

## ISLE OF WIGHT COUNCIL PLANNING COMMITTEE - TUESDAY, 30 MAY 2017

### 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 Head of Legal Services 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 REPORT TO COMMITTEE – 30 MAY 2017**

1	<a href="#">P/00820/15 TCP/04271/S</a>	<b>Gurnard</b>	<b>Conditional Permission</b>
Page 03	Land at Dottens Farm, Baring Road, Cowes, Isle Of Wight.  Outline for 8 dwellings with vehicular accesses off Baring Road; parking (re-advertised application due to amended location)(revised description) (revised plans)(re-advertised)		
2	<a href="#">P/00417/16 TCP/32600</a>	<b>Ryde</b>	<b>Conditional Permission</b>
Page 23	Land at and rear of 65, Ashley Road, Ryde, Isle Of Wight.  Demolition of dwelling; proposed residential development of 9 dwellings and 5 flats including formation of new vehicular access, parking and associated landscaping (revised scheme) (revised description)(readvertised application)		
3	<a href="#">P/00760/16 TCP/11098/A</a>	<b>Ryde</b>	<b>Conditional Permission</b>
Page 46	Land south of Westridge Farm, and to rear of 10 to 38 Circular Road, off, Hope Road, Ryde, Isle Of Wight.  Proposed residential development of 80 dwellings, and associated access roads, public open space, attenuation ponds and infrastructure (re-advertised application)(additional highway/parking and ecology information submitted)		
4	<a href="#">P/00045/17 TCP/13934/B</a>	<b>Nettlestone and Seaview</b>	<b>Conditional Permission</b>
Page 95	Winters, 2 Medina Cottages, High Street, Seaview, Isle Of Wight, PO34 5ES  Proposed change of use from Class A1 (retail) to a mixed use of A1 and B2 to allow for the preparation of foodstuffs		

**01 Reference Number:** P/00820/15

**Description of application:** Outline for 11 dwellings with vehicular access off Baring Road; parking.

**Site Address:** land at Dottens Farm, Baring Road, Cowes

**Applicant:** Lady Hobart

**This application is recommended for Conditional Permission**

**REASON FOR COMMITTEE CONSIDERATION**

The applicant is related to an elected member, and therefore in accordance with the Code of Practice the item is referred to Planning Committee for determination.

**MAIN CONSIDERATIONS**

- Principle of development
- Impact on the character of the area
- Impact on the amenities of neighbouring properties
- Impact on the setting of the adjacent Listed Buildings
- Ecology
- Highway considerations

**1. Location and Site Characteristics**

- 1.1. The site is located on the western side of Baring Road approximately 40 metres from the junction with Woodvale Road.
- 1.2 The area surrounding the site is characterised by a combination of residential dwellings and farmland. The opposite side of Baring Road is comprised of mainly detached units in a ribbon form along the road frontage. Further north sees some flatted development as well as cul-de-sacs of different types of units, including bungalows. The land to the south and west is mainly open countryside/fields.
- 1.3 Dottens Farm sits to the west and north-west of the site. The farm house and associated barn are both designated as Grade II listed buildings.
- 1.4 The site itself is former agricultural land, which has become overgrown with scrub, and includes a derelict farm shed on the western boundary.

## **2. Details of Application**

- 2.1 The application seeks outline permission to construct 8 dwellings with parking. Access, layout and scale are to be considered at this time. Appearance and landscaping are reserved for later consideration.
- 2.2 The proposed layout shows the development split into two cul-de-sac style clusters, served from different access points off Baring Road. The accesses would be positioned at either end of the site, approximately 105 metres from each other.
- 2.3 The northern most group of units would include two detached four bedroom houses. The units are shown to be two storeys and one and a half storey (first floor accommodation being provided in the roof space). The other cluster would including six units; two four bedroom detached chalet bungalows, two pairs of semi-detached chalet style units with 2 two bedroom and 2 three bedroom units. The scale of the units would range from a storey and a half to two storeys
- 2.4 The layout shows the proposed units having two parking spaces each. Additional areas of hardstanding could also be accommodated in the layout should, through the detailed landscaping design more areas for overflow parking be required.
- 2.5 The scheme has been amended since originally submitted, with the overall number of units being reduced from 11 to 8. This in turn resulted in a change to the layout of the site.
- 2.6 The application includes a Section 106 Agreement for a contribution towards the Solent Special Protection Area Mitigation, as required by the relevant Supplementary Planning Document.

## **3. Relevant History**

- 3.1. None relevant to this application

## **4. Development Plan Policy**

### National Planning Policy

- 4.1. National Planning Policy Framework (NPPF) constitutes guidance for local planning authorities and decision-takers.
- 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 and;
- widening the choice of high quality homes

4.3 At the heart of the NPPF is a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with the development plan without delay, or where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly or demonstrably outweigh the benefits or specific policies in the NPPF indicate development should be restricted.

#### Local Planning Policy

4.4 The Island Plan Core Strategy identifies the application site as being within the Medina Valley Key Regeneration Area boundary and immediately adjacent to the settlement boundary. The following policies are relevant to this application:

- SP1 – Spatial Strategy
- SP2 – Housing
- SP5 – Environment
- SP7 - Travel
- DM2 – Design Quality for New Development
- DM3 – Balanced Mix of Housing
- DM4 – Locally Affordable Housing
- DM11 – Historic and Built Environment
- DM12 – Landscape, Seascape, Biodiversity and Geodiversity
- DM14 – Flood risk
- DM17 – Sustainable Travel

4.5 The Solent Special Protection Areas (SPA) Supplementary Planning Document (SPD) (2014) requires that the impacts upon the Solent SPA from recreational pressure, resulting from residential development, are appropriately mitigated, in accordance with the Solent Disturbance Mitigation Project.

4.6 The Gurnard Neighbourhood Development Plan has been consulted on and has been submitted for an independent examination. The Council is awaiting the examiner's report. As the plan is not currently an "adopted" or "made"

plan, it can only be viewed as a material consideration, and should not be treated as part of the development plan.

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

### Internal Consultees

- 5.1 The Council's Ecology Officer originally objected to the application due to insufficient information in respect of dormice. Additional survey work was undertaken as a result of these concerns and the objection has now been removed.
- 5.2 The Council's Rights of Way Assistant has requested that consideration is given to a contribution to fund a future highway scheme to try to acquire land and create a new pedestrian or multipurpose route.
- 5.3 The Council's Tree Officer raised no objection and has confirmed the impact on trees would be limited and the proposed loss of a beech tree could be mitigated through landscaping on site, when taking into consideration its age and size. Conditions are therefore recommended, should the application be approved, to agree landscaping and protect the retained trees on site with appropriate fencing.
- 5.4 The Highway Engineer from Island Roads has recommended conditional permission. Further detailed comments are outlined within the evaluation of this report.

### External Consultees

- 5.5 Southern Water have raised no objection but request that a condition be included to require the agreement of foul and surface water sewerage and an informative be included, advising the developer of the need to apply to Southern Water for a connection to the public sewer, should the application be approved.

### Parish/Town Council Comments

- 5.6 Gurnard Parish Council objects to the application on grounds which can be summarised as follows:
- Gurnard Housing Needs has been fulfilled by approved developments in the parish and scheme would be contrary to need identified in the housing needs assessment.
  - Increased risk to children when dropping off and picking up from school
  - Loss of a Greenfield site
  - Dottens Farmhouse and Barn are the oldest buildings in Gurnard, this

development would adversely impact on the street scene from Baring Road.

- The Jordan Valley should not be developed.

5.7 Cowes Town Council strongly opposes the application on the grounds that it encroaches on the green gap between Cowes and Gurnard and sets a precedent for future development in the green gap.

### Third Party Representations

5.8 53 letters of objection were received to the application when it was first advertised. A further 11 have been received since the re-advertisement of the application. All of the comments raised can be summarised as follows:

- Applicant is the wife of an elected member
- Parking issue in Baring Road following the opening of Gurnard Primary, resulting in a danger to school children
- Proposal would prevent parking on the road and generate more traffic therefore the potential for more accidents
- Loss of wildlife habitat, wildlife and protected species
- No need
- Damage to the new road surface
- Green belt between Cowes and Gurnard. Its loss would result in settlement coalescence and the loss of a green area
- Negative impact on listed Dottens Farm and listed barn and their settings
- Impact on view
- Flooding
- Contrary to Gurnard Plan
- Impact on tourism
- Local infrastructure (doctors etc.) cannot cope with new dwellings
- Building terraced and semi-detached properties in a pre-dominantly detached area is detrimental to the existing character
- Part of the site should be CPO'ed by the Council and used for safe parking and pick up/drop off for the school
- Would not benefit the local community
- Island roads are already suffering from heavy traffic flows with gridlock and congestion
- Development would observe the view of the heritage barn at Dottens Farm
- There is Japanese Knotweed on site
- Gurnard is part of the 'Wider Rural Area'
- High hedge at site boundary should be set back to improve visibility
- Change the environment for the ancient woods
- Precedent

- Listed barn is older than the listed suggests
- Increase traffic fumes, noise and general disturbance would affect the amenities and quality of lives and health/ Increased pollution
- Detrimental to the surrounding countryside and constitutes an unwelcome intrusion to the visual amenities
- Should be accommodated by an Environmental Statement, independent Habitats Regulations and Flood Risk Assessment.
- Units would not be affordable.
- Islands Roads traffic survey was conducted during school holidays.
- Details are not provided on the on-going management of the common areas
- Parked cars would block visibility splays.
- Roads inadequate for substantially more traffic
- Inadequate schools for more children
- Pond is shown to be on a slope
- Clarification required on the style of houses
- Brownfield sites should be developed before Greenfield sites.

5.9 Three letters of support have been received outlining that:

- Provides much needed housing in the Cowes and Gurnard area
- Low density layout and landscape maintains the rural feel of the area
- Site perfectly placed in proximity to the school to allow parents to walk, rather than driving
- Site is well placed in relation to local amenities and a regular bus service
- It is the kind of scheme the Council the be promoting; small sympathetic developments which are most likely to attract local builders
- Landscaping would include native species beneficial to wildlife
- Would improve the 'scruffy' area
- Road safety issues are predominately caused by parents driving their children to school, causing congestion. There are currently measures in place to encourage parents to use more sustainable means.

## 6. **Evaluation**

### Principle of development

6.1 Policy SP1 (Spatial Strategy) supports development on appropriate land within or immediately adjacent to the defined settlement boundaries of the Key Regeneration Areas. The site falls outside of but immediately adjacent to the settlement boundary. It is also within the Key Regeneration Area boundary. Objections have been received from third parties stating that the site is within the Wider Rural Area. This is not the case.



- 6.2 One of the objectives of SP1 is to ensure that development on non-previously development land will enhance the character and context of the local area. The need for this enhancement has to be closely considered against the need for housing. It is considered that this application achieves the appropriate balance. The layout of the site is one of low density development which would include areas of landscaping and open space to ensure that the units would be viewed within a landscaped setting. There is also a close correlation between the location of residential development on this site and the existing spatial distribution of development in the area.
- 6.3 It should also be noted that a recent Planning Inspectorate decision at Place Road in Cowes discussed the issue of developing on Greenfield land and the landscape impact of this. Within the decision the Inspector made the following comments:
- “The second implication in Policy SP1 is that all development on non-previously developed land should demonstrate how it will enhance the character and context of the local area. However, whether or not enhancement would take place should be viewed against the aim of the policy which is generally encouraging of development on the periphery of certain towns. To resist development failing to enhance simply because it would be on ‘greenfield’ land would be self-defeating.”*
- 6.4 A number of objection letters have raised the question of need. However, it should be noted that Policy SP1 does not specifically require housing developments within the Key Regeneration Area to identify a specific local need for the housing. The Planning Inspector also gave consideration to this matter in the Place Road appeal stating:
- “There is no need to demonstrate that deliverable, previously-developed land is not available and that an identified local need will be met since these qualifications only apply to land adjacent to Rural Service Centres”.*
- 6.5 Policy SP2 (Housing) outlines the need to provide 8,320 dwellings by 2027, which is an average of 520 per year. The distribution of these dwellings would see the need for 1,350 within the Medina Valley, where the site is located. The policy goes on to state that to ensure these targets are met, the Council will permit development in accordance with the provisions and policies of the Core Strategy. The application, in very general terms, seeks to achieve a proportion of this overall requirement.
- 6.6 Policy DM3 (Balanced Mix of Housing) states that proposals will be expected to reflect the most up-to-date Strategic Housing Market Assessment, contribute to meeting the identified housing need for the local area and contribute to meeting specialist housing requirements. It also outlines that the final mix will be negotiated with the developer.

- 6.7 In this instance the application provides a range of unit types and sizes. The original application contained some smaller two bedroom units. Although these would have provided smaller and more affordable units they were located adjacent to the listed barn and were considered to impact on its setting. They were therefore removed from the scheme. Despite the loss of these smaller units the proposed development is still considered to contain an appropriate mix on site.
- 6.8 Comments have been received suggesting that the application would be contrary to the emerging Gurnard Neighbourhood Plan, particularly the policies that relate to housing. The emerging has been subject to public consultation and has been submitted for an independent examination. The Council is awaiting the examiner's report. The emerging plan has not yet been the subject of a referendum.
- 6.9 Planning applications must be decided in accordance with the development plan, unless material considerations indicate otherwise. An emerging neighbourhood plan may be a material consideration; only following adoption does it become a part of the development plan. Paragraph 216 of the National Planning Policy Framework sets out the weight that may be given to relevant policies in emerging plans in decision taking. Factors to consider include the stage of preparation of the plan and the extent to which there are unresolved objections to relevant policies. It is for the decision maker in each case to determine what a material consideration is and what weight to give to it.
- 6.10 Having considered the emerging policies and recognising both the nature of the unresolved objections (regarding the degree of consistency with the development plan) and the stage in the preparation process of the emerging plan Officers would recommend that limited weight is currently given to the emerging neighbourhood plan policies, with greater weight being afforded to the adopted policies of the Island Plan Core Strategy.
- 6.11 In conclusion the principle of the development is considered to be acceptable, being located immediately adjacent to the settlement boundary and providing for a wider need.

#### Impact on the character of the area

- 6.12 The application site is currently over-grown agricultural land and was last used in 2012 as a horse paddock. The land classification for the site grades the site as grade 3b. This is a low agricultural grading. Therefore, given the low-grade classification with very little in the way agricultural production its loss should not be seen as an impediment to development.
- 6.13 It is important to consider the size and shape of the site together with the quantum and layout of development proposed in light of the gap that exists

between settlements. This is quite clearly a key issue and locally this site is seen as forming part of the wider Jordan Valley, which many interested parties are anxious to retain in full. Policy DM13 (Green Infrastructure) outlines that development proposals will be expected to (amongst other things); ensure that the areas which separate the key settlements of Cowes/Newport, East Cowes/Newport, Ryde/Wootton and The Bay/Brading are appropriately protected to prevent settlement coalescence. AAP1 states that the Council wants to see the Medina Valley strengthen its position as the focal point for residential and economic growth on the Island, but under point 10 it seeks to balance impacts from development pressure by defining areas which separate key settlements, such as Cowes from Gurnard to protect against settlement coalescence.

- 6.14 The Inspectors report for the Place Road appeal, referenced earlier in this report, gave some consideration to the matter of coalescence. In that instance the Inspector made the following comments:

*“Due to its position the proposed development would not result in Cowes and Gurnard becoming contiguous. Indeed, even if the site is part of the Jordan Valley there would still be a meaningful separation between them such that they would still be individual entities. The relationship between the closest areas of built development to one another would be altered but not to the extent that the proposal should not proceed. Overall it would not lead to adjoining settlements coalescing or the gap between them reducing to such an extent that their distinctiveness would be seriously eroded.”*

Although the sites are in distinctly different parts of the Gurnard the above comments are considered to be of interest as the proposed development, in the same way as the above, would not result in contiguous development. A distance of over 270 metres would remain between the rear of the application site and properties in Worsley Road. This distance is considered to be sufficient to ensure that the separation is retained and the distinctiveness would not be seriously eroded. Officers therefore do not consider that a refusal on grounds relating to settlement coalescence or the reduction of green space in the ‘Jordan Valley’ would be sustainable.

- 6.15 As outlined above Baring Road forms the boundary between Cowes and Gurnard, with the site siting on the Gurnard side. There is currently development running along both sides of Baring Road up to Woodvale Road, which is divided from the site by a small parcel of land, previously used as a sand school. The inclusion of further residential development on the Gurnard side of the road is not considered to result in settlement coalescence, any more than existing development does. It would remove a small section of the visual gap from Baring Road to the properties which front Worsley Road, but this is not seen to be harmful to the character of the area, as the view would not be removed in its entirety and the gap between the proposed

development and the properties fronting Worsley Road would be retained.

- 6.16 The proposed units have been designed in a courtyard layout, opposed to following the more linear and ribbon development seen on the opposite side of Baring Road. This allows for large areas of landscaping to be incorporated into the layout, softening the built form and maintaining some views through the development to the buildings and landscape.
- 6.17 The proposed layout would see the scheme as very low density, respecting the transitional nature of the site between the linear and dense development to the north and fields and farm buildings to the south. Officers consider that the layout and density of the site would ensure that the proposed development would sit comfortably within the street scene and respect the character of the area. It is acknowledged that the design of the units would be key to ensuring that the scheme would respect the character of the area but this would be considered at detailed design stage, via a reserved matters application.
- 6.18 In conclusion, Officers acknowledge that there would be a visual change to the street scene as a result of the introduction of the proposed housing but fundamentally this would not be at the expense of settlement coalescence for reasons that have been evaluated in detail above. The visual change onto Baring Road would be minimised with the scale, density and layout of the proposed units, together with the retention of the majority of the boundary hedging, it is therefore considered that the site does have the capacity to accommodate the proposed scheme. Therefore the proposal would comply with policies SP1, SP2, DM2, DM13 and AAP1 of the Core Strategy.

#### Impact on neighbouring properties

- 6.19 The closest residential property to the site is Dottens Farm, which sits to the north west of the site. The nearest proposed unit would sit approximately 60 metres from this building. It is considered that this distance, together with the orientation of the property would ensure that the proposed units would not have an unacceptable impact on the amenities of the neighbouring properties.

#### Impact on the setting of the adjacent listed buildings

- 6.20 Dottens Farm and a barn within its grounds are both designated heritage assets, being Grade II listed buildings. A number of third parties have objected to the proposed development on the grounds that it would impact upon the setting of these buildings, more specifically the barn.
- 6.21 Comments consider this barn to be the oldest building in Gurnard and have questioned the dating within the list description. Officers would recommend little weight is given to the potential for the barn to have been incorrectly

dated. The list description from Historic England identifies this barn as being listed for its group value. Until the listing is formally questioned officers have to give regard to the existing formal documentation and not the view of third parties that it may be incorrect. The application does not propose to demolish either building, which sit outside of the application boundary. Therefore the key consideration is the impact to the setting of these buildings.

- 6.22 The amount of development has been significantly reduced and the layout of the proposed units has been amended since that originally submitted to remove the terrace of units located adjacent to the barn. This area is now shown to be left as green space. This change would respect the setting of the barn, allowing it to be read in context with a field, opposed to housing. The closest proposed unit to this barn would be over 40 metres, at an angle, so as to protect the side views of the barn.
- 6.23 The revised layout has also been designed to remove units from points along Baring Road where views of the listed buildings are currently possible. The proposed positioning of the buildings, together with the levels are considered to ensure that the setting of the listed buildings would be protected.
- 6.24 The buffer area around the southern and eastern side of the listed buildings and the protection of views through the site, (due to the re-siting of some of the buildings), help to mitigate the impact from the proposed development upon the setting of the listed buildings. It is acknowledged that there may be some harm to the setting of the listed buildings, but at most this would be less than substantial harm. This harm may be balanced against other considerations as part of the planning judgement. When weighing this harm against the public benefits of the proposal, including the delivery of housing in a sustainable location, the application is considered to comply with paragraph 134 of the NPPF and policy DM11 (Historic and Built Environment) of the Core Strategy.

### Ecology

- 6.25 The application was supported by an ecology report. The report contains mitigation measures in respect of slow-worms, following the survey recording a small population on site. These were deemed to be acceptable to the Council's ecologist.
- 6.26 Information relating to Great Crested Newts being present on site, due to the habitat on site and location of waterbodies in the locality, was considered and the risk found to be minimal and therefore no bespoke survey effort was required.
- 6.27 Officers originally raised concerns with regards to level of survey work for other protected species, particularly the effort which had been undertaken in

respect of dormice. As a result further survey work was undertaken, which has helped form the revised design proposals. One unoccupied dormouse nest was found in the roadside beech hedge at the end of the survey season. This hedge is considered to be of poor quality to support dormice and the survey evidence indicates low numbers of dispersing animals may finally reach this area. For these reasons mitigation and enhancement measures have been proposed including; new internal green corridors thus creating extra habitat and connectivity to the surrounding landscape which would be planted prior to the hedgerow clearance which would be overseen by an experienced field worker. Officers are therefore now satisfied that sufficient evidence to ensure appropriate mitigation can be agreed, subject to a condition to ensure the proposed mitigation works are undertaken, should permission be granted.

