

ISLE OF WIGHT COUNCIL PLANNING COMMITTEE - TUESDAY, 25 OCTOBER 2016

REPORT OF THE HEAD OF PLACE

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 Strategic Manager for Organisational Change and 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 – 25 OCTOBER 2016

01	P/00996/16 TCP/32510/A	Totland	Conditional Permission
Page 03	Land west of Kiddies Corner, off, Colwell Chine Road, Freshwater, Isle Of Wight Proposed 20 no. beach huts (revised scheme)		
02	P/01020/16 TCP/13046/B	Nettlestone and Seaview	Conditional Permission
Page 15	Reedham, Duver Road, Seaview, Isle Of Wight, PO345AJ Proposed front and rear extensions; replacement enlarged roof to include living space within and balcony at first floor level; alterations; cladding (revised plans)		
03	P/00917/16 TCP/32528/A	Newchurch	Refusal
Page 26	Part OS parcel 2976, off, Apse Manor Road, Shanklin, Isle Of Wight Proposed agricultural barn to include alterations to vehicular access (revised scheme)		
04	P/00734/16 TCP/00734/16	Ventnor	Refusal
Page 37	Britannias, Bath Road, Ventnor, Isle Of Wight Extensions at 1st and 2nd floor levels to provide additional treatment room and staff room		

01 Reference Number: P/0996/16 – TCP/32510/A

Description of application: Proposed 20 no. beach huts (revised scheme)

Site Address: land west of Kiddies Corner, off, Colwell Chine Road, Freshwater, Isle of Wight.

Applicant: Isle of Wight Council

This application is recommended for conditional planning permission.

REASON FOR COMMITTEE CONSIDERATION

In accordance with the Council's Constitution, this application has been referred to the Planning Committee for consideration as it is an Isle of Wight Council application.

MAIN CONSIDERATIONS

- Principle of the proposed development
- Impact on the character of the area
- Impact on the right of way
- Impact on trees
- Ecology
- Ground stability
- Increase/improvement of tourist provision

1. Location and Site Characteristics

- 1.1. The site comprises a strip of land adjacent to the coastal path/esplanade which previously contained concrete beach huts which were demolished (understood to be in 2008 as they were no longer maintainable).
- 1.2. To the rear the land slopes up steeply and contains trees and vegetation. The site is within the Colwell Bay SSSI designation and mostly within Flood Zones 2 and 3 as defined within the Core Strategy (Strategic Flood Risk Assessment), although lies outside these zones as defined by the Environment Agency.
- 1.3. Along the esplanade to the east are a series of existing beach huts which have been recently refurbished/rebuilt and a café with Colwell Chine further eastwards with a car park and public toilets nearby.

2. Details of Application

2.1 The proposal is for a row of 10 pairs of beach huts (total 20) running parallel with the Esplanade. Each pair would have a width of 4.8m, a depth of 1.8m with a pitched roof and height of 2.5m. The elevations would be finished in stained tongue and groove ship lark cladding with stable style doors and a felt roof set on a concrete slab.

2.2 The application has been accompanied by:

- Tree Survey;
- Flood Risk Assessment
- Ecology Report
- Ground Stability reports;
- Design, Planning and Access Statement.

3. Relevant History

3.1. P/01465/15 - Proposed 23 no. beach huts – Withdrawn – 09/03/2016. It is noted that this withdrawn proposal was for detached beach huts which extended further into the site.

4. Development Plan Policy

National Planning Policy

4.1. National Planning Policy Framework.

- Section 1 - Building a strong, competitive economy
- Section 3 - Supporting a prosperous rural economy
- Section 7 - Requiring Good Design.
- Section 11 - Conserving and enhancing the natural environment

4.2 Local Planning Policy

The Island Plan Core Strategy defines 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
- DM2 Design Quality for New Development
- DM8 Economic Development
- DM12 Landscape, Seascape, Biodiversity and Geodiversity
- DM14 Flood Risk
- DM15 Coastal Management
- DM17 Sustainable Travel

4.3 Freshwater Neighbourhood Plan

The area has been designated and a draft plan has been produced and is currently under pre-submission consultation (until 14/06/2016), but only some weight can be given to its policies at this time. The following draft policies are considered most relevant:

- Policy FNP 1 - encourage the future growth of Freshwater's economy
- Policy FNP 3 - support all types of economic development, in particular to the re-development of commercial buildings as well as using previously developed land to expand economic opportunities.
- Policy FNP 5 - development of high quality tourist destinations and accommodation will be encouraged and in particular close to the Freshwater Bay, Colwell Bay and Fort Victoria locations.
- Policy FNP 6 – regards the design, location and layout of the development: be compatible with the character of the area; settlement pattern; building styles and materials.
- Policy FNP 7 – promote, protect, and maintain bridleways, footpaths and cycle networks, provide adequate parking for all new developments, safer routes to school and improved parking for tourism provision.
- Policy FNP 10 - outside of the settlement boundary for employment and tourism, should take into account the character of the rural landscape and stating mitigating measures (landscaping, materials and design)
- Policy FNP 11 - in areas of known history of land instability, coastal erosion or flooding, an assessment of vulnerability should be made to show the development will be safe and not have an unacceptable impact on the geography or geology of the area or on coastal change.
- Policy FNP 12 - developments should take into account wildlife links such as hedgerows and water courses with replacements if necessary.

5. Consultee and Third Party Comments

Internal Consultees

- 5.1 Council's Building Control Manager raises no objection with regards ground stability although suggests conditions requiring further assessment and information to be submitted and agreed.
- 5.2 Council's Principal Coastal Engineer raises no objection, agreeing with the comments of the Building Control Manager and that a full appraisal needs to be undertaken prior to works to ensure the work would not trigger instability on the slope and that an adequate retaining structure is provided behind the new huts.
- 5.3 Council's Ecology Officer raises no objection, acknowledging that Natural England has not raised an objection and supporting their suggested condition. A condition is also recommended with regards to the Japanese Knotweed.

- 5.4 The Council's Tree Officer reiterates previous concerns of potential impacts on trees by the development and by the cutting into the slope.
- 5.5 The Council's Rights of Way Manager has not raised an objection although does acknowledge the potential issue that users of the beach huts could spread onto the coastal path. Suggests a condition that users of the beach huts do not place chairs etc. there.

External Consultees

- 5.6 Environment Agency raise no objection.
- 5.7 Natural England raise no objection, noting the site is partly within the SSSI, however, given the nature and scale of the proposal it is not likely to have an adverse effect on this site. However a condition is suggested requiring photo evidence of any materials excavated with regards to an important series of fossil around this area.

Parish/Town Council Comments

- 5.8 Freshwater Parish Council support the application although concerns are expressed over the close proximity of the Japanese Knotweed and that this should be appropriately treated/dealt with.

Third Party Representations

- 5.9 The Council has received 20 objections
- Visual impact – over development of the site and out of keeping with relatively undeveloped character of the area;
 - Design concerns – looks like a row of sheds;
 - Compares stained wood colour to nearby brightly coloured beach huts and questions whether the proposed colour is out of keeping with the area;
 - No room outside the beach huts e.g. for seats – users will spill out onto the coastal path impacting on users of the path;
 - Impact on land stability;
 - Loss of trees add to instability;
 - Impacts on wildlife/ecology;
 - Already underused beach huts nearby;
 - Reference to an executive committee report which sets out the business plan for the huts including plans for 10 year lease – suggests the huts would therefore not be for local and tourist community;
 - Possible use of vehicles to access the site and concerns of impact on walkers – need for limited key-holder access through the existing barrier;
 - Limited parking at Colwell;
 - Concerns of the Japanese Knotweed and potential spreading resulting from the development – suggests application is conditioned that it is

- removed prior to works and is treated/re-treated;;
- Removal of concrete beach huts a few years ago represented an environmental gain and considers this proposal should be refused.

It is acknowledged some of these comments do not fall under the criteria of a material planning consideration, so comments relating to underused beach huts nearby or referring to a business plan within a Council Executive Committee paper and suggesting they would not be for local and tourist community because on a longer lease cannot be given weight (although the latter would still provide a facility for tourist use).

The Council has received 1 comment in support, summarised as follows:

- Tourism should be encouraged and the proposal would do this;
- Not intrusive or out of keeping with the existing huts and would add charm to the area;
- Japanese Knotweed could be dealt with and should not impact on the recommendation.

6. **Evaluation**

6.1 **Principle**

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.

6.2 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.

6.3 The proposal is for a row of beach huts along the sea front and therefore in terms of principle it would clearly accord with Policy SP4. Officers are satisfied that the principle of the tourist facility is acceptable in this instance subject to the detailed material planning considerations (below).

Impact on the character of the area

6.4 The site is situated along the coastal path and would result in built form along a section of the esplanade which is not currently developed, although it is noted that this site previously had concrete beach huts on (demolished in 2008). Whilst there would be an increase in built form, the beach huts would be relatively small and only single storey. Comments have been received that the stained timber colour would be out of character and referring to the

coloured beach huts nearby. Whilst this is acknowledged, the site does differ from this nearby location in that the beach huts would be in front of a small woodland and not adjacent to a café and officers consider the stained timber would ensure the beach huts would not overly prominent against this backdrop of trees and vegetation, also noting that there are other beach huts nearby which are stained wood (closer to Colwell Chine).

- 6.5 It is acknowledged that the proposal would result in a loss of some trees and vegetation (discussed further below), however, taking into account the site previously had concrete huts on, and that the proposed units would be relatively small, this impact would be minor. Balancing this with the benefits that further tourist facilities would bring to this area, noting the regeneration/refurbishment of the beach huts and cafés along the Esplanade and at Colwell Chine, it is considered, on balance, that the loss of trees would not result in a significantly adverse impact on the landscape.

