is not within a Conservation Area and there are no listed buildings or structures within the application site itself.
- 6.24 The only listed building within proximity of the application site is the Grade II listed Chine Farmhouse, which is a 17th Century thatched building. Chine Farmhouse is located on the north-eastern side of the A3055, opposite to the site and approximately 36m from the site boundary and 42 metres from the closest holiday unit and separated by the A3055. The scale of the proposed development is similar in scale to the existing buildings on the site, and would continue the existing use. Officers consider that the proposal would result in a visual improvement of the site, and thus would preserve and enhance the setting of this listed building.
- 6.25 The Council's Planning Archaeologist has commented that the site lies within an area noted for its archaeological potential and whilst there are no known archaeological sites or deposits within the proposed development envelope there is a risk that previously unknown archaeological deposits may be impacted by the proposed redevelopment of the site, which would involve demolition and construction with earthmoving. However, the potential risk to

previously unknown archaeological deposits can be mitigated by application of a condition requiring a programme of archaeological works., It is suggested that the potential risk to previously unknown archaeological deposits could be mitigated via a programme of archaeological works secured through a planning condition in the event of a recommendation for approval.

- 6.26 The Planning Archaeologist also highlights that the buildings are on the Council's Historic Environment Record (HER) and are thus a heritage asset. An inspection of the HER entry shows that the holiday camp was entered because it previously contained chalets similar to those at Brighstone Holiday Camp, but acknowledges that these have been rebuilt in imitation stone blocks and are semi-derelict. The holiday camp is also shown to be visible on Holiday camp visible on 1943 Luftwaffe aerial photograph and 1946 RAF photograph.
- 6.27 Officers note that the Brighstone Holiday Camp is on the HER because it was judged as being a good example of the inter-war years holiday camps that were an important part of the Island's economy and history. From the HER entry it is acknowledged that the original buildings have been rebuilt in imitation stone, and thus have no resemblance to the original interwar holiday camp. As such Officers consider that the replacement of these poor quality buildings to upgrade the quality of the holiday accommodation far outweighs any historic significance which may be attached to these buildings. Conditions are suggested for details of materials, for restrictions of further development at the site and landscaping scheme to ensure that the replacement buildings and overall site are of a quality to balance any harm of the loss of these buildings.
- 6.28 Therefore it is concluded that the proposed development is in accordance with the aims of Policies SP5 and DM11 of the Core Strategy as well as Government advice contained within the NPPF in terms of the conservation and preservation of heritage assets.

#### Impact on neighbouring properties

- 6.29 There is a small cluster of residential properties (Chine Farm, Hazlen, White Cottage and 1-9 Chine Farm Cottages) located on the eastern side of the A3055 opposite the application site. The nearest of the residential dwellings is situated approximately 17m from the site boundary and 23m from the closest holiday unit. The site has an established use for holiday accommodation, thus the use of the land would not change. The scale of the units at around 3m and reception building at 6m are similar in scale to the existing development. The residential properties are separated from the site by the A3055 and it is considered that the proposal would have an acceptable relationship with these properties.
- 6.30 Chine Farm Camping Site is located adjacent to the northern boundary of the application site providing a site for both camping and caravans. There are currently built forms of development along the eastern section of the boundary, with both the current clubhouse building and chalets located in this area. The site has an established use for holiday accommodation, thus the use of the



land would not change. The revised scheme would locate the development within the main existing site (as compared to the previously refused scheme which extended westwards). The redevelopment of the site would result in the improvement of a currently derelict site, which would improve the environment and outlook considerably for visitors to the adjacent camping site. The proposed units would be of a scale compatible with the existing site and would not result in a significant overbearing impact or loss of outlook for occupiers of this site. Coastguard Cottages are around 800m to the south-east of the application site, thus the proposal would not have any direct impacts for occupiers of these properties.

- 6.31 Comments have been received over the potential impact of the demolition of the existing buildings and structures and potential impact on the neighbouring sites, including the camping site and that any demolition should not take place during the summer season. A condition is recommended that prior to any development/demolition that a construction management plan is submitted with timetable of works to include this timescale.
- 6.32 For these reasons the proposal is considered to accord with the aims of Policy DM2 of the Core Strategy in terms of impact on the amenities of neighbouring occupiers.

#### Highway Consideration

- 6.33 Previous applications assessed the position of the vehicle access serving the site and although they proposed more units, did not consider that the traffic generation associated with the proposed development would be any greater than the existing site and there would be no implications for the capacity of the local highway network in this area. The current application proposes fewer units and thus less vehicles accessing the site. The Highway Engineer states that the required visibility splays (2.4m x 200m) are achievable within the existing highway boundary, albeit subject to maintenance. He also states that the introduction of a right hand turn facility was also considered but was deemed unnecessary due to the low level of vehicle movements along A3055 Military Road and the adequate forward visibility (in excess of 200m). In addition, Officers would have concerns about the landscape impact that widening the existing road would result in.
- 6.34 It is noted that the internal layout differs from the previous proposals. The main access measures at approx. 7.5m in width which is adequate to enable two service vehicles to pass with ease. A circulatory system is proposed approximately 35m back from the edge of Military Road which is not deemed to generate any concerns from the Highway Engineer. There is adequate space within the site to enable vehicles to turn so that they may enter and leave the site in forward gear. The internal road network complies with design guidance set out in Manual for Streets / Manual for Streets 2 and a practical level of on-site parking has been provided. The parking spaces comply with minimum size requirements.

- 6.35 The traffic generation associated with the proposed development would be less than the potential traffic generation the existing site could generate (based on 160 units taken from information submitted within application P/01199/13). Therefore there would not be a significant impact on the capacity of the highway network.
- 6.36 On review of accident data, there have been no recorded accidents in the last 3 years within the vicinity of this site that are relevant to the proposal. It is acknowledged that third party comments have referred to accidents near to the site. Therefore the Highways Engineer has re-evaluated this and has confirmed that when reviewing accident data in a rural environment a 200.0m radius from the point of the proposed site access is typically used; and as highlighted within the Highway Engineer's original report there have been no recorded accidents / incidents within this area in the last 3 years. The only accident registered within this period was approximately 254m to the west of the access and involved a motor cycle and a van carrying out an overtaking manoeuvre. This would not be attributable to a vehicle pulling out of a site access. Any other incidents the Parish Council claim to have occurred must not have been recorded on the Police database and therefore the Highway Engineer can only consider the data made available at the time of review.
- 6.37 With regards to other comments received, such as the provision of restrictions relating to speed and double white lines, such proposals maybe submitted to the IWC Highways Department for consideration and would be subject to other legislation. It is therefore not considered justified to impose these by condition. It is noted that double white lines are to be used to prohibit overtaking where visibility is restricted. In this instance the Highways Engineer confirms that visibility within the proximity of the site access complies with design standards for a derestricted single lane carriageway and as such this government policy would suggest there is not a requirement for providing such a restriction or for the lowering of the speed limit on this part of the highway network.
- 6.38 Given the response from the specialist consultee, it is considered that a reason for refusal relating to highway safety cannot be raised. Therefore with the imposition of appropriate conditions the proposal would comply with policies DM2 (Design Quality for New Development), DM17 (Sustainable Travel) and SP7 (Travel) of the Isle of Wight Core Strategy.

### Ecology

- 6.39 The site forms part of the nationally designated Compton Chine to Steephill Cove Site of Special Scientific Interest (SSSI), and lies adjacent to the internationally designated South Wight Maritime Special Area of Conservation (SAC) protected under the EU Habitats Directive 92/43/EEC for the protection of important wildlife habitats and rare or threatened plants and animals they support. The previous application was screened by the Council and concluded an Environment Statement was required. The current application has been submitted with an Environment Statement.

- 6.40 Chapter 5 of the Environmental Statement provides an assessment of the potential ecological impacts of the proposed development on both the designated sites, as well as on any protected species inhabiting the site and wildlife habitats. The site was re-surveyed and follows the previous a previous surveys in 2012 and 2013 in preparation for the previously refused application. The report concludes that although the proposal would result in the loss of grassland that is currently designated SSSI, it would not result in any direct loss of existing eroding maritime cliff or vegetated cliff vegetation that are the most important components of the SSSI and SAC. The loss of grassland could be compensated for by improved grassland management in the medium to long terms and increased recreational pressures could have an impact, although the footpaths are well defined and well used by the general public. There would be a permanent loss of a barn owl nest and roost site but it is suggested that the loss of these features could be satisfactorily mitigated by the provision of bat and owl boxes within the development, the creation of south facing grassy earth bunds in the grassland area for reptiles and the removal of the main existing buildings outside of the bird breeding period.
- 6.41 Natural England has commented that the proposal is not likely to have a significant effect on the interest features for which the SSSI and SAC were designated. In the event of a recommendation for approval Natural England requests the imposition of conditions such that;
- The development shall remain outside the 100 year erosion line, or 60 metres away from the cliff edge and chine.
  - The submission of an annual cliff retreat and chine erosion report.
  - A management plan for the non-developed areas.
  - A recreation management plan.

It is considered that the above matters could be secured by condition.

- 6.42 It is noted that during the previously refused application both Natural England and the Council's Senior Ecology Officer had considerable input into the design and lay-out of the site to ensure that ecological impacts of the development would be minimised. The current application has significantly reduced the built form and revised plans have reduced the red line area to remove the east and west fields. The SSSI is designated due to the presence of high-value coastal habitats ranging from unstable vegetated cliffs to grazed calcareous grassland. The site has a history of tourism use and is not considered to be SSSI standard. However, through this scheme there is the opportunity to improve the grassland areas and the Council's Ecology Officer has reiterated Natural England's recommended condition for the requirement of a management plan for the non-developed area to be applied.
- 6.43 With regards the demolition of the bungalow and potential impacts on ecology, any such works would need to be carried out under license which includes provision of adequate mitigation. However, it is noted that this is outside the red line of the site. Given the previous inclusion of the bungalow within the site and that there is mention of it within the submitted information, it is considered relevant to attach an informative reminding the applicants of this.

- 6.44 As stated above, the supporting ecological information identified evidence of breeding barn owls and recommendations for their protection are put forward. Locations of the two pole-mounted breeding box must be appropriately situated
- 6.45 The Ecology Officer supports the position of Natural England, that the development would not have an adverse effect upon the interest feature of the SSSI or SAC. In addition to the conditions suggested by Natural England, including the submission of a management plan to ensure the sympathetic management of the hedgerows and grassland is carried out. The Ecology Officer also requests conditions that any demolition takes part outside of the barn owl breeding season.
- 6.46 On review of the comments from the statutory consultees and taking into account the reduction in the built form proposed and the reduced red line (as per the revised plans), Officers consider that subject to the mitigation measures proposed the proposed development would not prejudice the interest features of the designated sites of ecological interest or harm protected species, thus the proposal is considered to be in accordance with the aims of policies SP5 and DM12 of the Core Strategy as well as Government advice contained within the NPPF.

#### Coastal Erosion

- 6.47 The application is supported by a statement considering the stability of the site since coastal erosion processes affect the stability of the cliff to the south-west of the site. This report compares the findings of a stability report prepared in April 2007 with the changes which have taken place to the cliff in the ensuing period. The report concludes that there has been no significant retreat of the cliff during the past eight years and that the average rate of erosion at 350 mm per year is considered to be realistic for the stretch of cliff between Shepherds Chine and Cowleaze Chine, since there is a outcrop of sandstone at the base of the cliff which is more resistant to erosion than the overlying shales. The findings of the stability report have been translated into the 100 and 200 year erosion lines shown on the submitted plans. The development is all to the east / north of the 200 year erosion line.
- 6.48 The Council's Building Control Manager notes the engineer has undertaken a survey of the exposed strata and assessed previous mapping and that the likely position of the top of the cliff in one hundred and two hundred years from now has been plotted, confirming that the method of determining this future cliff line appears reasonable, Previously the Building Control Manager commented that the principle ground stability issue for this development relates to the erosion of the cliff face leading to cliff recession and the Council's Principal Coastal Engineer commented that the erosion rates given in the geotechnical report are based on a more detailed assessment of the cliff frontage in this location than those shown in the Council's Shoreline Management Plan 2, and are not disputed. Since the development is all landward of the 200 year erosion line, the Coastal Engineer raised no

objection to the proposed development on coastal erosion grounds. Both these Officers raise no further concerns or objections in relation to this application and a condition is suggested to ensure that any built form is remains outside the sensitive area.

- 6.49 To conclude, the application is acceptable with regard to issues relating to coastal erosion and land stability, and is in accordance with Government advice contained within paragraph 109 of the NPPF.

#### Drainage and surface water run-off

- 6.50 Chapter 4 of the Environmental Statement and the Drainage Statement (dated July 2015) sets out a drainage strategy for the proposed development giving consideration to the disposal of foul water and surface water run-off from the site – this includes an indicative drainage layout. Foul water from the existing buildings discharges to a biological treatment plant located in the northern edge of the site, adjacent to Cowleaze Chine, with discharge from this directly into the chine. The report considers that this plant is old, with the final effluent from it unlikely to be of a high enough quality for it to continue to be used. Surface water run-off is understood to be via infiltration directly into the ground, or via the existing foul treatment plant. There are no public sewers in this location.
- 6.51 The Drainage Strategy considers that whilst the underlying geology of the site is favourable to the use of infiltration, due to the proximity of the cliff face discharge of surface water into the ground could potentially make the cliff face less stable and thus is not appropriate in this instance. Thus the application proposes that surface water from the development would be disposed of via a new piped system, including attenuation tanks, to allow discharge into Cowleaze Chine at attenuated rates, and thus avoid undue erosion of the banks.
- 6.52 It is proposed to utilise the existing foul discharge to Cowleaze Chine to discharge the treated effluent from a new treatment plant which would comprise of three new waste water treatment units. The disposal of effluent into the chine would be controlled through an Environmental Permit issued by the Environment Agency.
- 6.53 The application is also supported by a Flood Risk Assessment which concludes that the entire site is located within Flood Zone 1 of the Environment Agency's Flood Risk maps, and thus is at low risk of flooding.
- 6.54 The Environment Agency has raised no objection in principle to the proposed development and previously requested historically that conditions are attached to any planning permission granted. These conditions relate to; agreement of a surface water drainage scheme, and a landscape management plan. The Environment Agency also highlights that any new outfalls in the chine may require the consent of the Council as Lead Local Flood Authority.

6.55 The original scheme submitted under this application indicated a treatment plant to be installed within the west field in a similar position to the existing plant, although concerns were raised over access to this through the undeveloped field area. Revised plans have reduced the red line to exclude this area and the applicant has stated that this revision along with the decrease of the number of units and area from the previous scheme, that the original drainage scheme would be reassessed with scope for the foul drainage system to be brought within the main built up area within the red line – thus avoiding the need for sludge tankers accessing the facility through the field. This is encouraged to ensure there are no further visual and ecological impacts. It is not considered this ‘movement’ of such a facility would impact on the drainage strategy put forward and as such details can be sought through the imposition of a condition which would include how surface water would be dealt with.

6.56 From the above it is considered that the proposal is in accordance with the aims of Policy DM14 of the Core Strategy as well as Government advice contained within Section 10 of the NPPF.

## **7. Conclusion**

7.1 While the application site is located outside of a defined settlement boundary, the proposal would result in the redevelopment and regeneration of an existing tourist accommodation site which would provide tourism benefits to the area and local economy is in accordance with the aims Policies SP1 and SP4 of the Core Strategy and Government advice contained within the NPPF.

7.2 The site is within the Compton Chine to Steephill Cover Site of Special Scientific Interest (SSSI) and lies adjacent to the South Wight Maritime Special Area of Conservation (SAC). The statutory consultees on this application have raised no objection to the impact of the proposed development on these ecologically sensitive areas, subject to the imposition of conditions in the event of planning permission being granted. Officers consider that with such conditions, the development would not prejudice designated sites or protected species.

7.3 Officers consider that the proposed development would be acceptable within the designated landscape, which is within the Area of Outstanding Natural Beauty and Tennyson Heritage Coast. Moreover, it is considered that the development would not result in harmful visual impacts when seen from viewpoints. The design and layout of the development and the proposed buildings are considered to be of an acceptable standard, subject to landscaping. The proposed vehicular access and parking arrangements are considered to have an acceptable impact on the local highway network, and internally within the development. The proposal would also have an acceptable impact on heritage assets and the amenity for occupiers of neighbouring properties.

7.4 It is acknowledged that such a proposal would result in some harm but officer consider this would be outweighed by benefits, including the economic and tourist provision and there would be mitigation to ensure any harm would be minimised and therefore striking a planning balance. Therefore having given due weight and consideration to all comments received in relation to this application and for the reasons set out above, the proposal is considered to have overcome previous reasons for approval and taken into account the Appeal Inspector's comments, Officers conclude that the proposed developments are in full conformity with the provisions of the development plan.

## 8. **Recommendation**

8.1 Conditional permission.

## 9. **Statement of Proactive Working**

In accordance with paragraphs 186 and 187 of the NPPF, the Isle of Wight Council take a positive and approach to development proposals focused on solutions to secure sustainable developments that improve the economic, social and environmental conditions of the area in the following way:

1. The IWC offers a pre application advice service
2. Updates applicants/agents of any issues that may arise in the processing of their application and suggest solutions where possible

In this instance the applicant submitted further information including revised plans during the course of the application that overcame the Council's concerns.

### **Conditions/Reasons:**

1. The development hereby permitted shall be begun before the expiration of 3 years from date of this permission.

**Reason:** To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out and maintained in complete accordance with the details shown on the submitted plans, numbered/labelled:

- 02 Rev Q – 'Site layout plan' (revised, received 10/05/2016)
- 09 Rev C – 'Site layout plan – proposed finished floor levels' (revised)
- Unit Type A (Revised, received 10/05/2016)
- Unit Type B;
- Unit Type C;
- Unit Type D;
- 10 – Proposed deck/foundation
- 03 Rev G - 'Main Clubhouse' (floorplan);

- 04 Rev C - 'Main Clubhouse Elevations';
- 06 Rev C - 'Proposed external stores';
- Visibility Splays.

**Reason:** For the avoidance of doubt and to ensure the satisfactory implementation of the development in accordance with the aims of Policies SP1 (Spatial Strategy), SP3 (Economy), SP4 (Tourism), SP5 (Environment), SP7 (Travel), DM2 (Design Quality for New Development), DM8 (Economic Development), DM11 (Historic and Built Environment), DM12 (Landscape, Seascape, Biodiversity and Geodiversity), DM17 (Sustainable Travel) of the Island Plan Core Strategy.

3. No development including the demolition of the existing buildings and structures shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall set out how all construction activities, including the mitigation and enhancement measures, will avoid direct and indirect impacts to the ecological habitats and the surrounding environment, the amenities of surrounding land uses, and how this plan will be operated and managed during all stages of construction. Works associated with the development hereby shall be carried out in accordance with the approved Construction Environmental Management Plan (CEMP) unless otherwise agreed in writing by the Local Planning Authority. The CEMP shall include consideration of but not limited to the following issues:

- A timetable for demolition, site clearance and construction works
- Setting out that no works of demolition shall take place during the months of July – September inclusive;
- The means of access for demolition and construction traffic and measures to prevent debris entering the highway, including wheel washing facilities;
- The loading and unloading of plant and materials;
- The storage of plant and materials used in constructing the development;
- Measures to control the emission of dust and dirt during construction;
- A scheme for recycling/disposing of waste resulting from demolition and construction works
- Proposed construction hours;
- Measures for the protection of trees and ecological habitat on site and procedures for general induction training for site operatives/staff/visitors to ensure awareness of these measures;
- Details relating to site security, and contact details of relevant persons in the event of an emergency or in respect of issues relating to construction management;
- liaison with the Local Authority and the community;

**Reason:** In order to ensure that the works are undertaken in an appropriate manner to minimise impact to the designated sites, ecological features, wildlife and supporting habitats and the surrounding environment and the amenities of



neighbouring uses, and to comply with policies SP5, DM2 and DM12 of the Island Plan and the principles of the NPPF.

4. The demolition of the current buildings shall not commence until the details have been submitted to and approved in writing by the Local Planning Authority to include:
  - A detailed strategy for maintaining barn owl nesting opportunities within the site during and after demolition
  - The location of two pole-mounted barn owl breeding boxes shall be shown on a location plan.

Development shall be carried out in accordance with the agreed details.

**Reason:** To ensure the protection of the ecological, wildlife and supporting habitats in this location and to accord with Policies SP5 (Environment), DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy as well as Government advice contained within the National Planning Policy Framework.

5. The demolition of the current buildings shall not commence until the details have been submitted to and approved in writing by the Local Planning Authority to include:
  - A pre-demolition asbestos survey shall be undertaken in order that any risks from asbestos can be satisfactorily dealt with in accordance with good practice and, unless otherwise agreed in writing by the Local Planning Authority,
  - A removal/remediation scheme to deal with any asbestos contamination of site structures/soils shall be submitted to and approved by the Local Planning Authority and shall include an implementation timetable, monitoring proposals and a remediation verification methodology. The verification methodology shall include a sampling and analysis programme to confirm the adequacy of decontamination and an appropriately qualified person shall oversee the implementation of all remediation and, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To protect the environment and prevent harm to human health by ensuring that where necessary, any asbestos is removed appropriately and that the land is remediated to an appropriate standard in order to comply with part IIA of the Environmental Protection Act 1990, and Policies SP5 (Environment), DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

6. Prior to the commencement of any groundworks, details shall be submitted to and approved in writing by the Local Planning Authority to include:
  - The Investigator shall provide a report which shall include confirmation that all remediation measures have been carried out fully in accordance with the scheme. The report shall also include results of the verification

programme of post-remediation sampling and monitoring in order to demonstrate that the required remediation has been carried out.