- 6.28 As a result of the variations to the layout and the submission of additional survey work, Officers are now satisfied that the proposed development would not have an unacceptable impact on protected species.

#### Highway considerations

- 6.29 This application seeks consent for the construction of 8 dwellings with vehicle access onto Baring Road, Cowes. The proposal includes for two vehicle accesses each taking the form of conventional dropped crossing. One access is proposed to serve 2 dwellings and the other to serve 6 dwellings.
- 6.30 Baring Road is a 'C' classified public highway governed by a 30mph speed limit at the point in question. In accordance with design standards any new or existing vehicle access forming a junction with this section of public highway should provide for minimum visibility splays of  $X = 2.0\text{m}$  by  $Y = 43.0\text{m}$ , for the nature of development proposed. Due to the proximity of the site to Cowes Enterprise College and Gurnard Primary School it is also critical that  $2.0\text{m}$  by  $2.0\text{m}$  pedestrian visibility splays be provided. In addition the associated onsite layout should provide for adequate space for the parking and turning of conventional private motor vehicles. Provision should also be made for service vehicle access.
- 6.31 Further to a review of the submitted information and as a result of a site inspection it is evident that the proposed site layout and associated vehicle access arrangements comply with design standards. The alignment of the existing public highway about the proposed access points also provide for adequate forward visibility to mitigate against any standing vehicles on Baring Road waiting to turn into the site.
- 6.32 The proposed accesses provide for a minimum width of  $4.50\text{m}$  giving rise to adequate space for the passage to two private motor vehicles and the forms of the junctions (conventional dropped crossing) also allow for pedestrian

priority on Baring Road.

- 6.33 The site inspection identified there to be an existing vehicle access serving the site from Baring Road (opposite No. 152 Baring Road) that Island Roads recommend should be closed should permission be granted. This existing access is substandard in respect to visibility and gate setback.
- 6.34 It is noted that the northern access has the potential to conflict with an existing BT service pole which BT may require repositioning, should permission be granted. This would however be dealt with under separate legislation and consenting regime.
- 6.35 Having due regard to the above and the likely daily traffic generation from the site being between 48 – 64 movements the proposal is not deemed to have a negative impact on the highway network so as to bring about a sustainable reason for refusal.
- 6.36 Concerns have been raised by third parties with regards to the impact of the proposed development on the on road parking used at school pick up and drop off times. There are no double yellow lines on the roadside boundary of the site and therefore parents etc. tend to park in front of the site to collect/drop off children attending Gurnard Primary, which is located approximately 145 metres to the north of the site. The proposed points of access into the site would reduce the available parking on this part of the network. However, as this is not a formalise arrangement and is generally only used for this purpose it would not represent a sustainable reason for refusal.
- 6.37 It is acknowledged that those parked on the remaining available network could limit the visibility from the proposed access points. However, Manual for Streets 2 states that “Parking in visibility splays in built-up areas is quite common, yet does not appear to create significant problems in practice...in some circumstances, where speeds are low, some encroachment may be acceptable.” Having regard to this and the fact that times when this occurs are restricted to an hour in the morning and an hour in the afternoon, when traffic around the site is generally very slow due to school traffic, the application is not considered to result in development which would significantly worsen the current situation or add any unacceptable hazards.
- 6.38 The proposals envisaged in this application have implications affecting the highway network and therefore in order to comply with policies DM2 (Design Quality for New Development), DM13 (Green Infrastructure), DM17 (Sustainable Travel) and SP7 (Travel) of the Isle of Wight Core Strategy

## Other matters

- 6.39 Comments have been received relating to a potential increase in flooding. It should be noted however that the site is not located within an area of known flood risk, as designated by the Environment Agency. The site being located within a flood zone 1. The site currently accommodates a surface water ditch that aligns with the southern boundary. A culverted ditch emerges on site that takes surface water from areas to the east, under Baring Road itself. It is considered that, providing the greenfield run off rate is maintained through attenuation there would be no additional risk of flooding from these ditches as a result of the development. The layout also accommodates an area of landscaping alongside the watercourses, to allow for any 'overtopping' of the pond, which would provide attenuation. Comment suggest that the pond is on a slope, however, the detail of the landscaping and drainage and reserved for later consideration and officers therefore considered, based on the information provided, there would be an engineering solution to ensure the application would not increase flood risk.
- 6.40 A legal agreement is required to deal with the contributions required by the Solent Protection Area Supplementary Planning Documents. Officers are proposing that this agreement also includes a requirement for a management company to be set up to ensure the on-going maintenance and management of the open space (not designated as private gardens) and the internal roads.

## **7. Conclusion**

- 7.1 Giving due regard and appropriate weight to all material considerations referred to above Officers consider that the proposed development would provide housing on a site which is available, suitable and viable, within a sustainable location in accordance with policies SP1, SP2 and DM3
- 7.2 The site is located within a predominantly residential area, close to existing built form. Officers therefore consider that it would not have an unacceptable impact on the character of the area as a whole in accordance with policies DM2.
- 7.3 The proposed layout has paid due regard to the constraints of the site to ensure that the proposed development would not have an unacceptable impact on the amenities of neighbouring properties, trees, ecology or the setting of the adjacent listed buildings, in accordance with policies SP5, DM2, DM11, DM12 and DM14.

## **8. Recommendation**

- 8.1 Conditional Permission subject to a Section 106 Agreement for SPA mitigation and the management and maintenance of the on-site communal



open space and roads.

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

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

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

In this instance the applicant was provided with pre application advice and following the submission of further information was submitted during the course of the application that overcame the Council's concerns.

### **Conditions/Reasons**

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

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

2. Before work or development hereby permitted on any plot is commenced, details relating to the appearance of the building and landscaping for the plot shall be submitted to and approved in writing by the Local Planning Authority. These details shall comprise the 'reserved matters' and shall be submitted within the time constraints referred to in condition 1 above.

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

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

1402/03B  
1402/04B  
1402/05A  
1402/05B  
1402/06

and read in conjunction with the Ecological Assessment 3<sup>rd</sup> version with revised site layout from November 2016.

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

4. No later than one month after the day on which the buildings hereby permitted are first occupied or the accesses hereby permitted are first used (whichever is the earlier) the existing access to the site from Baring Road (opposite No 152 / 152a Baring Road) shall be permanently closed in accordance with details which are to be submitted to and approved in writing by the Local Planning Authority.

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

5. No dwelling hereby permitted shall be occupied until space has been laid out within the site in accordance with drawing number 1402/06 for cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear, in association with that property. The space shall not thereafter be used for any purpose other than that approved in accordance with this condition.

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

6. No development shall take place, until a construction method statement has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:

- i) the parking of vehicles of site operatives and visitors;
- ii) loading and unloading of plant and materials;
- iii) storage of plant and materials used in constructing the development;
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v) wheel washing facilities;

- vi) measures to control the emissions of noise, smoke, fumes, dust and dirt during construction
- vii) timing of deliveries etc.

**Reason:** To prevent annoyance and disturbance, during the demolition and construction phase in accordance with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy and paragraph 123 of the National Planning Policy Framework.

7. The development shall not be occupied until sight lines have been provided in accordance with the visibility splays shown on the approved plan (reference number 1402/06. Nothing that may cause an obstruction to visibility when taken at a height of 1.0m above the adjacent carriageway / public highway shall at any time be placed or be permitted to remain within that visibility splay.

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

8. No dwelling shall be occupied until the parts of the service roads which provide access to it have been constructed surfaced and drained in accordance with details which have been submitted to and approved by the Local Planning Authority based on the principles of drawing no 1402/06.

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

9. Development shall not begin until details of the junctions between the proposed service roads and the highway have been approved in writing by the Local Planning Authority; and the building shall not be occupied until those junctions have been constructed in accordance with the approved details.

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

10. No works associated with the commencement of the above ground construction of the dwellings within any phase shall take place until samples of materials to be used in the construction of the external surfaces of the development in that phase hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

11. The measures as detailed in the *Ecological Assessment (Arc, November 2016)* shall be implemented in full, unless otherwise approved in writing by the Local Planning Authority. Thereafter, the compensation measures shall be permanently maintained and retained in accordance with the approved details. Post construction, a report shall be submitted to the Local Planning Authority for written approval, confirming that the works have been carried out as per the approved plans and that the proposed compensatory measures have been undertaken.

**Reason:** To ensure mitigation and compensation is adequately provided in accordance with Policy SP5 (Environment) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

12. No development including site clearance shall commence on the site until trees shown to be retained in this permission have been protected by fencing or other agreed barrier, any fencing shall conform to the following specification:

Barrier shall consist of a scaffold framework as shown in figure 2 of BS 5837 (2012). Comprising of vertical and horizontal framework braced to resist impact, with vertical tubes spaced at a maximum of 3 m intervals. Onto this weld mesh panels are to be securely fixed. Such fencing or barrier shall be maintained throughout the course of the works on the site, during which period the following restrictions shall apply:

- (a) No placement or storage of material;
- (b) No placement or storage of fuels or chemicals.
- (c) No placement or storage of excavated soil.
- (d) No lighting of bonfires.
- (e) No physical damage to bark or branches.
- (f) No changes to natural ground drainage in the area.
- (g) No changes in ground levels.
- (h) No digging of trenches for services, drains or sewers.
- (i) Any trenches required in close proximity shall be hand dug ensuring all major roots are left undamaged.

**Reason:** To ensure that the high amenity tree to be retained is adequately protected from damage to health and stability throughout the construction period in the interests of the amenity in compliance with Policy DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

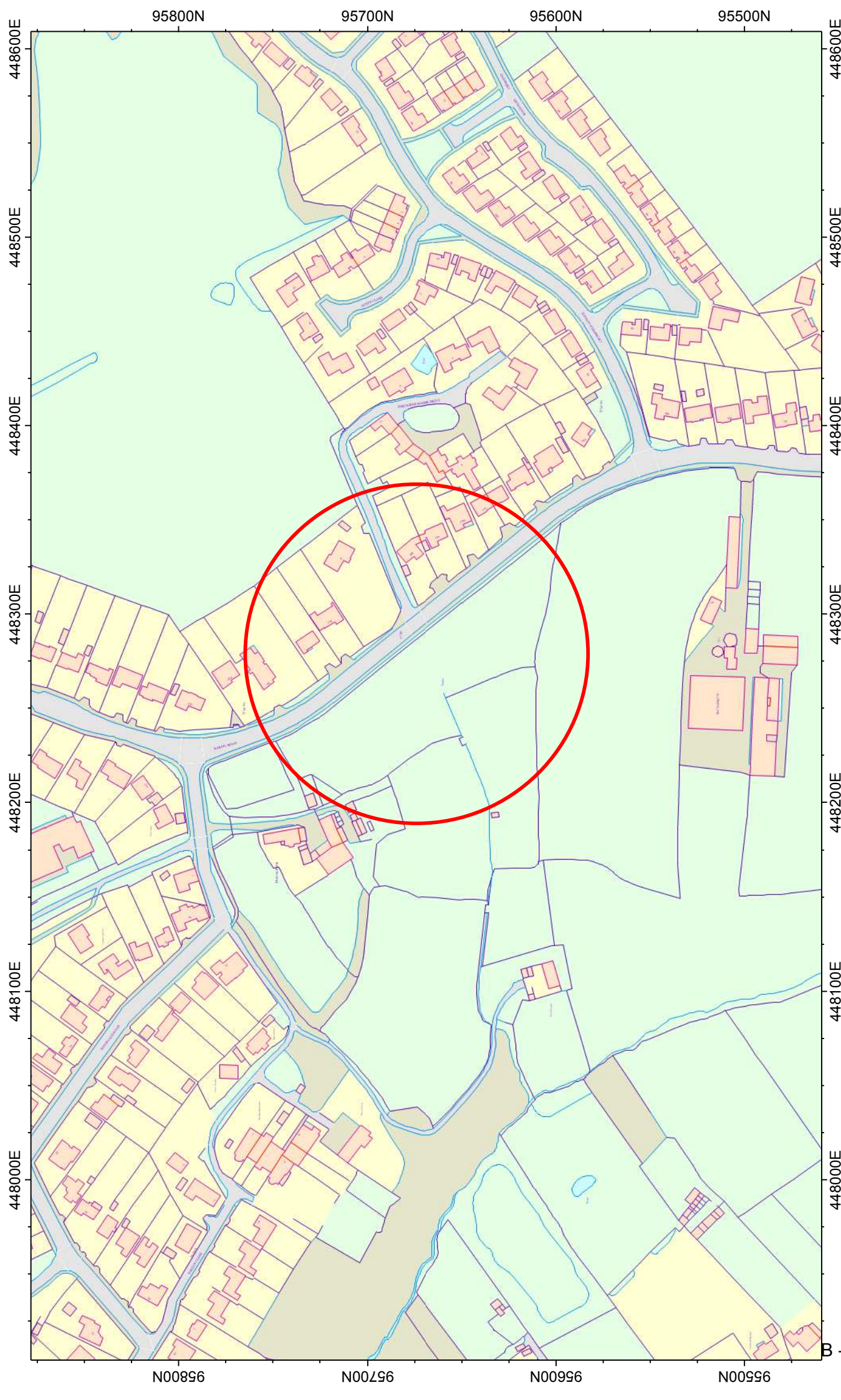
13. No works associated with the commencement of the construction of the dwellings shall take place until a drainage strategy detailing the proposed means of foul and surface water disposal and an implementation timetable, has been submitted to and approved in writing by the local planning authority.

The development shall be carried out in accordance with the approved scheme and timetable.

**Reason:** To ensure that adequate capacity is available in the local network and would not lead to flooding in accordance with policy DM14 (Flood Risk) of the Island Plan Core Strategy.

14. Prior to the commencement of works for the construction of the dwellings hereby approved details of both hard and soft landscape works and a programme for implementation/installation shall be submitted to and agreed in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include but not be limited to: positions of all trees, hedge and shrub planting and a schedule noting their species, planting sizes, proposed numbers and densities where appropriate; proposed finished levels or contours; means of enclosure; boundary treatments; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.). Planting shall be carried out in accordance with the agreed details and shall be regularly maintained. Any trees or plants that die, are removed become seriously damaged or diseased within 5 years of planting are to be replaced in the following planting season with specimens of a like size or species) unless the Local Planning Authority gives written consent to any variation for a period for five years from the date of the approved scheme was completed.

**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.



Scale 1:2500



P/00820/15 - Land at Dottens Farm, Baring Road,  
Cowes, Isle of Wight, PO31

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**02 Reference Number: P/00417/16**

**Description of application:** Demolition of dwelling; proposed residential development of 9 dwellings and 5 flats including formation of new vehicular access, parking and associated landscaping

**Site Address:** land at and rear of 65, Ashley Road, Ryde, Isle of Wight

**Applicant:** Ms C Smy

**This application is recommended for Conditional Permission**

**REASON FOR COMMITTEE CONSIDERATION**

The application is for a major housing development which, when considered in respect of other development in the vicinity of the site, is considered to be of Island wide significance.

**MAIN CONSIDERATIONS**

- Principle of the proposed development
- Impact on the character of the area
- Impact on neighbouring properties
- Impact on ecology and trees
- Highway considerations

**1. Location and Site Characteristics**

- 1.1. The application site occupies a parcel of land to the rear numbers 63 – 67 Ashley Road, adjacent to Redridge House, Rosemary Lane and between Rosemary Lane and the building associated with Rosemary Vineyard.
- 1.2. The land is a former orchard, which has not been maintained and has therefore overgrown, with a degree of self-seeded, poor quality trees.
- 1.3. The area surrounding the site is mainly residential, with the exception being Rosemary Vineyard to the south, which itself has an application for residential re-development.
- 1.4. The current site has a strong sylvan character, with the trees along the northern boundary being of importance to the transitional character of

Rosemary Lane, which changes from a vehicular road to a public footpath around the boundary of the site.

## **2. Details of Application**

- 2.1 The application seeks full planning permission to demolish an existing bungalow and construct 9 dwellings and 5 flats.
- 2.2 The proposed demolition of the existing bungalow is required to gain access to the site, from Asheby Road. The proposed access road would be constructed between no. 63 and 67 Asheby Road, leading to a circular road system within the site. The bungalow would be replaced with a detached dwelling alongside the proposed access road.
- 2.3 The proposed houses would be a mix of seven detached houses and a semi-detached pair. These providing a range of two (3 units), three (2 units) and four (4 units) bedroom units. The flats are proposed with four 1 bed and one 2 bed units. The houses would all be two storeys in height, while the flats would be between two and three storeys.
- 2.4 The application plans have been amended since the original submission with the removal of some of the housing units and their replacement with a building containing flats. These amendments were undertaken to reduce the impact on trees within the site and provide a greater mix of dwellings types and sizes.
- 2.5 All units are shown to have parking, ranging from one to two spaces, with additional visitor parking also being shown alongside the access road.
- 2.6 The application includes a Section 106 Agreement Heads of Terms for a contribution towards the Solent Special Protection Area Mitigation, off site Affordable Housing, education, Public Rights of Way and the establishment of a management company for the communal areas of open space.

## **3. Relevant History**

- 3.1. None relevant to this application

## **4. Development Plan Policy**

### **National Planning Policy**

- 4.1. National Planning Policy Framework (NPPF) constitutes guidance for local planning authorities and decision-takers.



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 and;
- widening the choice of high quality homes

At the heart of the NPPF is a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with the development plan without delay, or where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly or demonstrably outweigh the benefits or specific policies in the NPPF indicate development should be restricted.

4.3 Paragraph 58 explains that planning decisions should aim to ensure that developments:

- Will function well and add to the overall quality of an area.
- Establish a strong sense of place.
- Optimise the potential of the site to accommodate development.
- Respond to local character and history and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation.
- Create safe and accessible environments.
- Are visually attractive as a result of good architecture and appropriate landscaping.

4.4 Paragraph 60 states that "*planning policies should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness*". Paragraphs 63 and 64 advise that, in determining planning applications, great weight should be given to outstanding or innovative designs but that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of the area.

## Local Planning Policy

4.5 The Island Plan Core Strategy defines the application site as being immediately adjacent to the settlement boundary of the Key Regeneration Area of Ryde. The following policies are relevant to this application:

- SP1 Spatial Strategy
- SP2 Housing
- SP5 Environment
- SP7 Travel
- DM1 Sustainable Build Criteria for New Development
- DM2 Design Quality for New Development
- DM3 Balanced Mix of Housing
- DM4 Locally Affordable Housing
- DM12 Landscape, Seascape, Biodiversity and Geodiversity
- DM17 Sustainable Travel
- DM22 Developer Contributions

4.6 The Council also has two relevant adopted Supplementary Planning Documents entitled Solent Special Protection Area and Children's Services Facilities Contributions.

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

### Internal Consultees

5.1 The Council's Building Control Manager has confirmed that the site is not located within an area of known ground instability. The sub-soil consists of shrinkable clay, and sub-surface investigations and soil testing would be required prior to commencement of works in order to design foundations, but this could be dealt with under Building Regulations

5.2 The Council's Environmental Health Practitioner has requested a condition be included, if the application is recommended for permission, to require a contamination report to be submitted.

5.3 The Council's Ecology Officer has confirmed that the site is within the SPA buffer zone. Comments confirm that the proposals would not have an impact on dormice, badgers slow worms or great crested newts. The survey undertaken for bats identified some bats but in general terms the site is not considered remarkable for bats. Further information was requested in respect of the potential for bats within a building, which required a survey to be done at a particular time of year. This was undertaken and no bats were found. The proposal would therefore not have an unacceptable impact on bats.

- 5.4 The Council's Rights of Way Manager has noted that the development is adjacent Public Bridleway R52 and would lead to an increase in the use of this path and the public right of way network to the east. A contribution should therefore be sought to improve these sustainable routes.
- 5.5 The Council's Tree Officer has outlined that the proposed changes to the layout would limit the impact to the surrounding trees to a level that could be considered to be acceptable.

#### External Consultees

- 5.6 Island Roads have recommended conditional permission to the application. Further details on this matter are outlined in the evaluation of this report.
- 5.7 Southern Water have raised no objection but request that a condition be included to require the agreement of foul and surface water sewerage and an informative be included, advising the developer of the need to apply to Southern Water for a connection to the public sewer, should the application be approved.