Right of Way

- 6.6 Comments have been received that the beach huts would be located too close to the coastal path and would impact on users of this path. The huts would be set back from the edge of the path by 1.5m. The huts would be slightly raised above the path which would provide clear delineation with the path and 1.5m would still provide sufficient space for a chair.
- 6.7 The Council's Rights of Way Manager has suggested a condition be imposed which restricts users of the beach huts do not place chairs etc. on the path and it is also noted that action could be taken under Highway legislation to prevent and protect a public right of way. It is also noted that other beach huts (not the closest ones which have decking in front) along the Esplanade have a similar relationship with the coastal path and the Rights of Way Manager is not aware of any complaints made on this issue relating to these existing beach huts.
- 6.8 Whilst, it is acknowledged a larger area to the front of the beach huts would provide more space for future users and reduce risks of spreading onto the path, the beach huts as proposed would still provide useable space in front. Furthermore, should the beach huts be sited further back into the site then there would be further concerns raised over the impact on trees and ground stability. Officers consider there would be suitable space and this space would be delineated sufficiently from the footpath, and with reference to actions that could be taken under other legislation and to the landowner's responsibilities – i.e. it would fall as a duty of the Council to control, it is considered the proposed beach huts would not result in an adverse impact on this public right of way and a refusal on these grounds could not be sustained.

Ground Stability

- 6.9 It is noted that the original application was withdrawn with further information required on this matter. This application was submitted with a Geological Site Walkover Report. Both the Council's Building Control Manager and the

Principal Coastal Engineer were consulted. The Building Control Manager considers that the proposed development is acceptable in respect of the impact on ground stability, but subject to conditions requiring further assessment in respect of the appraisals and methodologies to ensure stability during and post construction.;

- 6.10 The Principal Coastal Engineer agrees with this assessment, noting that although there was little historic evidence of instability on the site, experience has shown that the coastal slope throughout Totland and Colwell Bays is only marginally stable and reiterates the need for the appraisal to ensure the work would not trigger instability on the slope, and that an adequate retaining structure is provided behind the new huts. An appropriate condition is recommended, and subject to this, matters of stability are considered to have been addressed.

Trees

- 6.11 The site is located adjacent to a wooded area of predominantly sycamore which makes up the small copse situated on the steep bank to the rear of the proposed huts. The Tree Officer considers these collectively to be of high amenity and add to the arboreal character of the area when viewed from the coastal path and the Solent. The Tree Officer has reiterated that the proposal would likely require the removal of 8 or 9 of these trees and thus there would be an impact on the collective value. The loss of these trees could also result in the remaining trees being exposed to winds and therefore potential for a greater impact on the trees due to failure. It is also acknowledged that there would be some cutting into the bank and that this could also impact on the Root Protection Area (RPA) of the trees to be retained. With a retaining wall needing adequate foundations it is thus considered further harm could occur to the retained trees. The Council's Tree Officer therefore raises concerns that the potential impact is greater than that shown in the Tree Report and as such could form a reason for refusal.
- 6.12 Officers have considered potential options to minimise or remove the impact, however, this is not achievable due to site constraints and level of development required to make proposals deliverable.
- 6.13 As such, it is agreed there would be some impact on the trees, but such impacts do need to be balanced with other material planning considerations. In this case, this impact is taken into account with the fact that there were previously beach huts in this location and also that the proposal would result an increase in the tourism benefits for the area, and the copse would still contribute to the area, the huts would provide some shelter/protection and with the retaining wall would provide improved stability. A condition is also suggested for additional planting/landscaping. Therefore with appropriate conditions recommended to minimise and mitigate the impacts, on balance, the proposal is acceptable in accordance with Policies SP5, DM2 and DM12 of the Island Plan Core Strategy.

Flood Risk

- 6.14 A Flood Risk Assessment has been submitted with the application. The site is mostly within the Core Strategy Flood Zones 2 and 3; however, the beach huts would not be used for overnight accommodation and are small and likely would mainly be used in the summer months – i.e. outside the time periods of higher risk of flooding. The Environment Agency has not raised an objection and they refer to their flood data and state that whilst the site abuts Flood Zone 2 the actual proposed development sits within Flood Zone 1, broadly located at 10.00m Above Ordinance Datum (AOD). With a design life of 70 years (commercial development) the potential flood level is 2.60m AOD, giving a potential freeboard of in excess of 7m. The Council's Emergency Management Team has not raised an objection stating that with a restriction imposed that the beach huts are not used for sleeping accommodation, the development would fall under the criteria of water based recreation and therefore would be a 'water compatible' use. An appropriate condition restricting the huts use (i.e. no overnight/sleeping use) is suggested.

Japanese Knotweed

- 6.15 The presence of Japanese Knotweed close to the site is acknowledged and whilst other legislation does cover this matter, i.e. - the Environment Protection Act 1990 and the Wildlife & Countryside Act 1981, given the nature of the potential risks associated with this plant, to prevent the spread of the plant and the potential harm to the SSSI designation, it is considered appropriate to suggest a condition requiring details of its treatment and disposal, although also noting this is a matter for the landowner.

7. Conclusion

- 7.1 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 comply with the requirements of the policies listed within this justification. Therefore it is recommended that the development is approved subject to conditions and thus would be in accordance with Policies SP1, SP3, SP4, SP5, DM2, DM8, DM12, DM14, DM15 and DM17 of the Island Plan Core Strategy.

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 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
- 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

The application was deficient in information relating to ground stability. Further information provided 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 in complete accordance with the details shown on the submitted plans, numbered/labelled:

- 166-02 Rev B
- 166-03 Rev B
- 166-04 Rev B
- 166-05 Rev B
- 166-06 Rev A
- TCP/S/02

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), DM2 (Design Quality for New Development), DM8 (Economic Development), DM12 (Landscape, Seascape, Biodiversity and Geodiversity), DM14 (Flood Risk) DM15 (Coastal Management), DM17 (Sustainable Travel) of the Island Plan Core Strategy.

- 3 No development shall take place until the results of both a ground stability appraisal and method statement have been submitted to and agreed in writing by the local planning authority. The ground stability appraisal must demonstrate that the proposal will not compromise ground stability conditions and detail any works necessary to ensure this. The method statement must ensure that existing ground stability conditions are not adversely affected at any stage of development. The agreed method statement must then be adhered to throughout the development.

Reason: To ensure the satisfactory implementation of the development with regards ground stability of the area and in accordance with the aims of Policies

SP5 (Environment), DM2 (Design Quality for New Development), DM12 (Landscape, Seascape, Biodiversity and Geodiversity), DM15 (Coastal Management) of the Island Plan Core Strategy.

- 4 The beach huts hereby approved shall not be occupied until full details of a soft landscape scheme for the site has been submitted to and approved in writing by the Local Planning Authority. These details shall include a schedule of plants, noting species, plant sizes and proposed numbers/densities and an implementation and maintenance programme. Planting shall be carried out in accordance with the agreed details.

Reason: To ensure the appearance of the development is satisfactory and to comply with Policy DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

- 5 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.

- 6 Full details of a scheme for the eradication and/or control of Japanese Knotweed shall be submitted to and approved by the Local Planning Authority prior to the commencement of work on site, and the approved scheme shall be implemented prior to the commencement of the use of the building(s).

Reason: To protect the environment and ensure the protection of the designated SSSI 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 the Environment Protection Act 1990 and the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.

- 7 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 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 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 to be retained are adequately protected throughout the development of the site in accordance with the aims of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

- 8 Where the developer is to excavate materials from the foot of the Colwell Bay geological SSSI, all excavated materials should be recorded using photographic evidence to record what was present within the excavations. Photos should clearly show the detail of the materials so that a visual assessment of its composition can be made. WITHIN 3 WEEKS of the completion of the excavations, the photographic evidence shall be submitted to the Local Authority.