**Reason:** To protect the environment and prevent harm to human health by ensuring that where necessary, any asbestos is removed appropriately and that the land is remediated to an appropriate standard in order to comply with part IIA of the Environmental Protection Act 1990, and Policies SP5 (Environment), DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

- 7 Development shall not commence until visibility splays of 2.4m x 200m have been provided. These splay shall be retained and nothing that may cause an obstruction to visibility when taken at a height of 0.5m above the adjacent carriageway shall at any time be placed or be permitted to remain within these visibility splays.

**Reason:** In the interests of highway safety and to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

- 8 No development shall take place until a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas, has been submitted to, and agreed in writing by, the Local Planning Authority. The management plan shall incorporate the recommendations of the Ecology Report (Applied Ecology; September 2013) and Ecology Report Update July 2015, and the Landscape Design Concept Report (Natural Enterprise; September 2013, Revised January 2016) and shall include the following elements:

1. Details of new planting which shall include a schedule of plants, noting species, plant sizes and proposed numbers/densities and an implementation programme.
2. Details of maintenance regimes.
3. Details of any new habitat created on the site.
4. Details for the treatment of site boundaries and buffers around any water bodies.
5. Details of on-going management responsibilities.

The landscape management plan shall be carried out as agreed.

**Reason;** In the interests of the visual amenity of the area and to ensure the protection of the ecological, wildlife and supporting habitat and to secure opportunities for the enhancement of the nature conservation value of the site and to accord with Policies SP5 (Environment), DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy as well as Government advice contained within the National Planning Policy Framework.

- 9 Prior to the construction of the buildings hereby approved, a palette of colours for the external cladding of the buildings and holiday units shall be submitted

to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved details and maintained in accordance with the agreed details thereafter.

**Reason:** In the interests of the amenities of the area and to comply with Policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

- 10 Prior to the construction of the buildings hereby approved, samples for the proposed roofing material for the approved buildings and holiday units shall be submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved details and maintained in accordance with the agreed details thereafter.

**Reason:** In the interests of the amenities of the area and to comply with Policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

- 11 Other than the demolition of the existing buildings and structures on site, no development shall take place until a detailed foul and surface water drainage scheme for the site has been submitted to, and agreed in writing by, the Local Planning Authority. The scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, based on the submitted Drainage Statement (HSP Consulting; July 2015). The drainage scheme should demonstrate that the surface water run-off generated up to and including a 1 in 100 year critical storm event and a 20% allowance for climate change, will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall also include details for the on-going management and maintenance of the infrastructure following its installation. No building hereby approved shall be first occupied until the drainage scheme has been implemented in accordance with the agreed details, and shall be maintained thereafter.

**Reason:** To prevent an increased risk of flooding, both on and off the site, and to comply with Policy DM14 (Flood Risk) of the Island Plan Core Strategy and Government advice contained within the National Planning Policy Framework.

- 12 Other than the demolition of the existing buildings/structures, no development or groundworks shall take place until the applicant or their agents has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to and approved by the planning authority in writing. To facilitate monitoring of the on-site archaeological works, notification of the start date and appointed archaeological contractor should be given in writing to the address below not less than 14 days before the commencement of any works:-

The Archaeology Officer,  
Council Offices

Seaclose  
Fairlee Road  
Newport IOW  
PO30 2QS

**Reason:** To enable the Local Planning Authority to monitor the potential for archaeological remains on this site and to comply with Policy DM11 (Historic Environment) of the Island Plan Core Strategy and Government guidance contained within the National Planning Policy Framework.

- 13 The development hereby approved shall not be occupied until full details of hard landscape works has been submitted to, and approved in writing by, the Local Planning Authority and these works shall be carried out as approved. These details shall include; hard surfacing materials and means of enclosure.

**Reason:** To ensure the appearance of the development is satisfactory and to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

- 14 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

**Reason:** To ensure the appearance of the development is satisfactory and to comply with Policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

- 15 No building hereby permitted shall be occupied until the junction between the site and the public highway (A3055 Military Road) has been constructed in accordance with details which include the means of disposal of surface water therefrom that have been submitted to and approved in writing by the Local Planning Authority.

**Reason:** In the interests of highway safety and to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

- 16 The development hereby approved shall not be occupied until space has been laid out in accordance with drawing 02 revision N dated May 2013 for vehicles to park and for vehicles to turn so that they may enter and leave the site in forward gear. The space shall not thereafter be used for any purpose other than that approved in accordance with this condition.

**Reason:** In the interests of highway safety and to comply with policies DM2 (Design Quality for New Development) and DM17 (Sustainable Transport) of the Island Plan Core Strategy.

17 No development shall take place until a Recreation & Access Plan has been submitted to the Local Planning Authority for agreement in writing. The Recreation & Access Plan shall be operated from the first occupation/use of any of the buildings hereby permitted and the site shall be managed in accordance with the agreed documents thereafter unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To ensure the long-term protection of wildlife and supporting habitat is secured in accordance with the principles established by the application, and to support access and recreation within the site to minimise impact to the designated sites, and in line with policies SP5, DM2, and DM12 of the Island Plan and the principles of the NPPF.

18 No external lighting shall be installed at the site until a lighting scheme has been submitted to, and agreed in writing by, the Local Planning Authority to ensure that lighting fulfils the criteria for Environmental Zone E1 for Areas of Outstanding Natural Beauty by the Institute of Lighting Professionals. These details shall include; the type, height, luminance and location of external light fittings and a statement setting out curfew periods when all external lighting will be switched off. Development shall be installed, retained and maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

**Reason;** To ensure that the Dark Skies commodity of this part of the Isle of Wight Area of Outstanding Natural Beauty is maintained and to comply with Policy DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

19 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no barriers shall be erected other than those that have been approved in writing by the Local Planning Authority.

**Reason:** In the interests of highway safety and to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

20 The holiday units hereby approved, shall only be occupied from the 6th March to the 6<sup>th</sup> January (inclusive).

**Reason:** In the interests of the visual amenity of the site and surrounding area and to comply with the aims of Policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

21 Notwithstanding the provisions of the Caravan Sites and Control of Development Act 1960 (as amended) and the Public Health Act 1936 (as amended), no caravans, camper vans or tents shall be brought onto the site at any time.

**Reason:** In the interests of the visual amenity of the site and surrounding area and to comply with the aims of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

- 22 None of the units hereby approved shall be used other than as holiday accommodation and none shall be used as a main or permanent residence.

**Reason:** To ensure that the development remains available for holiday purposes and to accord with the Good Practice Guide for Tourism and Policies SP1 (Spatial Strategy) and SP4 (Tourism) of the Island Plan Core Strategy.

- 23 The applicant, or their successor(s) in title, shall maintain a comprehensive up-to-date register listing all occupiers of the accommodation hereby approved, their main home addresses, and the dates of occupation at the site. The said register shall be made available for inspection by the Local Planning Authority at reasonable notice.

**Reason:** To ensure that the development remains available for holiday purposes and to accord with the Good Practice Guide for Tourism and Policies SP1 (Spatial Strategy) and SP4 (Tourism) of the Island Plan Core Strategy.

- 24 Immediately following the implementation of this permission, notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other order revoking and re-enacting that order with or without modification) the following Classes of Schedule 2 of the Order as amended are withdrawn.

#### Part 1

Class A – enlargement, improvement or other alteration to the holiday units

Class B – enlargement consisting of an addition to the roof

Class C – alteration to the roof

Class E - building, enclosure or swimming pool for purposes incidental to the enjoyment of the holiday units or a container for domestic heating purposes

Class F - hard surface for any purpose incidental to the enjoyment of the holiday units

#### Part 2

Class A - gate, fence or wall or other mean of enclosure

No development of any of the above classes shall be constructed or placed on any part of the land subject of this permission.

**Reason:** To ensure adequate planning control over further development having regard to the location of the site within designated sites including the AONB and in the interests of the visual amenities of the site and the area in

general, in accordance with Policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy and Government advice contained in the NPPF.

- 25 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other order revoking and re-enacting that order with or without modification), no windows/dormer windows or similar openings [other than those expressly authorised by this permission] shall be constructed in the elevations or roof slopes of the development hereby approved.

**Reason:** To protect the visual amenities of the area and AONB and in the interests of dark skies, nature conservation and to protect the residential amenities of neighbouring dwellings in accordance with Policies SP5 (Environment), DM2 (Design Criteria for New Development), DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

- 26 A cliff retreat and chine erosion report shall be submitted to the Local Planning Authority on an annual basis. This should include:
- Demonstrating that no built form including any hard surfaced areas and boundary structures, remain outside the 100 year erosion line, or 60 metres away from the cliff edge and chines, whichever is the closer.
  - Any such structures which are located within this area shall be permanently removed from the site.

**Reason;** To ensure the development remains a sufficient distance from the cliff top and avoid the potential for built structures to fall over the cliff edge, in the interests of the visual amenity of the area and to ensure the protection of the ecological, wildlife and supporting habitats in this location and to accord with Policies SP5 (Environment), DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy as well as Government advice contained within the National Planning Policy Framework.

- 27 No fencing shall be erected between the cliff edge and the 200 year erosion line and that any existing fencing within the application site inside this buffer shall be removed, prior to first occupation of any of the buildings hereby approved.

**Reason;** To avoid the potential for built structures to fall over the cliff edge, in the interests of the visual amenity of the area and to ensure the protection of the ecological, wildlife and supporting habitats in this location and to accord with Policies SP5 (Environment), DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy as well as Government advice contained within the National Planning Policy Framework.

## Informatives

- 1 The applicant will be required to apply for a dropped kerb application under Section 171 of the Highways Act 1991 in order to remove the existing vehicle access and reinstate the footway running across The Avenue frontage of the site.
- 2 The applicant is required to make a formal application to Island Roads, St Christopher House, 42 Daish Way, Newport, Isle of Wight, PO30 5XJ, in accordance with the Town Improvement Clause Act 1987 Sections 64 & 65 and the Public Health Act 1925 Section 17 before addressing and erecting a property name / number or street name in connection with any planning approval.
- 3 The applicant is advised that with regards to the section of public footpath BS2 running through the proposed holiday camp site, full details will need to be agreed with Rights of Way in terms of width, surface, signage (particularly at the point the path crosses the access road). Please note that no gates, stiles or barriers will be possible (unless replacing existing lawful limitations).
- 4 The applicant is advised that with regards to the creation of footpaths ABC and BD as shown on the approved plan (drawing number 02 Rev Q), the landowner will need to enter into proceedings to form a Dedication Order. The applicant are to carry out all works at their own cost to create the public footpaths and connections to the existing paths including gates and appropriate signage which is to be agreed by Rights of Way. It is advised that the applicant contacts the Council's Rights of Way team.
- 5 The applicant is advised that a bespoke Environmental Permit will be required for the discharge of treated foul sewage from the holiday camp into the receiving surface water course, (Cowlease Chine.) This decision is made on the volume of the discharge, the location of the proposed discharge and the commercial activity at the site. The treatment plant will have to meet the standards specified in a bespoke permit, (British kitemark standards and European Standards).

The submitted details do not show how the effluent from the swimming pool will be treated and where the waste water for this facility would be disposed. Swimming Pool effluent would require treatment before discharge into the environment. The proposed sewage treatment system is not designed to treat this effluent due to the volume and chemical composition. For example, the effluent may also be chlorinated which would be detrimental to the biological, (microbial,) treatment process in the plant. We would therefore recommend that this may also require an Environmental Permit if it is to be discharged into the environment.

The applicant must ensure that the operations at the site are in accordance with the Environmental Permitting Regulations 2008. The applicant is advised to contact the National Customer Contact Centre (NCCC) on 03708 506 506 Under the Environmental Permitting (England and Wales) Regulations 2010



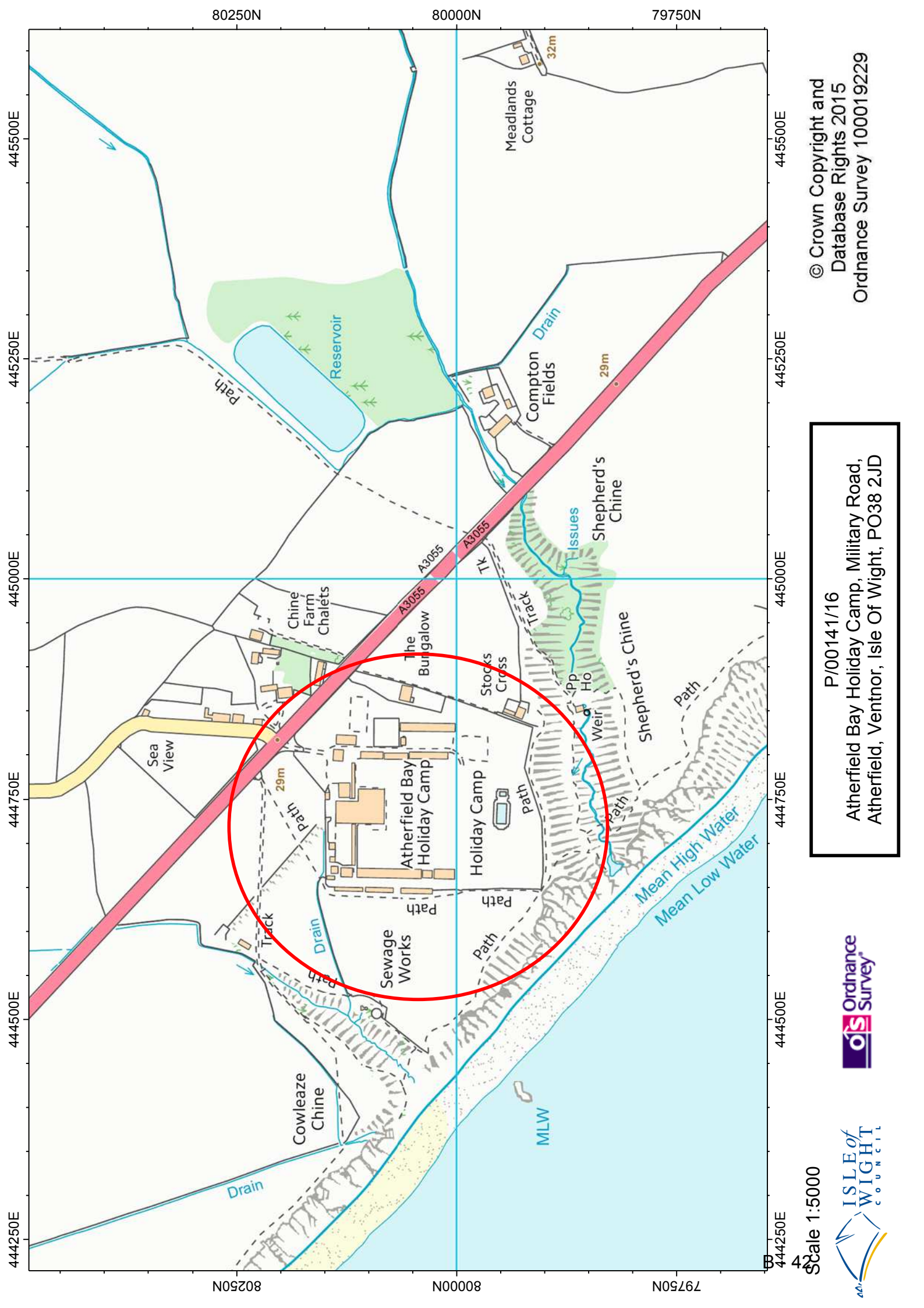
the operator of a waste site will require an environmental permit for the importation, storage and treatment of waste.

The applicant is advised that the need for an environmental permit is separate to the need for planning permission. The granting of planning permission does not necessarily lead to the granting of an environmental permit.

- 6 The applicant is advised that any waste generated on site as a result of the construction and demolition works should be disposed of/recycled at a suitable, permitted waste site.

Only green waste produced on site can be burnt there and no other waste materials can be burnt on site. To burn clean green waste on site, the applicant will need to register a waste exemption on the Gov.UK website.

- 7 The applicant is advised that whilst outside of the red line on the approved drawing, any works and/or demolition of the bungalow would need to be carried out under license which includes provision of adequate mitigation. Bat species have been recorded on site and in particular the bungalow provides a roosting site for pipistrelle bat species. It is advised to contact Natural England for further information



P/00141/16  
 Atherfield Bay Holiday Camp, Military Road,  
 Atherfield, Ventnor, Isle Of Wight, PO38 2JD

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 Ordnance Survey 100019229



Scale 1:5000

444250E 444500E 444750E 445000E 445250E 445500E

80250N 80000N 79750N

**02 Reference Number:** P/00109/16

**Description of application:** Outline for 20 dwellings; formation of vehicular access (revised plans)

**Site Address:** Meadows, Colwell Road, Freshwater, PO409SW

**Applicant:** Kim Wright and Mark Wright

**This application is recommended for conditional permission**

### **REASON FOR COMMITTEE CONSIDERATION**

This application has been referred to the Planning Committee at the request of the Local Ward Member (Cllr Eccles), the reasons for the request are summarised as follows:

- Concerns regarding drainage
- Density of development
- Lack of housing need & Increased pressure on local services
- Loss of privacy
- Concerns regarding access onto the main road
- Impacts on ecology – in particular Brent Geese

In addition, the request has referred to the sensitivity of the application and level of comments and objections that have been received.

### **MAIN CONSIDERATIONS**

- Principle
- Housing matters
- Impact on the character and appearance of the area
- Impact on neighbouring properties
- Consideration of technical matters including highways, ecology, drainage etc

#### **1. Location and Site Characteristics**

- 1.1. The application site is located on the northern fringe of Colwell which forms part of the Smaller Regeneration Area as defined within the Island Plan. It is positioned on the western side of Colwell Road and comprises approximately 1.28 hectares of land which is set back from the road frontage.

- 1.2 The site is currently occupied by a detached bungalow (Meadows) along with a series of outbuildings, and currently comprises a substantial garden associated with this property. The site currently benefits from an existing access onto Colwell Road.
- 1.3 The site is bounded on two sides by existing residential properties, with paddocks on the others. The existing boundaries comprise a mixture of fencing and established vegetation.

## **2. Details of Application**

- 2.1 The application seeks outline planning permission for a total of 20 units, with access being considered. Matters relating to layout, scale, appearance of buildings and landscaping of the site would comprise the “Reserved Matters”, and as such would be considered within further application(s). Indicative details relating to the reserved matters have been presented as part of the application to demonstrate how the proposed number of units could be accommodated on the site.
- 2.2 The proposal is for the erection of 20 dwellings, the properties identified include:
- 5 x 4-bed houses
  - 10 x 3-bed houses
  - 2 x 2-bed houses
  - 3 x 3-bed bungalows

It is proposed that 35% of the units would be delivered as Affordable Housing, equating to 7 units.

- 2.3 The details presented show the site being accessed via the existing arrangement with some modification and improvement.
- 2.4 The submitted plans indicate that the properties would be arranged around a cul-de-sac road layout which would run through the centre of the site. All but 2 of the units would be detached in nature. Buffer zones for landscaping and ecological enhancements have been shown around the southern, western and northern boundaries.

## **3. Relevant History**

- 3.1. There is no planning history which is directly relevant to this application. Previous history relates to the former agricultural (nursery) use of the site.

## **4. Development Plan Policy**

National Planning Policy

- 4.1. National Planning Policy Framework (NPPF) constitutes guidance for local planning authorities and decision-takers both in drawing up plans and as a

material consideration on determining applications. At the heart of the NPPF is a presumption in favour of sustainable development.

4.2 The NPPF sets out three roles (economic, social and environmental) that should be performed by the planning system. The Framework states that pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to):

- moving from a net loss of bio-diversity to achieving net gains for nature
- replacing poor design with better design
- improving the conditions in which people live, work, travel and take leisure and
- widening the choice of high quality homes

#### Local Planning Policy

4.3 The Island Plan Core Strategy identifies the application site as being located adjacent to the defined settlement boundary for the Smaller Regeneration Area. The following policies are relevant to this application:

- SP1 - Spatial Strategy
- SP2 - Housing
- SP5 - Environment
- SP7 - Travel
- DM2 - Design Quality for New Development
- DM3 - Balanced Mix of Housing
- DM4 – Affordable Housing
- DM12 – Landscape, Seascape, Biodiversity and Geodiversity
- DM14 – Flood Risk
- DM17 – Sustainable Travel

#### Other documents or strategies

4.4 The Solent Special Protection Areas (SPA) Supplementary Planning Document (SPD)

### **5. Consultee and Third Party Comments**

#### Internal Consultees

5.1 The Schools Capital Development Officer has advised that there are sufficient local school places available to accommodate the developments likely effect and no contributions are required.

5.2 The Councils Principal Engineer has reviewed the drainage information and has advised that the submitted information is considered acceptable in relation to the principles of the drainage approach, subject to further details being

secured by way of conditions and that no objection is made to the proposals.