#### Parish/Town Council Comments

- 5.8 Ryde Town Council objects to the application on the following grounds:
- There is no proposed financial contribution towards the roundabout at Smallbrook Road or affordable housing
  - No Affordable Housing
  - Level of change should not be dealt with through this application
  - Does not plan for the holistic delivery of a satisfactory solution for foul water drainage
  - There are several developments that are planned for this area but there seems to be no joined up thinking on how these schemes are going to be delivered

#### Third Party Representations

- 5.9 23 letters of objection have been received from surrounding residents. The comments contained within which can be summarised as follows:
- Demolition of No. 65 is unnecessary, as property is sound, and is therefore unacceptable.
  - Demolition works would result in dust, dirt and disruption.
  - Existing traffic calming would have to be altered
  - Residents currently have great difficulty getting in and out of their properties, especially at peak times, due to traffic
  - Need to keep small areas of land for wildlife
  - Extra traffic would be generated by the scheme, being a danger to

residents

- It would be safer for the exit to be via Rosemary Lane and necessary upgrades to the surface undertaken
- Detrimental impact on existing residents
- Impact the use of Asheby Road during construction and upon completion
- No details are provided of required changes to the existing traffic calming, without changes the new access would create a danger, so close to Rosemary Lane and onto the already over-burdened Asheby Road.
- Existing sight lines are restricted due to parked vehicles
- Double yellow lines should be considered on Asheby Road, which should be funded by the developer
- Loss of wildlife
- Woodland is not 'dead' as suggested and provides important wildlife habitat
- Security of neighbouring property would be put at risk
- Fence and tree planting on boundary with 63 Asheby Road would cause a privacy, height and possibly subsidence issues
- What if the trees on the boundary impacted on light later, who would maintain them and the density? A brick wall would be 'better'.
- Height and position of proposed unit(s) would result in loss of privacy
- New road is too narrow which would lead to congestion and noise
- Risk of subsidence, noise, dust and dirt.
- Do not need more development in this area
- 3 trees due to be retained should be felled as they represent a danger
- The pedestrian link to Rosemary Lane could see visitors and home owners using and parking on the Lane, instead of the site access
- Changes to the traffic calming would make the current chicane set up even more difficult resulting in a greater build-up of traffic queues
- Current sewer system has inadequate capacity and is archaic, increasing risk of flooding
- Concerns proposed speed ramps would affect access to a consented development
- No evidence in the submission that moving the traffic calming 5 metres down would improve the existing traffic calming measure, to mitigate for the increase in traffic.
- Question the suitability of Plot One D1, would have a negative effect on the number of proposed properties on the circular road as the road width at this point restricting the flow of vehicles turning onto Asheby Road.
- Majority of houses are bungalows in the area, therefore two storeys would not be appropriate.
- No indication of how the circular road would be policed for visitor parking

- No reference to how emergency vehicles, especially fire engines would be maintained at all times
- Loss of privacy/overlooking
- Back land building is unsuitable in this instance
- Properties will be very expensive and will not help the community and would be unaffordable to Island residents.
- Where would construction vehicles park
- The ivy around the trees is suitable for red squirrels. This area is a corridor link for them and should remain unbroken
- Copse should be preserved and maintained properly.
- Proposed access road would run close to windows in neighbouring properties, resulting in loss of privacy. Proposed planting to mitigate this would cause problems in the future.
- Insufficient road infrastructure in local area
- Sequential test is not sufficiently comprehensive
- Site lies in an essentially rural area, the proposal comprising an undesirable extension of residential development
- Empty properties should be investigated for improvement and allocation to meet housing need.
- Geology of the site would make it prone to flooding
- Proposals does not conserve or enhance the natural environment
- Proposal conflicts with the existing pattern of development
- Development is visually damaging in the landscape or in the setting
- Proposal conflicts with the character of the area

## 6. Evaluation

### Principle of the proposed development

- 6.1 The application seeks permission for 14 residential units with associated access, car parking and landscaping. The application is for full permission with vehicular access to the site being off Ashley Road, with a further pedestrian access onto Rosemary Lane.
- 6.2 The application site is located outside of but immediately adjacent to the settlement boundary for Ryde, which falls within the Ryde Key Regeneration Area. Therefore, in accordance with policy SP1 the broad principle of development is deemed to be acceptable. Policy SP2 sets out the requirement for delivery of new housing, and identifies the need for the provision of at least 2,100 new dwellings within Ryde over the plan period and it is considered that this proposal would help to meet that identified need. Third party letters have been received raising concerns that the need for the proposed units has not been identified, quoting a paragraph from SP1. However, the quote relates to Rural Service Centres. The site is located within a Key Regeneration Area and therefore this requirement does not

apply. The scheme is therefore considered to meet the housing need requirements identified within Policies SP1 and SP2.

- 6.3 Comments have been received that, due to the recent approvals in the vicinity, there is no further need in this area. This is not correct. In order to achieve the 520 dwellings a year, across the Island, it is necessary that a range of sites are bought forward. As a guide, on the Island it is unlikely that an individual site would deliver more than 50 units a year and therefore one site cannot provide an entire areas provision. Furthermore, there is no guarantee a consented site will be developed. The current 5 year land supply, as required by the NPPF, is made up of over 50 percent 'theoretic supply', meaning less than 50 percent of the sites on which the Council are relying to achieve housing for the next five years do not have planning permission, but are considered to be 'deliverable' within the Strategic Housing Land Availability Assessment (SHLAA). Therefore, it is essential that development sites identified within the SHLAA are bought forward. This site would contribute towards meeting this overall need. Furthermore, the recent appeal at Arreton confirmed that even in the event that a housing target is met, this is a target and not a ceiling. It therefore "does not prohibit other sites coming forward for development that would increase the annual or cumulative output".
- 6.4 The application provides for a mix of unit types and sizes, as identified within paragraph 2.3. This mix is considered to comply with the general principle set out within the Strategic Housing Market Assessment (SMHA) as required by policy DM3. Comments from third parties have raised concerns that the units would not be affordable for local people. However, officers consider that there is a range of unit sizes on site to ensure differing values etc.
- 6.5 Third party comments have raised concerns that empty properties should be used first. However, based on the current level of need, it is not considered that this could be met through the use of existing building. It would therefore be necessary to build new properties. Furthermore, although policy SP1 requires proposals on greenfield and/or non-previously developed site within Rural Services Centres to demonstrate that deliverable previously developed land is not available and an identified local need will be met. The requirement does not relate to sites within or immediately adjacent to the Key Regeneration Areas or Smaller Regeneration Area.
- 6.6 The site is best described as non-previously development. SP1 also states that in all cases development on non-previously developed land will need to clearly demonstrate how it will enhance the character and context of the local area. However, a recent Planning Inspectorate decision at Place Road in Cowes discussed the issue of developing on Greenfield land and the landscape impact of this. Within the decision the Inspector made the following comments:

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

- 6.7 In conclusion the proposed development is considered to comply with policy SP1, being located adjacent to the settlement boundary and deliverable, therefore appropriate subject to other material considerations outlined below. The proposal would also serve to assist with the Councils five year land supply, by delivering housing which could be developed within the next five years, reducing the reliance on theoretical SHLAA site capacity and contributing to the identified for housing as set out in policy SP1.

#### Impact on the character of the area

- 6.8 It is fully acknowledged by officers that the proposed development would change the visual appearance of the site. Due to the extent of the tree cover around the boundaries of the site and the internal density of trees the site appears as one large wooded area when viewed from the public footpath and surrounding land. The immediate area of the site is therefore characterised by the woodland.
- 6.9 The woodland is of varying degrees and quality. The whole wooded area is secondary woodland that has arisen in the past 40 – 50 years and grown on what was once an orchard. It is acknowledged however that some of the western perimeter are large *Macrocarpa* planted as landscaped features and predate the woodland.
- 6.10 The wood can be split into two areas; the western and eastern side. The western side of the wood is more open and predominantly consisting of poplar, *Macrocarpa* and hawthorn, with some oaks to the northern boundary.
- 6.11 It is the eastern boundary of the site that is more established and has better quality trees, predominantly oak trees. That said these are found through the site but in a higher concentration on the eastern side.
- 6.12 The woodland is visible from many public vantage points in the area. It is accepted that to develop the site it would mean a high level of tree loss. However, this in itself does not necessarily result in an impact on the character of the area, with the trees being of collective value. The highest proportion of loss would be from the western side of the site and would include scrub trees.

- 6.13 The amendments to the application since originally submitted have changed the layout to reduce the number of trees which were originally sought to be lost. The revisions would also allow for more space to be made available for new planting, to mitigate for loss as well as enhancing the quality of the woodland, in areas where trees are retained.
- 6.14 The revised layout, with the incorporation of flatted development which does not require individual garden areas, would also reduce the need to pollard and coppice as previously identified. As such the density of the wooded area can be better retained and achieve the objective of providing properties in a wooded sylvan environment and as such limit impact on the rural wooded character of the lane to the north.
- 6.15 The plans also show that heavy planting is intended around the boundaries and in the wooded areas. This depending on the trees and scrub being planted would increase the density of the screening quality of the site, helping to ensure the wooded character is retained.
- 6.16 It is therefore felt that the changes made to the layout would limit impact to the surrounding trees to a level that could be considered to be acceptable and would not have an unacceptable impact on the character of the area.
- 6.17 Having due regard to the existing tree screening and the proposed enhancement to this along the boundaries of the site, the development would not be readily visible from outside of the developed area. Due to the design of the units and the nature of the tree screening; the development which would be visible in 'glimpses' in a landscaped setting and is located in what is residential area. It is therefore considered that the proposed development would not have an impact on the character of the area which would be unacceptable.
- 6.18 Concerns have been raised by third parties with regards to the two storey scale of the dwellings and the height of the flats. Considering first the proposed unit one, at the front of the site, which would replace the existing bungalow; officers consider that Ashley Road currently has a mix of two and single storey properties in the immediate street scene. The scale of the proposed replacement would is not considered to be out of character.
- 6.19 Properties in Rosemary Lane are also a mix of two and single storey and therefore the dwellings in the site are not considered to be out of context.
- 6.20 The proposed block of flats would be three storeys. However, the proposed building is surrounded by a strong tree belt, as such the third storey would only be visible in glimpses through the trees. The very top of the building may be visible above some of the trees within this part of the site but due to the proposed use of timber for the walls and a green roof it is not considered that



this would be unacceptable or significantly impact on the character of the area.

- 6.21 The proposed units are designed to a high sustainable building construction. All of the houses are designed to Lifetime Homes Standards and employ passive heating and cooling principles and using recycled and recyclable materials. The proposed layout has been fundamental to achieving this, with the units mainly aspecting to the south, to increase solar gain, with limited opening on northern elevations. Glazing is maximised on south elevations to enhance winter heat gain and the main living spaces are located here. The internal layout of units sees double height spaces behind large areas of glazing to create a thermal stack in the house, allowing hot air to rise and ventilate through the roof in the summer months, helping to cool the house. Materials would include timber, render, brick and zinc under slate roofs, which would include photovoltaic panels.
- 6.22 Officers do not consider this alternative design approach is unacceptable, when balanced against the limited visible nature of the site, the appearance of the natural materials against the background of the retained trees and the varying design of properties in the vicinity of the site.
- 6.23 Having due regard to the above the application is not considered to have an unacceptable impact on the character of the area, and as such would be appropriate for development in the manner proposed.

#### Impact on neighbouring properties

- 6.24 The main properties which could be affected adjacent to the site include 1 and 2 Redridge and Downs View, Rosemary Lane and 63 and 67 Ashley Road.
- 6.25 63 Ashley Road is located to the north of the proposed site access. The existing bungalow adjacent to this property would be demolished and the access created. The plans show a strip of landscaping between the access road and this property. Once installed this landscaping would ensure that the impact from traffic using the new access would be minimised. This, together with the limited number of vehicles which would be generated by the proposed number of units, would ensure that the proposed development would not have an unacceptable impact on 63 Ashley Road.
- 6.26 67 Ashley Road is located to the south of the proposed site access. A dwelling is proposed between the site access road and this property. The dwelling would be two storeys and therefore would have a potentially greater impact on the existing property than the current bungalow. However, officers have considered this relationship and noting the positioning of the proposed dwelling off the boundary, while the existing garage sites sit right up against the

shared boundary, together with the footprint not extending more than 200mm beyond the rear of this neighbouring property and the proposed design including no windows on the side elevation, the proposed relationship is not considered to be unacceptable.

- 6.27 The proposed dwellings on plots 2 and 10 would sit to the rear of 63 and 67 Ashy Road. However, the proposed and existing tree screen together with the distance of over 40 metres between the built forms would ensure that there would not be an unacceptable impact on these properties from the proposed development.
- 6.28 Plots 2 – 5 would be positioned to the south and east of 1 and 2 Redridge, Rosemary Lane. It is considered by officers that the proposed units would not have an impact on the amenities of these properties, with the closest property being 14 metres from 2 Redridge and on an angle, moving away. The distance together with the existing and proposed landscaping and the lack of windows in the rear elevations of the proposed houses (on sustainable design grounds), would ensure that the proposed development did not have an unacceptable impact on the residential amenities of these properties.
- 6.29 Downs House is located next door to the 1 Redridge and is therefore a greater distance from the proposed units. There are also large trees on the shared boundary which, as above, together with the distance and design would ensure that the proposed development would not have an unacceptable impact on the amenities of this property.
- 6.30 A number of comments have been received by residents of the surrounding area raising concerns with regards to the general impact from the construction process, and associated noise, dust etc. officers acknowledged that there would be some disruption caused by the construction process but this would not be any greater than other development sites and is short term. It is therefore considered; subject to a condition to control hours of construction and the management of dust etc. the proposed development would not have an unacceptable impact on residential amenity in the vicinity of the site.

#### Impact on ecology and trees

- 6.31 The above section on the impact on the character of the area considered in detail the potential impact on trees and the nature of the tree works proposed on site. It is not considered necessary to repeat this, only to reiterate that the proposed development would result in the loss of trees within the centre of the site but, this is not considered to be significantly beyond what is necessary for good arboreal management and would not have an unacceptable impact on the character of the area. The Council's Tree Officer therefore raises no objection.

- 6.32 The site is situated at the edge of existing residential development and comprises an area of former orchard. To the south and east the site is boarded by agricultural land. The site is not in the immediate vicinity of any nationally or internationally designated sites, although does fall within the 5.6km SPA buffer, requiring a contribution to mitigation of recreational impact on the SPA as set out in the SPD.
- 6.33 Ecological assessments have been carried out and, on the whole, the site is not overly constrained by the presence of legally protected species. No hazel dormice have been recorded on site, badger activity has been noted although no setts are evident, nearby ponds recorded no evidence of great crested newts, a typical bird assemblage was noted and the vegetation within the site is not of particular botanical interest.
- 6.34 There was some evidence record of bat activity and a small slow worm population was recorded. However, based on the nature of the bat species identified in the surveys the proposed mitigation presented in the ecology report is considered to be acceptable to ensure that there would not be unacceptable harm. In respect of the slow worms the application is not considered to result in a significant loss of habitat furthermore, there are more varied and useful edge habitats, deadwood cover and invertebrate-rich areas produced by the sites landscaping and ongoing management.
- 6.35 The proposed development provides an opportunity to enhance the biodiversity of the site, resulting in a better habitat for wildlife, in accordance with policy DM12 of the Core Strategy.

#### Highway considerations

- 6.36 The site would be accessed from Asheby Road, via a new road in place of an existing bungalow. Island Roads original raised questions in respect to the proposed junction arrangement between the site and Asheby Road and, how the existing traffic calming system within Asheby Road was to be accommodated / modified, as well as identifying conflicts between the submitted plans. In an attempt to address these concerns the applicant has provided additional information in the form of a Transport Statement Addendum and a document titled 'Response to Planning Comments'. As a result the highways elements of this application have been re-evaluated and a further site visit undertaken.
- 6.37 Asheby Road is a 'C' classified public highway governed by a 30mph speed limit and is subject to traffic calming (a chicane system) at the point in question. Submitted details show the proposed junction arrangement between the site and Asheby Road and includes for the repositioning of the existing carriageway markings and buildout associated with the current chicane traffic calming system. The proposal provides for a fully compliant

junction arrangement, gives rise to pedestrian connectivity between the site and the wider highway network and retains a chicane system on Asheby Road. The junction arrangement / traffic calming proposal are supported by a swept path analysis; with an alternative traffic calming option also being submitted for consideration. On evaluation both of the traffic calming options are deemed to be acceptable from a swept path analysis perspective. Further swept path analysis of the Asheby Road proposals have also been undertaken by Island Roads to ensure that they do not negatively impact on the ability of adjacent property owners to enter and exit their driveways and to ensure that oversized vehicles such as farm traffic would be able to pass along this section of public highway without conflicting with south bound vehicles waiting at the proposed give way markings. Based on the layout detailed there is capacity for 3 private motor vehicles to stack back from the give way marking in advance of the proposed junction.

- 6.38 As a result of a site inspection it is evident that the existing vehicle accesses serving numbers 63 and 65 are both limited in respect to visibility. The proposed layout will replace the access serving No 65 with a fully compliant junction and provide significant visibility improvements to the vehicle access serving No 63.
- 6.39 The proposed modifications to Asheby Road in order to accommodate the site provide for a minimum carriageway width of 5.80m retaining the ability of two service vehicles to be able to pass of this section of the highway network with ease.
- 6.40 The proposed onsite layout allows for a 5.0m wide traffic calmed carriageway over the first 16.0m from the junction with Asheby Road, reducing down to 4.80m with abutting segregated footways. This then leading into a 5.20m wide shared surface circular road layout at the eastern extent of the site. Off of this circular road system is a pedestrian link through to Rosemary Lane maximising connectivity to the local public rights of way network. The segregated footways within the site are detailed to be a minimum of 1.50m wide and increasing to 1.80m at the junction with Asheby Road. It is recommended by Island Roads that the applicant be obligated to provide an uncontrolled tactile crossing point about the junction of the site with Asheby Road to maximise pedestrian safety. A condition is recommended accordingly. Further conditions are also recommended, should the application be approved, to protect the visibility splays for vehicles and pedestrians.
- 6.41 The proposed site layout (subject to conditions) complies with design standards, allowing of the safe passage of pedestrians, private and service vehicles. The circular road layout at the eastern end of the site allows for all vehicles (private, service and emergency) to enter and exit the public highway in forward gear.

- 6.42 When considering the number of dwellings for which consent is sought the traffic generation associated with this proposal is not deemed to have a negative impact on the capacity of the highway/project network so as to sustain a highways recommendation for refusal.
- 6.43 On review of accident data, there have been no recorded accidents in the last 3 years within the vicinity of this site that are relevant to the proposal.
- 6.44 Comments have been raised by third parties with concerns that the incorporation of a pedestrian link between the site and Rosemary Lane would increase the risk of residents parking on the Lane rather than the site. Officers consider that adequate parking has been provided on site to ensure that residents do not seek alternative locations. The general condition of Rosemary Lane and lack of turning is likely to discourage the use of this route, over the site access, which would be purpose built. The proposed link is considered to make the most of the public rights of way network in the vicinity of the site and would encourage walking.
- 6.45 The proposals envisaged in this application have implications affecting the highway network and therefore in order to comply with policies DM2 (Design Quality for New Development), DM13 (Green Infrastructure), DM17 (Sustainable Travel) and SP7 (Travel) of the Island Plan Core Strategy.

#### Other matters

- 6.46 Concerns have been raised by third parties that the proposed development would increase the risk of crime. However, the proposal have been developed with consideration of the principles of Secure by Design. The internal layout of the units has been designed to ensure that natural surveillance from living rooms and kitchens is provided over woodland and public areas. The careful balance between amenity and security, as a result of the dense nature of the woodland is also acknowledged and officers are satisfied that this could be managed through a condition on boundary treatment.
- 6.47 Comments have been raised by third parties with regards to the adequacy of the drainage in the local area. The application has been submitted with a Flood Risk Assessment (FRA). It should be noted however that the site is not located within an area of known flood risk, as designated by the Environment Agency. The site being located within a flood zone 1. The FRA therefore considers surface water drainage and the management of it. The Assessment identifies that there would be a low risk of flooding from tidal, fluvial, ground water, ponds or sewers, with a medium risk from land drainage (surface water).

- 6.48 The Assessment outlines that the site is unlikely to be suitable for infiltration, due to site geology. Discharge into a watercourse (the nearest being Monktonmead Brook, located 250 metres east of the site. However, a walkover survey confirmed that there are no natural surface drainage features on the site providing a direct hydraulic link with the watercourse, making this option unfeasible, due to the need to cross third party land.
- 6.49 Southern Water sewers records show that there are no surface water sewers in the area of the site. The nearest combined sewers are located in Ashey Road and Rosemary Lane. Given the topography of the site it would be more appropriate to seek a connection to the combined system in Ashey Road. A hydrobrake is proposed to be installed to control flow into this system.
- 6.50 The information submitted with the application demonstrates that there is an engineering solution to deal with the surface water resulting from the developed areas of the site. Officers are therefore satisfied that, subject to a condition on the detailed design, on which Southern Water would be consulted, the application would not have an unacceptable impact on from flooding.

## **7. Conclusion**

- 7.1 Giving due regard and appropriate weight to all material considerations referred to above Officers consider that the proposed development would provide needed housing on a site which is available, suitable and viable, within a sustainable location in accordance with policies SP1, SP2, DM3 and DM4.
- 7.2 It is acknowledged that the proposed development would change the character of the site but Officers consider that the effect of this change would be limited and would not have an unacceptable impact on the character of the area as a whole. The scheme would be of a high quality design and layout and, subject to conditions would be in accordance with policy DM2.
- 7.3 The proposed layout has paid due regard to the constraints of the site to ensure that the proposed development would not have an unacceptable impact on the amenities of neighbouring properties, trees or ecology in accordance with policies SP5, DM2, DM12 and DM14.
- 7.4 Subject to a requirement for alterations to the existing traffic calming in Ashey Road officers are satisfied that the proposed development would not have an unacceptable impact on the wider highway network. The proposed access would also comply with required standards in accordance SP7 and DM2.