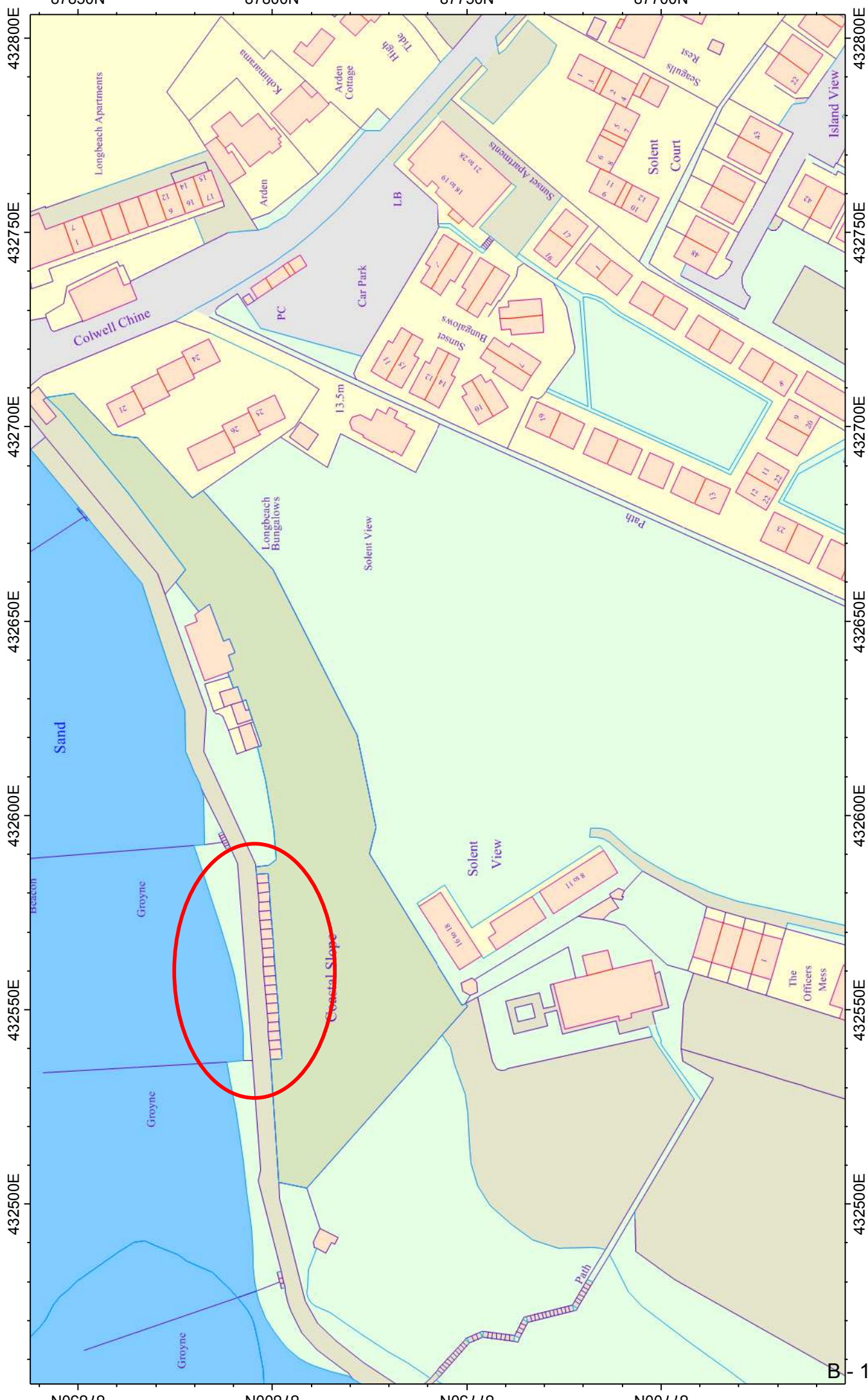
Reason: The works would potentially unearth geological features of interest, with an important series of fossil remains in these rocks and a photo record will provide some indication of the presence or absence of fossils for future reference at this location in accordance with the aims of Policies SP5 (Environment) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity).

- 9 The beach huts hereby approved shall not be used after 11pm or before 6am.

Reason: The use and occupation of the beach huts as holiday or permanent accommodation would not be considered acceptable in this location due to flood risk, and in the interest of the amenities of the area and to comply with Policies SP4 (Tourism), SP5 (Environment), DM2 (Design Quality for New Development), DM12 (Landscape, Seascape, Biodiversity and Geodiversity), DM14 (Flood Risk) of the Island Plan Core Strategy.

Informatives

- 1 Whether or not there is a badger sett on the site, there are likely to be badgers moving through, and it is good practice to ensure that any trenches left open overnight during the construction phase have a means of escape for any animals which fall in.



P/00996/16
 land west of Kiddies Corner, off,
 Colwell Chine Road, Freshwater, PO40

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 Ordnance Survey 100019229



Scale 1:2500

02 Reference Number: P/01020/16

Description of application: Proposed front and rear extensions; replacement enlarged roof to include living space within and balcony at first floor level; alterations; cladding

Site Address: Reedham, Duver Road, Seaview, Isle of Wight, PO345AJ

Applicant: Mrs C Everleigh

This application is recommended for conditional permission.

REASON FOR COMMITTEE CONSIDERATION

At the request of the Local Ward Member (Councillor Barry) due to concerns that the proposed development would be over-dominant and of excessive mass and would therefore have an adverse impact on the adjacent designated conservation area and listed buildings together with the living conditions of occupiers of the neighbouring properties contrary to policies DM2 and DM11 of the Island Plan Core Strategy together with Sections 66 and 72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.

MAIN CONSIDERATIONS

- Impact on the character and appearance of the site, surrounding area and adjacent listed buildings and conservation area
- Impact on neighbouring properties
- Highway considerations
- Floor risk

1. Location and Site Characteristics

- 1.1. The application site lies on the southern side of Duver Road, approximately 20 metres from the junction with Salterns Road and comprises a detached bungalow within a fairly modest plot. The bungalow occupies the entire width of the site and is finished in white render.
- 1.2. The surrounding area is predominantly residential and comprises a variety of property sizes, styles, designs and materials.
- 1.3. The overall site lies within a designated flood zone and Seaview Conservation Area abuts the site on both the southern and eastern boundaries. To the east and south east of the site lies a row of grade II listed buildings.

2. Details of Application

- 2.1 This application seeks consent for various alterations and extensions to the property to allow renovation and refurbishment of the external appearance together with reconfiguration of the internal arrangement.
- 2.2 The proposed development would include the removal of the verandah style addition on the front of the existing dwelling and the construction of single storey extensions on the front and rear elevations.
- 2.3 In addition, it is proposed to replace the existing hipped roof with three gable features on the front elevation, increasing the overall height of the building by 1.8m.
- 2.4 The application details that the resultant property would be finished in fibre-cement weatherboard plank cladding with a low level brickwork plinth and natural render under a slate roof.

3. Relevant History

- 3.1. P/01561/03 – Retention of single storey attached garage; decking area surrounding swimming pool at rear of property – Approved – 01 December 2003.

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 outside any settlement boundary and therefore within the wider rural area. The following policies are relevant to this application:

- SP5 – Environment
- DM2 – Design Quality for New Development
- DM11 – Historic and Built Environment
- DM14 – Flood Risk
- DM17 – Sustainable Travel

5. Consultee and Third Party Comments

Internal Consultees

- 5.1 The Council's Emergency Management Team initially raised concern over the adequacy of the submitted Flood Risk Assessment. Further information has been submitted in this respect and a subsequent comment has confirmed no objection to the application.

External Consultees

- 5.2 Island Roads, on behalf of the Highway Authority, recommend approval of the application.

Parish/Town Council Comments

- 5.3 Nettlestone and Seaview Parish Council have objected to the application on the grounds of overdevelopment of the site and the proposed design is not in keeping with the street scene.

Third Party Representations

- 5.4 A total of 16 representations have been received in relation to this application although it is noted the several of these are from owners/occupiers of the same properties. These comments raise objection to the application on the following grounds:

- Overlooking to front and rear gardens of neighbouring properties
- Unacceptable large bulk
- Loss of light
- Impact on adjacent listed building (Old Salterns Cottage)
- Impact on the street scene with regard to increase in height
- Out of keeping with surrounding properties and area
- Disruption caused by construction work
- Proposed design out of keeping with surrounding area
- Increased traffic
- Impact on the conservation area
- Loss of view
- Precedent
- Impact on foundations of neighbouring property (Old Salterns Cottage)
- Flooding
- Overshadowing to listed cottages

6. **Evaluation**

Impact on the character and appearance of the site, surrounding area and adjacent listed buildings and conservation area

- 6.1 The existing property is of a relatively low key scale and provides a transition between the modest cottage on the corner of Duver Road and Salterns Road (Old Salterns Cottage) and the larger two storey properties moving west along Duver Road.
- 6.2 The proposed development would result in the ridge height of Reedham being increased from 6.1 metres to 7.9 metres when viewed from the front – a total increase of 1.8 metres. Whilst it is acknowledged that this is a relatively large increase in height, the ridge height of the resultant property would remain 0.8 metres lower than that of Beach House to the west and as such would continue to provide a transition between the significantly differing heights of the neighbouring properties.
- 6.3 The initial plans submitted with the application showed the proposed development to include a pitched roof with three large gables on the front elevation. Taking into account the comments received in relation to this application together with the location of the site adjacent to the designated conservation area, it was considered that this proposal resulted in a significant bulk and mass fronting Duver Road which appeared slightly at odds with the area. These concerns were raised with the agent and revised plans have been submitted with the application. These revised plans have removed the gable ends from the side elevations and replaced these with hipped ends following the slope of the front gables. This has resulted in a notable reduction in the overall roof mass particularly when viewed from Duver Road.
- 6.4 Turning to the design of the proposed development, the submitted plans show a relatively contemporary style to the resultant property incorporating large gable features and a balcony on the front elevation to enable advantage to be taken of the seafront location of the site. These gable features include a high level of glazing and, as noted above, the property is proposed to be finished in weatherboard and render.
- 6.5 Duver Road includes an eclectic mix of style ranging from the traditional modest listed cottage on the corner (Old Salterns Cottage) through to the larger contemporary properties further west along Duver Road. The intervening section includes further traditional two storey properties which include gable features and balconies on the front elevation.
- 6.6 Whilst it is acknowledged that the proposed design for Reedham would be more modern and contemporary than the existing dwelling and immediate neighbouring properties, it is considered that it does include key design elements of the surrounding area within the overall appearance. The strong gables are a prominent feature within the locality and the resultant dwelling would continue these together with the proposed materials which are prevalent as you move further west along Duver Road.