- 5.3 The Public Rights of Way section have raised no objection to the proposals, subject to a contribution being secured to deliver improvements to local routes and accessibility to mitigate the impact of the development.
- 5.4 Island Roads have identified that they raise no objections to the proposals, subject to the imposition of conditions relating to improvements for the access onto the public highway.
- 5.5 The Councils Ecologist raised no objections subject to conditions.

#### Parish Council Comments

- 5.6 Freshwater Parish Council have advised that they object to the proposals for the following reasons:
- Drainage concerns - particularly surface water run-off
  - Density too high
  - Lack of need for properties and type proposed is inappropriate
  - Impact on neighbouring properties (privacy)
  - Lack of information regarding trees and impact
  - Access concerns
  - Increased pressure on local services not considered.

#### Third Party Representations

- 5.7 35 letters of objection were received as a result of the consultation process, the content of which can be summarised as follows:
- Surface water run-off
  - Visual impact on the landscape
  - Planning history
  - Poor access
  - Out of character
  - Ecological impact – Hampshire & Isle of Wight Wildlife Trust specifically commented in respect of the impact on Brent Geese which utilise adjacent fields.
  - Contrary to policy
  - Loss of amenity
  - Overdevelopment
  - Impact of traffic
  - Impact of construction
  - Loss of greenfield
- 5.8 Since the consultation, further modifications were made to the proposals and additional information presented. Whilst no further consultation was undertaken a further 9 comments were received, however, these did not raise any additional issues to those listed above.

5.9 1 letter of support was received which identified that the proposals would provide good sized homes which were required in the area.

**6. Evaluation**

Principle

6.1 Policy SP1 of the Core Strategy seeks to focus new development towards appropriate land within or immediately adjacent to settlement boundaries based on a locational hierarchy. This hierarchy starts with the Key Regeneration Areas, before moving down to Smaller Regeneration Areas, and Rural Service Centres. For Smaller Regeneration Areas, policy SP1 accepts the principle of development on appropriate land within or immediately adjacent to the settlement boundary. With priority given to the re-development of previously developed land where such land is available, suitable and viable. For Smaller Regeneration Areas, there is no requirement for proposals to demonstrate a local need to comply with policy SP1, nor does a sequential approach have to be demonstrated (i.e. no previously-developed land available). Policy SP1 does however require applications on non-previously developed land to clearly demonstrate how it will enhance the character and context of the local area. Subject to these requirements, where an adequate justification has been demonstrated, policy SP1 supports new development.

6.2 The site lies outside of, but immediately adjacent to the settlement boundary for the West Wight Smaller Regeneration Area as defined on the Proposals Map. It is therefore considered to be an acceptable site in relation to the broad principle of additional development.

6.3 The site is comprised of an existing dwelling, with associated outbuildings and hardstanding, with the remainder of the curtilage being utilised as garden area. It is identified that at least part of the site would constitute previously-developed land, and this would add weight to the acceptability of the principle of development on this site. Further, in terms of general sustainability, although located on the fringe of the settlement, it is considered that there are suitable transport connections and sustainable transport routes in the immediate proximity which would allow occupants of the development to access the wider range of facilities and services which are available within the settlement. It is therefore considered that this is a sustainable and appropriate site for new residential development.

6.4 Concerns have been expressed regarding the impact of this development upon local facilities and services, and that there is a lack of capacity. However, the anticipated level of development and the locational elements for this were appropriately considered during the plan-making stages prior to the adoption of the Island Plan Core Strategy. As such, it is considered that an objection to the proposals on this basis could not be sustained. It is also recognised that Freshwater Parish are currently working towards a Neighbourhood Plan, however, as this is only in its early stages, it cannot be afforded any material weight in the determination of this application.

## Housing Matters

- 6.5 Policy SP2 of the Core Strategy outlines the need for 8320 dwellings to be delivered over the plan period at an average of 520 per year. The policy confirms that 240 dwellings will be delivered at locations within the West Wight. It should be noted that the sub-text to the policy identifies that these figures are not targets or ceilings, and are used as a basis to monitor achievement of the plans objectives. To ensure the identified figures are achieved, the Council will permit development in accordance with the provisions and policies of the Core Strategy the starting point for which is policy SP1.
- 6.6 The applicants' agent has provided a considerable level of supporting information to demonstrate that the proposed residential development of this site, including for the number and mix proposed would be acceptable and policy compliant. This includes a sequential assessment which compares the proposed site against others which have been identified through the Strategic Housing Land Availability Assessment (SHLAA), and knowledge of the local market. The report concludes that there are no suitable, alternative previously-developed sites which could accommodate the level of development required, and there are no sequentially preferable greenfield sites. It also notes that some other sites within the area are generally considered to have site constraints which would impact on delivery, or which are considered to be too small to accommodate the number of units identified. An assessment of the need for housing (and types) has also been undertaken, and this has included dialogue with stakeholders such as estate agents, the results of this information have been used to inform the development proposals in terms of the types and mix of units proposed. These documents are considered to be comprehensive, fit for purpose for this application, and accurate in terms of supporting the applicants position that the development is policy compliant.
- 6.7 Policy DM3 (Balanced Mix of Housing) states that proposals will be expected to reflect (*my emphasis*) the most up-to-date Strategic Housing Market Assessment, contribute (*my emphasis*) to meeting the identified housing need for the local area and contribute (*my emphasis*) to meeting specialist housing requirements. It also outlines that the final mix will be negotiated with the developer. Due regard must also be given to the requirements of policy DM4 (Affordable Housing).
- 6.8 In considering the mix of dwellings proposed against the requirements of DM3, it is important to highlight that there is not currently an adopted Housing Needs Study for this area. As such it is only correct to consider other evidence bases including the Strategic Housing Market Assessment. The latest Strategic Housing Market Assessment (SHMA) was published in August 2014 and follows the NPPG in that it looks at future population growth over the plan-period based on demographic change.
- 6.9 The SHMA broadly confirms that the Council's current position in respect of the overall level of housing delivery required on an annual basis (520



dwellings) over the plan-period as set out in policy SP2, is broadly reflective of the current and future trends of the housing market on the Island.

- 6.10 It identifies that whilst the focus should be for smaller (2/3-bed properties) within both market and affordable housing to meet a wide and flexible need (ie new households, young families, downsizers etc), there should be a *“...reasonable degree of flexibility to ensure that, in applying mix to individual development sites, appropriate regard can be given to the nature of the development site, the character and existing housing stock of the area as well as the most up-to-date evidence of need/demand.”*
- 6.11 The SHMA confirms that Freshwater and Totland are situated within the Island sub housing market of West Wight. Within the West Wight housing sub market the SHMA estimates that there is a need to provide 40 units per annum to meet the “total newly arising need” (newly forming households and changing circumstances – ie. accommodation is too small) plus 11 units of affordable housing per annum. Therefore a need for 51 units per annum within this sub market area is required to meet the identified housing need.
- 6.12 The proposed development would contribute towards addressing both of these requirements. It is therefore considered that the statistics within the 2014 SHMA, further support the applicant’s position in respect of the level of mix of dwellings proposed, and these correlate with the overall strategic position adopted by policy SP1. In this respect it is considered that the proposals would accord with the aims of policy DM3 with regard to the proposals meeting a need for additional residential development.
- 6.13 Policy DM4 requires the provision of 35% of new dwellings delivered on a site to be Affordable Housing, where the thresholds identified would be exceeded. In this case, the development would exceed the identified threshold (10 units) and as such, there is an expectation that the development should provide affordable housing of the percentage and split identified by the policy, on site. As a result of negotiations, the applicants agent has provided confirmation that the applicant agrees to provide 35% affordable housing on-site. This would equate to 7 units being delivered. Subject to an appropriate S106 agreement to secure the location, type, number, tenure, delivery and retention of the affordable housing scheme, it is considered that the proposals would be compliant with the requirements of policy DM4.
- 6.14 Due consideration has also been given to the requirement for the Council to maintain a 5 year supply of housing land. The NPPF states that the Council must "identify and update annually a supply of specific deliverable site sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5%.....where there has been a record of persistent under delivery of housing, local authorities should increase the buffer to 20% to provide a realistic prospect of achieving the planning supply and to ensure choice and competition on the market for land".

- 6.15 The Council has a five year land supply, with the required 5% buffer. It is acknowledged however that approximately 50% coming from sites identified within the Strategic Housing Land Availability Assessment (SHLAA) sites. This site is part of LDF 208 which has been identified as "deliverable" for a theoretical yield of 12 units, and as such has been included in the 5 year land supply assessment. It should be noted that the site was originally given a theoretical yield of 34units, which was then reduced following a further review and desk-based assessment. This is a theoretical exercise and does not provide a fixed number for what is or is not acceptable in terms of numbers on site. The application (and number of units) should be determined on its own merits. However, the inclusion of the site within the 5-year land supply, does indicate that the site would contribute towards the Councils 5-year land supply position. The Planning Inspector who considered the appeal at Hazley Combe in Arreton, within which the five year land supply was debated, commented that: *"there must be a certain concern that overall delivery from sites with planning permission and deliverable SHLAA sites will not come forward within appropriate timescale"*, concluding that *"the Council can show a 5-year supply on paper but there must be concern about whether it can be achieved"*. If the Council fails to consent sites to meet the identified need, there is an increasing risk that it will not be in a position to demonstrate that it has a 5 year land supply and will consequently need to demonstrate a higher percentage buffer figure to comply with the requirements of the NPPF. This adds further weight to support the principle of development on this site as it would contribute towards meeting the need for housing as identified by policy SP2 of the Island Plan and would contribute towards meeting the 5-year land supply as required by the NPPF.
- 6.16 The outcomes of Appeals (at Blanchards, Hazley Combe and Place Road) also reaffirm that the principle of additional residential development outside of but immediately adjacent to the established settlement boundaries is acceptable in principle, and that such developments would be sustainable and are necessary in order to deliver the levels of development advocated by the plan, and that such levels of delivery would be likely to exceed any local need.
- 6.17 In summary, it is considered that the proposals would comply with the relevant policies of the Core Strategy as discussed above, the Local Planning Authority considers that the proposals would be acceptable in relation to housing matters.

Impact on the character and appearance of the area

- 6.18 The application seeks outline permission and seeks to establish the principle of residential development, along with the quantum of development and access arrangements. Matters relating to scale, landscaping, layout and appearance of buildings being saved for Reserved Matters (AORM) approval. In order to demonstrate that the quantum of development can be accommodated on the site, indicative details relating to the layout of units and scale have been presented.

- 6.19 In considering these issues, due regard is given to policies SP5, DM2 and DM12 of the Island Plan. Further, consideration is also given to the requirement within SP1 which states that in all cases development on non-previously developed land will need to clearly demonstrate how it will enhance the character and context of the local area. Concerns have been expressed that the development, by virtue of the density and number of units proposed, would be out of character with the surrounding area.
- 6.20 The application site is comprised of a detached bungalow with a general amenity area of laid grass together with, a series of associated outbuildings and hardstanding, all of which are set towards the southern boundary of the plot. The remainder of the plot is laid to grass, forming a generous amenity area for the property and which extends to the north/north-west. The existing site has views towards the Solent to the north, and west. The site has established boundaries which comprise a mixture of established fencing and vegetation. and there is also a series of subtle land level changes on the site which reflect natural topography. The site shares many similar characteristics with those of surrounding paddocks which are used predominantly for horsiculture.
- 6.21 The site is at the fringe of the built form, but shares common boundaries with the residential pattern in Madeira Lane (comprised of a linear arrangements of detached properties in plots orientated north-east/south-west), and the properties fronting Colwell Road (Spring Hill and Matchells which are detached properties in defined plots).It is noted that the predominant spatial arrangement in Colwell Road is linear development following the road frontage, but as the development extends to the south there are more dense forms of development with cul-de-sacs and examples of backland development. Officers also note the current development of the former Small Horse Farm site with which the site shares a common western boundary which is currently being built-out for a total of 8 residential units.
- 6.22 The existing site is relatively well screened from public vantage points owing to the combination of the established boundaries, surrounding built form and site topography and although the surrounding landscape is accessible by virtue of established rights of way network (such as 13a and 10 / 13) the site offers very little to the surrounding landscape in terms of visual qualities. It is noted that in views back from the north and the west towards the site, the surrounding built form is extremely prominent and properties such as Spring Hill do have a significant landscape presence. The site does not therefore feel isolated in terms of its relationship with other built form. It is accepted that the relatively un-developed nature of the site does currently allow it to blend the transition between the more urban development to the south and the rural character to the north, however, the site and the immediate landscape is not subject to any formal designation or protection.
- 6.23 The indicative information accompanying the application identifies that the 20 units proposed would be accommodated as an enclosed estate, set around a central cul-de-sac arrangement. The properties would be orientated to face

onto the on-site road layout, allowing the perimeter units to take advantage of their respective positions and capture views to the north and west. The layout includes for development comprised of a mix of unit types and sizes, predominantly of a detached nature within generous plots. Buffer zones for landscaping would be retained to the south, west and north boundaries to provide screening and create a transition to the paddocks to the north, these buffer zones would be beyond the limits of the curtilages for each plot to ensure that they are retained. There would be a semi-detached pair of units located close to the entrance point from Colwell Road. A number of greenspaces would be located within the development to allow opportunities for relief to the proposed built form and additional landscaping.

- 6.24 In terms of density, the proposal would equate to less than 16 dwellings per hectare (dph), which is a low-density environment. Comparably surrounding densities include:- Colwell Road frontage pattern 11.3dph, Chine Close 18dph, Colwell Chine Road/Madeira Lane 14.3dph, Madeira Lane 14.1dph. In this respect, it is considered that the proposed density would be broadly comparable to the existing built form within the locality, and thus would not indicate potential issues in terms of spatial conflict or overdevelopment.
- 6.25 The parameters for the scale of the built form (length, width, height of buildings) have been the subject of discussions during the application process and the agent has reduced the parameters from those originally submitted. The application proposes properties of a mix of types including bungalows, and houses. The maximum heights would be 7.5m for the largest properties (those indicated as being located on the northern part of the site) which are generally consistent with modern 2 storey properties. In addition, the finished floor levels of the proposed units have been re-considered and reduced to allow the properties to be "dug-in" at various points across the site to take advantage of the prevailing topography thereby allowing larger properties to be accommodated without having an unacceptable visual impact from outside the site. These principles are considered to be acceptable and provide a suitable basis for an AORM scheme to be developed. The surrounding built form is mixed, but generally comprises traditional forms of development (under pitched roofs) with variance in scale between single and 2.5 storeys (rooms in roofspace). The proposed development seeks to respond to this varied context.
- 6.26 In terms of impact on the character and appearance of the area, although the proposals would result in change to the immediate landscape as a result of the loss of a predominantly open site, this is not in itself considered to be harmful. The proposals would allow for an appropriate quantum of development within a site which would represent an appropriate extension to the existing built form in this area. The scheme would allow suitable transitions to the existing neighbouring uses and would be of a scale which is comparable to other built forms.
- 6.27 When viewing the site from the near distance in particular the surrounding properties it is accepted that the outlook from these properties would be

significantly different. However, this would not in itself be considered unacceptable, with view not representing a material consideration (or property value, which forms part of some third party objections). The indicative layout demonstrates that the site is of sufficient size to accommodate a planted 'buffer area' on this boundary together with rear gardens to allow for an appropriate back to back distance. The impact on the residential amenities is discussed in more detail in the appropriate section below.

6.28 In longer distance views, particularly those from the public rights of way and the coastal areas and higher ground, the proposed development is considered by Officers to be viewed in context with the existing settlement and built form. It is fully accepted that the application would result in a significant change to the character of the immediate area and fields. However, the visual change is inevitable given the scale of the development, but recognising the merit of providing new housing in a sustainable location coupled with the comprehensive analysis regarding visual impact it is considered that the area does have the capacity to accommodate the proposed scheme. The site is not within a designated landscape and is bounded in part by residential development and in key views from the surrounding area (including from the coastal part) is seen against a backdrop of established residential form. Officers consider that the scheme would not detrimentally impact upon the overall landscape character of this area. It would in some ways appear as a natural extension of the existing spatial pattern of development.

6.29 Naturally, as a result of this incursion, there could be a concern that this development is part of a wider spread of development which would further erode the character and spatial qualities of this area. However, this scheme must be considered on its own particular merits. In addition, the landscape and ecological enhancements which would be secured would help to mitigate the impact of development, offer potential for improvement and would prevent further development in the longer-term. These could be appropriately controlled through the imposition of conditions.

6.30 In considering the requirements of policy SP1, due weight is afforded to a recent Planning Inspectorate decision at Place Road in Cowes which discussed the issue of developing on Greenfield land and the landscape impact of this. Within the decision the Inspector made the following comments:

*“The second implication in Policy SP1 is that all development on non-previously developed land should demonstrate how it will enhance the character and context of the local area. However, whether or not enhancement would take place should be viewed against the aim of the policy which is generally encouraging of development on the periphery of certain towns. To resist development failing to enhance simply because it would be on ‘greenfield’ land would be self-defeating.”*

6.31 Policy DM2 seeks high quality and inclusive design to protect, conserve and enhance the existing environment whilst allowing change to take place. Policy DM12 lists matters that development proposals will be expected to protect in

relation to the landscape. It is Officers opinion that subject to the detailed consideration of the proposals at the reserved matters stage and the imposition of the recommended conditions, the proposals would complement the established character and appearance of the area, and whilst the proposals would result in a change to this part of the landscape, the impact of this change would be limited and would be outweighed by other factors forming part of the overall planning balance.

#### Impact on neighbouring properties

6.32 The site is bounded by a series of residential properties, which have the following summary relationships with the site:

- Matchells - located to the eastern boundary, predominantly orientated north-east/south-west, but does have windows which currently overlook the rear amenity space of the existing bungalow and which has views towards the Solent
- Spring Hill - is set at a higher level and is orientated east-west with an aspect out across the site towards the Solent, this presently causes overlooking of the extended curtilage of the site, located to the eastern boundary of the site
- Sutton House - located to the south of the site, orientated east-west, with a common boundary comprised of vegetation and fencing.
- Green Acres - located to the south, orientated north-south with a common boundary comprised of vegetation and fencing.
- The Acorns/ Waters Reach/ Kimberley - orientated north-east/south-west, each property has an aspect towards the site with rear gardens leading down to the common boundary which is comprised of close boarded fencing and vegetation.
- Small Horse Farm - located to the north, had a vegetated boundary at the time of site visit, the boundary was comprised of established trees (some of which had been felled in bad weather).

6.33 Having considered the existing relationships with neighbouring land-uses, and those which would result from the scheme based on the indicative layout and scale of development identified, it is considered that the proposed dwellings would have sufficient separation distances to ensure that there would not be any detrimental impacts as a result of overlooking, overshadowing or dominance and would therefore be unlikely to have detrimental impacts upon the amenities of neighbouring properties. Further evaluation of these relationships can be undertaken at the Reserved Matters stage.

6.34 It is noted that the proposed new dwellings would be likely to interrupt existing views from surrounding properties, however, this is not a material planning consideration.

6.35 In terms of construction impact, any new development would have some impact upon neighbouring properties or the general tranquillity of the area during the development process. However, this is likely to be for a limited, short-term period only. An appropriate condition has been recommended to

minimize the impact as far as possible.

- 6.36 In terms of the amenities of future occupants, appropriate consideration of this can be undertaken at the Reserved Matters stage, however, it is likely that the proposed dwellings would be of suitable quality to ensure a good standard of amenity. As such there is no objection to the scheme on this basis.

Consideration of technical matters including highways, ecology, drainage etc

*Ecology*

- 6.37 There are no trees of significant amenity value within the site which are subject to formal protection or designation. The site is also not subject to any formal designation relating to ecology.
- 6.38 The site is located within the 5.6km of the Solent and Southampton Waters SPA/ Ramsar site. This area is important habitat for a range of wildfowl, which use areas such as the Medina Estuary for shelter and feeding during the winter. However, evidence shows that recreational activity on designated areas (and supporting habitats) can cause disturbance to wildfowl and therefore have an adverse impact on bird populations.
- 6.39 To mitigate for such impacts, Natural England and a range of other bodies including the Council have devised a means of mitigation known as the Solent Disturbance Mitigation Project (SDMP), as defined within the SPD.
- 6.40 The Council's Supplementary Planning Document relating to the SDMP states that Developments of one or more dwellings will be required to provide financial contributions of £172 per dwelling towards the SDMP in order to prevent additional disturbance to the SPA/ Ramsar site. The applicants have provided draft Heads of Terms for a legal agreement that would secure the required level of funding and therefore, the development is considered to comply with the requirements of the Council's Supplementary Planning Document.
- 6.41 The application is supported by an ecology report, which concludes that the existing site is of low value in terms of biodiversity and that the development offers an opportunity to enhance this through the proposed landscaping and other methods. During the consultation period concerns were expressed by various parties regarding the impact on Brent Geese which are recorded as using the surrounding paddocks as a resting area/feeding ground. Additional information was provided by the applicant's ecologist to consider and mitigate this impact and this information has been considered within the context of this decision.
- 6.42 The Council's Ecologist originally advised that the Preliminary Ecological Assessment and Ecological Impact Assessment (ARC, December 2015) and Bat Survey report (Graham Street, November 2015) provide a useful assessment of the application site's ecological value. It is accepted that the site comprises a single field of species-poor semi-improved grassland with two

buildings and areas of unmanaged rougher grassland and planted boundary vegetation. Overall, the site is considered to be of limited ecological value. Surveys of the bungalow and workshop recorded no evidence of or potential for use by bats and no further works are recommended. The only evidence of protected species is some badger diggings and latrines, indicating that although the site contains no setts badgers are occasionally present. There is also some habitat considered suitable for common reptile species. No concerns were expressed regarding the proposals, subject to a condition relating to an ecological mitigation and enhancement plan, detailing all measures designed to protect and enhance the site's ecological features.