**8. Recommendation**

8.1 Conditional permission, subject to a Section 106 Agreement towards the Solent Special Protection Area Mitigation, off site Affordable Housing, education, Public Rights of Way, the establishment of a management company for the communal areas of open space and the implementation and completion of the works to the existing highway network.

**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:

- 3. The IWC offers a pre-application advice service
- 4. 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 applicant was provided with pre application advice and following revisions to the scheme and the submission of further information on highways and bats 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 only be carried out in complete accordance with the details shown on the submitted plans, numbered:

15002 90-001 P3  
15002 98-001 P3  
D004 / P / 004 01  
D004 / P / 005 01  
D004 / P / 006 01  
D004/ P / 007 01

D004 / P / 009 01  
D004 / P / 010 01  
D004 / P / 011 A  
D004 / P / 012 01  
D004 / P / 013 01

and read in conjunction with the Preliminary Ecological Assessment, the Ecological Impact Assessment and the Bat Survey Assessment.

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

- 3 No works associated with the commencement of the above ground construction of the dwellings shall take place until samples of materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

- 4 No dwelling hereby approved shall be occupied until sight lines have been provided in accordance with the visibility splays shown on the approved plan 35406-001-004 Rec C. Nothing that may cause an obstruction to visibility when taken at a height of 1.0m above the adjacent carriageway / public highway shall at any time be placed or be permitted to remain within that visibility splay.

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

- 5 No dwelling hereby permitted shall be occupied until space has been laid out within the site in accordance with drawing number 15002 90-001 Rev P3 for cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. The space shall not thereafter be used for any purpose other than that approved in accordance with this condition.

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



- 6 No dwelling shall be occupied until the parts of the service roads which provide access to it have been constructed surfaced and drained in accordance with details which have been submitted to and approved by the Local Planning Authority.

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

- 7 Development shall not begin until details of the junction between the proposed service road and the highway have been approved in writing by the Local Planning Authority based on the layout as detailed on drawing 35406-001-004 Rev C and to include for the provision of a uncontrolled tactile crossing on the service road about the junction; and the dwellings hereby approved shall not be occupied until that junction has been constructed in accordance with the approved details.

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

- 8 No development shall take place until the highway improvements based on the principals of plan 35406-001-004 Rev C (reconfiguration of the existing Ashley Road traffic calming system and the provision of a priority junction and all associated works) have been completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

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

- 9 Development shall not begin until details of the sight lines to be provided at the junction between the parking area serving plot 1 and the onsite access road to give rise to minimum visibility splays of X = 2.0m by Y = 25.0m and 1.0m x 1.0m pedestrian splays have been submitted to and approved in writing by the Local Planning Authority and the dwelling (plot 1) shall not be occupied until those sight lines have been provided in accordance with the approved details. Nothing that may cause an obstruction to visibility shall at any time be placed or be permitted to remain within the visibility splay shown in the approved sight lines.

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

- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no gates shall be erected about the junction of the parking area serving plot 1 and the onsite access road.

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

- 11 No development shall take place until an Arboreal Method Statement has been submitted to and agreed in writing by the local planning authority detailing how the potential impact to the trees will be minimised during construction works, including details of protective tree fencing to be installed for the duration of construction works. The agreed method statement will then be adhered to throughout the development of the site.

**Reason:** This condition is a pre-commencement condition to prevent damage to trees during construction and to ensure that the high amenity tree(s) to be retained is adequately protected from damage to health and stability throughout the construction period in the interests of the amenity in compliance with Policy DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

12. Prior to the commencement of works for the construction of the dwellings hereby approved details of both hard and soft landscape works and a programme for implementation/installation shall be submitted to and agreed in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include but not be limited to: positions of all trees, hedge and shrub planting and a schedule noting their species, planting sizes, proposed numbers and densities where appropriate; proposed finished levels or contours; means of enclosure; boundary treatments; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.). Planting shall be carried out in accordance with the agreed details and shall be regularly maintained. Any trees or plants that die, are removed become seriously damaged or diseased within 5 years of planting are to be replaced in the following planting season with specimens of a like size or species) unless the Local Planning Authority gives written consent to any variation for a period for five years from the date of the approved scheme was completed.

**Reason:** This condition is a pre-commencement condition to ensure appropriate soft landscaping is provided for the development, in the interests of visual amenity and to comply with policy DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

- 13 No part of the development hereby permitted shall commence until there has been submitted to and approved in writing by the Local Planning Authority part a) below. Parts b) and c) shall be required as necessary.

a) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk-top study in accordance with BS10175: 2011+A1:2013 –

- “Investigation of Potentially Contaminated Sites – Code of Practice”;  
and, unless otherwise agreed in writing by the Local Planning Authority,
- b) a remediation scheme to deal with any contaminant including an implementation timetable, monitoring proposals and a remediation verification methodology. The verification methodology shall include a sampling and analysis programme to confirm the adequacy of decontamination and an appropriately qualified person shall oversee the implementation of all remediation.
  - c) The investigator shall provide a report, which shall include confirmation that all remediation measures have been carried out fully in accordance with the scheme. The report shall also include results of the verification programme of post-remediation sampling and monitoring in order to demonstrate that the required remediation has been carried out.

The construction of buildings, including any associated groundwork, shall not commence until such time as is approved by the Local Planning Authority.

**Reason:** To protect the environment and prevent harm to human health by ensuring that where necessary, the land is remediated to an appropriate standard in order to comply with Part IIA of the Environmental Protection Act 1990.

- 14 No development shall take place, until a construction method statement has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:

- i) the parking of vehicles of site operatives and visitors;
- ii) loading and unloading of plant and materials;
- iii) storage of plant and materials used in constructing the development;
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v) wheel washing facilities;
- vi) measures to control the emissions of noise, smoke, fumes, dust and dirt during construction

**Reason:** To prevent annoyance and disturbance, during the demolition and construction phase in accordance with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy and paragraph 123 of the National Planning Policy Framework.

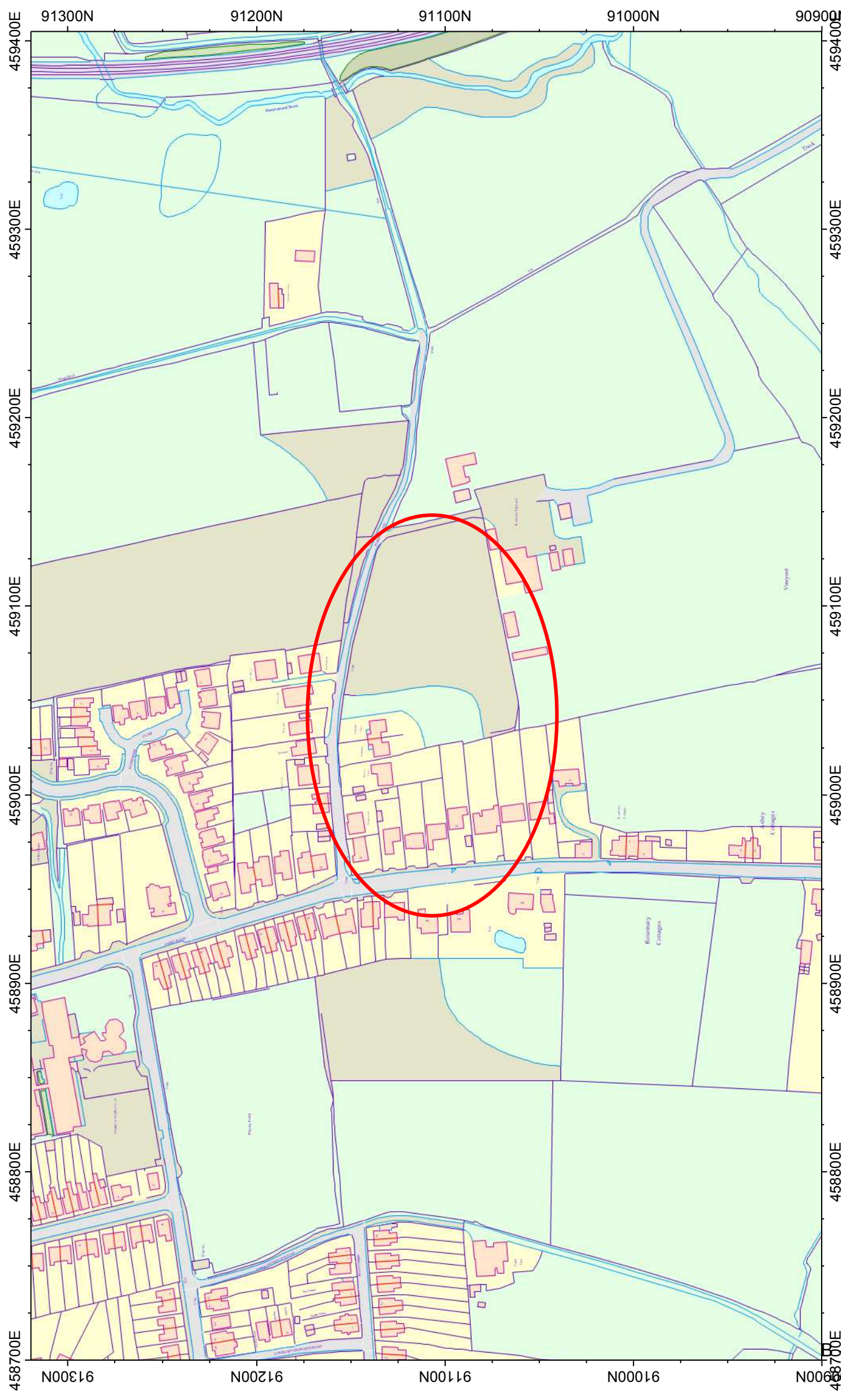
- 15 No works associated with the commencement of the construction of the dwellings shall take place until a drainage strategy detailing the proposed means of foul and surface water disposal and an implementation timetable, has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved

scheme and timetable.

**Reason:** To ensure that adequate capacity is available in the local network and would not lead to flooding in accordance with policy DM14 (Flood Risk) of the Island Plan Core Strategy.

- 16 *The measures as detailed in the Ecological Assessments shall be implemented in full, unless otherwise approved in writing by the Local Planning Authority. Thereafter, the compensation measures shall be permanently maintained and retained in accordance with the approved details.* Post construction, a report shall be submitted to the Local Planning Authority for written approval, confirming that the works have been carried out as per the approved plans and that the proposed compensatory measures have been undertaken.

**Reason:** To ensure mitigation and compensation is adequately provided in accordance with Policy SP5 (Environment) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.



P/00417/16 - land at and rear of 65 Ashey Road,  
Ryde, Isle of Wight, PO33

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**03 Reference Number: P/00760/16**

**Description of application:** Proposed residential development of 80 dwellings, and associated access roads, public open space, attenuation ponds and infrastructure

**Site Address:** land south of Westridge Farm, and to rear of 10 to 38 Circular Road, off, Hope Road, Ryde, Isle Of Wight, PO33

**Applicant:** Ambrow Ltd

**This application is recommended for conditional permission**

**REASON FOR COMMITTEE CONSIDERATION**

This application was deferred from the last Planning Committee (28<sup>th</sup> February 2017) for Officers to consult to farmer to establish how many cattle there are on Westridge Farm.

**1. Introduction**

- 1.1 This application was originally reported to the Planning Committee on the 24<sup>th</sup> January 2016 with a recommendation of conditional approval subject to the conclusion of a section 106 agreement. The papers for this item are attached as appendix A.
- 1.2 Members voted to refuse the application on the grounds of unsuitable access. The application was subsequently subject to a call-in by the Head of Place due to concerns that the reason for refusal was not sustainable.
- 1.3 A call-in paper was reported to the Planning Committee on the 28<sup>th</sup> February 2017. The purpose of that report was to outline the potential risks associated with the proposed reason for refusal. The papers for this report are attached as appendix B.
- 1.4 The Members voted to defer the application as a late representation suggested that the number of cattle accommodated at the farm was greater than outlined within the report. Member wished officers to contact the farmer to establish the correct figure.
- 1.5 Since the 28<sup>th</sup> February 2017 officers have written twice to the farm and received a response on 27<sup>th</sup> April 2017. This response was shared with the

Agent for the applicant who has also provided comments. These responses are summarised with the evaluation section below.

## **2. Evaluation**

### The reason for deferral

- 2.1 The report presented to Committee on the 24<sup>th</sup> January 2017 contained the following paragraph:

*Although it is acknowledged that these fields are the closest to the farm itself, the holding is some 40.4 hectares. The farm currently has a herd of 70 dairy cows. 'John Nix Farm Management Pocketbook' confirms that an efficient dairy enterprise would need 1 hectare for every 2.2 – 2.4 dairy cows. The size of the holding would therefore need to be 31 hectares, for the size of the herd. Even taking into consideration rotation to allow fields to recover from grazing the holding is of sufficient size that the loss of the fields associated with the proposed development would not impact on the viability of the farm.*

It is this paragraph that third parties suggested was incorrect.

- 2.2 This information on numbers referred to by Officers at the Planning Committee on the 28<sup>th</sup> February 2017 was provided by the Agent for the application, who is the landowner (the farmer being a tenant farmer).
- 2.3 The implication of an error in this figure was related to the suggestion that the holding including a farm to the east; Woodlands Vale Farm. It was therefore not clear to Members what the overall hectares of the holding were or the number of cattle using the land associated with the holding.

### Following the deferral

- 2.4 The farmer was therefore asked to confirm:

- The total number of cattle across the holding (should this include both Westridge Farm and Woodlands Vale Farm) and the associated land used for grazing and silage for these cattle.
- A brief outline of the inter-relationship between the two farms

We also provided a copy of the 'post' reference above to provide an opportunity for comment on this.

As the Agents position was clear he was not asked to provide any further information but was given the opportunity to response to the comments received from the farmer.



### The farmers response

- 2.5 The farmer confirmed that the holding has approximately 160 head of cattle at this time. This includes dairy cows and young stock. The land farmed by the holding consists of now Westridge Farm, as at the time of providing the information Woodlands Vale Farm was being sold and therefore they no longer have a tenancy agreement on this farm. Therefore the farm has approximately 100 acres (40 hectares) at Westridge Farm plus an additional 8 acres (3 hectares) on a separate tenancy agreement for land nearby.

The comments have also questioned the calculation used regarding land per head. Officers are however satisfied that this is taken from an industry recognised source and is an appropriate indicator.

The farmer also outlines that the land at Westridge Farm is used for grazing, but also for grass-silage and maize for the winter, plus hay is produced to feed the young stock throughout the year. Some of the land is also used for straw which is required for bedding, although straw is currently also bought in.

### The Agents response

Immediately following the last Planning Committee meeting the agent provided officers with a copy of posts on social media site for the farm to corroborate the information previous provided. These stated: "Our milk comes exclusively from our happy herd of Holstein Friesian cows, we have 70 cows in our dairy herd." and another stating "We have a traditional dairy herd of 70 black and white Holstein Friesian cows."

The Agent for the application has commented on the information submitted by the farmer, outlined above. The comments outline that; the land at Woodlands Vale Farm which is being sold, was subject to a business lease rather than forming part of the formal tenancy. That business lease has only been in operation for the last 10 years and has been renewed on an annual basis. The land is subdivided in two, with part retaining a business lease for the farm. With respect to the other half, purchased by Woodlands Vale, the farmers are at liberty to approach and agree a grazing agreement on the land, but this is subject to their own endeavours to secure grazing land like any other farm holding. Like any business, the farm could seek to secure agreement. The agent assets that the landowner has a reasonable amount of land which physically adjoins the formal tenancy, and so, subject to normal agreement and structure there is no reason why the farm cannot approach the landowner to seek additional land. Equally the Agent is aware of land suitable for grazing which can be subject to licence or tenancy, but to their knowledge has not been approached by the farm to seek assistance.

The Agent has also outlined that they believe that the farmed area, will soon include, subject to normal terms of agreement, an additional 6.88 acres/2.78 ha land (grazed by lease) off Bullen Road.

With regards to the need for land to facilitate the production of grass silage and maize, this is not disputed. However, this is not in shortage across the Island and would not need to be in close proximity to the farm buildings.

### Officers response

The above paragraph summarise the information provided to officers with regards to the current size of the holding and the possible number of cattle. As Members will see there is some dispute between parties regarding this point. However, officers would wish to highlight that, regardless of the above information and who is correct (or otherwise) the key point of consideration relates to the impact of the loss of agricultural land. Not whether a business would succeed or fail following this loss.

To use a basic analogy; if a building was to be sold the Local Planning Authority could not refuse an application for its redevelopment because the existing tenant would no longer be able to reside at the address. The application would have to be considered on its planning merits and in such an example the tenant would have to find an alternative premise. The same principles allow to land.

This application would result in the loss of agricultural land. However, the principle of this loss is considered to be acceptable, as the site is adjacent to the settlement boundary and would therefore accord with policy SP1. There is no policy within the Core Strategy which provides specific protection to farmed agricultural land. The loss on these grounds could therefore not form a sustainable reason for refusal. This was set out in detail within the original report (appendix A).

The National Planning Policy Framework does make limited reference to development of agricultural land stating that:

*“Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poor quality land in preference to that of higher quality.” [para 112]*

It should be noted, as outlined within paragraph 6.11 of the report attached as appendix A, the site is designated as part ‘Urban’ and part ‘Grade 3’ in the Agricultural Land Classification. As such it is not considered to be best or most versatile agricultural land.

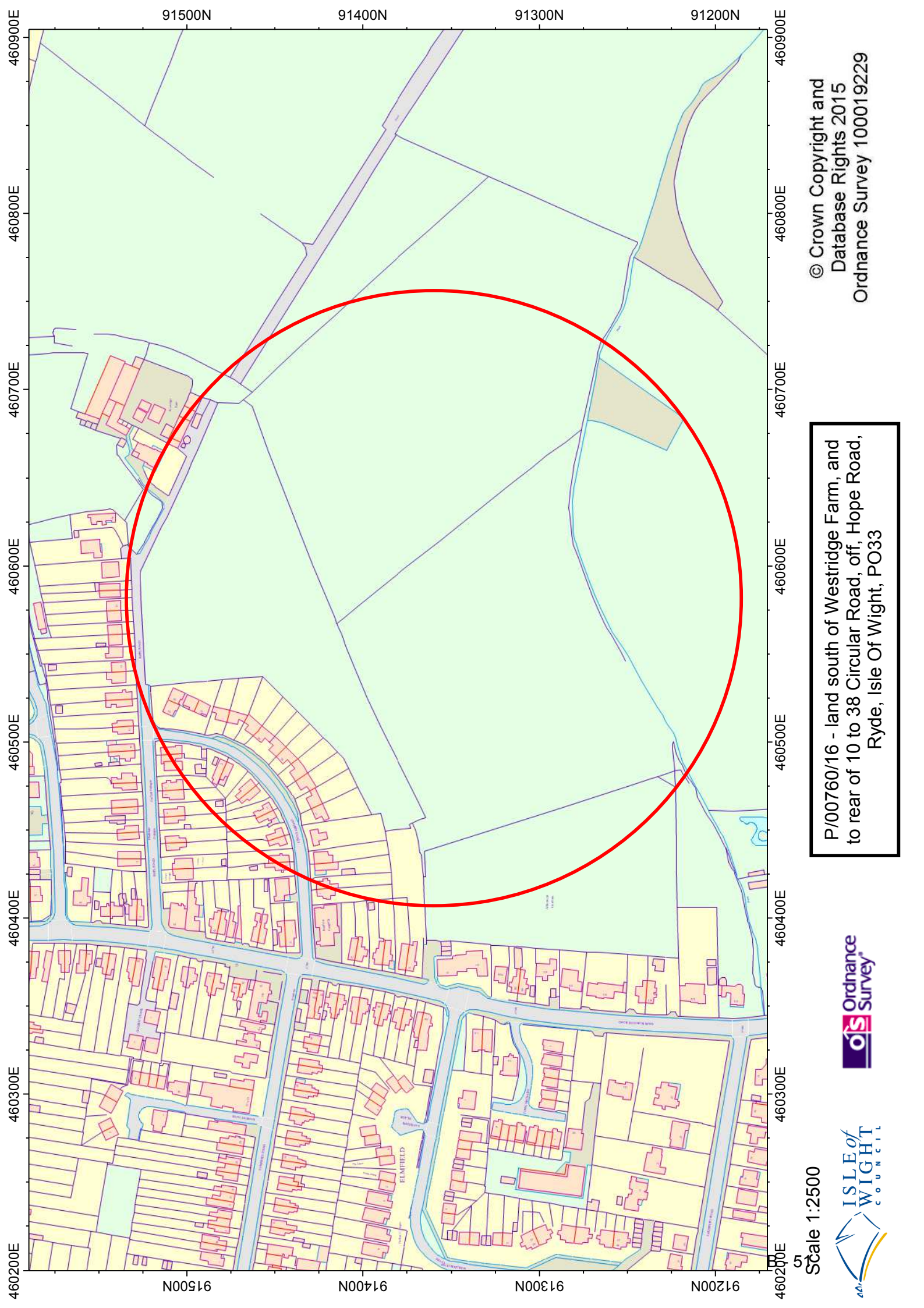
Therefore there is no overriding policy protection to resist the development, due to the loss of agricultural land. The development will require the business to make a commercial decision regarding its future, however this should have no material bearing on the determination of this proposal.