- 6.7 Paragraph 60 of the National Planning Policy Framework states that local planning authorities should not attempt to impose architectural styles or particular tastes and should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. However, it is proper to seek to promote or reinforce local distinctiveness. In this regard it is considered that the design of the proposed development has taken account of the key design features within the immediate locality and incorporated those into the development. As a consequence the resultant property would present an updated and refurbished property that would complement and enhance the surrounding area.
- 6.8 Whilst the overall appearance of the resultant property would be notably different from the existing dwelling, it is considered that it would integrate with and complement the surrounding properties within the area and would not appear out of character or have any harmful impact.
- 6.9 As noted above, the site lies adjacent to the boundary of the Seaview Conservation Area and alongside a row of listed cottages and as such careful consideration must be given to the impacts of the proposed development on these heritage assets.
- 6.10 It was evident from the officer site visit that views of the rear of the listed cottages and conservation area are available to the east of the application property and the smaller scale neighbouring property, Old Salterns Cottage. Given that the proposed development would not result in the property being extended to the east (as it currently occupies the entire width of the site), it is concluded that these views would remain uninterrupted by the proposal.
- 6.11 The break in built form between Reedham and Old Salterns Cottage allows the rear of the listed cottages along Salterns Road to be viewed from Duver Road. It is apparent when viewing from this point that several of the listed cottages have been extended to the rear with many of these extensions being more modern and contemporary in style. It was also noted, that Old Salterns Cottage itself has experienced some alterations historically. Taking this into account, whilst the proposal would result in a more contemporary design and finish to the application property, it is considered that this would not result in any harm or detrimental impact to the setting of the listed buildings or the overall character of the designated conservation area.
- 6.12 The single storey extensions proposed under this application would be modest in scale and footprint and would be located at the rear of the property with the exception of the small front extension. This front extension would have a modest footprint of 1.9 metres by 5.6 metres and would essentially replace the existing glazed porch area for the property. The proposed rear extensions would be single storey in nature and would therefore not be visible when viewing the property within the street scene.
- 6.13 Taking the above points into account, it is considered that the proposed development would result in an improved overall appearance to the application

property. Whilst the resultant property would have an increased height and mass, this would be in keeping with the surrounding properties and would continue to provide a transition between the height and scale of the neighbouring properties to the site.

- 6.14 The overarching style and design of the dwelling as a result of the proposed development would be notably different to the existing however it would complement and integrate with the properties within the street scene of Duver Road and would not cause any harm or detrimental impact to the overall character of the area or setting of the adjacent listed buildings or conservation area. It is therefore concluded that the proposed development would comply with the requirements of policies DM2 (Design Quality for New Development) and DM11 (Historic and Built Environment) of the Island Plan Core Strategy together with the requirements of Sections 66 and 72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.

Impact on neighbouring properties

- 6.15 The application property is bounded on both sides and to the rear by further residential properties with the front facing toward the sea. As noted above, the neighbouring property to the east, Old Salterns Cottage is a modest listed cottage that sits at a significantly lower level than the application site. The property to the west, Beach House, is a substantial two storey property that sits directly on the shared boundary. To the rear of the site lie the amenity areas for the listed cottages that face onto Salterns Road. It was evident from the officer site visit that given the relatively dense nature of development in this area and low boundary treatments in existence, there is a high degree of mutual overlooking to the rear of the application site at present.
- 6.16 The modest single storey extensions as proposed would have minimal impact on the amenities of neighbouring properties given that they would not extend closer to the boundaries than the existing dwelling. Whilst the extensions would result in a small increase to the amount of built form directly adjoining the shared boundaries, this would be mitigated by the existing garage within the garden area of Old Salterns Cottage and the eastern elevation of Beach House which sits directly adjoining the boundary. The single storey height and modest footprint would ensure that the proposed extensions would not appear overbearing or intrusive. With regard to the front extension proposed, as noted above, this extension would essentially replace the existing verandah style structure on the front of the property and as such would not result in any adverse impacts to neighbouring amenities.
- 6.17 A significant level of concern has been raised by local residents as to the impacts of the increased roof height of the property on the neighbouring properties in terms of over-dominance, loss of light and loss of views. In addition, several comments have referred to the potential for overlooking from both the proposed balcony on the front elevation and the proposed windows within the rear elevation of the application property.

- 6.18 With regards to the concerns relating to overlooking, it must be acknowledged that the proposed balcony would be on the front elevation of the property and would therefore face toward the sea. Whilst a degree of overlooking to the front amenity area of Beach House from the balcony would be possible, this amenity area is readily visible from Duver Road and as such is not private, taking this into account, together with the existence of several other balconies within the street scene (including to Beach House), it is considered that the addition of a balcony on the front elevation as proposed would not result in any loss of privacy to the occupants of the neighbouring properties.
- 6.19 As noted above, the site and surrounding area experiences a high degree of mutual overlooking as a result of the dense nature of development and the relatively low boundary treatments. The proposed rear elevation is shown to include 4 rooflights and a relatively high level of glazing to the ground floor as a result of the contemporary design. In addition, it is proposed to construct an area of raised decking along the width of the property at the rear. Whilst it is acknowledged that these elements of the proposal have the potential to give rise to overlooking of neighbouring amenity areas, significant weight must be afforded to the existing situation and current degree of mutual overlooking both into and out of this site. The proposed terrace would be the same height as the existing terrace at the rear of the property although it is noted that it would be positioned further into the site and would extend across the whole width of the building. Given the existing level of overlooking available from the rear garden of the application property into the neighbouring sites, it is considered that the proposed development would not exacerbate the degree of overlooking to an unacceptable level.
- 6.20 The proposed replacement roof would result in both an increase in the overall height of the building together with an increase in the bulk of the roof to the front section of the property. Concern has been raised over the impact this increase would have on the natural light available to the neighbouring properties.
- 6.21 Beach House, the neighbouring property to the west, benefits from a substantial dormer window on the side elevation which faces towards the application site and serves a landing area. In addition, this property has a box bay window on the front elevation which includes glazing within the side elevations and serves a bedroom.
- 6.22 It is acknowledged that the increase to the height of the roof together with the additional built form at first floor level to the front of the property would result in a level of impact to these existing windows of the neighbouring property. However, the dormer window serves a landing not a habitable room and the side window of the box bay is a much smaller secondary window serving the bedroom and as such limited weight can be afforded to the impact of the proposal on those windows. In addition, the revised plans show the side gables of the proposed roof removed and the roof hipped back and away from this neighbouring property thereby increasing the distance between the built form and reducing the potential impact.

- 6.23 As noted above, Old Salterns Cottage sits at a significantly lower level than the application site with the dwelling itself positioned in the south eastern corner of the plot.
- 6.24 The increase in built form to the application property would be to the front of the building and therefore a distance of approximately 15 metres from the neighbouring dwelling itself with a detached garage being located in the intervening space. By virtue of the position of the neighbouring property in addition to the reduction in roof mass as shown on the revised plans, it is considered that the proposed development would not result in any harm to the amenities of this neighbouring property.
- 6.25 In conclusion and taking into account the points raised above, it is considered that the proposed development would not cause any detrimental impact to the amenities of neighbouring properties and therefore the application complies with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy in this regard.

Highway considerations

- 6.26 The existing dwelling currently benefits from a vehicular access and garage served off Duver Road in the north west corner of the site. These arrangements would not be altered as part of the proposed development and therefore there are no highway implications as a result of the proposal. The application therefore complies with policies DM2 (Design Quality for New Development) and DM17 (Sustainable Travel) of the Island Plan Core Strategy.

Flood risk

- 6.27 The application site lies within flood zones 2 and 3 as defined by the Strategic Flood Risk Assessment of the Island Plan Core Strategy.
- 6.28 The application is accompanied by a Flood Risk Assessment which shows that the finished floor levels of the ground floor are below the predicted tide level up to 2115 and therefore internal flooding in this area is likely over the lifetime of the development.
- 6.29 However, it has identified that the proposed first floor extension would be capable of acting as an area of refuge during a flood event as it is located over 1 metre above the predicted tide level of 4.4 metres AOD (as confirmed by the Environment Agency) plus the appropriate freeboard. The revised Flood Risk Assessment has also identified evacuation routes from the property which could be utilised prior to flooding affecting the site.
- 6.30 Given the above information, it is considered that the proposed development would not result in any increased risk to life as a result of flooding. However, an informative has been included suggesting the applicant sign up to the Environment Agency's Floodline Warning Direct to be given prior warning of flood events.

- 6.31 In light of the above, it is therefore concluded that the proposed development complies with policy DM14 (Flood Risk) of the Island Plan Core Strategy.

Other Matters

- 6.32 Concern has been raised through the representations received from local residents regarding loss of view, disruption from construction traffic and the impact of the proposal on the foundations of neighbouring properties. These issues do not constitute material planning considerations and matters such as the impact on foundations would be dealt with through other legislation (building regulations) and therefore hold no weight in the determination of this application.

7. Conclusion

- 7.1 Having given due weight and consideration to the comments received in relation to this application and for the reasons set out above, it is considered that the proposal complies with the policies listed within this justification. Therefore it is recommended that the development is approved subject to appropriate conditions.

8. Recommendation

- 8.1 Conditional permission

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:

- Pre-application advice was provided; and
- The application was deficient in information relating to flooding and the agent was advised of concerns over the design. Further information with regard to flooding and revised elevations were provided 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 the date of this permission.