6.43 During the consultation period concerns were expressed by various parties regarding the impact on Brent Geese which are recorded as using the surrounding paddocks as a resting area/feeding ground. Additional information was provided by the applicant's ecologist to consider and mitigate this impact and this information has been considered within the context of this decision. Following the additional information, further comments were received from the Council's Ecologist, which focus in particular on the impact on Brent geese. The ecologist advises that the site will fill-in a small corner of the general area and as such will essentially blend in with the backdrop of existing housing and vegetation. It is unlikely that any existing flight-lines would be disrupted. Direct disturbance during construction and longer-term disturbance through the proximity of the new built environment to existing fields used by the geese (i.e. discouraging geese from using the pony fields post-development) are the key considerations. The ecologist advises that the first issue can essentially be avoided altogether by timing works outside the period of goose presence, namely October to March inclusive as is proposed in part. For the second issue, in the longer term, the proposed boundary vegetation along the northern edge of the site would screen the dwellings from view. There is a question over whether such a new feature would dissuade, at least in the shorter-term, birds from using the nearer pony fields: Brent geese generally prefer expansive, open fields with good all-round visibility. It is concluded that whilst it is clear that Brent geese are present locally in good numbers there is not an obvious reason why the development of the application site need impact to such a degree that geese are discouraged from using the area and there is general agreement with the submitted mitigation plans.

6.44 It is therefore concluded that, subject to the appropriate mitigation measures as indicated by the submitted documentation, the proposals would be acceptable.

6.45 Officers are in agreement with this approach and consider that appropriate conditions as recommended would be sufficient to secure the mitigation and enhancement works. As such, it is considered that these would represent enhancements to the ecological potential and value of the site and therefore, subject to the imposition of the recommended conditions, the proposals would comply with policies SP5, DM2 and DM12.



## *Drainage*

- 6.46 Concerns have been expressed that the development of this site would be likely to cause additional surface water drainage issues within the local area, particularly during periods of heavy rainfall. Although the site is greenfield in nature, it is not located within a Flood Zone.
- 6.47 Given the outline nature of the scheme, details of the drainage proposals have not been presented. However, it is noted that the plan indicates the use of sustainable drainage systems and a supporting drainage report has been presented. This report identifies the ability to utilise on-site attenuation measures, permeable surfacing and a hydro-brake outfall in order to reduce the run-off rates from the development to a level that is at least comparable with the current greenfield situation.
- 6.48 During the application process, additional comments were provided by the applicants appointed drainage engineer which provides further supporting information in relation to the drainage proposals for this development. This identifies:
3. The methodology is in accordance with the Planning Practice Guidance which encourages the use of sustainable urban drainage systems (SUDS) to control surface water arising from new development proposals.
  4. SUDS can have many benefits, which includes a reduction in the causes and impacts of flooding. There are several different solutions and combinations of approaches to SUDS compliant schemes but the basic principles are:
    - storing runoff and releasing it slowly (attenuation)
    - allowing water to soak into the ground (infiltration)
    - slowly transporting (conveying) water on the surface
    - filtering out pollutants
    - allowing sediments to settle out by controlling the flow of the water

A hierarchy of preferred drainage options is also contained within the online Planning Practice Guidance. The aim should be to discharge surface run off as high up the following hierarchy of drainage options as reasonably practicable:

- into the ground (infiltration);
  - to a surface water body;
  - to a surface water sewer, highway drain, or another drainage system;
  - to a combined sewer.
5. After considering various sources of information it was considered that the prevailing soil conditions likely to be found at the site would not allow direct concentrated discharges of surface water to be drained via infiltration. The use of permeable surfacing for the access road and parking areas, which effectively replicates natural drainage characteristics, may be a feasible option. With infiltration unlikely to

work for roof water drainage, the next preferred disposal method is to a surface water body. In this instance the ditch crossing the back of properties within Madeira Lane was selected – as the site and substantial surrounding land already drain to this point. Records suggest that this ditch ultimately discharges to the dedicated surface water system in Colwell Road– maintained by Island Roads on behalf of the Local Highway Authority. The Council’s PFRA and SFRA do not record any reported flooding incidents in this area.

6. In order to ensure that there is no adverse impact on this system either locally or downstream, in line with best practice and SUDS guidance it is intended (as outlined within the drainage report accompanying the planning application) to match the proposed peak surface water flow rate entering the system to that in the existing situation. This is achieved by creating areas of surface water storage within the site and slowly releasing the water at a pre-determined rate via the use of a flow restriction. This approach is encouraged by current guidance.
7. The proposed approach would also allow scope for some potential betterment, subject to final design. For clarity, this will ensure that the final drainage scheme actually lessens peak flow reaching the ditch and downstream drainage system from the site - resulting in increased capacity within it.
8. The detailed drainage scheme can be controlled through the imposition of appropriately worded planning conditions.

6.49 Policy DM14 identifies support for SUDS techniques to meet local and national standards, and recognises the additional benefits they can bring for ecology and green infrastructure. It also states that: "On greenfield sites, SUDS will be required to achieve no increase in the relevant net run-off rate to that prior to development". It is also noted that the DEFRA guidance "Sustainable Drainage Systems: Non-statutory technical standards for sustainable drainage systems" (March 2015) supports the use of sustainable drainage techniques.

6.50 The detailed design of the drainage approach for the site can be controlled through the imposition of a planning condition. On this basis, whilst the development may not resolve existing issues relating to surface water drainage within the locality, it is considered that these issues have been appropriately considered and the scheme would be compliant with the principles of policy DM14 and the DEFRA guidance, in that it would not worsen the existing situation. It is considered that foul water connections can appropriately be dealt with through the Building Regulations process and discussions with Southern Water as may be required through the Water Industry Act, as such, other statutory regimes can sufficiently resolve these matters.

#### *Highways*

6.51 Concerns have been raised in respect of the highway implications of the development as a result of the number of units proposed, and concerns regarding safety of the proposed access.

6.52 The application proposes a new vehicular arrangement as a modification to the existing access which presently serves the existing dwelling. It is proposed that a new junction would be formed which would include footways around the radii, and which would provide 2.4m x 43m visibility splays. The application is supported by an Access Statement to justify the highway approach and demonstrate acceptability.

6.53 The scheme has been appraised by Island Roads who have raised no objections to the proposals, the key elements of their comments are summarised as follows:

- The site is off Colwell Road, a classified road covered by a 30mph speed limit. In accordance with design guidance accesses off this type of road should benefit from visibility splays of 43m in either direction when taken from a 2.4m set back and adequate space on site to enable vehicles to turn so that they may enter and leave the highway in forward gear.
- The proposed development would result in the existing vehicle crossover serving the site being remodelled to form a bell mouth junction being constructed. The required level of visibility is achievable within land under the control of the applicant. It was noted that there is an existing service pole that will require relocating in order to accommodate the new junction and the existing hedgerow to the north requires reduction to provide the required visibility splay. It is noted that the footway to the north would be widened once the hedgerow is removed. The widened section of footway will need to be adopted or alternatively delineation will be required to demark the highway boundary.
- The onsite layout has been designed as a shared space environment with footways being provided at the junction to enable pedestrians to cross at a tactile crossing. The spine road has a width of 5.5m which enables the passage of two service vehicles and adequate turning areas are available within the site to allow the service vehicles to turn.
- A suitable level of parking provision has been provided throughout the site and all parking areas comply with the minimum size requirements i.e. 2.4m x 4.8m.
- The traffic generation associated with this proposal is not deemed to have a negative impact on the capacity of the highway/project network.
- On review of accident data, there have been no recorded accidents in the last 3 years within the vicinity of this site that are relevant to the proposal.
- There are no mitigation measures or offsite highway improvement works identified/required as a result of this application.

6.54 Based on the above, it is considered that there are no sustainable grounds for refusal of the application based upon highway matters, the scheme would be compliant with the relevant standards, and therefore it is considered that the

proposals would be acceptable and unlikely to result in any evidenced harm or impact.

### *Rights of Way*

- 6.55 As identified, there are a series of Public Rights of Way within close proximity of the site. The Councils Rights of Way section have indicated a desire for a financial contribution from the development to fund improvements to these routes to provide improved access for existing users and the additional usage created by occupants of the development. A figure of £1000 has been identified for the improvement to accessibility, and surface improvements. This has been discussed with the applicant's agent and they have identified that they are willing to make the aforementioned contribution. In light of the above, Officers consider that the proposal would not have a detrimental impact on existing rights of way, this can be secured through the Heads of Terms and subsequent S106 agreement.

### *Planning Obligations*

- 6.56 In respect of planning obligations resulting from the proposed development, the application was subject to Heads of Terms (HoT) when originally submitted. As part of the determination of the application, these have been reviewed by Officers, and discussed with the applicants agent, it now recommended that the application is granted conditional permission subject to a S106 agreement which would cover the following HoT:
- A contribution of £10000 towards the provision of improvements to existing rights of way within the locality.
  - A contribution of £172 per unit towards the mitigation in relation to the recreational impact on the SPA as per the adopted SPD.
  - Affordable housing provisions relating to the delivery of 7 units of Affordable Housing (35%). Appropriate clauses would be included to ensure that the affordable units are retained as such thereafter.

- 6.57 The above listed HoT are required in order to ensure that the scheme would be acceptable in Planning terms, and would ensure that the proposals are in accordance with the application as presented. A legal agreement to control these elements would need to be finalised before permission could be granted.

## **7. Conclusion**

- 7.1 The application site is located outside of but immediately adjacent to the settlement boundary for the West Wight Smaller Regeneration Area (Freshwater and Totland). It is considered that the application site is within a sustainable location for new housing development and the proposals would contribute towards the delivery of housing, in accordance with policies SP1 and SP2 of the Island Plan Core Strategy. In addition, it is considered that the proposed housing would provide a suitable level and mix of accommodation and that an acceptable level of on-site affordable housing would be provided which would be in accordance with the aims of policies DM3 and DM4 of the

Island Plan.

- 7.2 The provision of residential development on this site and the quantum proposed would be acceptable and would not result in an unacceptable level of impact when considering the relationship between the site and surrounding character of the area including the wider landscape and visual impact. The application has sufficiently demonstrated that the proposal is justified and can be acceptably accommodated onto this greenfield site. The scheme would therefore be acceptable in relation to the character and appearance of the area and would accord with policies SP1, DM2 and DM12 of the Island Plan.
- 7.3 The scheme would not have an unacceptable impact on the amenities of neighbouring residents, highways drainage infrastructure, or features of environmental interest, thus the proposals would accord with the requirements of policies SP5, SP7, DM2, DM11, DM12, DM17 and DM21 of the Island Plan.
- 7.4 Having regard to the above and having taken into account all relevant material considerations, Officers conclude that the proposed development is in full conformity with the provisions of the development plan.

## **8. Recommendation**

- 8.1 Conditional approval subject to the completion of a S106 agreement in accordance with the Heads set out in paragraph 6.61.

## **9. Statement of Proactive Working**

- 9.1 In accordance with paragraphs 186 and 187 of the NPPF, the Isle of Wight Council takes a positive approach to development proposals focused on solutions to secure sustainable developments that improve the economic, social and environmental conditions of the area. Where development proposals are considered to be sustainable, the Council aims to work proactively with applicants in the following way:

1. The IWC offers a pre-application advice service
2. Updates applicants/agents of any issues that may arise in the processing of their application and, where there is not a principle objection to the proposed development, suggest solutions where possible

In this instance, pre-application advice was offered, and following submission of the application the applicant's agent was updated regularly. In addition, the agent has provided additional information and revisions to the scheme to address the comments of Officers. In light of this, the proposals were considered to be acceptable.

## Conditions/Reasons

- 1 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this planning permission. The development hereby permitted shall be begun before the expiration of 2 years from the date of approval of the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

**Reason:** To comply with Section 92 of the Town and Country Planning Act 1990 (as amended) and to prevent the accumulation of unimplemented planning permissions.

- 2 Before any works or development hereby approved is commenced on site details relating to the layout of the site, scale and appearance of buildings and landscaping of the site shall be submitted to, and approved by the Local Planning Authority. These details shall comprise the 'reserved matters' and shall be submitted within the time constraints referred to in condition 1 above before any development is commenced.

**Reason:** To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

- 3 Applications for reserved matters approval shall be made in accordance with the parameters shown on the submitted plans, numbered:

331/VW/15/3C  
331/VW/15/2 Rev H

I/PRMEADOWS.4 Rev B  
I/PRMEADOWS.5  
I/PRMEADOWS.6

Proposed size of housing on site schedule

and read in conjunction with the Preliminary Ecological Assessment / Ecological Impact Assessment, Access Statement, Flood Risk Assessment & Drainage Strategy (and associated lettered dated 23rd May 2016)

**Reason:** In order to ensure that the reserved matters are in accordance with the principles and parameters established by the outline permission and to accord with the aims of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

- 4 The development hereby approved shall provide for a maximum of 20 units, comprising the mix of sizes and types as shown on the indicative layout 331/VW/15/2 Rev H and read in conjunction with the parameters identified by the schedule "Proposed size of housing on site", unless otherwise agreed in

writing by the Local Planning Authority.

**Reason:** For the avoidance of doubt and to ensure that the density, unit types and sizes and scale of the development, is compatible with the character and appearance of the area and to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

- 5 No site preparation or clearance shall begin, and no equipment, machinery or materials shall be brought onto the site for the purposes of the development hereby permitted, until details of measures for the protection of existing trees and hedgerows to be retained have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall accord with the BS5837:2012 standard and include a plan showing the location of existing trees and hedgerows to be retained and the positions of any protective fencing. Development shall be carried out in accordance with the approved details and any protective fencing shall be erected prior to work commencing on site and will be maintained until all equipment, machinery and surplus materials related to the construction of the development have been removed from the site. Nothing shall be stored or placed in any fenced area in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, unless otherwise authorised by this permission or approved in writing by the Local Planning Authority.

**Reason:** This condition is a pre-commencement condition to prevent damage to trees during construction and to ensure existing trees and hedgerows to be retained are adequately protected throughout the development of the site in accordance with the aims of policies DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

- 6 No development shall take place until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall identify the steps and procedures that will be implemented to minimise the creation and impact of noise, vibration and dust resulting from the site preparation, groundwork and construction phases of the development and manage Heavy Goods Vehicle (HGV) access to the site. Once approved, the Construction Environmental Management Plan shall be adhered to at all times during the construction works, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To prevent annoyance and disturbance to the occupants of existing nearby properties during the construction phase of the development and to comply with the requirements of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

- 7 No development shall take place until details have been submitted to and agreed in writing by the Local Planning Authority in respect of steps to prevent material being deposited on the highway as a result of any operations on the

site in connection with the approved development. Such steps shall include the installation and use of wheel cleaning facilities for vehicles connected to the construction of the development. The agreed facilities shall be installed prior to the commencement of development. Any deposit of material from the site on the highway shall be removed as soon as practicable by the site operator.

**Reason:** In the interests of highway safety and to prevent mud and dust from getting on the highway and to comply with policy DM2 Design Quality for New Development of the Island Plan Core Strategy.

- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development within Classes A to F of Part 1 of Schedule 2 to that Order shall be carried out other than that expressly authorised by this permission.

**Reason:** To retain a reasonable rear garden for each of the approved dwellings, to regulate design in relation to the development, to protect the appearance of the surrounding area, to prevent excessive surface run-off from hard standings and to comply with the aims of policies SP5 (Environment), DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

- 9 No development shall commence until a detailed specification and timetable for the biodiversity mitigation, enhancement and interpretation measures have been submitted to the Local Planning Authority and agreed in writing. These details shall cover the package of measures and recommendations included within the Preliminary Ecological Assessment and Ecological Impact Assessment and Bat Survey report and shall include a plan identify the location and extent of areas subject to mitigation. The works shall then be undertaken in accordance with the agreed details and timetable unless otherwise agreed in writing by the Local Planning Authority, and any mitigation, compensation or enhancement measures shall be permanently retained and maintained thereafter.

**Reason:** In order to ensure the works are undertaken in an appropriate manner to minimise impact to ecological species and features at the site and to ensure that the biodiversity enhancements and mitigation are delivered, and to comply with policies SP5, DM2 and DM12 of the Island Plan and the principles of the NPPF.

- 10 Prior to work commencing on site details of the proposed means of foul and surface water drainage based upon sustainable drainage principles shall be submitted to the Local Planning Authority for agreement in writing. Such details shall include calculations, detailed designs, measures relating to the design and maintenance of any on-site SUDS facilities, a phasing plan and timetable for the delivery of any required infrastructure. The agreed details shall be installed during the development of the site in accordance with agreed phasing plan for the drainage infrastructure, unless otherwise agreed in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied until the



means of foul and surface water drainage for that dwelling has been installed.

**Reason:** To ensure a satisfactory means for the disposal of foul and surface water from the development, and to minimise the risk of flooding. In accordance with Policy DM14 (Flood Risk) of the Island Plan Core Strategy and Government advice contained within the National Planning Policy Framework.

- 11 No development (including site clearance and tree works) shall take place until an Environmental Management Plan (EMP) has been submitted to the Local Planning Authority for agreement in writing. The EMP shall include details relating to the management and maintenance of:
- All landscaped areas of the site
  - Existing trees and hedgerows within the site
  - Biodiversity enhancements delivered through the development
  - Sustainable drainage features within the site or required in connection with the development

The EMP shall be operated from the date of occupation of the first unit and the site shall be managed in accordance with the agreed documents thereafter unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To ensure the long-term protection of wildlife and supporting habitat is secured in accordance with the principles established by the application, and to support the management of the hedgerows and proposed features on site as part of the wider landscape and in line with policies SP5, DM2, and DM12 of the Island Plan and the principles of the NPPF.

- 12 No development shall commence until sight lines have been provided in accordance with the visibility splays shown on drawing I/PRMEADOWS.4 revision B. The visibility splays shall be retained at all times during the construction of the development and at all times when any of the units are in occupation. Nothing that may cause an obstruction to visibility when taken at a height of 1.0m above the adjacent carriageway / public highway shall at any time be placed or be permitted to remain within that visibility splay.

**Reason:** In the interests of highway safety and to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

- 13 Development shall not begin until details of the design, surfacing and construction of any new roads, footways, accesses and car parking areas, together with details of the means of disposal of surface water drainage there from have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

**Reason:** In the interests of highway safety and to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

- 14 No dwelling shall be occupied until the access road & turning head serving all dwellings and parking associated with that dwelling have been provided in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. Works shall be undertaken in accordance with the agreed details.

**Reason:** In the interests of highway safety and to comply with policies DM2 (Design Quality for New Development) and DM17 (Sustainable Travel) of the Island Plan Core Strategy.

- 15 No works required in connection with the development hereby permitted shall take place between 1st October and 31st March in any given year, unless the prior written agreement of the Local Planning Authority has been obtained. In the event that agreement is sought to allow works to take place within the specified period details relating to the extent of works, timing, the likely impacts upon Brent Geese, and mitigation measures to minimize the impacts shall be submitted to the Local Planning Authority. In the event of written agreement being given, the works shall be undertaken in strict accordance with any agreed details, mitigation strategies or methodologies.

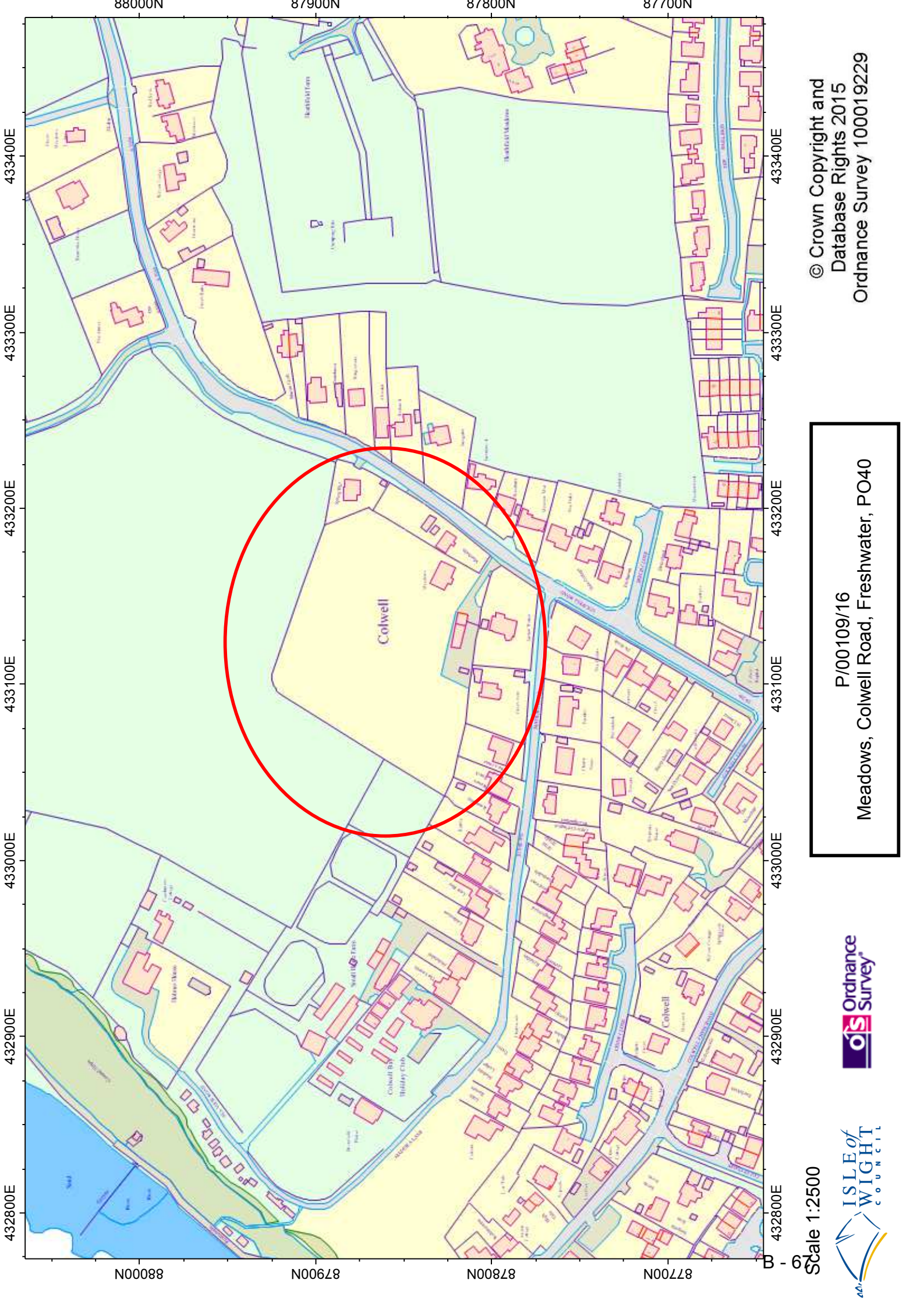
**Reason:** In order to minimise the potential for detrimental impacts on Brent Geese, and to comply with policy DM12 of the Island Plan and para 106 of the NPPF.