**3. Conclusion**

- 3.1 There is some dispute over the number of cattle at the farm however, regardless of this information there is no policy protection given to farms and therefore the other material consideration of the application but be given due weight. The application is therefore considered to remain acceptable, for the reasons as set out in section 6 of Appendix A, taken together with Appendix B and the findings of this report.

**4. Recommendation**

- 4.1 To resolve to grant planning permission as recommended at para 8.1 of the report presented to the Planning Committee on the 24<sup>th</sup> January



P/00760/16 - land south of Westridge Farm, and to rear of 10 to 38 Circular Road, off, Hope Road, Ryde, Isle Of Wight, PO33

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# APPENDIX A

**Reference Number:** P/00760/16

**Description of application:** Proposed residential development of 80 dwellings, and associated access roads, public open space, attenuation ponds and infrastructure

**Site Address:** land south of Westridge Farm, and to rear of 10 to 38 Circular Road, off, Hope Road, Ryde, Isle of Wight

**Applicant:** Ambrow Ltd

**This application is recommended for conditional permission**

## **REASON FOR COMMITTEE CONSIDERATION**

The application is for a major housing development and is considered to be of Island wide significance.

## **MAIN CONSIDERATIONS**

- Principle of the development
- Impact on the existing farm operations
- Impact on the character of the area
- Impact on neighbouring properties
- Ecology and trees
- Highway considerations
- Drainage and Flood Risk

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

- 1.1. The application site is an area of 4.7 hectares located off Hope Road, running in a southerly direction to the rear of properties accessed of Circular Road and Marlborough Road.
- 1.2. The site is currently grazing land associated with Westridge Farm, the farm buildings of which are situated to the north.
- 1.3. The area surrounding the site is a mix of agricultural land and residential. The majority of properties being two storey semi-detached houses, although there are some bungalows close to the site itself.

## **2. Details of Application**

- 2.1 The application seeks full permission for 80 dwellings with associated car parking and landscaping.
- 2.2 The plans shows the following mix of units would be provided on site:
- 6 x 1 bed units
  - 26 x 2 bed units
  - 40 x 3 bed units
  - 8 x 4 bed units
- 2.3 35 percent of the proposed units would be delivered as Affordable Housing consisting of the following mix:
- 6 x 1 bed units
  - 9 x 2 bed units
  - 13 x 3 bed units
- 2.4 72 of the proposed units would be two storeys in scale, with the remaining 8 units being single storey. The single storey units would, in the main, be located on the boundary with the properties which front Circular Road.
- 2.5 An area of open space is shown along the eastern boundary. This would contain two attenuation ponds, which would serve as biodiversity, amenity and drainage features. A further smaller area is shown on the western boundary, which would surround a large tree proposed to be retained and towards the south of the site.
- 2.6 Car parking is shown to be provided for each unit with one space for the proposed one bedroom units, a minimum of two spaces for the two and three bedroom units and a minimum of three spaces of the four bedroom units.
- 2.7 The proposed development would also provide twelve layby visitors spaces adjacent to the proposed open space(s) and a twelve space car park on the western boundary.

## **3. Relevant History**

- 3.1. None relevant to this application. Third parties have made reference to an application at the farm itself (P/00745/16), which granted permission for an agricultural storage building in July 2016. This is not considered by Officers to be relevant to the considerations of this application.

## 4. Development Plan Policy

### National Planning Policy

- 4.1. At the heart of the NPPF is a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with the development plan without delay, or where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly or demonstrably outweigh the benefits or specific policies in the NPPF indicate development should be restricted.
- 4.2 Paragraph 17 of the framework sets out a number of core planning principles, which include:
- Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.
  - Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
  - Take account of the different roles and character of different areas.
  - Encourage the effective use of land by reusing land that has been previously developed.
- 4.3 Paragraph 58 explains that planning decisions should aim to ensure that developments:
- Will function well and add to the overall quality of an area.
  - Establish a strong sense of place.
  - Optimise the potential of the site to accommodate development.
  - Respond to local character and history and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation.
  - Create safe and accessible environments.
  - Are visually attractive as a result of good architecture and appropriate landscaping.
- 4.4 Paragraph 60 states that “*planning policies should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness*”. Paragraphs 63 and 64 advise that, in determining planning applications, great weight should be given to outstanding or innovative designs but that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of the area.

## Local Planning Policy

4.5 The Island Plan Core Strategy defines the application site as being within the Ryde Key Regeneration Area and immediately adjacent to the settlement boundary. The following policies are relevant to this application:

- SP1 Spatial Strategy
- SP2 Housing
- SP5 Environment
- SP7 Travel
- AAP2 Ryde
- DM2 Design Quality for New Development
- DM3 Balanced Mix of Housing
- DM4 Locally Affordable Housing
- DM5 Housing for Older People
- DM11 Historic and Built Environment
- DM12 Landscape, Seascape, Biodiversity and Geodiversity
- DM14 Flood Risk
- DM17 Sustainable Travel

4.6 The Council also has two relevant adopted Supplementary Planning Documents entitled Solent Special Protection Area and Children's Services Facilities Contributions.

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

### Internal Consultees

5.1 The Council's Tree Officer raises no objection to the application but recommends conditions to ensure that trees on site are appropriately protected. Further comments are outlined within the evaluation of this report.

5.2 Public Rights of Way have confirmed that no rights of way are directly affected by the proposed development. However, the development would lead to an increase in the use of the public right of way network and therefore support the proposal to make a contribution towards improvement of Public Footpath R55.

5.3 The Council's Ecology Officer has raised no objection to the application. Further comments on this matter are expressed within the evaluation of this report.

5.4 Island Roads on behalf of the Highway Authority have confirmed that they would not object to the application if double yellow lines to limit the extent of on-street parking can be conditioned. Further details on these comments are outlined within the highway considerations section of this report.



- 5.5 The Council's Planning Archaeologist has considered the result in geophysical for the site and has requested a condition be attached to any permission, in the event that finds of archaeological importance are discovered.
- 5.6 The Council's Drainage Engineer has confirmed that the application would be acceptable in respect of surface water, subject to appropriate conditions.

#### External Consultees

- 5.7 Southern Water has confirmed that they cannot accommodate the needs of the application without the developer providing a level of additional local infrastructure. They do not object to the application but request that a condition is therefore recommended that a drainage strategy and implementation timetable should be agreed prior to development commencing. It is also recommended that consultation is undertaken with internal technical staff with regards to surface water.

#### Parish/Town Council Comments

- 5.8 Ryde Town Council (RTC) objects to the application on grounds which can be summarised as follows:
- Traffic Impact Assessment refers to the Pennyfeathers site in order to draw conclusions that the solution proposed for Westridge Cross is acceptable.
  - This scheme needs to be considered on its own merits as the Pennyfeathers scheme has not received formal planning consent. The arrangements for Westridge Cross therefore need to be addressed as part of this application
  - Concerns that Island Roads have not seen the report carried out by Bob White.
  - Application relies on yellow lines being proposed for the entire length of Hope Road, this does not maintain the existing amenity for users of this road
  - Request confirmation from Island Roads as to the scope and level of works proposed for Hope Road and Circular Road. In particular, any intention to strengthen the network in these two roads to cope with the additional usage and the activities of the farm. RTC consider these are required to make the development acceptable.
  - Concerns over whether the traffic counts consider 'normal use'
  - Concerns that reference is made to an 'equal split of traffic' between Hope Road and Circular Road, which is not considered to be the case. A further survey needs to be undertaken
  - Insufficient provision in the Section 106 for safety measures in and around the Marlborough Road junction. RTC considers a cross over point and further road safety measures are required.

- Ecology report is deficient as it does not take into account additional species raised by residents.
- Insufficient information in respect of the storage capacity of the attenuation ponds or the operational functionality or design proposed for the hydrobrake.
- Applicant has not gone 'far enough' in demonstrating a local housing need for this development
- Insufficient provision is being made for the health requirements of Ryde
- Lack of marketing strategy for the employment land at Nicholson Road

5.9 Nettlestone and Seaview Parish Council support Ryde Town Council in raising an objection and the potential residual effect on parts of the Parish of Nettlestone and Seaview from surface water run-off from the site. Attention is also drawn to Southern Water comments with regards to existing capacity.

### Third Party Representations

5.10 210 letters of objection have been received raising issues which can be summarised as follows:

- Off-site parking is irrelevant as it is for personal use
- Frequent parking on double yellow lines
- Access in and out is not possible without serious disruption to residents and danger to children
- Marlborough Road is really busy and could cause accidents
- Volume of traffic on already over pressured roads
- Traffic survey was undertaken in December, a quieter time of year
- Entrance and exit not fit for purpose
- Emergency vehicles have on occasion struggled to reach current properties due to double parking or large vehicles unloading
- Church is being extended, this will put an additional strain on on-road parking
- Parking restrictions increase speeds
- Increase risk of children in the area from traffic generation/speeds
- Pavements on Hope and Circular Road are only 1.2m maximum. These are not going to cope with the increase in pedestrian traffic, including wheelchairs and pushchairs
- Existing condition of Hope Road and Circular Road is very poor
- Currently insufficient parking for residents in Hope Road
- Traffic flow in the TA does not include Amhurst Road and Arundel Road, which impact on the overall road safety
- Vehicles using the new access cannot pass due to width of Hope Road
- Presumption that vehicle movement would be shared between Hope Road and Circular Road is unsubstantiated.

- Traffic survey does not take account of milk tanker as survey was conducted on a day when it was absent
- One road in and out could get blocked
- Safety for pedestrians crossing
- Fire service currently unable to use Circular Road, due to reduced width caused by on road parking, situation would be made worse by traffic generation from site.
- Impact of additional traffic on safe routes to schools
- Neither Hope Road or Circular Road are wide enough for the amount of traffic
- Road drainage in Hope Road and Circular Road is currently too shallow to enable kerb work
- Not all houses in Hope Road have off street parking
- Westridge Cross recorded at near capacity
- Traffic generation would result in more noise pollution
- Environmental impact on drainage, water courses, wild animals and destruction of green space
- Increased flooding and pressure on existing sewage network /Inadequate drainage in locality
- Detrimental impact on health due to Carbon Monoxide and Nitrogen Dioxide pollution from traffic
- Application should be supported by EIA
- Submission does not address how it would support transition to low carbon future
- Danger of attenuation ponds in the Public Open Space
- Site is only 3 miles from the East Wight Landscape Partnership and river Yar
- Decimation of wildlife and plant habitat
- Required services will damage trees/hedgerows
- Loss of T2 and T3, which offer homes to birds
- Impact on wildlife
- Impact on wildlife and natural habitats
- What if the developer doesn't provide the new woodland/nature habitat outlined in the ecology report
- Loss of green space
- Would spoil views
- Loss of grazing land
- Devastation of local countryside and green space
- Area is one of outstanding beauty
- Negative impact upon the appearance of the landscape and intrude upon existing views
- Overlooking
- Agricultural heritage
- Will not aid a green eco-policy on the island
- Urban sprawl

- Strain on local infrastructure, roads, schools, hospitals and doctors
- Increase crime
- Impact on tourism due to the loss of green space
- Loss of a working dairy farm
- Insufficient employment
- No meaningful relationship with the surroundings
- Too many second homes in Ryde
- Housing need
- Too much development in the area
- Over-development
- Number of brownfield sites within the current boundaries of Ryde and empty properties, these should be considered first
- Housing types do not accurately represent the types of dwellings currently needed. One and two bedrooms are most in demand
- Urban agglomeration
- Plans different from those shown at the public consultation
- Plans do not clearly show the current land boundaries of the existing gardens in Circular Road, so that the buildings look further away
- PM peak flow is wrong
- Loss of heritage as farm has been there since 15<sup>th</sup> Century
- Council should require completion within 6 months
- Can existing waste sites at Afton, Lynbottom and Forest Road be extended to accommodate the waste which would be created
- Proposed car park is too far away, enclosed in a non-visible area, attracting increased potential for damage and theft
- Enormous assumptions that people will walk 2 km to the local shops
- Assumptions are based on Pennyfeathers not going ahead so conclusions may be quite wrong
- Land owner does not own the access road
- Precedent
- Settlement coalescence between Ryde/Seaview and Nettlestone
- Impact on the fabric of buildings from increased use of Hope Road
- Design
- Detrimental impact upon the town of Ryde
- Loss of cultural heritage
- Erosion of town character in last 20 years
- Strategic gap between Ryde and Seaview
- No meaningful relationship with the surroundings Impact on tourism due to the loss of green space

5.11 The Badger Trust opposes the application due to the impact on wildlife, resulting from a loss a habitat for protected species, including badgers. The site would provide suitable habitat and foraging ground for badger, although there location in the immediate vicinity is unknown. There is no mention if badger setts or activity in the ecology report.

5.12 The Isle of Wight Society objects to the application raising the following matters;:

- Westridge Farm was not included in the development boundary as shown in the Area Action Plan for Ryde
- traffic impact on local roads and Westridge Cross will be greatly increased
- existing junction, roads strengths and road widths are insufficient to cope with the development
- Additional yellow lines in Hope Road will have an adverse effect on existing residents
- Recent comments by Ryde Town Council regarding the roads in the area should be taken into consideration
- Existing infrastructure in the Westridge area and Ryde in general is inadequate to cope with these additional dwellings
- There has been a reduction in the number of doctors' surgeries in the town
- The developer has not shown that the housing need cannot be met using brownfield sites
- The application could be the beginning of coalescence between Ryde, Nettlestone and Seaview.

5.13 Isle of Wight Ramblers object to the application as they have a policy of protecting the countryside and encouraging more people to take up walking as a physical activity to improve health. Development should be on brownfield sites whenever possible. They also question the need to build so many houses.

5.14 Campaign to Protect Rural England objects to the application on the grounds that; the bat survey was conducted with unusual haste, drainage in the area which is subject to flooding has not been addressed, residents' concerns over road safety and congestion have not been addressed and the council has not fully explored all previously developed land alternatives to meet the housing need. The application is considered to meet the housing demand and not the need.

## 6. **Evaluation**

### Principle of the proposed development

6.1 The application seeks permission for 80 residential units with associated car parking and landscaping. The application is for full permission, with access to the site being gained from Hope Road.

6.2 The application site is located outside of but immediately adjacent to the settlement boundary for Ryde, which falls within the Ryde Key Regeneration Area. Therefore, in accordance with policy SP1 the broad principle of

development is deemed to be acceptable. Policy SP2 sets out the requirement for delivery of new housing, and identifies the need for the provision of at least 2,100 new dwellings within Ryde over the plan period and it is considered that this proposal would help to meet that identified need. Third party letters have been received raising concerns that the need for the proposed units has not been identified, quoting a paragraph from SP1. However, the quote relates to Rural Service Centres. The site is located within a Key Regeneration Area and therefore this requirement does not apply. The scheme is therefore considered to meet the housing need requirements identified within Policies SP1 and SP2.

6.3 Comments have been received that, due to the recent approvals in the vicinity, there is no further need. This is not correct. In order to achieve the 520 dwellings a year, across the Island, it is necessary that a range of sites are bought forward. As a guide, on the Island it is unlikely that an individual site would deliver more than 50 units a year and therefore one site cannot provide an entire areas provision. Furthermore, there is no guarantee a consented site will be developed. The current 5 year land supply, as required by the NPPF, is made up of over 50 percent 'theoretic supply', meaning less than 50 percent of the sites on which the Council are relying to achieve housing for the next five years do not have planning permission, but are considered to be 'deliverable' within the Strategic Housing Land Availability Assessment (SHLAA). Therefore, it is essential that development sites identified within the SHLAA are bought forward. This site would contribute towards meeting this overall need. Furthermore, the recent appeal at Arreton confirmed that even in the event that a housing target is met, this is a target and not a ceiling. It therefore "does not prohibit other sites coming forward for development that would increase the annual or cumulative output".

6.4 SP1 also states that in all cases development on non-previously developed land will need to clearly demonstrate how it will enhance the character and context of the local area. However, a recent Planning Inspectorate decision at Place Road in Cowes discussed the issue of developing on Greenfield land and the landscape impact of this. Within the decision the Inspector made the following comments:

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

6.5 Third party comments have been received stating that there are sufficient 'brownfield' sites available and this greenfield area should not be developed.

Policy SP1 requires proposals on greenfield and/or non-previously developed site within Rural Services Centres to demonstrate that deliverable previously developed land is not available and an identified local need will be met. The requirement does not relate to sites within or immediately adjacent to the Key Regeneration Areas or Smaller Regeneration Area. It is acknowledged that some brownfield/non-previously developed land may be available within the Ryde Key Regeneration Area, however, it is not considered that this would be sufficient in isolation to provide the required number of units identified within policy SP2. Therefore, non-previously developed land would need to be bought forward for housing.

- 6.6 The application provides for a mix of unit types and sizes, as identified within paragraph 2.2. This mix is considered to comply with the general principle set out within the Strategic Housing Market Assessment (SMHA) as required by policy DM3 as well as providing 35% of the units as affordable housing, in accordance with DM4. A number of third party comments have raised concerns that the site does not provide sufficient smaller units, which are the required need in the area. However, the Strategic Market Housing Assessment (SHMA) outlines that; for market housing, the recommend focus of new provision is on two and three bedroom properties, as this can appeal to a wider number of requirements. This is the size of units for which the development proposes to have the most units. Officers therefore consider the proposed mix to be acceptable. The proposal also includes bungalow units, which would assist in meeting the need for housing older people in accordance with Policy DM5.
- 6.7 A number of concerns have been raised by third parties with regards to the ability of the areas infrastructure (doctors, St. Mary's etc.) to accommodate the number of units. Prior to the Core Strategy being adopted a number of consultation processes took place with key stakeholders to establish that the recommended number of units required over the plan period could be accommodated. This application is in line with the overall numbers identified by Policy SP2.
- 6.8 In conclusion the proposed development is considered to comply with policy SP1, being located adjacent to the settlement boundary and deliverable, therefore appropriate subject to other material considerations outlined below. The proposal would also serve to assist with the Councils five year land supply, by delivering housing which could be developed within the next five years, reducing the reliance on theoretical SHLAA site capacity and contributing to the identified for housing as set out in policy SP1.

#### Impact on the existing farm operations

- 6.9 The proposed development would see dwellings constructed on fields used for the grazing of the farms dairy herd of Westridge Farm. A significant

number of third party letters have raised concerns with regards to the impact on the operations of the farm, due to the loss of these fields, and the potential long term impacts on the viability of the farm. Officers do not consider that the loss of these two fields could be considered to have such a fundamental impact on the farm that it would risk its entire future and operation, as for example. Dairy farms can operate on a zero grazing model. Although this is not considered to be a resultant effect of the application it serves to demonstrate that the loss of 4.7 hectares of the existing holding would not have a fundamental impact on the future of the farm.

- 6.10 Although it is acknowledged that these fields are the closest to the farm itself, the holding is some 40.4 hectares. The farm currently has a herd of 70 dairy cows. 'John Nix Farm Management Pocketbook' confirms that an efficient dairy enterprise would need 1 hectare for every 2.2 – 2.4 dairy cows. The size of the holding would therefore need to be 31 hectares, for the size of the herd. Even taking into consideration rotation to allow fields to recover from grazing the holding is of sufficient size that the loss of the fields associated with the proposed development would not impact on the viability of the farm.
- 6.11 The agricultural grade of the land relating to the application is partly 'Urban' and partly 'Grade 3'. As this does not represent high quality agricultural land there is not considered to be any wider implications regarding its loss.
- 6.12 A number of letters of objection have stated that this application is the first of many, which would see the loss of the whole farm. There is no suggestion in the application that this is the intension and although the surrounding land may be included within the SHLAA, any application must be considered on its individual merits. The acceptance of the loss of farm land in this instance does not automatically follow that the loss of adjacent site would be acceptable.
- 6.13 At the time of the officer's site visit the fields in question were not being used. It is understood that they form part of a series of fields which are used on a rotation basis to ensure that the land to prevent over-grazing. Having due regard to the above factors Officers do not consider that a sustainable objection can be raised in this regard.

#### Impact on the character of the area

- 6.14 The proposed development would change the visual appearance of the site dramatically, with the land currently being fields used for grazing. However, Officers do not consider that this change would be detrimental to the wider character of the area. The site has residential development to the north and west (acknowledging allotments are located between the dwellings to the west and the site boundary). Although the land to the east and south is open countryside, the western boundary of the site does not project further than



the extent of the built form to the north of the site. The southern boundary is delineated by a stream, which forms a natural stop to development.