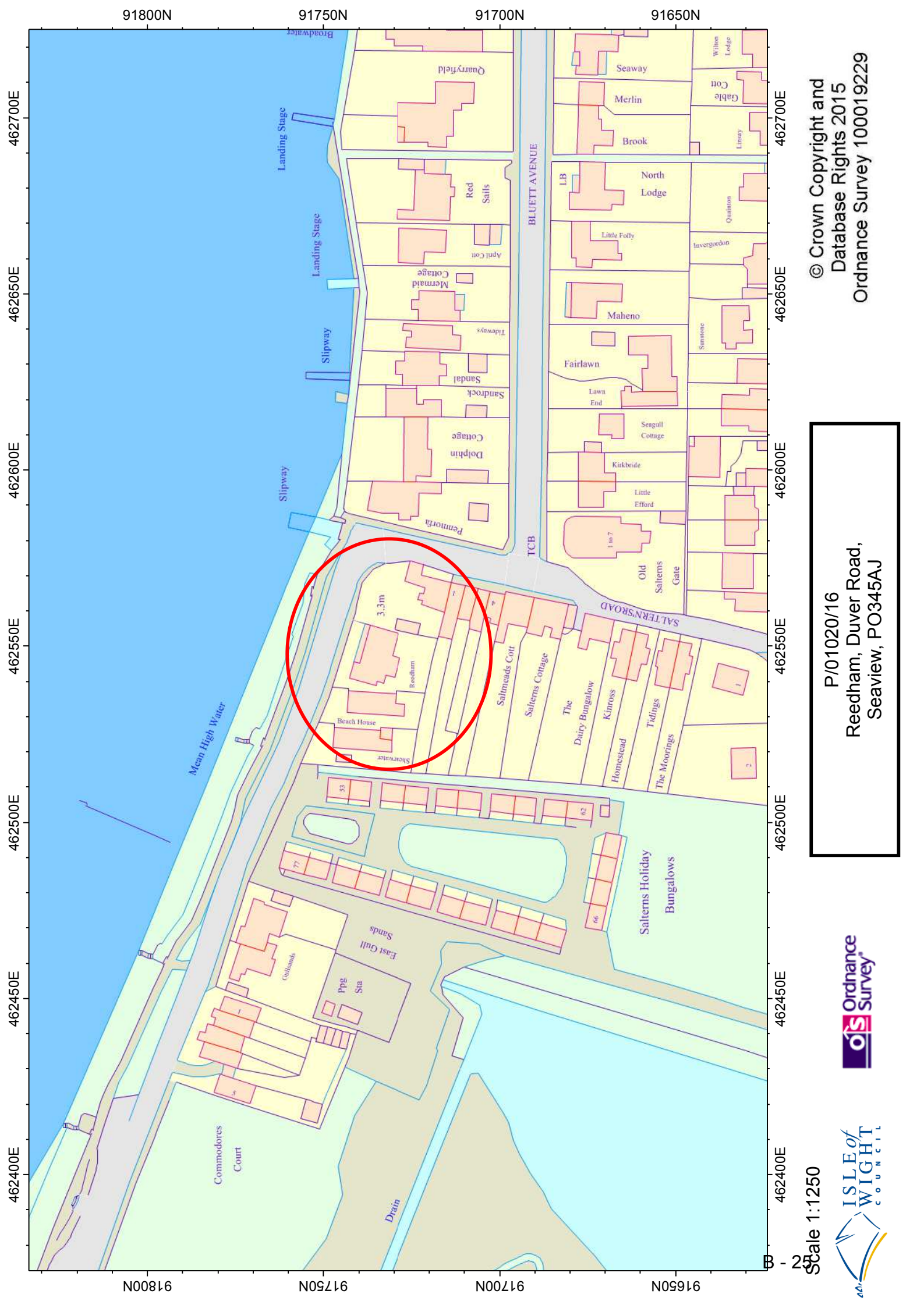
Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall only be carried out in complete accordance with the details shown on the submitted plans, numbered GE.00, GA.01, GA.00, GE.01, GS.00 and the 1:200 proposed block plan.

Reason: For the avoidance of doubt and to ensure the satisfactory implementations of the development in accordance with the aims of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

Informative

- 1 Given the location of the site within a flood zone, it is advised that a suitable flood evacuation procedure is developed to avoid being exposed to future flood hazards on the site. In addition, it is advisable to sign up to the Environment Agency's Floodline Warning Direct to receive prior warning of flood events.



P/01020/16
 Reedham, Duver Road,
 Seaview, PO345AJ

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Scale 1:1250

03 Reference Number: P/0917/16 – TCP/32528/A

Description of application: Proposed agricultural barn to include alterations to vehicular access (revised scheme)

Site Address: part OS parcel 2976, off, Apse Manor Road, Shanklin, Isle Of Wight, PO37

Applicant: John Knox Farms Ltd.

This application is recommended for refusal.

REASON FOR COMMITTEE CONSIDERATION

This application has been referred to the Planning Committee at the request of the local ward member.

MAIN CONSIDERATIONS

- Principle of the proposed development;
- Impact on the character of the area;
- Highway issues;
- Drainage/Flood risk
- Impact on neighbouring properties
- Changes to the proposal from the recently refused application.

1. Location and Site Characteristics

1.1. The application site is currently an agricultural field within a rural location, approximately 0.8km south of Apse Heath and 180m south of the junction with Ventnor Rd and Princelett Shute. A hedge runs along the front boundary with the road although this stops further to the south close to the existing access. A hedgerow also runs along the north flank boundary with a large/mature tree relatively close to the road. The land is relatively flat but then further into the site slopes up from the road (from west to east) and also up from north to south – the neighbouring field (also under the ownership of the applicant but within the blue edge area) is on a lower ground level.

1.2 Further to the east is a solar farm approved under planning application P/01484/12. The approved plans show a further section to the north of the existing, yet to be completed (thus there is extant permission for another section).

1.3 There is some distance to the nearest residential properties – approximately 190m to Princelett Cottage, Ventnor Rd, to the north and 430m to Old Barn, Ventnor Rd, the north-west.

2. Details of Application

2.1 The proposal seeks full planning permission for a green box profile clad and pitched roofed barn with a width of 30m, a depth of 21m and height of 8.8m would be constructed approximately 56m from Apse Manor Road. The existing access would be utilised with a new track leading to the barn with hardstanding surrounding the barn and includes ten parking spaces – the plans show this to be Type 1 Aggregate surfacing. A bund would partly wrap around the barn/hardstanding to the south and east and partly to the west with planting. Further planting would extend along the north and west boundaries and along the access track.

2.2 The Design, Access and Planning Statement submitted with the application provides the following justification for the barn:

- The holding is approximately 300 acres and its primarily used for the production of potatoes and supplies companies such as McCain (for their McDonalds contract) and KP (for McCoys) as well as supplying 500 tonnes to Isle of Wight customers;
- Currently the farmer uses rented buildings in Shorwell. However, these buildings are not to the required standard (constructed in 1972) – too small and not climate controlled and there are issues with the lease;
- The farmer therefore require a suitable building for the business
- The farmer employs 3 full-time and 12 part-time employees and this development will create a further 2 full-time positions.

2.3 With regards the perceived impacts of noise the applicant has confirmed that the building would be fully temperature controlled - it would be insulated with 100mm celotex to retain a cool environment to store the potatoes, but equally allows noise to be abated.

2.4 The main differences between this application and the previously refused application are:

- Existing access to be used (previous one involved the removal of a section of established hedgerow);
- Longer access track (as a result of using existing access);
- Bund and landscaping around development;
- Barn set lower into the ground by 1m;

2.5 Following the previous refusal and during the course of this current application officers have provided advice including looking at alternative sites and following a further site visit by officers, an alternative location was suggested. However, the applicant has stated they cannot really identify any other preferred location and the suggested site further east is operationally less conducive and thus not an option.

3. Relevant History

3.1. P/01526/15 - Proposed agricultural barn to include formation of vehicular access – Refused – 07/03/2016. The reasons for refusal were:

- 1 The proposed barn, access and hardstanding would detract from the rural character and appearance of this area and would be detrimental to the scenic and rural character of the surrounding area by reason of its siting, size and scale and would therefore conflict with the intention of the Local Planning Authority to protect the natural beauty of the landscape, failing to preserve or enhance the character, context and appearance of the street scene and wider landscape contrary to 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.
- 2 The access is unsatisfactory to serve the proposed development by reason of unacceptable width and would therefore be contrary to policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

4. Development Plan Policy

National Planning Policy

4.1. National Planning Policy Framework.

- Section 1 - Building a strong, competitive economy
- Section 3 - Supporting a prosperous rural economy
- Section 7 - Requiring Good Design.
- Section 11 - Conserving and enhancing the natural environment

4.2 Local Planning Policy

The Island Plan Core Strategy defines the application site as being within the Wider Rural Area. The following policies are relevant to this application:

- SP1 Spatial Strategy
- SP3 Economy
- SP5 Environment
- SP7 Travel
- DM2 Design Quality for New Development
- DM8 Economic Development
- DM12 Landscape, Seascape, Biodiversity and Geodiversity
- DM14 Flood Risk
- DM17 Sustainable Travel

5. Consultee and Third Party Comments

Internal Consultees

- 5.1 The Highway Authority has recommended the application is refused as the access serving the sight is inadequate, although notes that if the applicant was to widen the access then the proposal could comply.
- 5.2 The Council's Tree Officer has raised no objection and states that no trees of high amenity would be impacted upon by this development.

Parish/Town Council Comments

- 5.3 Newchurch Parish Council has raised an objection and reiterates their previous comments and concerns of water run-off and highway safety and increase in traffic including large, heavy vehicles accessing the development.

Third Party Representations

- 5.4 There have been 5 letters of objection to this application (2 of these from the same person). They can be summarised as follows:
- Water run-off is already poor and additional built form would add to this problem with land not suitable for the additional run-off to soak away;
 - Surface water to be dealt by soakaway but questions how this would be done so as not to add to the flooding issues;
 - The barn would be lowered into the ground with earth bunds – this could result in the barn flooding too;
 - No waste/foul sewage details;
 - No details of waste disposal – i.e. potential water to wash potatoes;
 - Highway safety with increase in traffic and congestion, particularly larger, heavy vehicles – this relates to both Apse Manor Rd and surrounding road;
 - Concerns regarding the need for additional buildings such as portaloos/portakabins for use by staff;
 - Impact on the natural and rural landscape;
 - Impact on the view of the Area of Outstanding Natural Beauty;
 - Noted the bunds but question why it extends around only 3 sides and therefore impacts of the AONB from the north and south;
 - Without such landscaping then visual impact from the north as the barn would sit on a the ridgeline of the landscape;
 - Noise pollution caused by the climate control of the barn;
 - Other details of machinery, activities and processes should be listed;
 - No details of utility connections;
 - Notes comments from NFU but feel they are not familiar with the terrain or area;
 - Suggests there are better/more suitable sites, stating the obvious one is west of the existing solar panels site, using the existing bridleway/lane – this would reduce a number of the concerns.