#### **Informatives:**

The applicant is required to enter into a Section 278 Agreement with the Isle of Wight Council Highways Authority in order to construct the bell mouth junction.

In order for any of the proposed works to become part of the adopted highway network, the applicant is required to enter into a Section 38 Agreement with the Isle of Wight Council Highways Authority.

The applicant is required to make a formal application to Island Roads, St Christopher House, 42 Daish Way, Newport, Isle of Wight, PO30 5XJ, in accordance with the Town Improvement Clause Act 1987 Sections 64 & 65 and the Public Health Act 1925 Section 17 before addressing and erecting a property name / number or street name in connection with any planning approval.



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P/00109/16  
Meadows, Colwell Road, Freshwater, PO40

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**03 Reference Number: P/00285/16**

**Description of application:** Outline application for up to 9 residential units; formation of vehicular accesses (revised scheme)

**Site Address:** Proposed development at land adjacent to Popes Cottage, Steyne Road, Bembridge, Isle Of Wight, PO35

**Applicant:** Mrs A Thornycroft

**This application is recommended for conditional permission, subject to the conclusion of a legal agreement.**

**REASON FOR COMMITTEE CONSIDERATION**

At the request of the Local Ward Member (Cllr Kendall) due to concerns that the application does not comply with the Bembridge Neighbourhood Plan Policies. There are concerns that the application has not fully addressed policy concerns previously raised and that the scheme is manipulating the “adjacent to the settlement boundary” requirement. The retention of the roadside hedge is seen as a negative. There are also concerns regarding precedent for other sites, particularly in relation to other land under the control of the applicant. Localised concerns with surface water disposal are also raised.

**MAIN CONSIDERATIONS**

- Principle of the proposed development
- Consideration of housing matters
- Whether the design and appearance of the development would be acceptable in relation to the character and appearance of the surrounding area
- Impact on surrounding properties
- Ecology and trees
- Highway considerations
- Flooding and drainage issues
- Other matters

**1. Location and Site Characteristics**

- 1.1. The application site comprises approximately 0.5hectares of land located on the south-eastern side of Steyne Road, Bembridge. The application site is irregular in nature and would be set-back from the established road frontage. It is noted that the applicants land ownership extends beyond that identified by the site edged red on the submitted plans as identified by the land outlined in blue.

- 1.2 The site is located outside of, but immediately adjacent to the Rural Service Centre settlement boundary for Bembridge as defined on the Proposals Map. No other formal designations exist for the site.
- 1.3 The site comprises 2 paddocks. The first is directly adjacent to Popes Cottage and is generally flat, being enclosed by established boundary vegetation. The second is part of an adjacent field which rises to the south-east and which benefits from established boundaries.
- 1.4 There are existing residential properties along the Steyne Road frontage adjacent to the site and on the opposite side of the road. Towards the rear of the site, the existing relationships with fields (to the west) and the playing fields (to the east) would remain.

## **2. Details of Application**

- 2.1 The application seeks outline planning permission, with access for consideration, leaving all other matters reserved. The application therefore only seeks to establish the principle of development, the number of units proposed, and the location of the access arrangements. Indicative details relating to the scale, layout, and landscaping of the site have been provided.
- 2.2 The proposal is for the erection of 9 dwellings, 4 of which are proposed as Affordable Housing (it should be noted that this has increased following negotiations during the determination) and 2 of which could be delivered as self-build. The properties identified include:
- 1 x 1-bed bungalow
  - 2 x 2-bed bungalows
  - 3 x 3-bed bungalows
  - 1 x 1-bed house
  - 1 x 2-bed house
  - 1 x 3-bed house
- 2.3 The submitted plans indicate that the 2 properties would be located on the smaller paddock occupying a similar position to Popes Cottage each being served by an independent access. The remaining properties would be arranged in a small cluster, to be served by a further access located towards the eastern end of the site which would benefit from footways on both sides.
- 2.4 The indicative details also show the existing roadside hedge being retained, behind which would be a pond area which would form part of a sustainable drainage solution for the site.

## **3. Relevant History**

- 3.1. P/00694/15 - Outline for up to 9 residential units; formation of vehicular accesses  
– Withdrawn

#### **4. Development Plan Policy**

##### National Planning Policy

- 4.1. National Planning Policy Framework (NPPF) constitutes guidance for local planning authorities and decision-takers both in drawing up plans and as a material consideration on determining applications. At the heart of the NPPF is a presumption in favour of sustainable development.
- 4.2 The NPPF sets out three roles (economic, social and environmental) that should be performed by the planning system. The Framework states that pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to):
- moving from a net loss of bio-diversity to achieving net gains for nature
  - replacing poor design with better design
  - improving the conditions in which people live, work, travel and take leisure and
  - widening the choice of high quality homes

##### Local Planning Policy

- 4.3 The Island Plan Core Strategy identifies the application site as being located adjacent to the defined settlement boundary for Bembridge which is a Rural Service Centre. The following policies are relevant to this application:
- SP1 - Spatial Strategy
  - SP2 - Housing
  - SP5 - Environment
  - SP7 - Travel
  - DM2 - Design Quality for New Development
  - DM3 - Balanced Mix of Housing
  - DM12 – Landscape, Seascape, Biodiversity and Geodiversity
  - DM14 – Flood Risk
  - DM17 – Sustainable Travel

##### Neighbourhood Planning Policy

- 4.4 Bembridge Neighbourhood Plan  
The following policies are relevant to this application:
- OL.1 – Scale of Development
  - H1 – New Housing Development
  - H2 – Specialist Housing Requirements
  - H3 – Safeguarding of Development Delivered to Meet Local Need
  - H4 - Affordable Housing Contributions
  - GA 1 – Car Parking Provision for New Development
  - EH1 – Built Environment

- D1 – Design Criteria
- D3 – Replacement or Additional Housing Development

4.5 Bembridge Housing Needs Survey – July 2013

4.6 Bembridge Design Character Appraisal

Other documents or strategies

4.7 The Solent Special Protection Areas (SPA) Supplementary Planning Document (SPD)

4.8 The Affordable Housing Contributions Supplementary Planning Document (SPD)

4.9 Wight AONB Management Plan 2014-2019

**5. Consultee and Third Party Comments**

Internal Consultees

5.1 The Councils Tree Officer raises no objections, the impact on high amenity trees can be considered when the layout for the scheme is presented for detailed consideration. The loss of parts of the roadside hedge to facilitate access is considered acceptable.

5.2 The Councils Ecologist raised no objections subject to conditions.

5.3 The Island Roads Highway Engineer raises no objections and recommends conditional permission.

5.4 The Councils Principal Engineer within the Contract Management Team has reviewed the drainage proposals and finds them to be acceptable. Matters relating to long term maintenance should be controlled by planning conditions. No objections are raised.

External Consultees

5.5 Southern Water have advised that an application for formal connection to the public sewer is required, and that there is not sufficient capacity for surface water to drain to the public sewer. The consent of the Highway authority would be required to discharge surface water to the Highway system. They suggest a condition relating to the agreement of foul and surface water drainage methods be imposed if permission is granted.

Parish Council Comments

5.6 Bembridge PC – Object to the proposals. Concerns highlighted include:



- Potential for the site to form phase 1 of a wider development of the area
- “Manipulation” of ‘adjacency’ to the settlement boundary.
- Mix of open market to affordable housing does not comply with BHNS
- Intrusion into the rural landscape and impact on rural fringe – concerns that the proposal would not fit comfortably into the street scene.
- Concerns regarding flooding and surface water drainage
- Increase impact on local infrastructure, in particular drainage and disposal of surface water
- Impact on wildlife and ecology
- Hedgerow should be retained
- Concerns regarding impact on 63 Steyne Road.
- Contrary to BNDP policies OL1, D1, H1 and E1.
- Comments also identify that the indicated pathway into the adjacent playing fields would not be supported.

### Third Party Representations

5.7 92 letters of objections have been received which raise various concerns or comments which can be summarised as:

- Loss of greenfield site
- Over-development
- Planning history – previous refusal.
- Lack of infrastructure
- Impact of traffic
- Lack of need for new housing
- Contrary to policy
- Ecological impact
- Impact on the character of the area/street scene
- Surface water/flooding concerns
- “Pond” would cause more problems and maintenance liability
- Precedent for further development on other sites in the area
- Village is already big enough
- Loss of agricultural land

## **6. Evaluation**

### Principle of development

6.1 The application site is located outside of but immediately adjacent to the settlement boundary of Bembridge as defined on the Proposals Map, forming part of the Island Plan hereafter referred to as ‘the Core Strategy’. As the site is within the Parish boundary for Bembridge the policies and guidance contained within the Bembridge Neighbourhood Development Plan are relevant and form part of the Development Plan framework. From herein, this will be referred to as ‘the Neighbourhood Plan.’

6.2 The strategic overview policies contained within the Neighbourhood Plan generally reflect those within the Island Plan and set out where new development should take place within the Bembridge Parish as well as the scale of development. Policy BNDP.OL.1 (Scale of Development) states that new development will be confined to small scale proposals which fall within any of the following categories and will be supported in principle:

- a) Housing development schemes of 1 to 9 units and not exceeding 0.5 hectares
- b) Non-residential development not exceeding 1000 square metres floor space and site area not exceeding 1 hectare.

This scheme would result in the development of 9 units, and on a site of which does not exceed 0.5hectares. It would therefore constitute a scale of development which is compliant with this overview policy.

6.3 Policy SP1 of the Core Strategy seeks to focus new development within the rural area into locations within or immediately adjacent to the settlement boundaries of Rural Service Centres. In such locations proposals for the development of greenfield sites will need to demonstrate that deliverable previously-developed land (PDL) is not available, and that an identified local need will be met. In addition, policy SP1 requires applications on non-previously developed land to clearly demonstrate how it will enhance the character and context of the local area. Subject to these requirements, where an adequate justification has been demonstrated, policy SP1 supports new development in areas such as this.

6.4 In addition to the requirements of policy SP1, policy SP2 of the Core Strategy confirms that 980 dwellings will be delivered at locations within Rural Services Centres and the Wider Rural Area over the period 2011 – 2027. To ensure these targets are met, the Council will permit development in accordance with the provisions and policies of the Core Strategy. The application, in very general terms, seeks to achieve a proportion of this requirement although this report will discuss in detail the needs of the area within which the site is located.

6.5 Concerns have been expressed that the proposal seeks to “manipulate” the adjacency of the site to the settlement boundary. However, it is clear that part of the application site would be adjacent to the settlement boundary as defined by the proposals map. The policy requirement is such that the whole of the site boundary does not need to be adjacent to the settlement boundary, and as such, the proposals would be compliant with policy SP1 in this regard.

6.6 The proposals would result in the development of a greenfield site outside of, but immediately adjacent to the settlement boundary of Bembridge which is defined as a Rural Service Centre. If the proposals can

sufficiently demonstrate that:

- It would meet an identified local need
- Deliverable previously developed land (PDL) is not available
- The proposal would enhance the character and context of the local area

The principle of development would be considered acceptable in relation to policies SP1 and SP2. Each of these matters is examined in detail throughout this report.

### Housing matters

6.7 The evaluation of housing matters relating to this proposal will include the consideration of sub-issues such as sequential test, housing need, housing supply, and the consideration of outcomes from Appeals raising similar issues, these sub-issues examined within the following sections. These matters will be considered within the context of policies H1 of the Neighbourhood Plan, and policies SP1, SP2, DM3 and DM4 of the Core Strategy.

6.8 The application proposes a total of 9 units, comprised of a range of unit types and sizes. 4 of the units are proposed as affordable housing (44%). The remaining 5 units would be open-market units (2 of which could be delivered as self-build). The supporting information with the application has sought to identify that the proposals would be compliant with the relevant policies.

#### *Housing need and supply – neighbourhood plan and HNS*

6.9 Policy H1 of the Neighbourhood Plan is an extension of policy OL1 and offers support for developments which are within or immediately adjacent to the settlement boundary, where they are able to:

*“..demonstrate that it meets a local need, primarily as identified in the current Bembridge Housing Needs Survey.”*

It is noted that the reasoned justification for this policy is to respect the wishes of the Community to steer development towards suitable and affordable dwellings for families (and those at the younger end of the spectrum) and to ensure that the Community aspiration accords with the intentions of the Island Plan Core Strategy.

This policy is considered to be reflective of the aims of policy DM3 (Balanced Mix of Housing) of the Island Plan.

6.10 Bembridge Parish Council carried out a Housing Needs Survey (HNS), which was published in July 2013 and this forms a background document to the Neighbourhood Plan. This showed that 120 local households indicated a clear likelihood to move home within 5 years and remain in the Parish, a need for 63 dwellings over a 5-year period to be delivered as an annual requirement for 12 homes within the Parish. In addition, the HNS

provides a breakdown on the 63 units based upon type and tenure, and advises:

*“The supply of accessible smaller dwellings would allow older person households to downsize and to assist the ageing population to remain within their current community.”*

- 6.11 Concerns have been expressed by the Parish Council and third parties that there is no identified need for these units, and that the proposals would fail to comply with policy H1 of the BNDP as the proposals would not meet the need identified by the HNS.
- 6.12 The BNDP was adopted in July 2014, with the HNS forming a key background document for the plan having been completed in July 2013. For clarity the BNDP was adopted within the 2014/15 monitoring year.
- 6.13 Since the adoption of the BNDP, the following applications for new residential development in Bembridge have been approved and permissions granted.

Table 1: Permissions for additional residential development granted since BNDP

Reference	Number of units	Open market / Affordable / Specialist	Commenced / Completed	Notes
P/00825/14	4 (Net Gain 3)	Open	Commenced	Previous 2011 permission
P/00855/14	1	Open	Commenced	Specific local need identified
P/01147/14	1	Open	Commenced	Previous 2012 permission
P/01479/14	13	Affordable		
P/00909/15	7	Specialist care		Care restricted by condition
P/00121/15	2	Open		Previous 2008 permission
P/00808/15	1	Open		Previously allowed on Appeal 2012
P/00101/16	2 (Net Gain 1)	Open		

\*Figures as at 14/6/16. P/00637/14 for 8 units and P/01198/15 for 9 units, not included as permissions not yet issued.\*

As can be seen from the above, since the adoption of the BNDP, only 2 residential developments have been approved which would count towards addressing the housing requirement identified by the HNS, these being P/01479/14 for an affordable housing scheme at Bembridge School, and P/00101/16 for an open market, 3-bed unit. P/00815/14 has allowed a further dwelling, the size of which would fall outside of the requirement identified by the HNS, but this was justified on the special circumstances presented in that case relating to a specific local need for the type and

extent of accommodation proposed.

6.14 What the aforementioned table also demonstrates is part of the relationship between permissions being granted and actual delivery, with there often being a considerable gap between the two. As the table shows, a number of the sites referenced benefitted from extant or existing permissions which have not yet been completed hence they do not contribute towards the need identified by the HNS.

6.15 Based on the findings outlined in table 1, Officers consider that the pre-proposal position for the HNS (HNS requirement minus table 1) is that there are 49 dwellings remaining (36 Affordable and 13 Open Market), which can be broken down as follows:

Table 2 – HNS minus Table 1

<b>Affordable Size</b>	<b>Type</b>	<b>Remaining</b>	<b>Market Size</b>	<b>Type</b>	<b>Remaining</b>
1-bed	Bungalow	1	1-bed	Bungalow	1
2-bed	Bungalow	1	2-bed	Bungalow	3
3-bed	Bungalow	1	3-bed	Bungalow	3
2-bed	House	0	2-bed	House	3
3-bed	House	2	3-bed	House	2
4-bed	House	1	4-bed	House	1
1-bed	N/A	1			
2-bed	Flat	1			
1-bed	House/Flat	24			
2-bed	House/Flat	0			
3-bed	House/Flat	3			
5-bed	House	1			
		<b>36</b>			<b>13</b>

6.16 In moving on to consider the proposed scheme, if the proposed development is included into Table 2, the post-approval situation would be that there would be 40 dwellings remaining (32 Affordable and 8 Open Market).

Table 3 – Post approval situation (HNS minus Table 1, minus proposed scheme)

<b>Affordable Size</b>	<b>Type</b>	<b>Remaining</b>	<b>Market Size</b>	<b>Type</b>	<b>Remaining</b>
1-bed	Bungalow	0	1-bed	Bungalow	1
2-bed	Bungalow	1	2-bed	Bungalow	1
3-bed	Bungalow	0	3-bed	Bungalow	1
2-bed	House	0	2-bed	House	2
3-bed	House	2	3-bed	House	2
4-bed	House	1	4-bed	House	1

1-bed	N/A	1			0
2-bed	Flat	1			0
1-bed	House/Flat	23			0
2-bed	House/Flat	0			0
3-bed	House/Flat	2			0
5-bed	House	1			0
		<b>32</b>			<b>8</b>

6.17 As can be seen from the above, in pure numbers, the proposals would reduce the overall housing need requirement which has been identified by the HNS, and given the mix of unit types, sizes and tenures proposed would be compliant with the requirements of the HNS.

6.18 Officers do not consider that a refusal of this scheme on the basis of need could be sustained. The NPPG advocates caution in this regard as it states *“Establishing future need for housing is not an exact science. No single approach will provide a definitive answer.”* (para 14 NPPG).

6.19 The HNS which forms the local evidence base for policy H1 of the BNDP is in itself a snap-shot in time, based upon information gathered in early 2013. The document itself identifies that it is to cover the period 2013-2018 and that there is a need for future review to update its findings. As such, it could conceivably be the case that the housing need position could change on a more regular basis than the reviews which are undertaken. The HNS itself identifies that:

*“This analysis gives a clear indication of what shortfalls in the stock exist for local people but should also be treated with some degree of caution – for example an available three bedroom owner-occupied home is considered to meet the demand for someone needing a three bedroom (owner-occupied) dwelling but in reality there may be particular types or locations of homes that some households would not consider*

*On the other hand a household with demand for a three bedroom home might (subject to affordability) move into a four bedroom home where the supply exists.”*

In light of this, Officers would suggest the issue of compliance with the HNS needs to be approached with a degree of caution, and with consideration of what is reasonable given the overall policy framework towards the delivery of new housing development. This is particularly important in the context of the findings relating to over-supply of certain types and sizes of accommodation, as for example a person who needs an affordable 1-bed flat may be eligible for an may take up a 2-bed bungalow if it were available, therefore there does need to be a degree of flexibility.

6.20 It is on this basis that Officers would return to the wording of policy H1 which offers support for developments which are within or immediately adjacent to the settlement boundary, where they are able to:

*“..demonstrate that it meets a local need, primarily as identified in the current Bembridge Housing Needs Survey.”*

The reasoned justification for this policy refers to the need to deliver “smaller scale” development, and to steer development “*away from large luxury dwellings to those which are suitable and affordable for families, particularly at the younger end of the spectrum*”. The justification also identifies that this policy would be in line with the intentions of the Island Plan, and that the HNS would be updated as necessary to ensure that the changing needs of Bembridge are addressed.

6.21 From the representations received by from the Parish Council there is concern that the proposed mix of Affordable to Open Market units and the types of units would not reflect the ‘distribution of need as demonstrated in the BHNS’. What is clear is that the policy (H1) does not require the development to be “strictly in accordance with” the HNS, simply it requires new development to meet an identified local need, as primarily identified by the HNS. The key word is therefore “primarily” read in the context of the policy which must have a degree of flexibility to ensure that it complies with the Core Strategy (in particular policies SP2 and DM3 as discussed later in this report).