- 6.15 The site itself is bounded by trees and hedgerows which form a strong boundary and although the development would be visible from surrounding land, it is not considered that the site would appear prominent from distance views, when considering topography, the level of development in the area, its density and the landscaping and density of the proposed development.
- 6.16 It should be noted that no landscape designations cover the site.
- 6.17 The proposed units would be single and two storeys only and therefore, when seen in both immediate and distance views would appear in context with the surrounding residential development and built form of this part of Ryde.
- 6.18 As a full permission details of the external appearance of the proposed dwellings has been included with the application submission documents. The proposed units would be of a traditional design. All of the units would incorporate pitched roofs, with gabled features used through the site to add interest. The material finish of the dwellings would be a combination of render and brick to the walls and concrete plain tiles to the roofs. Additional design details such as timber soffits, reconstituted stone and brick cills and brick arch lintol details have also been included to most of the units to provide a high quality design finish. Officers considered the designs to be aesthetically pleasing and would result in a high quality development.
- 6.19 The site consists of an area of 4.55 hectares and is not considered to be of a scale, or in a position that would result in settlement coalescence between Ryde/Seaview and Nettlestone, as suggested by third party objections. There would remain half a mile of open countryside (as the crow flies) between the site and Pondwell and a further half a mile to Nettlestone. There would be no physical or visible link between the housing on the site and these settlements. The area between remaining open countryside.
- 6.20 In considering the requirements of policy SP1, due weight is afforded to a recent Planning Inspectorate decision at Place Road in Cowes which discussed the issue of developing on Greenfield land and the landscape impact of this. Within the decision the Inspector made the following comments:

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

*would be on 'greenfield' land would be self-defeating."*

- 6.21 Policy DM2 seeks high quality and inclusive design to protect, conserve and enhance the existing environment whilst allowing change to take place. Policy DM12 lists matters that development proposals will be expected to protect in relation to the landscape. It is Officers opinion that the proposals would complement the established character and appearance of the area, and whilst the proposals would result in a change to this part of the landscape, the impact of this change would be limited and would be outweighed by other factors forming part of the overall planning balance.

Impact on neighbouring properties

- 6.22 As outlined above the site has residential development to its northern and western boundaries. However, due to the location of allotments on the shared western boundary, the main properties which would be affected by the proposed development are those on the northern/ north western boundary, which front Circular Road.
- 6.23 The proposed development would see dwelling gardens sit adjacent to the gardens of these existing properties, representing a back to back arrangement, similar in principle to those properties on Circular Road and Hope Road.
- 6.24 The area to the immediate west of the proposed entrance road, to the rear of 32 – 36 Circular Road would be occupied by the proposed community car park. This would not result in any unacceptable overlooking or dominance issues on these adjacent units, which are single storey. The proposed scheme incorporates an area of landscaping to the north and west of the proposed parking area, which would ensure that there would not result in any unacceptable disturbance.
- 6.25 The proposed units to the rear of 12 – 30 Circular Road are proposed as bungalows, with an extended planted boundary, for screening and ecological purposes. The proposed units would also sit a minimum of 10 metres from the shared boundary. The combination of the type of unit, the distance and the proposed planting would ensure that the proposal would not result in unacceptable overlooking or over-dominance to the amenities of the neighbouring properties.
- 6.26 The remainder of the development would be bounded by fields or allotments. Officers therefore consider that the overall scheme would not have an unacceptable impact on the amenities of neighbouring residential properties.
- 6.27 A number of third party letters raised concerns with regards to the impact of the proposed development on the amenities of existing residents, due to

traffic generation. This is considered in greater detail in the highway section below.

### Ecology and trees

- 6.28 The application is supported by both a tree and ecology survey. Comments have been received from third parties suggesting that these surveys are insufficient, have been undertaken with insufficient survey effort to justify the result and are not extensive enough in respect of the species considered.
- 6.29 The Council's Ecology Officer has considered the content of the application and has confirmed that in terms of protected species the most significant constraint is the presence of a population of hazel dormice, with three animals and a number of nests observed during surveys from late summer onwards. The Ecology Officer has confirmed that sufficient survey effort has been expended to enable confirmation of the species' presence and it can be assumed that any dense woody vegetation locally is of importance. The ecology report contains details of a mitigation strategy, which would ensure that any impact is minimised, by the operation of a watching brief for any vegetation clearance, the timing of works to avoid sensitive periods in the dormice lifecycle (i.e. the breeding season). Areas of new woodland are identified to be planted as compensation for the loss of hedgerow on site as well as the provision of a range of nest boxes within retained hedgerows. The plans also show the buffering of existing hedgerows, to further enhance the habitat on site. The lower section of the open space within the south-eastern corner of the site is shown to be set aside for the new woodland nature habitat. Officers also consider that there are more than sufficient areas of open space on site, should more planting be required through the licencing process.
- 6.30 The proposed development would result in the loss of part of the hedgerow along the frontage of the site with Hope Road, to allow for the access, and a strip through the upper position of the site. Officers are satisfied that there is sufficient replacement planting proposed to mitigate of this loss and these pieces of hedgerow did not contain evidence of dormice during the survey work.
- 6.31 The hedgerows within which the dormice were present would be unaffected as a result of the proposed development and an area of land within this part of the site has been set aside for additional planting/new woodland to assist with habitat loss mitigation and enhancement. The scheme also proposes to buffer a number of existing hedgerows on site, as outlined above. The Council's Ecology Officer confirms that the presence of hazel dormice would require buffering of hedgerow habitat. This is shown to be proposed within the submitted plans. Having due consideration to the fact the area within which the dormice are known to be present together with the additional

planting proposed to enhance this part of the site and the proposed buffer areas to the existing hedgerows, Officers are satisfied that the proposed development would not have an unacceptable impact on dormice habitat, subject to appropriate conditions.

- 6.32 The ecology report identifies that small bat roosts have been recorded within some of the structures at Westridge Farm to the north. None of these buildings are proposed to be lost and therefore no direct impacts to roosts would occur. Bat activity across the site was generally limited and therefore impacts to foraging/commuting bats are not anticipated. The Council's Ecology Officer outlines that "the site is essentially three rather poor fields of grassland and therefore not likely to constitute prime bat foraging habitat". Clearly the provision of suitable foraging/commuting areas within the design, as well as restrictions on artificial lighting and the installation of bat boxes, would assist in maintaining bat interest at the site.
- 6.33 Additional trapping survey work was undertaken following the submission of the application to determine the species of myotis bat present on site to ensure that appropriate mitigation could be implemented. Results of the trapping survey identified four species of bat: Common pipistrelle, Soprano pipistrelle, Brown long-eared bat and Natterer's bat. No particularly rare species of bats were identified and the mitigation measures presented in the original report are considered to be appropriate for these species. The site is not likely to constitute prime bat foraging habitat. Commuting routes for bats, such as hedgerows, will be essentially retained and the use of suitable planning conditions can prevent their deterioration through artificial lighting. The proposed development is therefore not considered to result in an unacceptable impact on bats.
- 6.34 For reptiles, a small population of slow-worms were identified on site and would be protected from harm through the use of supervised vegetation stripping. Given the limited number of animals recorded and the extent of habitat present this approach is considered to be acceptable. Compensation and enhancement would be provided through the provision of a 'habitat area' in the south-east corner of the site which would include suitable rough grass areas and a reptile hibernaculum. The application is therefore not considered to result in an unacceptable impact on reptiles.
- 6.35 Survey work undertaken considers birds which are present on both the amber and red lists, as referred to by third parties. The site contains a typical assemblage of nesting bird species. There would be direct loss of bird nesting habitat and therefore measures are proposed to avoid vegetation removal within the nesting season. New plantings would provide compensatory habitat for that to be lost, whilst a range of artificial nest boxes would provide some enhancement. The application is therefore not considered to result in an unacceptable impact on birds.

- 6.36 There are several trees situated around the area of the proposed development. These are correctly seen to be grade as “C” to “A” grade. They are hedgerow trees of considerable age. It should be noted that their worth is not only as individual trees, but also collectively and as landscape features reflecting the rural nature of the surrounding environments giving them “B2” status. Several of the trees can also be considered as veterans and as such be graded as “A3” trees, the most notable of these being T9. These trees would also have considerable nature conservation value. Whilst not directly impacted upon by the development but could be impacted upon by the general landscaping is a large oak T1, this tree is in decline but also could be considered as a veteran and as such important to the landscape and with considerable nature conservation value.
- 6.37 The layout of the site has been carefully planned to ensure the impact to the high amenity trees is very limited. Care has also been taken to ensure that limited impact would occur in the running of tracks and paths near trees or across their root plates. This can be achieved through cellular confinement systems laid at ground level etc. To ensure this is achieved arboreal method statements and fencing conditions are recommended by the Council’s Tree Officer.
- 6.38 Tree and ecology conditions are proposed to ensure that the mitigation and beneficial enhancements are secure. The proposed development is therefore considered to have an acceptable impact on trees and ecology.

#### Highway considerations

- 6.39 Hope Road forms a priority junction with Marlborough Road (A3055) which functions as a local distributor road and is part of the island’s strategic highway network forming a key link between Ryde and the eastern side of the island. Hope Road links into Circular Road, both these being minor residential roads which combined serve in the region of 70 dwellings and the application site.
- 6.40 Hope Road from its junction with Marlborough Road through to the eastern boundary of No.14 has the status of an unclassified adopted highway governed by a 30mph speed limit. Beyond this point Hope Road is unadopted and unmetalled in terms of construction. The adopted section of Hope Road provides an average width 5.60m accommodating the passage of private and service vehicles. However existing on-street parking practices on this part of the highway network reduce the useable width of Hope Road down to an average of 3.80m. The unadopted section of the road has an average width of 3.90m. Due to the alignment of Hope Road vehicles travelling east to west have forward visibility of vehicles turning into the road from Marlborough Road and double yellow lines at this junction provide capacity for up to 3 vehicles to wait at any one time without negatively

impacting on Marlborough Road. Likewise the adopted section of Hope Road (eastern end) linking into Circular Road is locally covered by double yellow lines to allow for vehicles to wait and pass.

- 6.41 Circular Road has an average width of 4.80m, as with Hope Road current on-street parking practices limit it predominantly to single carriageway width. However unlike Hope Road, due to its alignment Circular Road is covered by double yellow lines along the full extent of the northern / western side of the road with two passing areas being made available on the eastern side. Its junction with Marlborough Road is also covered by double yellow lines to provide stacking capacity.
- 6.42 The section of Marlborough Road with which the aforementioned roads adjoin is covered by a 30mph speed limit, as a result any new or existing vehicle access forming a junction with this part of the highway network should provide for minimum visibility splays of  $X = 2.40\text{m}$  by  $Y = 43.0\text{m}$  and provide adequate space to enable vehicles to enter, exit in forward gear with ease. Further to a site inspection each of these junctions is deemed to comply with design standards in respect to layout and visibility. The existing parking restriction on Marlborough Road also assisted with junction accessibility.
- 6.43 A number of third party letter of objection have raised significant concern with regards to the width of both Hope Road and Circular Road. This would appear, in the main, to be due to people parking inappropriately or on double yellow lines. Officers do not consider that it would be reasonable to refuse permission due to a matter which is in essence one of parking enforcement and outside the remit of planning. Furthermore, the presence of passing bays and double yellow lines on sections of the road, would create spaces allowing for vehicles to pass. The presence of parked cars would also have the effect of significantly reducing speeds, in line with the guidance contained in Manual for Streets 2.
- 6.44 The proposed onsite layout provides for minimum carriageway widths of 4.80m and footway widths of 2.0m, with associated 1.0m service strips / link path in associated with allocated, visitor and private parking areas. Provision is also made for a 3.0m wide footpath link with the potential for cycle usage as well as turning area to accommodate refuse and emergency service vehicles. Provision has also been made for a 12 space community car park.
- 6.45 It is noted that in order to; accommodate the existing forms of traffic associated with the Westridge Farm site, take into consideration users of the un-adopted section of Hope Road and to provide a suitable link through to the proposed onsite road layout, a proportion of the un-adopted section of Hope Road from its junction with the adopted highway is detailed to be realigned and widened with the creation of a kerbed buildout. This proposed layout is supported by a series of swept path analysis drawings as detailed

within the Transport Assessment. On review and as a result of a site inspection it is evident that the only way the proposed arrangement could work to enable service vehicles to access the farm and provide for an adequate level of forward visibility to those vehicles exiting the site, is to introduce double yellow lines on either side of Hope Road from outside No 12 running in a easterly direction into the site. Site inspection has identified that vehicles park on the southern side of this section of road from the junction with Circular Road (where not covered by double yellow lines) up to the existing limit of the adopted highway.

- 6.46 Island Roads also recommended that a passing area be created on Hope Road via the introduction of double yellow lines at a point between its junction with Marlborough Road and the existing double yellow lines on the approach to the site access. This is to address the uplift in vehicles movements that would be brought about by the proposed development on this part of the highway network and to minimise the risk of vehicles mounting the adjacent footway. Site inspection has identified that vehicle accesses formed along the length of Hope Road have the potential to provide informal passing areas within the road (i.e. cars parked across driveway opening), however these appear to be used for parking by the owners of the adjoining properties.
- 6.47 The introduction of double yellow lines would be subject to the approval of associated Traffic Regulation Orders, which is subject to a public consultation process remote from the planning process. While it is acknowledged that the principal use of public highway is for passage and not for the parking of private motor vehicles, as demonstrated by the swept path analysis included within the application, in the absence of parking restriction on the approach to the site access service vehicles accessing the farm would potentially conflict with vehicles parking 13 and 14 Hope Road. In addition the forward visibility of vehicles exiting the site would also be restricted forcing vehicles into the line of oncoming vehicles travelling west to east along Hope Road in an easterly direction from the junction with Circular Road.
- 6.48 Comments have been raised by third parties with regards to the potential impact of double yellow lines on current levels of on road parking. However, Officers note that a significant number of the dwellings on Hope Road have off road parking. Furthermore, the application proposes a car park for 12 cars together with areas of visitor layby parking, above the number of spaces of the resultant units. These areas could be used by any displaced car. Concerns have been raised by third parties that the car parking would not be used, as it is remote from the dwelling which the cars would be associated with. However, one of the risks of relying on on-road parking is that you cannot guarantee there would be a space available to the front of your house.
- 6.49 The Transport Assessment (TA) submitted with the application has evaluated the potential impact of development traffic on Hope Road, Circular Road and

their respective junctions with Marlborough Road. Concerns have been raised by third parties that the TA did not include Amhurst Road and Arundel Road, which impact on the overall road safety. The Highway Engineer has confirmed that The turning movements associated with Arundel Road and Amhurst Road do not have a direct bearing on the operation of the Hope Road / Marlborough Road and Circular Road / Marlborough Road junctions. Island Roads is therefore satisfied that the assessment undertaken is satisfactory from a capacity and highway safety perspective.

- 6.50 When evaluating the submitted data within the TA consideration has been given to the design standards as set out in both Manual for Streets / Manual for Street 2 and Design Manual for Roads & Bridges (DRMB) due to the functionality of Marlborough Road. This advises that simple priority junctions shall only be used when the design flow in the minor road is not expected to exceed about 300 vehicles 2-way Annual Average Daily Traffic (AADT), and that on the major road not expected to exceed 13,000 vehicles 2-way AADT. The advice goes on to state that upgrading of junctions should always be considered where the minor road flows exceed 500 vehicles 2-way AADT, a right-turn accident problem is evident, or where vehicles waiting to turn right inhibit the through flow and create a hazard. On evaluation of the data submitted within the TA and that held by Island Roads priority junctions are deemed to be appropriate in this instance.
- 6.51 Third party comments have suggested that the presumption in the TA that vehicular movement would be shared between Hope Road and Circular Road is unsubstantiated. When evaluating the potential impact of this application due consideration has been given to the fact that the spilt between the two junctions cannot be guaranteed and in practice all development based traffic may choose to run through a single junction. Even if all traffic choose to run through a single junction it is not deemed to be sustainable to recommend refusal on highway safety or capacity grounds.
- 6.52 The TA has also considered the potential impacts of the development on the Westridge Cross Signalised junction utilising the traffic data and junction assessments previously evaluated by Island Roads as part of the Pennyfeathers Development planning application and that included within the Solent Transport Evidence Base. It is acknowledged that this proposal is likely to bring about a 1.5% increase in vehicle movements on the aforementioned junction. However, as identified within the TA this is below the 5% figure typically regarded as a significant increase so as to sustain a highway reason for refusal or necessitate further mitigation works.
- 6.53 Comments of third parties suggest that the PM peak flow is wrong. The Highway Engineer acknowledges that there is a minor discrepancy in the anticipated PM flow rate (Table 5.1 details the Arrivals to be 0.261 whereas on assessment of the traffic data the rate is 0.250) however this is not



anticipated to have a negative impact on the operation of highway network within the vicinity of the site. If anything this demonstrates that anticipated development flow rates and their impact to be even more robust.

- 6.54 In light of the above comments the proposal is not deemed to have a negative impact on the operation of the wider highway network within the vicinity of the site.
- 6.55 While it is acknowledged that the survey data contained within the Transport Assessment was collected in the month of December, when evaluating the proposal Island Roads have given consideration to summer data also held by their office. Based on the existing summer flow rates within Marlborough Road there is no justification to seek remodelling of the Hope Road / Circular Road with Marlborough Road junctions. In addition the highway engineer highlights that due to the nature of the development (Residential) it is not anticipated that that the development based traffic flows would change with seasonality. If anything there could be grounds to suggest that due to inclement weather vehicle flow rates would be higher during the winter month as residents are less likely to use alternative modes of transport.
- 6.56 Third party comments have raised concerns that the Traffic Survey does not take account of the milk tanker, as the survey was conducted on a day when it was absent. Island Roads have confirmed that the absence of traffic movements associated with the milk tanker would not have a significant impact on the junction / network assessment. The swept path of such a vehicle has been taken into consideration when evaluating this application and hence in part the reasoning behind conditions recommending additional detail in respect to junction design and the implementation of double yellow lines.
- 6.57 On review of accident data, there have been five recorded incidents in the last 3 years within the vicinity of this site. However, the existence of an accident record does not necessarily indicate that the route is unsafe for the user(s). On review of the above data it is evident that the recorded incidents are due to driver error as opposed to deficiencies with the highway network so as to provide a sustainable reason for refusal.
- 6.58 A number of comments have been received from third parties raising concerns with regards to the impact of additional traffic on safe routes to schools. Island Roads have confirmed that it is not envisaged that the traffic anticipated to be generated by the development will have a negative impact on safe routes to school. The nearest school to the site is Oakfield Primary School located at the northern end of Marlborough Road at its junction with Apply Road. Residents from the site would be able to access this school via the existing public footway network utilising the signal controlled crossing points within Marlborough Road and Appley Road respectively. It is

acknowledged that the signal controlled crossing outside of 67 Marlborough Road is off the desire line of pedestrians travelling to and from the site to Oakfield Primary School however this provides a safe location to cross and would only result in the addition of 90.0m to the walking route and is deemed acceptable.

- 6.59 Existing residents of Hope Road and Circular Road have raised concerns with regards to the current poor condition of these roads, the depth of road drainage and the width of the pavements. However, the structural integrity of the road network that is Hope Road and Circular Road has no bearing on the recommendation returned by Island Road in respect to the planning application. It is the responsibility of the Local Highway Authority (Island Roads on their behalf) to maintain the highway network to the appropriate standard (residential road). With reference to the drainage; within reason anything could be engineered and if deemed necessary existing apparatus can be diverted.
- 6.60 With regards to pavements It is acknowledged that when providing a new pedestrian links where possible a minimum footway width of 1.80m is used to enable two wheelchair users two pass. However, national guidance allows for an absolute minimum width of 1.0m at localised points and 1.20m thereafter. As a guide 1.2m allows for the passage of two pedestrians.
- 6.61 Having due regard to the above officers do not considered that there would be a sustainable objection on the grounds of highway safety, subject to the suggested condition to mitigate the effects where required and secure improvements and detailed design.

#### Drainage and Flood Risk

- 6.62 The site is located within Flood Zone 1. The application has been submitted with a Flood Risk Assessment and Drainage Strategy, due to its overall size and the need to consider the proposed surface water drainage approach. In accordance with planning policy, new residential development can be considered acceptable within Flood Zone 1, as such areas are considered to have a low probability of flooding (as defined within the NPPF/NPPG). It is noted that the Environment Agency raise no concerns in relation to Flood Risk.
- 6.63 The surface water drainage solution has been designed based upon SUDS techniques taking into account the likely ground conditions, and calculated greenfield run off rates for the site. Policy DM14 identifies support for SUDS techniques to meet local and national standards, and recognises the additional benefits they can bring for ecology and green infrastructure. It also states that: *“On greenfield sites, SUDS will be required to achieve no increase in the relevant net run-off rate to that prior to development”*. The

proposed scheme would comply with these requirements.

- 6.64 In addition, it is noted that the DEFRA guidance “Sustainable Drainage Systems: Non-statutory technical standards for sustainable drainage systems” (March 2015) highlights the following principles:
- Peak Flow and Volume Control to be to ensure that run-off should not exceed the greenfield runoff rate or volume
  - Area should be designated to hold or convey water in the event of a flood event
  - Components should be designed to account for structural integrity
  - Maintenance should be a consideration, and pumping avoided where possible.

The proposed arrangements would be in accordance with these principles. The SUDS approach would include methods of volume and peak flow control and would provide sufficient space to attenuate or hold any water as a result of a flood or high rainfall event. The detailed design of these elements can be controlled through the imposition of a planning condition, and the longer-term management and maintenance of this infrastructure can be controlled as part of an overall regime for the site (controlled through a S106 agreement).