5.5 The Council has received 1 comment in support, from the National Farmers Union (NFU), summarised as follows:

- Applicant is key member of the farming community on the Island and accords with Policy DM8 which provides support for rural economic development;
- Notes proposed building is only marginally larger than specified for agricultural buildings through permitted development – however a reduced building would not be appropriate for the requirements this business needs (and proximity to airport requires planning permission);
- No other cold storage facilities on the Island – as this business needs to provide suitable potatoes for the national companies it sells to;
- The development would reduce traffic including farm traffic on surrounding roads;
- Mitigation proposed to ensure minimal impacts on landscape

6. **Evaluation**

Principle

6.1 The Core Strategy states that new development should take place within defined settlement boundaries and this is in order to direct development to the most sustainable locations. The Core Strategy sets a hierarchy of settlements based upon the most sustainable locations and set out three Key Regeneration Areas (The Medina Valley, Ryde and the Bay), two Smaller Regeneration Areas (Freshwater and Ventnor) and a further eleven Rural Service Centres within which new development will be expected to be directed. Areas outside of the identified regeneration areas and service centres are considered to be the Wider Rural Area where unless a specific local need is identified new development will not be supported.

6.2 Policy SP3 (Economy) supports sustainable growth in the rural economy while Policy SP5 seeks for proposals to protect, conserve and/or enhance the Island's natural and historic environments. Policy DM8 (Economic Development) outlines support for rural economic development opportunities that contributes to the sustainability of the wider countryside.

6.3 The applicant's justification states that the proposed barn is reasonably required for the agricultural enterprise which is taking place on site – and which will continue to grow. The submitted plans and details show that the proposed barn would be of an appropriate size for the activity on site and it is officers' opinion that it is commensurate to the size of the site and the scale of the activities to be carried out at the holding. However, as discussed below, an objection is raised over the location of the barn and the visual harm.

Impact on the character of the area

6.4 Both national and local policies require new development to respect the character and appearance of rural areas. Policy SP5 supports proposals which

protect, conserve or enhance the Island's natural and historic environments, with proposals expected to take account of the environmental capacity of an area to accommodate new development and Policy DM2 requires development to respect the existing constraints of the site, such as topography and views, and to complement the character of the surrounding area. In particular, development that would be harmful due to exposed positioning or excessive scale is advised against. In terms of design, the submitted plans show that the proposed barn would appear as an agricultural building and some screening from the road and the west would be provided by the hedgerow along the boundary with this boundary hedge to be enhanced.

- 6.5 It is acknowledged that as compared to the previously refused application, the barn would be set lower into the ground by approximately 1m and a bund would extend around the more exposed parts of the development – this bund would be landscaped. However, officers consider this earth bund and landscaping around the proposed development would be artificial and man-made and in practical terms is not a mitigation strategy for the development being in an elevated position next to the road, and would actually look out of place in an area that is not developed, and instead characterised by natural topography.
- 6.6 The nature of the site as open and undeveloped fields would result in the proposed barn having a visual impact. This is exacerbated by the fact that the site is relatively flat when viewed from the west and it is considered the siting for the proposed barn is in an elevated and prominent location. Looking from the north, the barn would be partly screened by the hedgerow between fields, but with the land levels (even with the lowering of the barn into the ground) would be on a higher land level and therefore would be visible and relatively prominent. There are also more distant views of the site from the downs to the south and given the nature of the open fields, the proposal would have an adverse visual impact when viewed from this direction. It is acknowledged that the land levels rise to the east and the fact that there is a solar farm would provide some mitigation from views from this direction. As such, officers consider that the barn would therefore result in harm on the landscape as a result of the open landscape, that the barn would be relatively large and on an elevated location and that there are no other buildings nearby
- 6.7 It is noted that the current proposal would utilise the existing access as compared to the previous application which involved the removal of a section of established hedgerow to provide a new access. Whilst this retains this hedgerow, concerns are raised over the increase in the access track leading to the barn – this is relatively long (approximately 120m) and would have a further impact on the landscape, also noting the Highway Engineer's requirements for a widened access to allow passing space (see comments below). It is noted that new trees would be planted along the access track - this would provide some screening. It is also acknowledged that the applicant has provided CGI images suggesting how the planting would appear over Year 5 and Year 15, but given the points raised above, officers do not consider the proposed planting would provide sufficient screening and mitigation of the

additional and relatively large development. The nature of the site as open fields would result in the development having a visual impact, exacerbated by the fact that the site is relatively flat, particularly when viewed from the west and it is considered the siting for the proposed barn is in a prominent location. Looking from the north, the barn would be partly screened by the hedgerow between fields, but with the land levels would be on a higher land level and therefore would be visible and relatively prominent.

- 6.8 There are also more distant views of the site from the downs to the south and given the nature of the open fields, the proposal would have a visual impact when viewed from this direction. It is acknowledged that the land levels rise to the east and the fact that there is a solar farm would provide some mitigation from views from this direction.
- 6.9 The hardstanding around the barn would further impact visually, although it is noted that the parking spaces would be situated between the barn and the flank hedge – this would provide some screening and that the proposed bund and landscaping would also provide screening of this element, however, as discussed above, this bunding would cause further harm.
- 6.10 The applicant has made reference to the solar park (approved under planning application P/01484/12) and has referred to the Landscape and Visual Impact Assessment (LVIA) which was submitted with that application and it is acknowledged that it does include similar viewpoints. However, the application for the solar park was a very different application – the associated development for the solar park is low and although extensive, are not prominent from many of the vantage points. They are also supported under other local and national policy context and thus with very different circumstances.
- 6.11 It is noted that third party concerns have been raised regarding the need for additional buildings such as portaloos and portakabins for use by staff. It is considered that the proposed barn of this size for the number of employees shown should include such facilities and that this proposal is for the one barn and not for additional building. However, whilst this proposal is being recommended for refusal, it is noted that should the Council be minded to approve it, that if found reasonable and appropriate, then agricultural permitted development rights could be removed to allow the Council a degree of control over further development.
- 6.12 The submitted sequential test states that much of the land used by the applicant is leased and therefore cannot be developed. Seven sites have been identified, including the proposed site, with the statement discounting the six sites for various reasons, such as: noise impacts, that the land is more exposed and/or closer to the AONB, thus more of a visual impact; impacts on residential properties and therefore concludes the application site is sequentially preferable. However, officers do not consider this sequential test has fully tested or considered other potential sites. Whilst there obviously needs to be a balance between need and visual impact, it is not considered in

this instance that it has been demonstrated that the need has overcome the landscape harm the proposal would have on the rural landscape. Therefore, it is considered that the agricultural building, in terms of its size and siting and associated access and hardstanding along with the earth bund would not be suitable for this rural location and would not comply with Policy DM2 and DM12 of the Island Plan Core Strategy.

Impact on neighbouring properties

- 6.13 The Officer's site visit showed that the nearest properties to the site are located some distance away from the proposed barn (approximately 190m) and due to location, scale, and well screened nature of the site, it would not be readily visible from these properties and as such would not harm residential amenity and would accord with Policy DM2 of the Island Plan Core Strategy.
- 6.14 It is noted that third party concerns have been raised over noise pollution caused by the climate control of the barn. The applicant has confirmed that the building would be fully temperature controlled and as such would be insulated to retain a cool environment and that this would equally reduce any noise. With this and the distance to neighbouring dwellings, it is considered a reason for refusal on this basis could not be raised.

Highway Consideration

- 6.15 The proposal would utilise the existing access onto the fields off Apse Manor Road, an unclassified road covered by a de-restricted speed limit. The Highway Engineer noted on his site visit that due to the width, alignment and nature of Apse Manor Road coupled with the infrequency of vehicles using this route that the visibility from the proposed access should be reflective of a 30mph environment. In accordance with design guidance the access should benefit from visibility splays of 43m in either direction when taken from a 2.4m set back. It is clear that the required level of visibility can be achieved within land under the control of the applicant.
- 6.16 However, the access road leading to the parking and circulation area measures at approx. 3.5m wide, which is not adequate to enable two vehicles to pass. Ten parking spaces (for cars / small vans) are proposed to be provided on site which indicates there would be a moderate operation from this site. The Highway Engineer states that the swept path analysis on the proposed access layout on drawing PL02-004 shows any reasonable sized vehicle (larger than a standard car) would not be able to negotiate the initial bend and most certainly passing of two vehicles is not achievable and that the access should be widened over the first 10m to a suitable width (due to the near 90 degree bend at this point the width would need to consider the swept path of vehicles). Beyond that point suitably positioned passing bays (min. 4.8m combined width) are required with adequate inter-visibility to allow drivers to negotiate access to/from the building. It is acknowledged that this could be overcome with a redesigned access and supporting autotrack analysis, however, as discussed above, this would result in further visual harm.

- 6.17 The Highway Engineer details are limited with respect levels of the track and that there is a requirement to ensure that any hard surfaced area over 5m² does not discharge surface water from the site on to the public highway and also notes the access track would be constructed using type 1 material and that over time an access road constructed of type 1 material will be compacted, reducing the permeability of the road and should the access track fall towards the public highway it would need to be demonstrated by the applicant that the proposals would not result in an increase in surface water run-off from the site. A hardstanding between the access track and the public highway is also required to prevent loose material being deposited on the carriageway.
- 6.18 Given the above, it is therefore considered that the access serving the site would be substandard and has implications affecting the highway network contrary to policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy and therefore a reason for refusal is raised.