6.22 The Collins dictionary definition of “primarily” is” *principally; chiefly; at first; originally*. Officers consider that in applying the policy the proposals must be considered against the need identified by the HNS in the first instance, before consideration is given to wider housing factors such as demand, sustainability or the overall position on the delivery of housing advocated by the Core Strategy. In this respect, it is considered that the proposals would be in accordance with this element of the policy, as the scheme would provide 9 units towards the overall remaining figure of 49 units, and which would specifically meet the types and sizes identified by the HNS. As such, the proposals would pass this first test, as the development would meet the need identified by the HNS in the first instance.

6.23 In relation to the remaining elements of policies OL1 and H1 of the BNDP, as identified the proposals would be compliant as the site is outside and immediately adjacent to the settlement boundary, the scheme is for 9 units, and the site area does not exceed the 0.5ha threshold. It is therefore considered appropriate to move on to consider the proposal (specifically the amount and type of development proposed) in relation to the wider housing needs, the policies of the Island Plan and other factors.

*Housing need and supply – Core Strategy and SHMA*

- 6.24 Policy SP1 requires that the proposals demonstrate that an identified need would be met, it does not restrict development to solely meeting local need and this is of particular relevance given the requirements of policy SP2 requiring the provision of 980 dwellings in the Wider Rural Area and Rural Service Centres over the plan-period. This must be considered in the context of the role that the Rural Services Centres play in supporting the Wider Rural Area, offering support for outlying villages, hamlets and the countryside the residents of which would utilise and support existing facilities and services contained within the Rural Service Centres. It is considered that small-scale growth in these areas helps to ensure future vitality and contribute towards a thriving rural settlement.
- 6.25 Para 5.35 & 5.36 of the Core Strategy identifies that the annual requirements for housing are not targets, nor are they ceilings. This approach is considered to be equally applicable to the figures resulting from the spatial distribution identified in policy SP2, i.e. the 980 units for RSCs and the WRA is not a target or a ceiling, as each application must be considered on its own merits.
- 6.26 At this stage it is important to highlight that the monitoring of dwellings provided (linked to policies SP1 and SP2) is based upon housing delivery (completions). This approach is clearly set out within the Council's Annual Monitoring reports and 5 year land supply assessment and this approach is based upon that advocated by the NPPG. For example the Staddlestones scheme was allowed on Appeal in the 12/13 monitoring year but completions have not occurred until the 15/16 monitoring year during which time significant changes to housing needs may have occurred. It is therefore recognised that to ensure suitable levels of delivery, there is a necessity to plan for levels of development which may exceed identified needs in order to ensure that there is contingency in the event that sites do not come forward for delivery (for example as a result of site constraints).
- 6.27 It is Officers contention that the proposals would be compliant with the broad aims of policies SP1 and SP2 of the Core Strategy as the site is outside and immediately adjacent to the defined settlement boundary. The scheme would also provide for new residential development which would contribute towards the needs identified for Bembridge and would contribute towards the overall planned levels of growth identified for the Rural Service Centres more generally. This is subject to the proposals demonstrating that deliverable previously developed land (PDL) is not available and the proposal would enhance the character and context of the local area as considered later within this report.
- 6.28 Further to the above, Officers consider that this would be a sustainable location for additional residential development. The site is located within an area where it is bounded by residential development and where this is



the predominant land-use. The location is within reasonable walking distance of the existing shops and services located within Lane End Road, along with other facilities such as a public house, and a school. It is therefore considered that the site would be sustainable.

- 6.29 Further, policy DM3 (Balanced Mix of Housing) states that proposals will be expected to reflect (*my emphasis*) the most up-to-date Strategic Housing Market Assessment, contribute (*my emphasis*) to meeting the identified housing need for the local area and contribute (*my emphasis*) to meeting specialist housing requirements. It also outlines that the final mix will be negotiated with the developer. Due regard must also be given to the requirements of policy DM4 (Affordable Housing).
- 6.30 In considering the issue of need against the aims of these policies, due regard has already been given to the HNS. Moving on from this, it is only correct to consider other evidence bases including the Strategic Housing Market Assessment. The latest Strategic Housing Market Assessment (SHMA) was published in August 2014 and follows the NPPG in that it looks at future population growth over the plan-period based on demographic change.
- 6.31 The SHMA broadly confirms that the Island Plan's current position in respect of the overall level of housing delivery required on an annual basis (520 dwellings) as set out in policy SP2 and that this is broadly reflective of the current and future trends of the housing market on the Island. The SHMA also states that whilst the focus should be for smaller (2/3-bed properties) within both market and affordable housing to meet a wide and flexible need (i.e. new households, young families, downsizers etc), there should be a *'reasonable degree of flexibility to ensure that, in applying mix to individual development sites, appropriate regard can be given to the nature of the development site, the character and existing housing stock of the area as well as the most up-to-date evidence of need/demand.'*
- 6.32 The SHMA confirms that Bembridge is situated within the housing sub-market of East Wight. Within the East Wight housing sub-market the SHMA estimates that there is a need to provide 34 units per annum to meet the "total newly arising need" (newly forming households and changing circumstances – i.e. accommodation is too small). The sub-market within the SHMA covers a greater area than the Bembridge Housing Needs Survey but given that the sub-market also covers St Helens and Seaview and intervening rural areas, this would correlate with the approach of the Core Strategy towards Rural Service Centres which are to support surrounding areas. As a result, it is considered that the proposed housing development would contribute to the identified need for 12 houses per annum as identified by the SHMA.
- 6.33 It is considered that the statistics within the 2014 SHMA, further support local need position that has been presented by the applicants, and these

correlate with the overall strategic position adopted by policy SP1. In this respect it is considered that the proposals would accord with the aims of policy DM3 with regard to the proposals meeting a need for additional residential development.

- 6.34 Turning to policy DM4 (Locally Affordable Housing) the proposals would see 44% provision on site (being 4 of the 9 units proposed). This would exceed the requirements of DM4, as a result the proposals would be compliant. It is considered that this would be secured through an appropriate S106 agreement. The application also identifies that 2 of the units could be delivered as possible Self-Build and Officers have no objection to this as such units form part of an overall picture of housing need and demand however these units are not fundamental to the acceptability of the scheme. Again, appropriate controls would be secured through the S106 agreement in relation to these units.
- 6.35 Due consideration should also be given to the requirement for the Council to maintain a 5 year supply of housing land. The NPPF states that the Council must *“identify and update annually a supply of specific deliverable site sufficient to provide five years’ worth of housing against their housing requirements with an additional buffer of 5%.....where there has been a record of persistent under delivery of housing, local authorities should increase the buffer to 20% to provide a realistic prospect of achieving the planning supply and to ensure choice and competition on the market for land”*.
- 6.36 The Council has a five year land supply, with the required 5% buffer, with 49% coming from sites identified within the Strategic Housing Land Availability Assessment (SHLAA) sites. This site is part of LDF 088b which has been identified as “developable” and as such has not been included in the 5year land supply assessment, however, this should not preclude the ability for it to come forward and contribute towards that supply assessment by virtue of gaining a planning permission.
- 6.37 The Planning Inspector who considered the appeal at Hazley Combe in Arreton, within which the five year land supply was debated, commented that: *“there must be a certain concern that overall delivery from sites with planning permission and deliverable SHLAA sites will not come forward within appropriate timescale”*, concluding that “the Council can show a 5-year supply on paper but there must be concern about whether it can be achieved”. If the Council fails to consent sites to meet the identified need, there is an increasing risk that it will not be in a position to demonstrate that it has a 5 year land supply and will consequently need to demonstrate a higher percentage buffer figure to comply with the requirements of the NPPF. Therefore, while each planning application must be considered on its own merits, this appeal decision adds further weight to support the principle of development on this site as it would contribute towards meeting the need for housing as identified by policy SP2 of the Island Plan and would contribute towards meeting the 5-year

land supply as required by the NPPF.

- 6.38 In summary, it is considered that the proposals would comply with the relevant policies of the Core Strategy as discussed above and Officers would advise that in relation to matters of housing need, the proposals would be compliant with the Island Plan.

*Sequential Test*

- 6.39 As identified within the previous section, the proposal needs to demonstrate previously developed land is not available.
- 6.40 Within the supporting information accompanying the application, there is an assessment of previously-developed sites, this review considers sites within the Parish which have been also been promoted through the LDF process. The submitted information concludes that there are no previously-developed, “deliverable” sites which are capable of being developed to meet the needs of the Parish. In addition, the report goes on to identify that the application site has been classed as “Developable” which forms part of the Councils published 5-year land-supply, and therefore should be viewed favourably and considered as appropriate for development.
- 6.41 Officers have reviewed the assessment and information available to the Council and consider no vacant or previously-developed land is currently available that could accommodate the proposed development, and that in order to meet the housing needs and demands over the plan period, it is necessary for greenfield sites to be considered for development.
- 6.42 It is therefore considered that in relation to the sequential test requirement of policy SP1, the proposal would be acceptable.

*Outcomes from Appeals raising similar issues*

- 6.43 The Inspector’s decision for Blanchard’s (January 2016) provides a number of references relating to the interpretation of policies SP1 and SP2 and given that the application shares similar characteristics (ie. greenfield site, outside but immediately adjacent to the settlement boundary of a Rural Service Centre) albeit this site was also located within the AONB Officers would wish to highlight a number of points in relation to the principle of development as set out below:

- *“Policy SP1 provides for development on appropriate land within or immediately adjacent to the defined settlement boundary of Rural Service Centres, prioritising the use of previously developed land where available”.*
- *“Policy SP2 seeks to deliver 980 dwellings in the Rural Service Centres or rural area, and of the 5 year housing land supply that the Council is required to be able to demonstrate*

*under Framework paragraph 47, 49% comes from sites without permission or those within the Strategic Housing Land Availability Assessment...*

- *“Policy SP1 identifies 4 out of the 11 Rural Service Centres as being in the Area of Outstanding Natural Beauty, in whole or part, and does not preclude development in the designated area as a result. There are compelling reasons to agree the principle of development in this location notwithstanding the location within the Area of Outstanding Natural Beauty.”*
- The need for exceptional circumstances (relating to the AONB) stated in the Framework did not carry significant weight in view of the provisions of the up-to-date Development Plan and its primacy under s38(6) of the 2004 Act.
- The Inspector highlighted the importance of paragraph 14 of the NPPF which states that at the heart of the document is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. This is stated as meaning that development which accords with the Development Plan should be approved without delay. The inspector concluded that the proposals would have accorded with the Development Plan and thus restrictions relating to footnote 9 (of para 14) regarding sites in an Area of Outstanding Natural Beauty did not apply.

6.44

The Inspector’s decision for Hasely Coombe, Arreton (September 2014) provides a number of references relating to the interpretation of policies SP1 and SP2 and the provision of additional residential development within and immediately adjacent to Rural Service Centres. Again, whilst the schemes are materially different, Officers would wish to highlight a number of points in relation to the principle of development and the impact of change resulting from development, as set out below:

- The Council can demonstrate a 5-year supply.
- The Inspector identified that “local” in the context of policy SP1 means the ward area, and that policy SP1 does not constrain development to solely meeting local need. The Inspector also identified that this interpretation is supported by the requirement for 980 dwellings in Rural Service Centres (RSC’s) and the Wider Rural Area (WRA) over the plan-period as specified in policy SP2 which is a figure surely much greater than any likely local need.
- Given that housing in RSC’s may provide for more than a purely local need, the obvious indication of a wider need that should be catered for comes from the 2007 Strategic Housing Market Assessment (SHMA). He also identified the key findings of the SHMA and accepted that whilst dated, it formed part of the evidence base for the Core Strategy and thus must be afforded material weight.
- In concluding the matters relating to principle and housing need the Inspector stated that Arreton as an RSC would allow housing

development to be permitted, and this is supported by policy SP2 which provides 980 dwellings to be built “*through smaller-scale development*” at the RSC’s and wider rural area. He also reaffirmed that policy DM3 seeks an appropriate mix of house types and sizes (to reflect the most up-to-date SHMA and to contribute to meeting identified local need and specialist housing requirements.) He also gave weight to the “golden thread” of sustainability from the National Planning Policy Framework (NPPF) and referred to the sustainability analysis of the Core Strategy (which formed part of the designation of Arreton as an RSC), before concluding that housing within the RSC would in principle and in relation to the numbers, sizes and types of units proposed be in accordance with local and national planning policies.

- The Inspector also provided comment in relation to the requirements of policy SP2 and the scale of development. He identified that as Arreton was an RSC and, “with 980 dwellings to be provided over eleven RSCs and the wider rural area, it will be expected to accommodate a significant number of new houses over the Plan period”, going on to state that 89 “*represents the proportionate increase to be expected if the 980 dwellings required by policy SP2 were spread equally over the eleven RSCs (unlikely in practice but a good general guide)*”.
- Further he identified that the number of dwellings would be likely to exceed what numerically may be small-scale, and that SP2 states ‘smaller-scale’ which in the context of Island-wide housing provision, is rather different to ‘small-scale’. He identified that the important issue was how a significant amount of housing development might be successfully accommodated visually.
- The Inspector also concluded that “*Designation as an RSC commits the village to significant change in the future...*” and highlighted that “*change, of itself, is not necessarily harmful*”

6.45 In summary, both Appeal outcomes confirm that Inspectors have considered that residential development within or immediately adjacent to Rural Service Centres is acceptable in principle, that development in such areas would be sustainable, and development may provide for more units than any identified local need. They also reaffirm that Rural Service Centres are expected to accommodate a significant number of new houses over the Plan period, and that although such development would be “smaller-scale” in relation to the Island-wide housing provision which is different to being “small-scale”.

6.46 Whilst it is accepted that the application proposals are materially different to the aforementioned Appeal schemes, the Appeal outcomes must be afforded weight in the planning balance as there are similar circumstances and the policy context is very similar (with the exception of the adopted BNDP). Officers do not therefore consider that there is a sustainable objection to the proposals on matters relating to principle, as

in Officers opinion the principle of development would be likely to be found to be acceptable by an Inspector.

*Conclusion on housing matters*

- 6.47 For the reasons set out within the above sub-sections, the provision of housing on this site is considered to be acceptable.
- 6.48 The proposals would provide for “small-scale” development, which would be compliant with policy OL1 of the BNDP as the scheme would be for 9 units on a site not greater than 0.5hectares. Further, the proposals would comply with the requirements of policy H1 as the site is located immediately adjacent to the settlement boundary and would provide for a development which would primarily meet a need identified through the HNS. As such, it is considered that the scheme would comply with the requirements of the BNDP in so far as it relates to the provision of housing on this site.
- 6.49 The proposals would be compliant with policy SP1 as the site is located outside of but immediately adjacent to the settlement boundary for Bembridge which is a Rural Service Centre. The development would meet an identified need and demand for this RSC and its ward. In designating the village as an RSC the principle of development in this location over the plan-period has been accepted and found to be sustainable through the adoption of the Core Strategy. The availability of previously-developed land has been considered and this demonstrates that greenfield land is required for this development, and it is considered that the site is appropriate for development given its location within an area comprised of existing residential development and in general sustainability terms the proposal is considered acceptable given connections to the villages facilities and services.
- 6.50 The scheme would contribute towards the required levels of housing delivery identified by policy SP2, and has demonstrated that it would provide a balanced mix of housing including affordable housing which would comply with the requirements of policies DM3 and DM4.
- 6.51 As such, Officers do not consider that there are sustainable grounds to refuse the principle of housing development on this site.

Impact on the character of the area

- 6.52 The impact of the proposed development upon the character and appearance of the area is an important consideration, particularly in light of the greenfield nature of the site. In considering these inter-related issues, Members should have regard to policies DM2, and DM12 of the Island Plan, along with the objectives of the NPPF, and policies EH1 and D1 of the BNDP. Various concerns have been raised from third parties about the impact that development of this site would have on the area.

- 6.53 As set out earlier in this report, the site comprises 2 distinct areas, a smaller paddock and part of a wider field structure. Both the small paddock and the adjacent field have established vegetated boundaries which promote the edge of settlement character within this area. The frontage of the site is dominated by the established hedgerow, which in combination with the un-developed nature of the site create a visual break in the extent of built form within this part of Steyne Road, and this helps to reinforce the edge of settlement feel that is exhibited in this area as it forms an approach to and from the village.
- 6.54 The surrounding built form is mixed in scale and appearance, comprised of various forms of development including single and two storey properties and which are characteristic of an evolved street scene. The predominant spatial character is one of linear development along the established road frontages, however, it is accepted that there are various interspersions of backland or estate-type development, where mid-late twentieth century resulted in infilling of the block structure created by the road alignment. In this respect, the established urban grain has a mixed vernacular and feel.
- 6.55 In considering the impact of the scheme, Members should be aware that matters relating to the scale of development, layout, appearance of buildings and landscaping are Reserved Matters, and thus the detail of these elements can be considered at that stage. However, the indicative details presented are considered to be a suitable indication of how the quantum of development proposed can be accommodated on the site and therefore its impact can suitably be assessed.
- 6.56 The proposal seeks to provide a solution whereby development can occur, whilst utilising the constraints and opportunities presented by the site. In this regard the scheme seeks to retain the existing vegetated boundaries, and as a result the site would appear split in terms of character as identified by the indicative information relating to layout and scale.
- 6.57 The proposal would see 2 units located adjacent to Popes cottage within the smaller paddock, each served by an access and turning arrangement, with amenity space to the rear. These units would front the Steyne Road street scene.
- 6.58 The remaining units would be set out within an estate-type cluster, served off a single access to the eastern end of the site. This would include 4 units fronting Steyne Road, albeit set back from the road frontage so as to allow sufficient space for a pond area, with a further 3 units to the rear.
- 6.59 Having carefully considered the scheme, Officers accept that the provision of residential development on this site would result in a change to the current character of the site. However, any harm that would be

created through the introduction of built form onto what is currently an undeveloped paddock would be unlikely to result in a significant impact. In some respects the introduction of the development fronting Steyne Road could be seen as completing the street scene, and the impact of such development would be softened through the retention of the existing vegetation including the frontage hedgerow.

- 6.60 In street scene terms, the proposed development would be seen against a context of established residential development. Therefore whilst it is accepted that the proposal would result in change to these key views on within the street scene, the scheme would not detrimentally impact upon the overall landscape character of this area. In spatial terms, it is considered that the minor element of backland-type development that would occur (through the provision of 3 units towards the south-eastern edge of the site) would replicate some of the existing characteristics of development within this part of Bembridge, being a minor incursion set behind the frontage pattern. It is considered that this would result in minimal harm, and could in some ways appear as a natural extension of the existing spatial pattern of development.
- 6.61 Naturally, as a result of this incursion, there could be a concern that this development is part of a wider spread of development which would further erode the character and spatial qualities of this area. However, each proposal must be determined on its own merits, and in so far as the development of the site currently proposed is concerned the proposals are considered to be acceptable in relation to its impact upon the character of the area.
- 6.62 Officers do consider that it is pertinent that the height and scale of development should be controlled to ensure that the development is reflective of the character of the area and limited to no more than two storeys. It is possible for this to be controlled through the imposition of conditions as recommended.
- 6.63 In Officers opinion, the visual impact of the development would be acceptable and can be suitably be controlled and considered through the details required by condition and through the Approval of Reserved Matters process.
- 6.64 In considering this the impact on the character of the area, it is accepted that the proposal would result in change, but this is not necessarily harmful. Any harm that would be created must be considered in the context of the overall planning balance, including for example the provision of new housing. Policy DM2 seeks high quality and inclusive design to protect, conserve and enhance the existing environment whilst allowing change to take place. It is also considered that the proposals would be compliant with policy EH1 of the BNDP as the proposals would respond to the local character established by the existing pattern of residential development. In Officers opinion, subject to the detailed



consideration of the proposals at the reserved matters stage and the imposition of the recommended conditions, the proposals would complement the established character and appearance of the area, and whilst the proposals would result in a change to this part of the village, the impact of this change would be limited and would be outweighed by other factors forming part of the overall planning balance.

#### Impact on surrounding properties

- 6.65 Having considered the existing relationships with neighbouring land-uses, and those which would result from the scheme, it is considered that the proposed dwellings would be likely to have sufficient separation distances to ensure that there would not be any detrimental impacts as a result of overlooking, overshadowing or dominance and would be unlikely to have detrimental impacts upon the amenities of neighbouring properties. Further evaluation of these relationships can be undertaken at the Reserved Matters stage.
- 6.66 In particular, concern has been expressed at the impact on 63 Steyne Road as a result of the indicated location of one of the units proposed. This unit is shown as being a bungalow unit, and therefore is unlikely to result in a detrimental impact as a result of proximity or dominance, however, detailed consideration of this can be undertaken at the Reserved Matters stage when layout and scale would be defined. Similarly, the positioning of windows can also be suitably controlled at that stage, to avoid any detrimental impact.
- 6.67 It is noted that the proposed new dwellings would be likely to interrupt existing views from surrounding properties, however, this is not a material planning consideration.
- 6.68 In terms of the amenities of future occupants, appropriate consideration of this can be undertaken at the Reserved Matters stage, however, it is likely that the proposed dwellings would be of suitable quality to ensure a good standard of amenity for future occupants. As such there is no objection to the scheme on this basis.