- 6.65 It should be noted that Southern Water and the Council’s Drainage Engineer raise no objection to the application but require a condition be attached to any application should permission be granted. The plans also include for a pumping station on site to facilitate the proposed development. The application is therefore considered to be acceptable in respect of flood risk and drainage, subject to the imposition of appropriate conditions.

#### Archaeology and historic environment

- 6.66 The application was submitted with a heritage statement providing map evidence relating to the former Westridge House Estate. A geophysical survey has been submitted through the course of the determination process, due to the HER having an identification point on the site, relating to a potential Roman cemetery.
- 6.67 The above ground heritage information demonstrates that the site sits outside of what would be considered the former lawned park. The site would be located within an area of the historic farm. However, Hope Road and Circular Road are also located within this historic boundary and therefore the positioning of housing on the proposed site is not considered to result in a significantly greater impact. The submitted information outlines that; “there is no indication of special features of views and the house and gardens would appear to be quite contained within the immediate grounds. On this basis it seems unlikely that any significant landscape or garden features would have been on the land now proposed for development, although the northern

lawned gardens and tree belt would align with the southern site boundary.” Officers have no evidence to dispute this conclusion. The 1939 maps show that Westridge House itself is no longer there and has been replaced by three dwellings. The field patterns are also dramatically changed, with the small patchwork replaced with larger fields.

- 6.68 The potential for archaeology on site has been examined through the submission of a geophysical survey. This has identified a couple of key areas on site where trenching would be required prior to development commencing, to test the veracity of the results. The area of interests can be focused as a result of the survey. It is considered appropriate for the remaining excavation work to be controlled by way of a condition, should permission be granted.
- 6.69 Irrespective of the above and third party comments the area of the site is not covered by any historic designations or classifications. The application is therefore not considered to have an unacceptable impact on any heritage assets.

#### Heads of Terms for Legal Agreement

- 6.70 The application has been submitted with Heads of Terms, which cover the following matters:
- Affordable Housing – 35% of the total number of dwellings
  - £80,000 towards Children’s Education Services Facilities.
  - £172 per unit towards the Solent Special Protection Area Mitigation Strategy.
  - Maintenance and management of Open space / attenuation pond
  - £7,500 towards sustainable transport improvements in the locality.
  - £20,000 towards public realm improvement by way of a highway contribution.

At the time of submission the application is only required to be accompanied by Heads of Terms. The details of the agreement itself are negotiated taking into consideration the level are potential impact, which requires mitigation and the viability of the proposed development.

- 6.71 The key test is whether the matters required are necessary to make the development acceptable in planning terms. Subject to the matters identified above being secured by the obligation this is the case for this application.

## **7. Conclusion**

- 7.1 Giving due regard and appropriate weight to all material considerations referred to above Officers consider that the proposed development would provide needed housing on a site which is available, suitable and viable,

within a sustainable location in accordance with policies SP1, SP2, DM3 and DM4.

7.2 It is acknowledged that the proposed development would change the character of the site but Officer considers that it would not have an unacceptable impact on the character of the area as a whole in accordance with policies DM2.

7.3 The proposed layout has paid due regard to the constraints of the site to ensure that the proposed development would not have an unacceptable impact on the amenities of neighbouring properties, trees, ecology, archaeology or flood risk in accordance with policies SP5, DM2, DM12 and DM14.

7.4 Subject to a requirement for the installation of double yellow lines Officers are satisfied that the proposed development would not have an unacceptable impact on the wider highway network. The proposed access would also comply with required standards in accordance SP7 and DM2.

## **8. Recommendation**

8.1 Conditional Permission, subject to a Section 106 Agreement the terms of which are set out in paragraph 6.70.

## **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:

5. The IWC offers a pre-application advice service
6. 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 applicant was provided with pre application advice and following the submission of further information on highways, archaeology and bats, during the course of the application that overcame the Council's concerns.

## Conditions

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 only be carried out in complete accordance with the details shown on the submitted plans, numbered:

15-1057-001  
15-1057-005-A  
15-1057-006-A  
15-1057-007  
15-1057-008  
15-1057-011  
15-1057-012  
15-1057-013  
15-1057-014  
15-1057-015  
15-1057-016  
15-1057-017-A  
15-1057-019  
15-1057-020  
15-1057-021  
15-1057-022  
15-1057-023  
15-1057-024  
15-1057-025  
15-1057-026  
15-1057-027  
15-1057-028  
15-1057-029  
15-1057-030-A  
15-1057-031  
15-1057-032  
15-1057-033  
15-1057-034  
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15-1057-058-A  
15-1057-059-A  
15-1057-060  
15-1057-061  
15-1057-062  
15-1057-063  
15-1057-064-A  
15-1057-065  
15-1057-070  
15-1057-071  
15-1057-072  
701 Rev. A

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

3. Prior to the commencement of development on site a phasing plan shall be submitted to and agreed in writing with the Local Planning Authority.

**Reason:** To ensure that the scheme is constructed appropriately and consideration can be given to any on site changes in accordance with policy DM2 (Design Quality for New Development)

4. No development shall commence until a Traffic Regulation Order relating to parking restrictions within Hope Road has been secured, so that provision is made for a vehicle passing area between the junctions of Hope Road with Circular Road and Marlborough Road. All subsequent works associated with the TRO shall be implemented in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to the

commencement of the development hereby approved.

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

5. No development shall commence until a Traffic Regulation Order relating to parking restrictions within Hope Road from its junction with Circular Road running in an easterly direction into the existing un-adopted section of the road and site. To limit the extent of on-street parking, to secure forward visibility for vehicles exiting the site and for the passage of service vehicles into and out of Westridge Farm. All subsequent works associated with the TRO shall be implemented in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby approved.

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

6. No dwelling hereby permitted shall be occupied until space has been laid out within the site in accordance with drawing number 15-1057-005-A dated 07.04.16 for cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear, in association with that property. The space shall not thereafter be used for any purpose other than that approved in accordance with this condition.

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

7. No dwelling shall be occupied until the parts of the service roads which provide access and the parking area to the phase within which it is located including for the construction of the proposed community car park (where relevant) have been constructed surfaced and drained in accordance with details which have been submitted to and approved by the Local Planning Authority based on the layout as detailed on drawing no 15-1057-005-A.

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

8. Development shall not begin until details of the design, surfacing and construction of any new roads, footways, accesses, and car parking areas, together with details of the means of disposal of surface water drainage there from of the have been submitted to and approved in DCPA/AMW/01 writing by the Local Planning Authority based on the principals of the layouts as detailed on drawing no 15-1057-005-A and 17786/DR01. Development shall be carried



out in accordance with the approved details.

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

9. Development shall not begin until details of the design, surfacing, construction and drainage of the section of Hope Road linking the site to the adopted highway and including for the provision of a new priority junction and associated buildout outside of numbers 15 – 18 Hope have been submitted to and approved in writing by the Local Planning Authority based on the principals of the layouts as detailed on drawing no 15-1057-005-A and 17786/DR01. Development shall be carried out in accordance with the approved details.

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

10. No works associated with the commencement of the above ground construction of the dwellings within any phase shall take place until samples of materials to be used in the construction of the external surfaces of the development in that phase hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

11. Prior to the commencement of any development activities a site-wide ecological mitigation, protection, compensation and management plan shall be submitted to, and agreed in writing by, the Local Planning Authority. This plan shall be submitted in accordance with the ecological mitigation, compensation and enhancement measures detailed within the Ecological Survey Report (RPS, May 2016) unless otherwise agreed in writing with the Local Planning Authority. All agreed ecological mitigation, compensation and enhancement features shall be permanently retained and maintained in situ.

**Reason:** to provide ecological protection and enhancement in accordance with Policy SP5 (Environment) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

12. No development shall take place until an Arboreal Method Statement has been submitted to and agreed in writing by the local planning authority detailing how the potential impact to the trees will be minimised during construction works, including details of protective tree fencing to be installed for the duration of construction works. The agreed method statement will then

be adhered to throughout the development of the site.

**Reason:** This condition is a pre-commencement condition to prevent damage to trees during construction and to ensure that the high amenity tree(s) to be retained is adequately protected from damage to health and stability throughout the construction period in the interests of the amenity in compliance with Policy DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

13. No works associated with the commencement of the construction of the dwellings shall take place until a drainage strategy detailing the proposed means of foul disposal and an implementation timetable, has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved scheme and timetable.

**Reason:** To ensure that adequate capacity is available in the local network and would not lead to flooding in accordance with policy DM14 (Flood Risk) of the Island Plan Core Strategy.

14. Prior to the commencement of works for the construction of the dwellings hereby approved details until such time as a scheme to manage surface water has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

**Reason:** To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future users in accordance with policy DM14 (Flood Risk) of the Island Plan Core Strategy and paragraph 103 of the National Planning Policy Framework.

15. No development shall take place, until a construction method statement has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:

- i) the parking of vehicles of site operatives and visitors;
- ii) loading and unloading of plant and materials;
- iii) storage of plant and materials used in constructing the development;
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v) wheel washing facilities;
- vi) measures to control the emissions of noise, smoke, fumes, dust and dirt during construction

**Reason:** To prevent annoyance and disturbance, during the demolition and construction phase in accordance with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy and paragraph 123 of the National Planning Policy Framework.

16. Prior to the commencement of works for the construction of the dwellings within any phase of the development hereby approved details of both hard and soft landscape works and a programme for implementation/installation for that phase shall be submitted to and agreed in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include but not be limited to: positions of all trees, hedge and shrub planting and a schedule noting their species, planting sizes, proposed numbers and densities where appropriate; proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.).

**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.

17. Prior to the commencement of any excavation on any phase of the site a programme of archaeological works for that phase shall be submitted to and agreed in writing with the Local Planning Authority. The agreed details shall thereafter be adhered to on site.

In the event previously unidentified assets are located no further works shall be undertaken until otherwise agreed in writing with the Local Planning Authority.

**Reason:** To ensure no features of historical interests are impacted upon through the construction process in accordance with Policy DM11 (Historic and Built Environment) of the Island Plan Core Strategy.





## Committee report

Committee	<b>PLANNING COMMITTEE</b>
Date	<b>28 FEBRUARY 2017</b>
Title	<b>CALL-IN PAPER REGARDING P/00760/16: LAND SOUTH OF WESTRIDGE FARM, AND TO REAR OF 10 TO 38 CIRCULAR ROAD OFF HOPE ROAD, RYDE</b>
Report of	<b>HEAD OF PLACE</b>

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### EXECUTIVE SUMMARY

1. The application was reported to the Planning Committee on the 24<sup>th</sup> January 2016 with a recommendation of conditional approval subject to the conclusion of a section 106 agreement. The papers for the item can be viewed [here](#).
2. Members voted to refuse the application on the grounds of unsuitable access.
3. The purpose of this report is to outline the potential risks associated with the proposed reason for refusal presented by Members at the committee meeting of 24<sup>th</sup> January 2017.
4. The report recommends that the proposed reason is not sustainable.

### PLANNING DECISION-TAKING

5. To the extent that development plan policies are material to an application for planning permission, the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise. This is enshrined within the Planning Acts (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004)
6. The National Planning Policy Framework stresses the importance of having a planning system that is genuinely plan-led. Where a proposal accords with an up-

to-date development plan it should be approved without delay, as required by the presumption in favour of sustainable development at paragraph 14 of the National Planning Policy Framework.

## EVALUATION

7. The proposed reason for refusal is unsuitable access. Officers have considered the definition of access to mean access in its widest sense and have reviewed access on the basis of the wider highway network, junctions surrounding the site and the on-site layout.
8. Reference has been made in both comments received and debate at the meeting to a report produced on behalf of the Council by Mr White entitled "Highway and Transportation Assessment of Residential Site Options for the Ryde Area Action Plan". The purpose of this report was to consider the sites for the Ryde area presented within the SHLAA, to establish whether, in highway terms these were deliverable and therefore potentially suitable for allocation. It confirms that transport assessments produced in support of planning applications would need to have regard for the most up-to-date analysis of local junctions and link capacities.
9. The report considers the impact on the development of a number of potential sites on the off-site highway infrastructure within the Ryde area and concludes that it is unlikely that the sites considered therein (including the application site), would give rise to a need for significant traffic capacity improvements. The emphasis of the report is placed on the need to invest in walking, cycling and public transport infrastructure. The application responds to this by proposing contributions towards improvement to sustainable transport and public realm, in the vicinity of the site.

### Wider highway network

10. Following the advice of Island Roads, the applicant considered the impacts on the wider highway network, including traffic onto the Marlborough Road/Great Preston Road/ Bullen Road traffic signal controlled junction and the Marlborough Road roundabout. This junction currently operates at 80% saturation. Following the development it is predicted that this would increase this figure by 1.5%. This equates to an additional 21 vehicles in the AM peak and 28 vehicles in the PM peak. It should be noted that a signalised junction running at less than 90% saturation is not normally deemed to have a congestion problem and therefore the proposed development is not considered to have an unacceptable impact on this junction. These figures have been ratified against the Solent Transport Evidence Base Report.
11. There are currently no known capacity issues at the Marlborough Road roundabout. It is therefore considered to have significant capacity to

accommodation the likely traffic generation associated with the proposed development.

12. Having due regard to the above figures and evidence Officers do not consider a refusal on the grounds of any transport impact on the wider network would be sustainable.

#### Immediate junctions design

13. The Transport Assessment submitted with the application also considered the junctions of Hope Road and Circular Road with Marlborough Road.
14. Taking into consideration the speed of traffic along Marlborough Road, the visibility splays of both of these junctions would need to have a 'Y' distance of 43m. The 'Y' distance in technical terms is the distance someone in the driving seat of the car would be expected to be able to see up and down the road they would be entering.
15. Further to a site inspection by the highways officer, these junctions are deemed to comply with design standards in respect of visibility. Given the clear advice of the highway authority, Officers do not consider a refusal on the grounds of any transport impact on the immediate junctions would be sustainable.
16. The layout of the junctions would need to provide adequate space to enable vehicles to enter, exit in forward gear. Due to on road parking within these roads double yellow lines are currently positioned at the junction to provide stacking capacity. The layout of the junctions is therefore considered to be acceptable and would therefore not form a sustainable reason for refusal.

#### Immediate junction capacity

17. Hope Road and Circular Road provide two potential access points to the site entrance. These roads are both conventional priority junctions with Marlborough road and are bordered by footways with an average width of 1.3m.
18. Potential trip rates for the proposed development have been derived using the existing rates associated with Hope Road and Circular Road, which serve 72 dwellings (including Westridge Farm, the rear of a couple of properties fronting Marlborough Road and Grace Church). This method is considered to be more accurate than using the TRICS data.
19. A growth factor has been applied into these rates, to estimate network flows five years after the proposed development is constructed, should it receive consent. The traffic distribution at each junction reflects the existing percentage split. Traffic generation figures are considered in respect of the AM and PM peaks in the network, as these represent a worse-case scenario. These peaks are

established through monitoring flows through junctions. The following traffic movements are the combined flows for Hope Road and Circular Road now, associated with the development and post development:

Base Traffic Flows	
AM peak hour (08:15 – 09:15)	Entering 19 vehicles / exiting 24 vehicles
PM peak hour (15:45 – 16:45)	Entering 31 vehicles / exiting 18 vehicles
AM 12 hour flows (07:00 – 19:00)	Entering 237 vehicles / exiting 238 vehicles
Traffic Movements Associated with Development	
AM peak hour (08:15 – 09:15)	Entering 21 vehicles / exiting 27 vehicles
PM peak hour (15:45 – 16:45)	Entering 34 vehicles / exiting 21 vehicles
AM 12 hour flows (07:00 – 19:00)	Entering 261 vehicles / exiting 263 vehicles

Development Traffic + Base Traffic Flows 2021 (including for national growth rate)	
AM peak hour (08:15 – 09:15)	Entering 40 vehicles / exiting 51 vehicles
PM peak hour (15:45 – 16:45)	Entering 65 vehicles / exiting 39 vehicles
AM 12 hour flows (07:00 – 19:00)	Entering 498 vehicles / exiting 501 vehicles

20. When evaluating the above data consideration has been given to the design standards as set out in both Manual for Streets / Manual for Streets 2 and Volume 6 Section 2 Part 6 TD 42/95 of Design Manual for Roads & Bridges (DRMB) which advises that simple junctions are appropriate for most minor junctions on single carriageway roads. In the instance of new rural junctions they should only be used when the design flows in the minor road is not expected to exceed about 300 vehicles 2-way Annual Average Daily Traffic (AADT), and that on the major road is not expected to exceed 13,000 vehicles 2-way AADT.
21. At existing rural, and at urban junctions upgrading should be considered where the minor road flows exceed 500 vehicles 2-way AADT, a right turning accident problem is evident, or where vehicles waiting on the major road to turn right inhibit the through flow and create a hazard. It should be noted that the standards state that upgraded should be considered not provided.



22. In this instance the flows would exceed 500 vehicles 2-way AADT and therefore the need for a right turn lane should be considered, taking into account the geometry and characteristics of Marlborough Road, the good forward visibility; current accident data and the capacity of Circular Road / Hope Road / Marlborough Road junctions.
23. In instances where junction improvements should be considered it is also necessary to have due regard to the implication of such improvements and whether they would be more hazardous. For example; if a right hand turn lane were to be incorporated onto the network this would widen the road and make the crossing distance greater while also speeding up traffic, by removing the standing vehicles in the highway.
24. The highway authority do not deem the highway in this location to be unsafe or inappropriate, taking into account the characteristics of Marlborough Road, the number of junctions accessing onto it, the presence of traffic lights at its termination (in the area known as Westridge Cross) and the presence of parked car and bus stops.;
25. As reference has been made by others to the "White" report it is worth noting that this considered the potential yield of the site for 200 properties (acknowledging that the site boundary was greater the access was proposed to be via the same routes). This number is significantly higher than the 80 units being proposed by this application. The report outlined that; "in combination, Hope Road and Circular Road, and their respective junctions with Marlborough Road, offer considerable reserve capacity to serve further development. A further 200 units would take the peak morning flows to just under one car every 30 seconds, spread across the two junctions."
26. The above referenced report goes on to outline that "While the existing Hope Road/Circular Road layout is below that standards at which new development serving around 269 dwellings would normally be designed, it is likely that there is sufficient capacity with no demonstrable safety dis-benefits. Furthermore, the pelican crossing on A3055 [*Marlborough Road*] between the two junctions offers enhanced opportunities for turning in and out of the junction at call-up times".
27. In light of this the junction capacity and the level of traffic on Marlborough Road, being 7,000 AADT, well below the 13,000 AADT, the use of the existing junctions is considered to be appropriate for the context of the site and the immediate highway network.

#### Road widths

28. Hope Road from its junction with Marlborough Road through to the eastern boundary of No.14 is adopted highway. This adopted section of Hope Road provides an average width of 5.6m accommodating the passage of private and

service vehicles. It is noted that existing on-street parking practices reduce the useable width down to an average of 3.8m. The un-adopted section of Hope Road has an average width of 3.9m. Taking into consideration the level of on-road parking, the recommended conditions include for a requirement to enter into a Traffic Regulation Order (TRO) for the provision of a section of double yellow lines on the adopted section of the road, to allow for a passing bay. This would mitigate for the potential conflict created by the increase traffic generation resulting from the proposed development. The width of Hope Road is therefore not considered to be a sustainable reason for refusal.

29. Circular Road has an average width of 4.8m, as with Hope Road current on-road parking practices limit it predominantly to single carriageway width. However, unlike Hope Road, due to its alignment Circular Road is covered by double yellow lines along the full extent of the northern/western side of the road with two passing bays being available on the eastern side. The existing parking restrictions on this road therefore allow for the safe passing of vehicles. The width of Circular Road is therefore not considered to be a sustainable reason for refusal.

#### Road construction / condition

30. Hope Road and Circular Road themselves are in a poor state of repair in places. Island Roads have confirmed that the structural integrity of the road network has no bearing on the recommendations returned by them in respect of the planning application. If there is deemed to be an existing problem with the condition of the road, this is the responsibility of the Local Highway Authority (Island Roads on their behalf) to maintain the highway network to the appropriate standard.
31. It should be noted that the currently planned network upgrade works indicate that carriageway works to Circular Road and Hope Road and footway works to Circular Road are scheduled for 2017/18. Although this is indicative of planned schemes and therefore subject to change, it serves to demonstrate that improvements are acknowledged to be necessary and planned for the coming year.
32. Concerns were raised during the determination of the application, and comments made during the committee meeting, with regards to structural integrity of the road / pavement, due to dropped crossing being refused as road drainage in Hope Road and Circular Road is currently too shallow to enable kerb work. Officers have looked into this matter in more detail and can confirm that they have not found any evidence to substantiate this claim with Island Roads showing no applications having been received since the commencement of the PFI contract for the installation of vehicle crossing within Hope Road.
33. The construction / condition of the immediate road network is not considered to represent a sustainable reason for refusal.