7. Conclusion

- 7.1 Whilst the Council is of the opinion that the applicant has demonstrated a farming need for proposed barn, it is considered that siting of the barn along with the size and scale and the access road and hardstanding would result in visual harm and result in an adverse impact on the wider landscape. This would not be mitigated by the proposed earth bund, planting and landscape enhancements. As such, the proposal would not comply with the requirements of Policies SP5, DM2 and DM12 of the Island Plan Core Strategy and the National Planning Policy Framework and therefore is recommended for refusal.

8. Recommendation

- 8.1 Refusal

9. Statement of Proactive Working

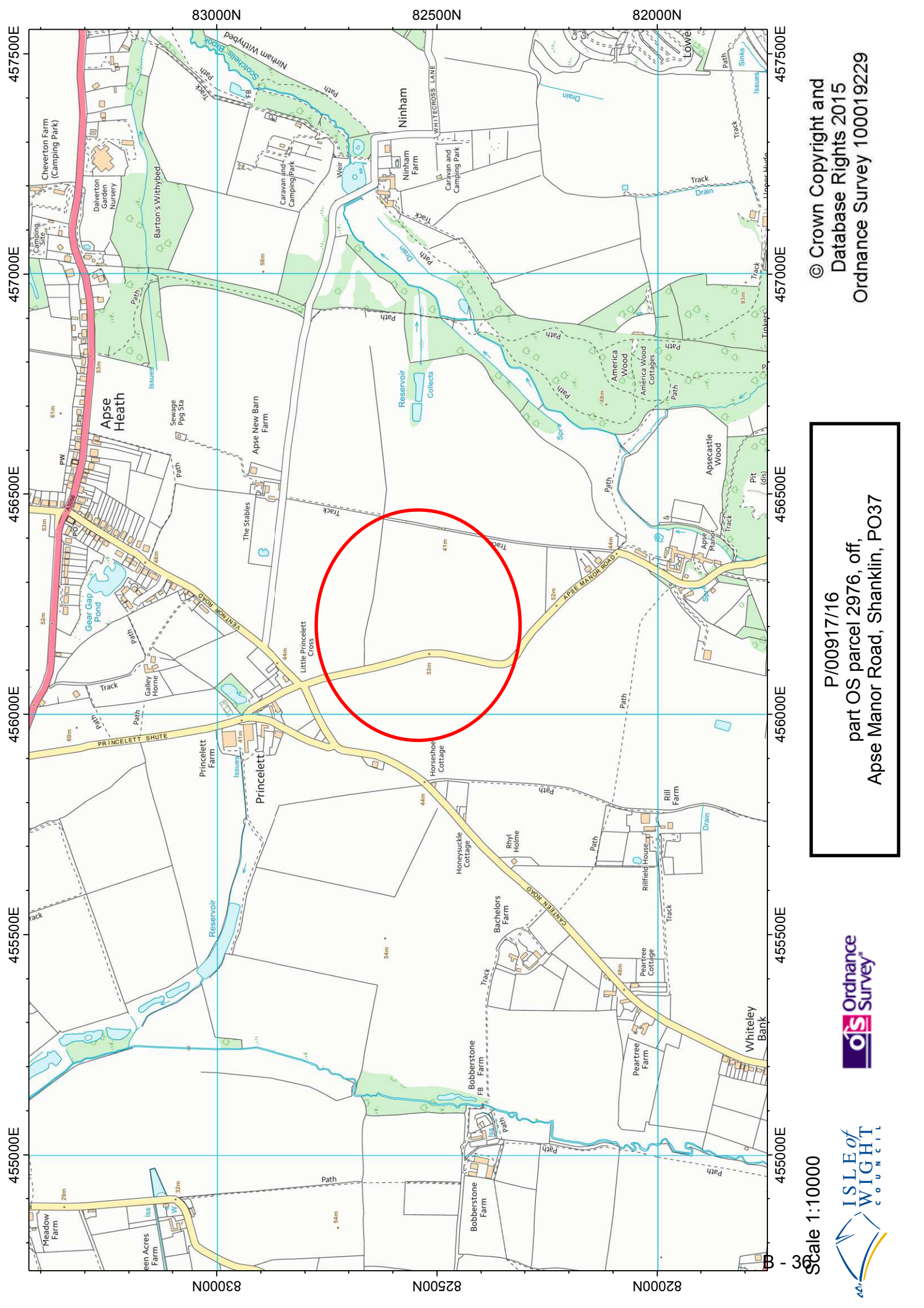
- 9.1 In accordance with paragraphs 186 and 187 of the NPPF, the Isle of Wight Council takes a positive approach to development proposals focused on solutions to secure sustainable developments that improve the economic, social and environmental conditions of the area. Where development proposals are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

Whilst some discussions were undertaken with the applicant, the application was not considered to be a sustainable form of development and therefore, no further negotiations were undertaken.

Reasons

- 1 The proposed barn and its associated access, hardstanding and earth bunds would detract from the undeveloped rural character and appearance of this area and would be detrimental to the scenic and rural character of the surrounding area by reason of its siting, size and scale and would therefore conflict with the intention of the Local Planning Authority to protect the natural beauty of the landscape, failing to preserve or enhance the character, context and appearance of the street scene and wider landscape. The proposed earth bund and planting would not provide sufficient mitigation and would also result in further visual harm. Thus, the proposal would be contrary to 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.

- 2 The access is unsatisfactory to serve the proposed development by reason of unacceptable width and would therefore be contrary to policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.



P/00917/16
 part OS parcel 2976, off,
 Apse Manor Road, Shanklin, PO37

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04 Reference Number: P/00734/16

Description of application: Extensions at 1st and 2nd floor levels to provide additional treatment room and staff room

Site Address: Britannias, Bath Road, Ventnor, Isle of Wight PO38 1JX

Applicant: Miss Rowena Amos

This application is recommended for Refusal

REASON FOR COMMITTEE CONSIDERATION

The Local Councillor and Chairman of the Planning Committee have requested that the above application be determined by the Planning Committee.

MAIN CONSIDERATIONS

- Principle of the proposed extensions
- Impact on the character of the area, which is a designated Conservation Area.

1. Location and Site Characteristics

- 1.1. The application site is located on the northern side of the Esplanade adjacent to the residential property 'Sunset' and the recently converted former public toilets.
- 1.2. The Esplanade contains a range of shops, restaurants, pubs and residential that is accommodated within a mixture of buildings that face onto the English Channel. Despite the mixture of modern and older buildings, the Esplanade still retains much of its early Victorian charm, with a backdrop of large Villas situated within the steep coastal slope to the north.
- 1.3. The property, known as Britannias, is currently residential at ground floor level and a therapy business above. The existing building is split, with recently approved extension above a flat roof building on the Esplanade and a further separate building known as 'The Crow's Nest', which is suspended from the top of the retaining wall.
- 1.4. The site is located within the 'Coast and Cliffs' Character Area of the Ventnor Conservation Area.

2. Details of Application

- 2.1. The application seeks consent to construct two flat roof single storey extensions to the building. One at first floor level, which would result in the existing building

siting forward of its current position. The other being at second floor level in-filling the gap between the first floor of the building and the 'Crow's Nest'.

- 2.2 The proposed extension would provide additional floorspace to be used as a staff room and further treatment room, in connection with the existing therapy business.
- 2.3 The extensions would be constructed of vertical cedar boarding under a flat roof, replicating the design and appearance of the existing building.

3. Relevant History

- 3.1. P/01042/15: Extension at first floor level to provide additional therapy room (revised plans) was approved in November 2015
- 3.2 P/01564/14: Replacement flat roof and alterations to fenestration was approved in February 2015
- 3.3 P/01085/13: Proposed single storey cabin and balcony/decked area to provide health and therapy/treatment unit (revised scheme) was approved in October 2013
- 3.4 P/00277/13: Proposed single storey cabin to provide health and therapy/treatment unit was approved in May 2013
- 3.5 P/01892/02: Alterations & change of use from holiday accommodation to private dwelling was approved in December 2002

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 when 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):
 - making it easier for jobs to be created in cities, towns and villages
 - 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

Local Planning Policy

4.3 The Island Plan Core Strategy defines the application site as being within the Smaller Regeneration Area boundary of Ventnor. The following policies are relevant to this application:

- SP1 Spatial Strategy
- SP3 Economy
- SP4 Tourism
- DM2 Design Quality for New Development
- DM8 Economic Development
- DM9 Town Centres
- DM11 Historic and Built Environment
- DM12 Landscape, Seascape, Biodiversity and Geodiversity
- DM14 Flood Risk
- DM17 Sustainable Travel

5. **Consultee and Third Party Comments**

Internal Consultees

5.1 The Council's Building Control Manager has confirmed that the proposal will not materially affect stability conditions

Parish/Town Council Comments

5.2 Ventnor Town Council 'strongly supports' the application as they consider it would help the existing business to expand and meets policies SP1 and SP3.

Third Party Representations

5.3 Visit Isle of Wight support the application as it offers an expansion of a successful business which provides visitors who are looking for healthy and aspirational holidays a quality product, providing the application meets the "usual environmental standards required".

5.4 1 letter of support has been received from the Managing Director of a local hotel as it offers a valuable service for locals and visitors.

6. **Evaluation**

Principle of the proposed development

6.1 The application site is located within the Ventnor settlement boundary which is defined in Policy SP1 (Spatial Strategy), as a Smaller Regeneration Area where the Council will in principle support development on appropriate land, prioritizing the redevelopment of previously developed land where such land is available, suitable and viable for the development proposed.

- 6.2 Furthermore policies SP3 (Economy), DM8 (Economic Development) and Policy SP4 (Tourism) seek to support economic growth and the sustainable growth of tourism on the Island over the plan period. The proposed extension would provide additional space in the form of an additional therapy room to expand the existing health therapy business located at the site, known as 'The Cabin'. Officers are therefore satisfied that the broad principle of the development is in accordance with these policies, however further regard has to be given to whether the development is in accordance with other relevant development plan policies.