#### Ecology and trees

- 6.69 There are no trees of significant amenity value within the site which are subject to formal protection or designation, however, the established hedgerows and trees within the site are considered to be of landscape and ecological importance as identified earlier in this report. The site is also not subject to any formal designation relating to ecology.
- 6.70 The site is located within the 5.6km of the Solent and Southampton Waters SPA/ Ramsar site. This area is important habitat for a range of wildfowl, which use areas such as the Medina Estuary for shelter and feeding during the winter. However, evidence shows that recreational

activity on designated areas (and supporting habitats) can cause disturbance to wildfowl and therefore have an adverse impact on bird populations.

6.71 To mitigate for such impacts, Natural England and a range of other bodies including the Council have devised a means of mitigation known as the Solent Disturbance Mitigation Project (SDMP). The project would provide the following elements:

- a project officer to oversee and co-ordinate across the Special Protection Areas and to oversee the rangers
- a team of rangers who will work on the ground at European sites to reduce disturbance levels and initiate specific measures at the sites to reduce disturbance levels
- a Coastal Dog Project; and
- a monitoring scheme

6.72 The Council's Supplementary Planning Document relating to the SDMP states that Developments of one or more dwellings will be required to provide financial contributions of £172 per dwelling towards the SDMP in order to prevent additional disturbance to the SPA/ Ramsar site. The applicants have provided draft Heads of Terms for a legal agreement that would secure the required level of funding and therefore, the development is considered to comply with the requirements of the Council's Supplementary Planning Document.

6.73 The application is accompanied by an Ecological Appraisal report which is considered to provide a sound assessment of the site's current ecological value. The site comprises predominantly species-poor pasture with associated hedgerows. The survey works undertaken to date have identified that there are few constraints in terms of protected species, with potential for widespread nesting birds to occur within woody vegetation, common reptiles to occur in low numbers throughout, badgers to possibly forage/commute through the site and for bats to forage/commute. The survey did not consider hazel dormice to be a constraint, although retention of the hedgerow within the site may offer suitable habitat.

6.74 The Council's Ecologist has advised that overall, the site is generally unconstrained in terms of ecology and with the implementation of mitigating measures any impacts can be minimised/avoided. Officers are in agreement with the recommendations of the Council's Ecologist and the findings of the report and consider that appropriate conditions as recommended would be sufficient to secure the mitigation and enhancement works. As such, it is considered that these would represent enhancements to the ecological potential and value of the site and therefore, subject to the imposition of the recommended conditions, the proposals would comply with policies SP5, DM2 and DM12.

### Highway considerations

- 6.75 The application proposes 3 new access points on to Steyne Road to serve the development proposed. The existing field gate would be retained.
- 6.76 The Highway Engineer for Island Roads has recommended conditional permission for the scheme, the key findings of their comments are summarised as follows:
- Steyne Road is a 'B' classified public highway governed by a 30mph speed limit, it forms the principal route between Bembridge and Sandown.
  - The site layout as proposed is acceptable, providing in-excess of the minimum design standard in respect to junction visibility.
  - Onsite layout is adequate to enable the safe passage of vehicles, along with turning space, and with an associated drainage system to minimize the discharge of surface water runoff onto the public highway.
  - There is a known surface water drainage problem within this part of Steyne Road, which the Local Authority have identified and are currently working with Island Roads to bring forward a surface water upgrade scheme to address the existing issue therefore it is imperative that any development does not add to and compound this problem.
  - On review of the drainage strategy proposed to be implemented and the addendum document, subject to capacity within and consent to connect to the existing surface water system in Steyne Road the approach is acceptable.
  - The traffic generation associated with this proposal is not deemed to have a negative impact on the capacity of the highway/project network.
  - On review of accident data, there have been no recorded accidents in the last 3 years within the vicinity of this site that are relevant to the proposal.
  - There are no mitigation measures or offsite highway improvement works required as a result of this application.
- 6.77 The proposed scheme would be acceptable in relation to highway safety and would provide for arrangements with sufficient visibility and on-site turning. It is also considered that an appropriate level of parking provision can be obtained to service the needs of the development.
- 6.78 The creation of the access points would result in breaks to the existing hedgerow and some works to trim it back to allow sufficient visibility, and whilst this would impact upon the street scene, it is considered that this impact can be sufficiently mitigated through landscape works within land under the control of the applicant.

6.79 The application site is located within a sustainable and accessible location, and the proposals would not result in any detrimental impact in terms of highway safety. As such, it is considered that subject to the imposition of the recommended conditions, the proposals would comply with the requirements of SP7 and DM17 of the Island Plan, and GA1 of the BNDP.

#### Flooding and drainage issues

6.80 Concerns have been expressed that the development of this site would be likely to cause additional surface water drainage issues within the local area, particularly during periods of heavy rainfall. Although the site is greenfield in nature, it is not located within a Flood Zone.

6.81 Given the outline nature of the scheme, detailed information relating to precise drainage proposals have not been presented, however, a Flood Risk Assessment incorporating a Drainage Assessment has been presented which seeks to support the use of a sustainable drainage system to deal with the issue of surface water disposal from the site and address concerns regarding localised flooding.

6.82 The scheme identifies the intention to utilise a SUDS based approach, with the incorporation of an attenuation pond behind the roadside hedge and in front of some of the units. This pond would be outside of the application boundary, but located on land within the control of the applicant. The submitted information seeks to address concerns with this approach which were identified during the previous withdrawn application. It is considered that the additional information provided with the scheme is sufficient to allay concerns regarding the implications of the proposed surface water drainage approach.

6.83 Policy DM14 identifies support for SUDS techniques to meet local and national standards, and recognises the additional benefits they can bring for ecology and green infrastructure. It also states that: *“On greenfield sites, SUDS will be required to achieve no increase in the relevant net run-off rate to that prior to development”*. It is also noted that the DEFRA guidance “Sustainable Drainage Systems: Non-statutory technical standards for sustainable drainage systems” (March 2015) supports the use of sustainable drainage techniques.

6.84 The proposed scheme has been based upon an established methodology, and is considered to be in accordance with Government guidance in relation to the use of SUDS. The precise detail of the scheme is to be defined, however, it is considered that this can be acceptably dealt with prior to development commencing. It is noted that none of the technical consultees raise objection to this approach subject to the detail of the scheme and long-term management responsibilities are considered and controlled. Further, it is considered that the relationship between the SUDS system and the proposed

properties has been suitably considered in relation to the outline proposals, and identifies that the scheme would also offer potential for biodiversity and amenity benefits whilst also allowing sufficient flexibility for the approach to be tailored to the specifics of the site in relation to ground conditions etc. It is appreciated that there may be existing and historic surface water drainage issues within the locality, and it is noted that there is potential for a scheme to be brought forward to address this. It is considered that the proposed scheme would not solve this historic issue, but would be unlikely to impact adversely upon it as a result of the development being required to meet the guidance referred to previously.

- 6.85 The detailed design of the drainage approach for the site can be controlled through the imposition of a planning condition which would also secure the long-term management and maintenance responsibilities for this infrastructure. On this basis, whilst the development may not resolve existing issues relating to surface water drainage within the locality, it is considered that these issues have been appropriately considered and the scheme would be compliant with the principles of policy DM14 and the DEFRA guidance, in that it would not worsen the existing situation.

#### Other matters

##### *Planning Obligations*

- 6.86 In respect of planning obligations resulting from the proposed development, the application was subject to a series of Heads of Terms (HoT) when originally submitted. As part of the determination of the application, these have been reviewed by Officers, and discussed with the applicants agent, it now recommended that the application is granted conditional permission subject to a S106 agreement which would cover the following HoT:

- A contribution of £1,548 towards the mitigation in relation to the recreational impact on the SPA as per the adopted SPD.
- Affordable housing provisions relating to the delivery of 4 units of Affordable Housing. Appropriate clauses would be included to ensure that the affordable units are retained as such thereafter.
- Open market units to be offered on initial sale to residents with a local connection for a period of 3months before wider marketing in accordance with policy H3 of the BNDP.
- Appropriate controls relating to the 2 units identified as being possible Self-Build units to ensure that they are delivered as such.

- 6.87 The above listed HoT are required in order to ensure that the scheme would be acceptable in Planning terms, and would ensure that the proposals are in accordance with the application as presented. A legal agreement to control these elements would need to be finalised before permission could be granted.

6.88 Concerns have been expressed that the approval of this site could lead to a precedent relating to the delivery of further land within the applicants ownership which is also adjacent to the settlement boundary. Comments relating to this issue reference the provision of an access road within the development which appears to show a link to the field beyond the application boundary. The applicant has advised the Local Planning Authority that they have shown this route within the indicative layout presented in order to allow a continued access to the land beyond the site for the purposes of maintenance, differential cropping and the ability to separate tenure of the fields. Officers advise that the internal layout is indicative only, and precedent is not a material consideration (as each case must be determined on its own merits). It is considered that the detailed layout of the site (and access to the fields beyond) can be considered in greater detail at the Reserved Matters stage). In addition, although the wider land may be adjacent to the settlement boundary and therefore may be acceptable in broad principle, any application for that land would have to be judged on its own merits and its accordance (or otherwise) with the established planning policy framework and therefore there may be reasons which would preclude the development of this land.

*Loss of agricultural land*

6.89 The site is located within an area which comprises land of both 3a (good) and 3b (moderate) classification, and the site itself is likely to fall within a 3a (good) class. It should however be noted that the application site constitutes a small part of a wider classification area and this would not be prejudiced by the application. Whilst limited information has been presented by the applicant's agent in respect of this matter, it is considered that this should not preclude the development proposed from coming forward. Whilst the site is classed as being 3a, given the geological records available it is considered that the soil conditions would be likely to restrict the likely yields for cereals, grasses etc and in comparison to other areas of the Island would be of lower importance. As such, it is considered that the loss of agricultural land would not form a sustainable reason for refusal.

**7. Conclusion**

7.1 The application site is located outside of but immediately adjacent to the settlement boundary for Bembridge which is identified as a Rural Service Centre. It is considered that the application site is within a sustainable location for new housing development and the proposals would result in small-scale development which would meet an identified local need and which would also contribute towards the wider delivery of housing, as such the development is considered to be in accordance with the requirements of policies OL1 and H1 of the Bembridge Neighbourhood Development Plan, and policies SP1 and SP2 of the Island Plan Core Strategy. In addition, it is considered that the proposed housing would provide a

suitable level and mix of accommodation and that an acceptable level of on-site affordable housing would be provided which would be in accordance with the aims of policies DM3 and DM4 of the Island Plan.

7.2 The provision of residential development on this site and the quantum proposed would be acceptable and would have an acceptable level of impact when considering the relationship between the site and surrounding character of the area including the AONB designation. The application has sufficiently demonstrated that the proposal is justified and can be acceptably accommodated onto this greenfield site. The scheme would therefore be acceptable in relation to the character and appearance of the area and would accord with policies SP1, DM2 and DM12 of the Island Plan.

7.3 The scheme would not have an unacceptable impact on the amenities of neighbouring residents, highway or drainage infrastructure, or features of environmental interest, thus the proposals would accord with the requirements of policies SP5, SP7, DM2, DM11, DM12, DM17 and DM21 of the Island Plan.

7.4 Having regard to the above and having taken into account all relevant material considerations, Officers conclude that the proposed development is in full conformity with the provisions of the development plan.

## **8. Recommendation**

8.1 Conditional approval subject to the completion of a S106 agreement

## **9. Statement of pro-active working**

9.1 In accordance with paragraphs 186 and 187 of the NPPF, the Isle of Wight Council takes a positive approach to development proposals focused on solutions to secure sustainable developments that improve the economic, social and environmental conditions of the area. Where development proposals are considered to be sustainable, the Council aims to work proactively with applicants in the following way:

9. The IWC offers a pre-application advice service

10. Updates applicants/agents of any issues that may arise in the processing of their application and, where there is not a principle objection to the proposed development, suggest solutions where possible

In this instance the application has been made following the previous withdrawal of an earlier scheme, and during the course of the application, the applicant's agent has been advised of the progress of the proposals and has responded to questions and queries raised by the Local Planning Authority. The application is considered to be acceptable, and the Council's concerns addressed.

## Conditions/Reasons

- 1 Application(s) for approval of the reserved matters for the site as a whole or part thereof, shall be made to the Local Planning Authority before the expiration of 3 years from the date of this planning permission. The development hereby permitted shall be begun before the expiration of 2 years from the date of approval of the final approval of the reserved matters for the site as a whole or part thereof.

**Reason:** To comply with Section 92 of the Town and Country Planning Act 1990 (as amended) and to prevent the accumulation of unimplemented planning permissions.

- 2 Before any works or development hereby approved is commenced on site, details relating to the layout of the site, scale and appearance of buildings and landscaping of the site so far as they relate to that part of the development being undertaken, shall be submitted to, and approved by the Local Planning Authority. These details shall comprise the 'reserved matters' and shall be submitted within the time constraints referred to in condition 1 above before any development is commenced.

**Reason:** To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

- 3 Applications for reserved matters approval shall be made in accordance with the principles shown on the submitted plans, numbered:

Site Location Plan - SB001

Visibility Splay Details and Swept Path Analysis - 61030383-EN-SK-1002 rev C

Schematic Drainage Layout - 61030383-ENV-503 rev C

and read in conjunction with the Planning Statement (dated February 2016), Flood Risk Assessment (dated 11 May 2015), Addendum to Flood Risk Assessment (dated 25 February 2016), Tree Survey (Rev A Jan 2013), and Ecological Appraisal Report (15 February 2016)

**Reason:** In order to ensure that the reserved matters are in accordance with the principles and parameters established by the outline permission and to accord with the aims of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy, and policies OL 1 and H1 of the Bembridge Neighbourhood Development Plan.

- 4 The development hereby approved shall provide for a maximum of 9 units, comprising the mix of sizes and types as shown on the indicative layout (drawing MP001 rev D) detailed within Appendix 1 of the Planning Statement. No unit shall exceed two storeys in scale.



**Reason:** For the avoidance of doubt and to ensure that the density, unit types and sizes and scale of the development, is compatible with the character and appearance of the area and to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy and to ensure that the development meets an identified local need as required by policy SP1 of the Island Plan Core Strategy and policies OL 1 and H1 of the Bembridge Neighbourhood Development Plan.

- 5 No site preparation or clearance shall begin, and no equipment, machinery or materials shall be brought onto the site for the purposes of the development hereby permitted, until details of measures for the protection of existing trees and hedgerows to be retained have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall accord with the BS5837:2012 standard and include a plan showing the location of existing trees and hedgerows to be retained and the positions of any protective fencing. Development shall be carried out in accordance with the approved details and any protective fencing shall be erected prior to work commencing on site and will be maintained until all equipment, machinery and surplus materials related to the construction of the development have been removed from the site. Nothing shall be stored or placed in any fenced area in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, unless otherwise authorised by this permission or approved in writing by the Local Planning Authority.

**Reason:** This condition is a pre-commencement condition to prevent damage to trees during construction and to ensure existing trees and hedgerows to be retained are adequately protected throughout the development of the site in accordance with the aims of policies DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

- 6 No development shall take place until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall identify the steps and procedures that will be implemented to minimise the creation and impact of noise, vibration and dust resulting from the site preparation, groundwork and construction phases of the development and manage Heavy Goods Vehicle (HGV) access to the site. Once approved, the Construction Environmental Management Plan shall be adhered to at all times during the construction works, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To prevent annoyance and disturbance to the occupants of existing nearby properties during the construction phase of the development and to comply with the requirements of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

7 No development shall take place until details have been submitted to and agreed in writing by the Local Planning Authority in respect of steps to prevent material being deposited on the highway as a result of any operations on the site in connection with the approved development. Such steps shall include the installation and use of wheel cleaning facilities for vehicles connected to the construction of the development. The agreed facilities shall be installed prior to the commencement of development. Any deposit of material from the site on the highway shall be removed as soon as practicable by the site operator.

**Reason:** In the interests of highway safety and to prevent mud and dust from getting on the highway and to comply with policy DM2 Design Quality for New Development of the Island Plan Core Strategy.

8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development within Classes A to F of Part 1 of Schedule 2 to that Order shall be carried out other than that expressly authorised by this permission.

**Reason:** To retain a reasonable rear garden for each of the approved dwellings, to regulate design in relation to the development, to protect the appearance of the surrounding area, to prevent excessive surface run-off from hard standings and to comply with the aims of policies SP5 (Environment), DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

9 No development shall take place until samples of the materials to be used to form the hard surface areas within the development site including any pathways, vehicle access and turning areas, and boundary treatments have been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

**Reason:** In the interests of the amenities of the area and to comply with policy DM2 Design Quality for New Development of the Island Plan Core Strategy.

10 No development shall commence until a detailed specification and timetable for the biodiversity mitigation, enhancement and interpretation measures have been submitted to the Local Planning Authority and agreed in writing. These details shall cover the package of measures and recommendations included within the Ecological Appraisal Report Rev 3 (dated 15/2/16) and shall include a plan identify the location and extent of areas subject to mitigation. The works shall then be undertaken in accordance with the agreed details and timetable, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In order to ensure the works are undertaken in an appropriate manner to minimise impact to ecological species and features at the site

and to ensure that the biodiversity enhancements and mitigation are delivered, to comply with policies SP5, DM2 and DM12 of the Island Plan and the principles of the NPPF.

- 11 Prior to work commencing on site details of the proposed means of foul and surface water drainage based upon sustainable drainage principles shall be submitted to the Local Planning Authority for agreement in writing. Such details shall include calculations, detailed designs, measures relating to the design and maintenance of the on-site SUDS facilities, a phasing plan and timetable for the delivery of any required infrastructure. The agreed details shall be installed during the development of the site in accordance with agreed phasing plan for the drainage infrastructure, unless otherwise agreed in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied until the means of foul and surface water drainage for that dwelling has been installed.

**Reason:** To ensure a satisfactory means for the disposal of foul and surface water from the development, and to minimise the risk of flooding. In accordance with Policy DM14 (Flood Risk) of the Island Plan Core Strategy and Government advice contained within the National Planning Policy Framework.

- 12 No development (including site clearance and tree works) shall take place until an Environmental Management Plan (EMP) has been submitted to the Local Planning Authority for agreement in writing. The EMP shall include details relating to the management and maintenance of:

- All landscaped areas of the site
- All roads, turning areas, parking areas and pathways which would fall within communal areas and which are not proposed for adoption.
- Existing trees and hedgerows within the site
- Biodiversity enhancements delivered through the development
- Sustainable drainage features within the site or required in connection with the development (including the proposed attenuation pond)
- The existing boundary hedgerow to the Steyne Road frontage which is to be retained.

The EMP shall be operated from the date of occupation of the first unit and the site shall be managed in accordance with the agreed documents thereafter unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To ensure the long-term protection of wildlife and supporting habitat is secured in accordance with the principles established by the

application, and to support the management of the hedgerows and proposed features on site as part of the wider landscape and in line with policies SP5, DM2, and DM12 of the Island Plan and the principles of the NPPF.

- 13 No unit hereby permitted shall be occupied until the access (including sight lines) serving that unit, have been provided in accordance with the visibility splays shown on the approved plan (reference number 61030383-EN-SK-1002 Rev C). Nothing that may cause an obstruction to visibility when taken at a height of 1.0m above the adjacent carriageway / public highway shall at any time be placed or be permitted to remain within the visibility splays.

**Reason:** In the interests of highway safety and to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

- 14 Applications for approval of reserved matters shall be accompanied by a plan detailing the vehicular routes within the site, parking spaces and turning areas. No dwelling hereby permitted shall be occupied until space has been laid out within the site for cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear in accordance with the agreed details. The parking spaces and turning areas shall not thereafter be used for any purpose other than that approved in accordance with this condition.

**Reason:** In order to ensure sufficient parking and turning areas are provided, in the interests of highway safety and to comply with policy DM17 (Sustainable Transport) and policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

- 15 Development shall not begin until details of the design, surfacing and construction of any new roads, footways, accesses and car parking areas, together with details of the means of disposal of surface water drainage based on the principles of drawing no 61030383 – ENV-503 Rev C and including for a detailed assessment of the impact of the proposed drainage strategy on the structure integrity of Steyne Road and the capacity of the existing highway surface water system therein have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

**Reason:** In order to ensure that the access roads, footways, and car parking areas are appropriately constructed and drained, in the interests of highway safety and to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

- 16 No later than one month after the first occupation of any of the units served by the new eastern most access hereby permitted, the existing access to the site from Steyne Road B3395 shall be permanently closed in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.