Impact on the character of the area

- 6.3 The application site is located within a prominent location within the Ventnor Conservation Area, set just off of the Esplanade along Ventnor Seafront. Given its elevated nature, the site is readily visible from nearby vantage points. It is therefore considered of high importance that the scale, mass and detailing of the design of the development respects the character of the Conservation Area, protecting and enhancing the important visual receptor points within this designated area, in particular taking into consideration the adopted conservation area appraisal.
- 6.4 The application site is located to the west of Ventnor Esplanade on the northern side of Bath Road as it starts to climb towards the La Falaise public car park. To the rear of the site lies a large retaining wall which rises to the second tier of Bath Road as it swings east after from the bend by the La Falaise car park, climbing the hill from the seafront. 'The Cabin' spa therapy business run from the site already includes a treatment room which is suspended above the retaining wall above Britannias, formed in a wood cabin design with a pitched roof, known as the 'Crow's Nest'. The site also includes two flat roof wooden elements, forming the existing two storey building that fronts onto the Esplanade. The application seeks consent to construct a third element to the building, forming a third storey and visually linking the buildings on the Esplanade with the 'Crow's Nest'. A further extension is also sought at first floor level to provide a staff room.
- 6.5 A previous application was approved for a first floor extension to the building. This previously submitted scheme (P/01042/15) originally included a second floor extension, to provide a further treatment room and a projection at first floor level to provide an office. The second floor extension and the forward projection were removed from the scheme due to concerns with regards to the impact on the conservation area. It is these elements for which the current application seeks consent.
- 6.6 The Ventnor Conservation Area appraisal highlights that the areas of open space provided by the cliffs, walls and the landscape between the tiered levels of buildings climbing up from the seafront are important features of the Conservation Area that should be retained. Officers consider that the proposal would result in the loss of one such area of open space by infilling the gap between Britannias and the 'Crow's Nest,' resulting in a building of an unacceptable height that would not tie in with the general line of development

along the seafront, resulting in overdevelopment of the site and thereby failing to protect and enhance the character of the Conservation Area.

- 6.7 The application has been submitted with information suggesting that this scheme would not result in a loss of character as it would be about the retaining wall/cliff and not the green landscaping, located further east. However, Officers do not agree that the character simply relates to soft landscaping. The retaining walls and cliff form an important feature in the teared character of Ventnor. It is also considered that the second floor extension would block the soft landscape vegetation from views traveling down the hill, detracting from the character of the conservation area, contrary to policies SP5 and DM11, as well as the principles contained within the NPPF.
- 6.8 The first floor extension project 3.2 metres forward from the existing building frontage at this point, over the flat roof of the existing residential part of the building. Although a small extension in footprint terms it would result in a dominant feature in the street scene, due to its elevated position and height, when taking into consideration the fall of the road and the elevated floor level of the building as a whole.
- 6.9 When looking in a westerly direction along the Esplanade the existing building relates well to the neighbouring residential properties and the adjacent holiday apartments, with the flat roof of the ground floor projection sitting at the level of the ridge of the residential properties and the projection on the adjacent holiday apartments/hotel. The proposed first floor extension would break from this roof line, appearing out of context with the flow of built form up the hill. The proposed second floor extension would sit above the ridge height of the three storey properties which the site is viewed in context with. Officers consider that this would in turn result in an over-development of the site, having an impact on the character of the conservation area from eastern, western and northern views.

Other matters

- 6.10 As outlined above the existing building is located adjacent to a residential property, known as 'Sunset' and the recently converted public toilets, which provides holiday accommodation. Officers do not consider that the proposed extensions would result in any unacceptable impact on the amenities of these neighbouring properties, when considering the level of current mutual overlooking in the area of the site and the nature of the proposed development.
- 6.11 The application site is within a known area of ground instability; to address this, the application has been submitted accompanied by a report on the stability of the site, which concludes that the proposed development would not materially affect stability conditions. This report has been assessed by the Council's Building Control Manager who is satisfied with its conclusions and that a detailed design to ensure the stability of the proposed development can be dealt with at the Building Control stage of the development.
- 6.12 A number of comments have been received in support of the application as it would be allow the business to expand. Officers acknowledge the importance of

supporting local businesses and economic development however, the impact on the conservation area is considered to be such that on balance the scheme cannot be supported. The proposed development would result in harm to the character of the conservation area and it is not considered that the public benefit brought about by the addition of two treatment rooms and a staff room would outweigh this harm, and is an indicator that the use may have outgrown the site. It is considered that the proposed development represents an overdevelopment of the site, which would have an unacceptable impact on the conservation area.

7. Conclusion

7.1 The proposed development would represent an over-development of the site and a loss of an important area of visual space, resulting in an unacceptable impact on the character of the area, designated as a Conservation Area.

8. Recommendation

8.1 Refusal.

9. Statement of Proactive Working

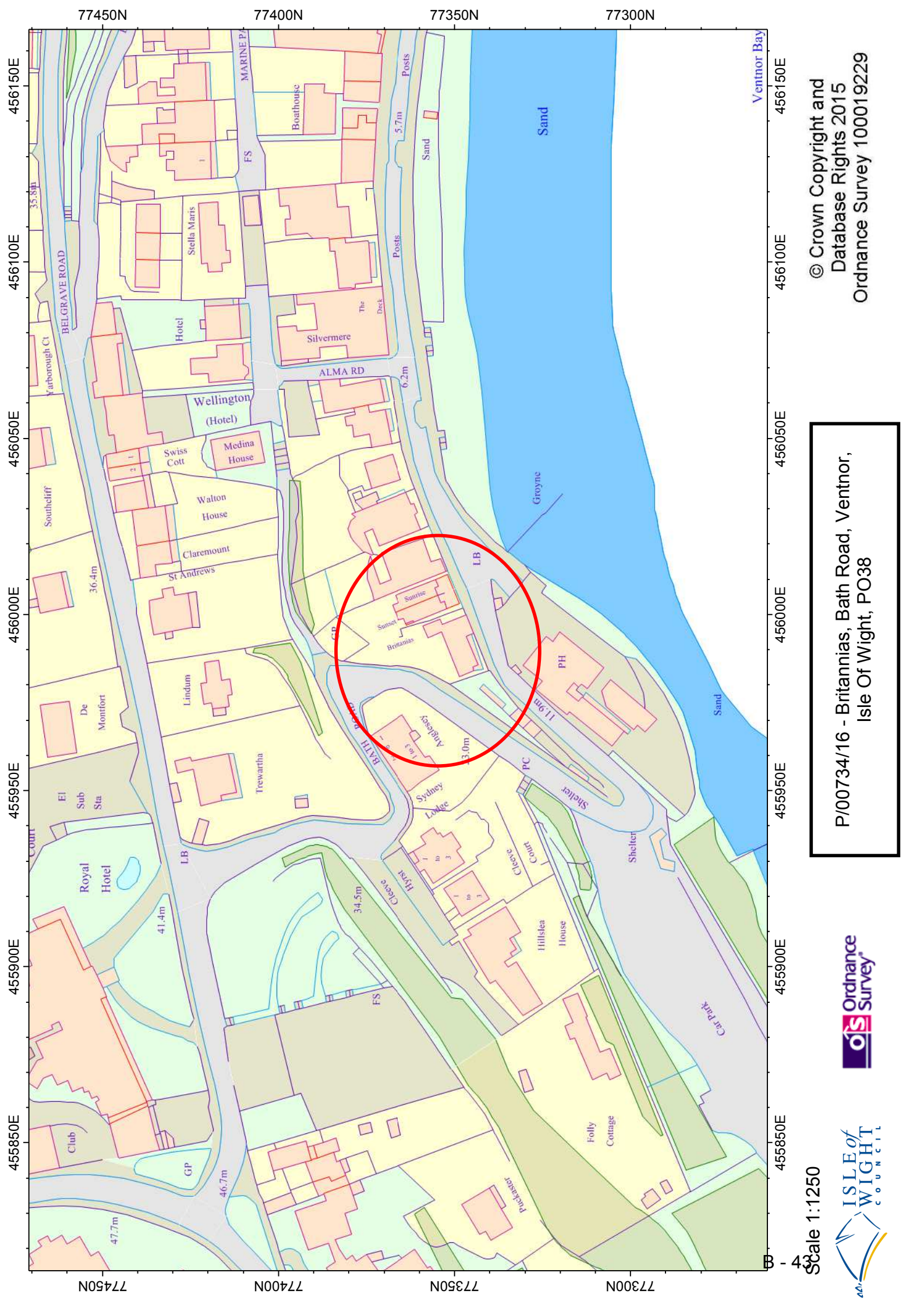
9.1 In accordance with paragraphs 186 and 187 of the NPPF, the Isle of Wight Council takes a positive approach to development proposals focused on solutions to secure sustainable developments that improve the economic, social and environmental conditions of the area. Where development proposals are considered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

2. The IWC offers a pre-application advice service
3. 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 was not considered to be a sustainable form of development and therefore, no further discussions were undertaken.

Reasons:

- 1 The proposed development would result in the loss of an important area of visual open space provided by the cliffs, walls and landscape, as referenced in the Conservation Area appraisal. The proposal is of an unacceptable height which would be contrary to the general line of development along the seafront. In combination the proposals are an overdevelopment of the site thus failing to enhance or preserve the current amenity value of the Conservation Area and contrary to Policy DM2 (Design Quality for New Development) and DM12 (Historic and Built Environment) and the principles contained in paragraphs 132 - 135 of the National Planning Policy Framework.



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