**Reason:** In the interests of highway safety and to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

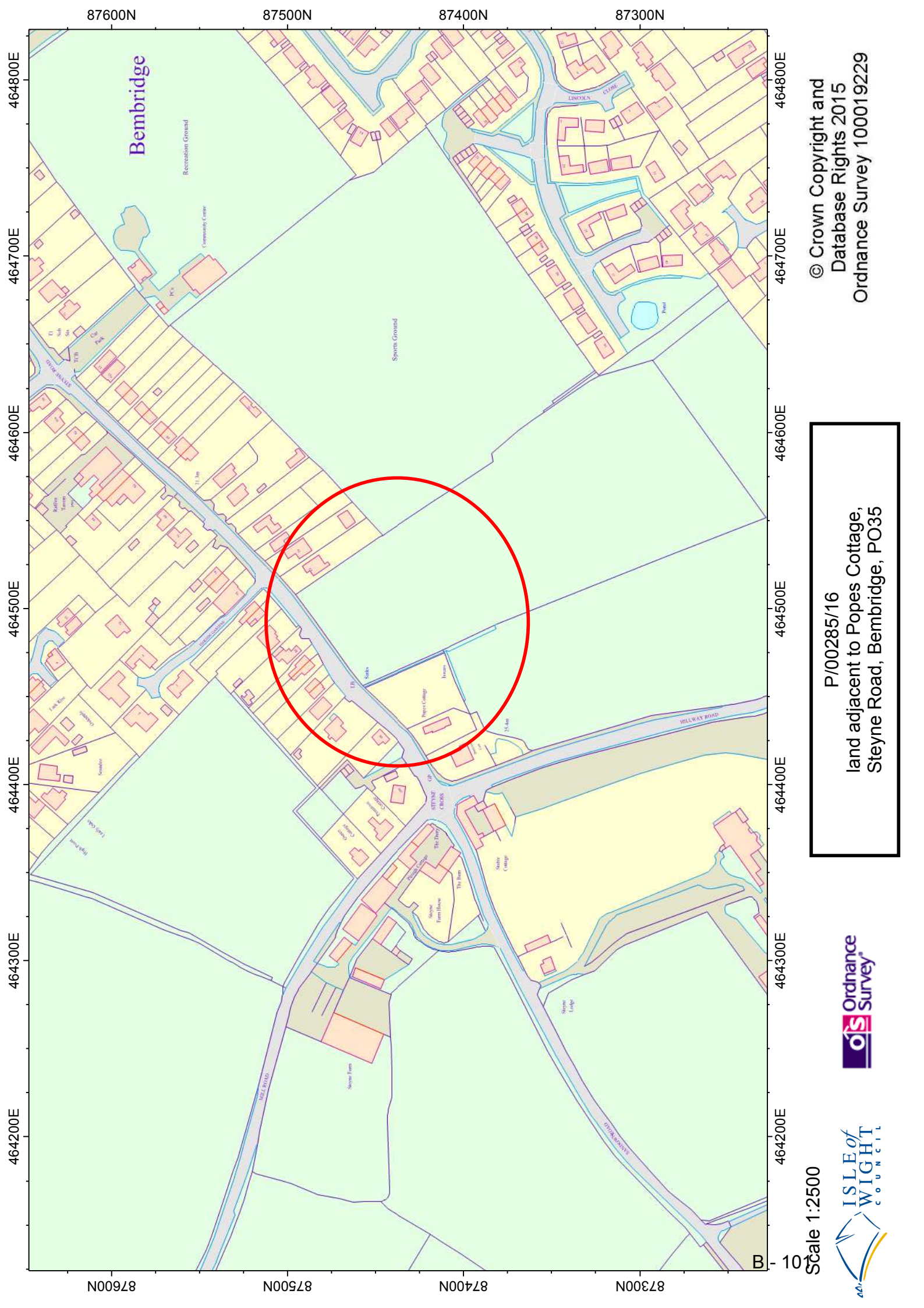
**Informatives:**

A formal application for connection to the public sewer is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Southern Water ([www.southernwater.co.uk](http://www.southernwater.co.uk)).

The applicant will be required to apply for a vehicle crossover application under Section 171 of the Highways Act 1980.

Should the applicant wish to offer the onsite road layout for adoption, there would be a requirement to enter into a Section 38 Agreement with the Isle of Wight Council Highways Authority.

The applicant is required to make a formal application to Island Roads, St Christopher House, 42 Daish Way, Newport, Isle of Wight, PO30 5XJ, in accordance with the Town Improvement Clause Act 1987 Sections 64 & 65 and the Public Health Act 1925 Section 17 before addressing and erecting a property name / number or street name in connection with any planning approval.



P/00285/16  
 land adjacent to Popes Cottage,  
 Steyne Road, Bembridge, PO35

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 Ordnance Survey 100019229

Scale 1:2500



**04 Reference Number: P/00160/16**

**Description of application:** Construction of end of terrace dwelling with parking; alterations to no. 9 (revised scheme) (revised plans and corrected description)

**Site Address:** 9 Chapel Road, Ryde, Isle of Wight, PO333RT

**Applicant:** Mrs J Smith

**This application is recommended for refusal.**

**REASON FOR COMMITTEE CONSIDERATION**

This application has been referred to the Planning Committee at the request of the Chairman.

**MAIN CONSIDERATIONS**

- Principle of development
- Impact on the character and appearance of the surrounding area
- Impact on the host property and neighbouring properties
- Highway considerations.

**1. Location and Site Characteristics**

- 1.1 The application site is located on the eastern side of Chapel Road and currently comprises a semi-detached residential property and associated amenity/parking areas.
- 1.2 The surrounding area is residential in nature and characterised by predominantly pairs of semi-detached dwellings set within modest plots although there are examples of detached and terraces properties. The properties follow a fairly linear form of development, being slightly set back from the highway however; there is a degree of variation in the size, scale and design of the properties together with a mix of materials being used.
- 1.3 No. 9 Chapel Road is of a traditional design and constructed of artificial stone with red brick quoins and detailing with the main entrance to the property positioned on the south (side) elevation.

**2. Details of Application**

- 2.1 The application seeks consent for the construction of an end of terrace dwelling on the south elevation of the host property, no. 9 Chapel Road.

- 2.2 The submitted plans show the proposed dwelling would have a maximum footprint of 5.2 metres by 11.6 metres with a ridge height of 6.7 metres to match the existing property. The dwelling as proposed would be predominantly two storey with a single storey element to the rear.
- 2.3 The south elevation of no. 9 presently forms its principal elevation and therefore includes the main entrance to the property together with several windows at both ground and first floor levels. The proposed development would essentially extend the existing building to form an end of terrace dwelling which is shown to include an access passage at ground floor level with a width of 1 metre to retain access to the main entrance of no. 9.
- 2.4 As a result of the position of the proposed dwelling, the windows on the southern elevation of no. 9 would be blocked up and the submitted plans show the installation of additional windows on the rear elevation.

### **3. Relevant History**

- 3.1 P/01053/15 – Construction of end of terrace dwelling – Withdrawn – 11 November 2015.
- 3.2 P/02316/06 – Demolition of garage; alterations and single storey extension to provide additional living accommodation; provision of decking (revised scheme) (revised description) – Approved – 23 October 2006.
- 3.3 P/02106/05 – Demolition of detached garage; alterations and single/two storey extension to provide additional living accommodation – Refused – 08 December 2005.

### **4. Development Plan Policy**

#### National Planning Policy

- 4.1. National Planning Policy Framework (NPPF) constitutes guidance for local planning authorities and decision-takers both in drawing up plans and as a material consideration in determining applications. At the heart of the NPPF is a presumption in favour of sustainable development.
- 4.2 The NPPF sets out three roles (economic, social and environmental) that should be performed by the planning system. The Framework states that pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life.

#### Local Planning Policy

- 4.3 The Island Plan Core Strategy identifies the application site as being within the settlement boundary of Ryde which is defined as a Key Regeneration Area. The following policies are relevant to this application:



- SP1 – Spatial Strategy
- SP2 – Housing
- SP7 – Travel
- DM2 – Design Quality for New Development
- DM3 – Balanced Mix of Housing
- DM17 – Sustainable Travel.

4.4 The Solent Special Protection Areas (SPA) Supplementary Planning Document (SPD)

## **5. Consultee and Third Party Comments**

### External Consultees

5.1 Island Roads recommend conditions should the application be approved.

### Town Council Comments

5.2 Ryde Town Council recommends approval of the application subject to obscure glazing being used on stairway window, contributions being made in accordance with Affordable Housing and Solent Special Protection Area SPD's and a net reduction in surface water drainage from the site.

### Third Party Representations

5.3 One letter of representation has been received from the neighbouring property objecting to the application on the following grounds:

- Appearance of property
- Loss of outlook
- Parking.

5.4 Two comments have been received in support of the application stating that it would not result in any adverse impact to surrounding properties and that there is a need for this type of property in the area.

## **6. Evaluation**

### Principle of development

6.1 The Island Plan Core Strategy identifies the application site as being within the settlement boundary of Ryde which is defined as a Key Regeneration Area. Policy SP1 of that plan states that the Council will, in principle, support development on appropriate land within or immediately adjacent to the defined settlement boundaries of Key Regeneration Areas, Smaller Regeneration Areas and Rural Service Centres and will prioritise the redevelopment of previously developed land where such land is available, suitable and viable for the development proposed. Policy SP2 of the Island Plan Core Strategy further identifies that through the plan, the Council is

planning for 8,320 new dwellings by 2027 and that, broadly speaking, 2,100 of these dwellings will be within the Ryde Key Regeneration Area.

- 6.2 In light of the above, the proposed development for the construction of an additional dwelling on this site would be acceptable in principle subject to the further material planning considerations as discussed below. As such, the application complies with policies SP1 (Spatial Strategy), SP2 (Housing) and DM3 (Balanced Mix of Housing) of the Island Plan Core Strategy.

Impact on the character and appearance of the surrounding area

- 6.3 Chapel Road is residential in nature and characterised by predominantly pairs of semi-detached dwellings set within modest plots although there are examples of detached and terraced properties. The properties follow a fairly linear form of development, being slightly set back from the highway however, there is a degree of variation in the size, scale and design of the properties together with a mix of materials being used. No. 9 is of a traditional design and constructed of artificial stone with red brick quoins and detailing with the main entrance to the property positioned on the south elevation.

- 6.4 The proposed dwelling would be constructed of materials to match the host property and would continue the traditional design and detailing. The frontage of the property would be 0.9 metres wider than the frontage of no. 9 allowing for the proposed access passage. Whilst it is acknowledged that this extra width together with the matching ridge height would result in the proposed dwelling adding mass and bulk to the existing built form, it is considered that this would not result in any harm to the character of the surrounding area. In addition, it is noted that there are other examples within the immediate area of properties occupying the majority of the width of the plot and thus the proposal would not appear out of keeping with the other properties.

- 6.5 The front elevation of the proposed dwelling would be in line with the front elevation of the existing pair of semi-detached properties and as such would continue the prevailing pattern of development along the eastern side of Chapel Road with the properties being set back approximately 3 metres from the highway.

- 6.6 The proposed dwelling would be in keeping with the host property and surrounding area in terms of size, scale and design and would therefore not appear visually prominent or intrusive within the street scene. The proposed development would result in an additional dwelling thereby creating a terrace of 3 properties which would not appear out of character in the area given the presence of other terraced properties in the locality. Taking these points into consideration, the proposed dwelling would comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

Impact on the host property and neighbouring properties

- 6.7 To the south of the application site lies a pair of semi-detached properties

with the shared boundary to the application site being formed by 1.8 metre close boarded fencing and mature vegetation. No. 11 Chapel Road is located adjacent the southern boundary of the application site and benefits from a substantial conservatory on the north elevation. This conservatory is positioned 1.3 metres from the common boundary with the dwelling itself being 5.2 metres away from the boundary and therefore 6.3 metres from the flank elevation of the proposed dwelling. It is considered that this would sufficient distance to ensure that the proposed dwelling would not have an overdominant or intrusive impact and would not appear overbearing. No. 11 includes a bedroom window at first floor level on the north elevation which faces onto the application site. Having regard to the separation distance between this elevation and the proposed dwelling, it is considered that the development as proposed would not result in any significant loss of outlook or light and would therefore not have a detrimental impact on the amenities enjoyed by the occupants of this property. In addition, it is noted that the proposed dwelling would only include one small window in the southern elevation at first floor level. This window is shown to serve a landing area and as such would not result in any loss of privacy or additional overlooking.

- 6.8 Consent was granted on 14 June 2016 for a two storey side extension to no. 11. This development would involve the demolition of the existing conservatory and sunroom and the construction of a two storey side extension to provide additional living accommodation. Should this consent be implemented it would result in a separation distance of 2 metres between the flank elevation of the proposed end of terrace dwelling and the side elevation of the consented extension to no. 11. Whilst this would result in a reduction from that of the existing distance, it is considered that this would retain sufficient separation to ensure that the proposed development would not appear overdominant or intrusive and the properties would not appear as a terrace. The north (side) elevation of the extension to no. 11 would not include any windows and as such would not alter the level of potential mutual overlooking from that as existing. It is considered that the proposed development would not result in any significant impact to the amenities of the occupants of no. 11 Chapel Road either as the property currently stands or with the construction of the consented extension to that dwelling.
- 6.9 2 Stoneham Cottages is a mid-terrace residential dwelling located to the rear of the application site. This property along with those in Cemetery Road benefit from extensive rear amenity areas resulting in the proposed dwelling being positioned some 45 metres from the rear elevation of this property at the closest point. Taking this distance into account, it is considered that the proposed dwelling would have minimal to no impact on the amenities of the residents of that property.
- 6.10 The proposed development would result in an extension to the host property, no. 9 Chapel Road, to form an additional end of terrace dwelling. As such, the impacts of the proposed development on that property must be carefully considered.

- 6.11 The south elevation of no. 9 presently forms its principal elevation and therefore includes the main entrance to the property together with several windows at both ground and first floor levels. These windows serve a dining area and kitchen on the ground floor and a bedroom on the first floor. The proposed development would essentially extend the existing building to form an end of terrace dwelling which is shown to include a passage at ground floor level with a width of 1 metre to retain access to the main entrance of no. 9. As a result of the position of the proposed dwelling, the windows on the southern elevation of no. 9 would be blocked in and the submitted plans show the installation of additional windows on the rear elevation. At ground floor level the existing window serving the dining area is shown to be infilled and an additional window installed in the rear elevation. This new window would have dimensions of 0.8 metres by 1.35 metres and would be positioned in the corner of the room. The existing window at first floor level serves a bedroom and is again proposed to be infilled with an additional window of 0.6 metres by 1.4 metres installed in the rear corner of that bedroom. In addition, it is noted that the existing kitchen for no. 9 benefits from an access door and window on the southern elevation and provide the only openings and natural light into that room.
- 6.12 Due to the modest proportions and size of the proposed windows to serve the dining area and bedroom of no. 9 together with the positioning in the corner of the rooms, it is considered that this would result in a significant impact to the natural light and outlook available to these habitable rooms to the detriment of the amenities of the occupants. The size and positioned of these proposed windows would provide very limited light to these rooms and would substantially reduce the outlook available. As such, the living conditions of the host property would be harmed to an unacceptable degree. In addition, the north elevation of the proposed dwelling would be positioned 2.1 metres away from the kitchen window and door of no. 9 resulting in a loss of outlook and light to the only window serving that room. It is considered that this would significantly increase the built form in close proximity to the habitable kitchen of no. 9 and would cause an increased sense of enclosure for the occupants of that property. Due regard and weight must be afforded to the objectives to policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy with particular reference to development proposals having regard to the existing constraints of the site including adjacent buildings. The proposed end of terrace dwelling would fail to give due consideration to the existing dwelling on site and would have an unacceptable impact on the amenities of the host property.
- 6.13 In light of the above, it is considered that the proposed development would have a negative and harmful impact on the living conditions of the occupants of the host property, no. 9. The position of the proposed dwelling would result in a significant loss of natural light and outlook to habitable rooms within that property thereby being detrimental in this regard. The application therefore fails to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy and the requirements of the NPPF.

## Highway considerations

- 6.14 The existing property is served by a vehicular access off Chapel Road and provides off-street parking. Chapel Road is an unclassified road governed by a 30mph speed limit which has a one way restriction (southbound only). The principle of a vehicular access in this location would not change as a result of the development however the layout would be altered. The submitted drawings should a layby parking area which measures approximately 2.4 metres by 6 metres. The minimum width for a layby parking bay is 2.5 metres however it is noted that there is adequate space on the frontage to accommodate that requirement.
- 6.15 The proposed development would result in the existing dwelling (no. 9) not having any off-street parking provision and as such the application has been accompanied by a Parking Provision Assessment of the area to establish that there is sufficient capacity in the locality to accommodate additional parking demand. The PPA does not comply with the standard requirements given that not all roads within a 300 metre radius have been assessed and no dates and times for the submitted photographs have been provided. However, it is acknowledged from Officer site visit that there is opportunity to park in neighbouring roads (Arnold Road and Sand Path) and the site is within close proximity to public transport links.
- 6.16 Taking into account the submitted information together with the absence of parking policy and the accessibility of the site, it is considered that it would not be sustainable to refuse the application on the grounds of a shortage of parking provision. As such, the application does comply with policies DM2 (Design Quality for New Development) and DM17 (Sustainable Travel) of the Island Plan Core Strategy.

## **7. Conclusion**

- 7.1 Having given due regard and appropriate weight to all material planning considerations, the application is considered to have an unacceptable impact on the amenities of the host property by virtue of loss of light and outlook contrary to policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

## **8. Recommendation**

- 8.1 Refusal.

## **9. Statement of Proactive Working**

- 9.1 In accordance with paragraphs 186 and 187 of the NPPF, the Isle of Wight Council takes a positive approach to development proposals focused on solutions to secure sustainable developments that improve the economic, social and environmental conditions of the area. Where development proposals are considered to be sustainable, the Council aims to work

proactively with applicants in the following way:

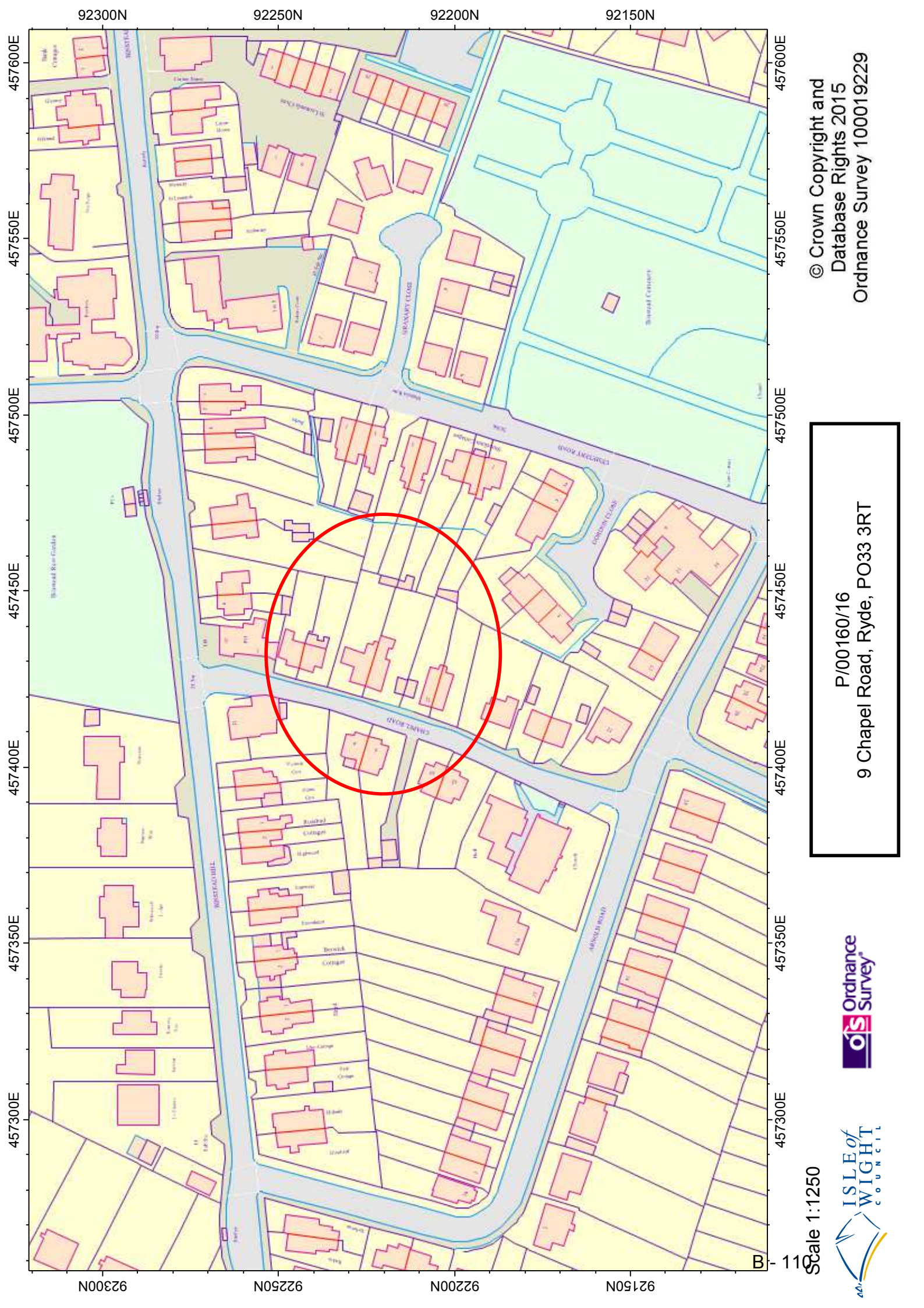
- The IWC offers a pre-application advice service; and
- Updates applicants/agents of any issues that may arise in the processing of their application and, where there is not a principle objection to the proposed development, suggest solutions where possible

In this instance:

- The agent was updated of any issues after the initial site visit;
- Pre application advice was providing the withdrawal of the previous scheme; and
- The application was not considered to be a sustainable form of development and therefore, no further discussions were undertaken.

### **Reasons**

- 1 The proposal by virtue of the position and size would be an intrusive development that would cause serious harm to the living conditions of the occupants of the host property, 9 Chapel Road, in terms of loss of natural light and outlook to habitable rooms contrary to the aims of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy and the National Planning Policy Framework.



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