### Site access and layout

34. The proposed site access has been configured to give priority to traffic entering and leaving the new development from the end of the adopted section of Hope Road. The existing unadopted section of road serving the remaining properties on Hope Road and Westridge Farm would become a junction off this new road.
35. In order to; accommodate the existing forms of traffic associated with Westridge Farm, take into consideration users of the un-adopted section of Hope Road and to provide a suitable link through to the proposed onsite road layout, a proportion of the un-adopted section of Hope Road from its junction with the adopted highway is detailed to be realigned and widened with the creation of a kerbed buildout.
36. The proposed layout is supported by a series of swept path analysis drawings. On review of these and as a result of a site inspection it is evident that, to ensure the proposed arrangement would ensure that service vehicles to access the farm and provide for an adequate level of forward visibility to those vehicles existing the site double yellow lines would need to be introduced on either side of Hope Road, outside of No. 12 running in a easterly direction into the site.
37. Since the report was considered by the Planning Committee and concerns were raised in the meeting with regards to the ability to undertake a TRO this matter has been given greater consideration. Although it is considered that it would be possible to enter into such an agreement there are questions as to whether this would be enforceable. Therefore, a minor amendment to the design has been presented, which shows the line of the highway set back and layby parking being provided, between the footway and the road. This would remove the potential for vehicles to park in the visibility splays therefore overcoming the need for double yellow lines on the un-adopted section of Hope Road.
38. The new estate roads have been designed to be constructed to an adoptable standard (although would not necessarily be offered for adoption by the highway authority). The proposed layout provides for minimum carriageway widths of 4.8m and footways widths of 2m, with associated 1m service strips / link path in association with allocated visitor and private parking areas. Provision has also been made for a 3m wide footpath link with the potential for cycle usage as well as turning area to accommodate refuse and emergency service vehicles.
39. The site access and layout is therefore considered to comply with the required design standards and would not form a sustainable reason for refusal.

### Car parking

40. The proposal includes for the provision of parking for the each property based on the following:
- 1 bed unit x 1 space
  - 2 bed units x 2 space (minimum)
  - 3 bed units x 2 space (minimum)
  - 4 bed units x 3 spaces (minimum)

Visitor parking is also shown to be provided throughout the site.

41. The application also includes for a 12 space car park to assist with the concerns raised by residents with regards to the current level of on road parking in Hope Road and Circular Road.
42. This level of parking is considered to be more than adequate for the proposed nature and location of the development and is therefore not deemed to represent a sustainable reason for refusal.
43. Research has suggested that while car ownership continues to grow significantly, the growth in car use is decreasing. As a result, there is some evidence of more cars being less used, to the extent that the design and provision of parking is even more important in relation to safety, neighbourliness and aesthetic quality in new streets.
44. Car travel from dwellings is influenced by the cost and availability of parking at travel destinations, with employment being particularly significant in the weekday peak periods. In light of this the proposed level of car parking, being higher than average, may encourage people to consider utilising more sustainable forms of transport at peak times.

### Conclusions

45. Since the consideration of this item the applicant has commissioned a further transport assessment by a different highway engineer. This technical note reaches the same conclusions as the originally submitted transport assessment and Island Roads, in that the application is acceptable in respect of all highway matters.
46. Officers have re-evaluated the issue, taking the term 'access' in its widest sense and continue to conclude that the proposed access would not be 'unsuitable' and the proposed development should therefore be approved, as per the original recommendation.
47. However, should Members still deem the access to be 'unsuitable', when having due regard to the comments contained above, any proposed reason for refusal

would need to outline what element(s) of the access are 'unsuitable' and what demonstrable harm would result.

## FINANCIAL / BUDGET IMPLICATIONS

48. The financial and budget implications relate to Members resolution to refuse the application, either in part or in totality.
49. In the event an Appeal were to proceed against any refusal, the Council would incur additional costs as a result of having to seek to defend the refusal. These costs would relate to both Officer time through preparation of papers etc, and additional external support as may be required.
50. In addition, at Appeal, the Council could be subject to a costs award if the Inspector considers that the Council has acted unreasonably, and the unreasonable behaviour has directly caused another party to incur unnecessary or waste expense in the appeals process. Costs applications may relate to events before the appeal or other proceedings, and behaviour and actions at the time of the planning determination may be taken into consideration by the Inspector in determining whether to award costs or not.
51. Unreasonable behavior in the context of an application for an award of costs may be either procedural (relating to the process) or substantive (relating to the issues arising from the merits of the appeal)
52. A costs award may be made in full or in part depending on the reason given for awarding the costs. A full award of appeal costs means the party's whole costs for the statutory process, including the preparation of the appeal statement and supporting documentation. It also includes the expense of making the costs application.
53. In deciding whether to award costs, the planning inspectorate will have regard to the planning practice guidance. This says that

*“Local planning authorities are at risk of an award of costs if they behave unreasonably with respect to the substance of the matter under appeal, for example, by unreasonably refusing or failing to determine planning applications, or by unreasonably defending appeals. Examples of this include:*

- (a) *preventing or delaying development which should clearly be permitted, having regard to its accordence with the development plan, national policy and any other material considerations.*
- (b) *failure to produce evidence to substantiate each reason for refusal on appeal*
- (c) *vague, generalised or inaccurate assertions about a proposal's impact, which are unsupported by any objective analysis.*

- (d) *refusing planning permission on a planning ground capable of being dealt with by conditions risks an award of costs, where it is concluded that suitable conditions would enable the proposed development to go ahead*

54. In order to mitigate the risk of a costs award it is essential that the Council must be able to demonstrate that the proposal would be contrary to the policies contained within the Development Plan and substantiate each and every reason(s) for refusal with evidence. If the Council cannot fulfil this requirement for each or all the reasons given then, it is likely that costs would be awarded at Appeal. The relatively recent Inspectors decision to award costs against the Council at Blanchards stated:

*“The web-based Planning Practice Guidance lists preventing or delaying development which should clearly be permitted, having regard to its accordance with the Development Plan, national policy and any other material considerations; and making vague, generalised or inaccurate assertions about a proposal’s impact, which are unsupported by any objective analysis, as areas where a Local Planning Authority may be exposed to an award of costs.”*

55. For information, the Blanchard’s appeal was a Written Representation appeal and resulted in an award of costs of circa £22k. It should be noted that this does not include any of the Councils costs. Comparatively, the costs award in association with the Ashley Road Public Inquiry (the route likely to be taken in relation to this application due to the current appeal), exceeded £100k not including any of the Council’s costs of defending the appeal.

### LEGAL IMPLICATIONS

56. The key legal implication is whether the Planning Committee is making a decision in accordance with the requirements of the Planning Acts.
57. The Local Planning Authority have a statutory duty to make decisions in accordance with the development plan unless there are material considerations that indicate otherwise.
58. Additionally, where a proposal accords with an up-to-date development plan it should be approved without delay, as required by the presumption in favour of sustainable development at paragraph 14 of the National Planning Policy Framework.
59. Should Members fail to apply the above duties, there is a risk of a decision being allowed at Appeal and a costs award being made.
60. Officers reaffirm that the Island Plan represents the adopted up-to-date development plan and Members must use the policies in the manner that they are written. To seek to utilise the policies in another fashion (for example

reversing a supportive policy to appear negative) would not follow this requirement and would not represent a lawful decision-making process

## RISK MANAGEMENT

61. Officers have re-evaluated the resolution made by Members on the 24<sup>th</sup> January, and do not consider that the reason for refusal presented represents a sustainable, evidenced or substantiated ground for refusal. As such, officers consider that there is a high risk that an appeal would be allowed, and that an award of costs would be likely.

## OPTIONS

62. The options are set out as follows:

- 1) Resolve to continue with the existing resolution made on the 24<sup>th</sup> January:-

To issue a refusal on the grounds of unsuitable access

Or

- 2) To resolve to grant planning permission as recommended at para 8.1 of the report presented to the Planning Committee on the 24<sup>th</sup> January, which can be viewed [here](#).

- 3) To resolve an alternative motion, which if for refusal would provide clear, policy based or material, and sustainable reasons for refusal.

## CONCLUSION

63. Officers have reviewed the resolution made by Members on the 24<sup>th</sup> January, and in particular have re-evaluated the reason for refusal that was provided, namely 'unsuitable access'.
64. As set out within this report, Officers do not consider that the reason for refusal would be sustainable due to a lack of evidence upon which a refusal could be demonstrated and sustained.
65. The proposals must be considered against the policies of the development plan. Officers maintain that the scheme is compliant with the Island Plan Core Strategy. Failure to provide specific evidence to substantiate a recommendation contrary to technical guidance would represent a significant risk to the Council in regard to the ability to defend any subsequent appeal and a potential award of costs on grounds relating to unreasonable behaviour.

66. Officers therefore conclude that the proposed resolution made on the 24<sup>th</sup> January should be re-evaluated, and Members should resolve to approve the application in accordance with the published report presented on the 24<sup>th</sup> January.

RECOMMENDATION

67. Option 2, to resolve to grant planning permission as recommended at para 8.1 of the report presented to the Planning Committee on the 24<sup>th</sup> January, which can be viewed [here](#).

WENDY PERERA  
HEAD OF PLACE



**04 Reference Number:** P/00045/17

**Description of application:** Proposed change of use from Class A1 (retail) to a mixed use of A1 and B2 to allow for the preparation of foodstuffs

**Site Address:** Winters, 2 Medina Cottages, High Street, Seaview, Isle of Wight,

**Applicant:** Isle of Wight Biltong

**This application is recommended for conditional permission**

**REASON FOR COMMITTEE CONSIDERATION**

This application has been referred to the Planning Committee at the request of the Local Ward Member (Councillor Barry) owing to concerns regarding the loss of A1 (retail) floorspace and that the resultant retail space would not meet the needs of the local community.

**MAIN CONSIDERATIONS**

- Principle of the proposed change of use, including the reduction in retail space
- Impact on the character of the area
- Impact on neighboring properties
- Highway Considerations

**1. Location and Site Characteristics**

1.1. The site is on the High Street, within the centre of Seaview. The High Street includes a mix of uses including shops, cafes/restaurants, other commercial premises and a number of residential properties. The part of the High Street on which the site is located is narrow and one-way.

1.2 The property is a two storey building, attached to Compass Cottage. The building currently operates as a small convenience store/newsagents at ground floor with a flat above. Access to the flat is to the rear of the building via an alley.

**2. Details of Application**

2.1 The application seeks permission for a proposed change of use of the ground floor from Class A1 (retail) to a mixed use of A1 and B2, to allow for the

preparation of foodstuffs. The forward part of the ground floor would be retained as A1 (retail) use with the B2 preparation area to the rear of this (and occupying the majority of the ground floor).

2.2 The application is made by IOW Biltong, an existing business which has been running out of Newnham Farm, Newnham Lane, Binstead, away from their residence and in a relatively unsustainable location. The applicant has submitted supporting information which outlines the need to relocate on the grounds of:

- Increase in customers coming to the site to directly purchase the goods which is difficult given their current location;
- Wish to live at the same location as their business so their home, office and production facilities are in the same place – the process is that the production involves a few hours of intense work and then long periods of ‘waiting’ during the drying period and thus more efficient;
- Building suitable for their use (i.e. with lack of windows);
- Production equipment and processes involved – table top tumbler; small smoker; 4 drying boxes (each have a small oven heater at the bottom and fan at the top; x2 extractor fans;
- Retain small shop with shop window to provide displays;
- Appropriate location for their market base;
- Sets out typical deliveries;

2.3 Supporting information also sets out marketing of the premises and includes a statement from the current owners describing how the current business is not viable.

### 3. **Relevant History**

3.1. No recent planning history at the site however, it is considered relevant to refer to the following planning application which relates to the business subject of this application:

**Ref:** P/00132/11

**Address:** Newnham Farm, Newnham Lane, Ryde, Isle of Wight, PO33 4ED

**Proposal:** Internal alterations and external refurbishment of an existing storage building to include re-painting of external walls, windows and doors and replacement roof covering in connection with change of use of part of existing storage building for the production, processing and packaging of a meat product called Biltong (revised description).

**Approved:** 08/04/2011

It is noted that this was approved under the previous local and national policies and related to the start-up of this business. It is also noted that Environmental Health raised no objection to the use in terms of noise or emissions and it was considered there would be no adverse impacts on

residential properties (although notes nearby houses are some distance away). No other concerns were raised other than the site would be accessed via part of a public right of way – however, the small scale operation of this business was not considered to result in an impact to users of this right of way.

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

##### National Planning Policy

4.1. The National Planning Policy Framework (NPPF) constitutes guidance for local planning authorities and decision-takers both in drawing up plans and as a material consideration on determining applications. At the heart of the NPPF is a presumption in favour of sustainable development.

4.2 The NPPF states that sustainable development is a core issue for the planning system and sets out three roles (economic, social and environmental) that should be performed by the planning system. The NPPF places a “presumption in favour” at its core, citing that development in accordance with an up-to-date Local Plan should be approved. It sets twelve principles and these include encouraging the reuse of existing resources and effective use of previously developed land, and encourages that policies and decisions should seek to address barriers to investment (particularly infrastructure) as part of encouraging economic growth.

##### Local Planning Policy

4.3 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
- DM10 Rural Service Centres and the Wider Rural Area
- DM12 Landscape, Seascape, Biodiversity and Geodiversity
- DM17 Sustainable Travel

##### Nettlestone and Seaview Parish Plan SPD

4.4 The Nettlestone and Seaview Parish Plan SPD was adopted by the Isle of Wight Council and came into force on 14 January 2013. It is noted that this describes the shops in Seaview and Nettlestone, outlining that many shops have shut over recent years and have been converted to residential use. It

acknowledges that most people use the Tesco superstore for their main weekly or monthly grocery shop using other food shops locally for top-up shopping. The survey showed that the local opinion was to retain existing shops, post office and pubs and Section 6 seeks to support strategies to prevent the change of use of shops which include preventing change of shop use and subsidise empty shop use.

#### Guidelines for Parking Provision as Part of New Developments SPD

- 4.5 The Guidelines for Parking Provision as Part of New Developments Supplementary Planning Document (SPD) was adopted by the Isle of Wight Council at its Executive meeting on 12 January 2017 and came into force on 23 January 2017.

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

#### Internal Consultees

- 5.1 The Highway Authority has not raised any objections stating that the traffic generation associated with this proposal is not deemed to have a negative impact on the capacity of the highway/project network.
- 5.2 The Council's Environmental Health Officer has not raised any objections, following their site visit and meeting with the applicant.

#### Parish/Town Council Comments

- 5.3 Nettlestone and Seaview Parish Council raise an objection that the proposed change of use would represent a significant loss of a vital and necessary community asset, namely a general store within the village of Seaview, contrary to the general principles of DM7 (Social and Community Infrastructure).

#### Third Party Representations

- 5.4 2 letters of objection have been received the content of which can be summarised as follows:
- Loss of the existing shop would impact on Seaview – against the Parish Pledge to become an Age Friendly Parish (the outing to pick up the newspaper and essentials can be the only social contact of the day)
  - Only shop in Seaview left selling food;
  - Only alternative would be the shop in Nettlestone – up a hill or 1 bus an hour.

- 5.5 One comment has been received in support of the development and is summarised below:
- An A1 use would still be retained which would not stop anyone running the shop as it is now – this would provide more options which could be good for the village and for long term viability of the location.

## 6. **Evaluation**

### Principle

- 6.1 The application site is not situated within one of the Regeneration Areas or Rural Service Centres as outlined in Policy SP1, but is an existing shop within the centre of Seaview and is therefore considered to be a sustainable location.
- 6.2 Objections have been received over the loss of the existing shop and it is noted that the nearby post office recently closed. However, the existing owners have submitted a statement outlining that the shop is not viable and that some of the items being sold can or have been offered by other shops/cafes nearby and, newspapers/magazines can be provided by the shop in Nettlestone either by visiting the shop or by delivery from them. Whilst it is acknowledged the current owner may have an interest in justifying this business as not being viable as they are trying to sell the property, significant weight must be given to the fact that the property has been marketed since February 2015 and has only had 27 viewings – confirmed by a local estate agents. Whilst one offer was received and accepted, the potential buyers pulled out citing the seasonal nature of Seaview (high percentage of holiday homes) would not suit their business model. The estate agent has also confirmed that over this 2 year period they have advertised the property on their own website, on Rightmove and in the County Press newspaper on 16 occasions.
- 6.3 The Parish has further stated that such a loss of the shop would be contrary to the general principles of Policy DM7 (Social and Community Infrastructure), It is not considered this use falls under this policy, as retail is not included in the definition of social and community infrastructure. It is noted, however, that Policy DM10 (Rural Service Centres and the Wider Rural Area) does seek to preserve *viable* retail uses outside of Rural Service Centres where they meet the needs of the local community and that the Parish plan seeks to retain shops and looks to support strategies to prevent the change of shop use, reference is also made to the Community Right to Bid Legislation, which provides for community groups to bid for locally important "community assets". The application site is not on the current list of assets, nor on the nominated or unsuccessful lists. As such, officers do not consider that the reduction of the retail area as shown on the submitted plans can form a reason for refusal given that the shop does not seem to be viable

or particularly well-used and has been marketed for sale for some time with no interest.

- 6.4 Policies SP3 and DM8 seek to support growth in economic development. This proposal would retain a commercial use at the site and would assist the existing business, which seems to have been operating successfully at another site since 2011. The applicant has stated that the move to a sustainable location (in comparison to the existing farm and rural location) would help visitors who have increasingly come to the business to buy their products directly. The front part of property would still be A1 which would not prevent either the applicants or future occupiers selling similar convenience type goods. Officers also note that the current use would not restrict the shop only selling Biltong. The premises would still fall under its A1 (retail) use and this change, in the degree of goods sold, could happen today without any permissions. Therefore, the relevant consideration is the reduction of the overall retail floorspace and the introduction of the B2 use and officers consider that this is acceptable in principle but subject to an assessment against other relevant policies of the Core Strategy (as below).

#### Impact on the character of the area

- 6.5 No significant changes are proposed to the building and externally there would be minimal changes. The proposal is to retain an A1/shop to the front of the building with the existing shop front – the applicant has reiterated that they intend to make use of the shop front to provide shop displays. Whilst it is acknowledged the goods sold would likely change and it would not necessarily be a shop where customers visit daily (the applicant could still sell such items if they wish).
- 6.6 Therefore, it is considered that the proposed use would not result in the building changing character with the surrounding properties, Conservation Area or the wider area and thus would be in accordance with Policies SP5, DM2, DM11 and DM12 of the Island Plan Core Strategy.

#### Impact on neighbouring properties

- 6.7 The site is located within the centre of Seaview and within a relatively high density of buildings, many of which are residential, although some are commercial. There is a small courtyard/garden area to the rear with gardens to other dwellings around. There are several outbuildings within these neighbouring gardens. The proposed change would be to B2, which is not automatically considered to be an acceptable use in residential areas. Due to this, the Council's Environmental Health Practitioner undertook a site visit and met with the applicant to assess the proposal in terms of potential odour and noise impacts. Following this visit they are now satisfied there would be no observed affect from noise and odour. The emissions from the drying

cabinets and the smoker would be emitted through the existing chimney stack 1m above roof ridge by small extractor fans and due to there being no cooking involved with the process there would be limited odours produced.

- 6.8 Having due regard to this assessment it is considered that the change of use from a shop to the proposed Biltong business would not result in any further adverse impacts on neighbouring properties, although it is considered appropriate to suggest a condition that restricts this proposed use from changing to any other B1, B2 or B8 use without the need to go through planning permission, as there are other uses within these use classes which could have further impacts. Therefore, with the imposition of such a condition, the proposed change of use would be acceptable in terms of impact on neighbours in accordance with Policy DM2 of the Core Strategy.

#### Highway Consideration

- 6.9 The application site does not have any parking provision. However, having considered the guidance set out in the policy 'Guidelines for parking Provision as Part of New Developments SPD (January 2017)' the proposal would actually reduce the parking demand for the site and the development is therefore acceptable on parking grounds. The Highways Engineer has not raised any objections and states that it is noted that there is a loading bay in Madeira Road which could be made use of for deliveries (also identified by the applicant in their submission) and concludes that the traffic generation associated with this proposal is not deemed to have a negative impact on the capacity of the highway/project network, noting that on review of accident data, there have been no recorded accidents in the last 3 years within the vicinity of this site that are relevant to the proposal.

### **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, SP5, DM2, and DM12 of the Island Plan Core Strategy.

### **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*
- *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 considered to be acceptable as submitted and therefore no further discussions were required.*

### **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 only be carried out in complete accordance with the details shown on the submitted plans, numbered/labelled:
  - Location Plan (received 19/01/2017);
  - Floor Plan (received 19/01/2017);
  - Front elevation (received 19/01/2017);
  - Internal elevations (received 19/01/2017);

**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), SP5 (Environment), SP7 (Travel), DM2 (Design Criteria for New Development), DM8 (Economic Development), DM11 (Historic and Built Environment), DM12 (Landscape, Seascape, Biodiversity and Geodiversity), DM17 (Sustainable Travel) of the Island Plan Core Strategy.

- 3 The A1 retail use of the building shall not be open to customers outside the following times:

0800 to 1800 Monday to Sunday (including Bank and Public Holidays)

The B2 production of biltong use hereby permitted shall not take place outside the following times,

0900 to 1700 hours Mondays to Fridays

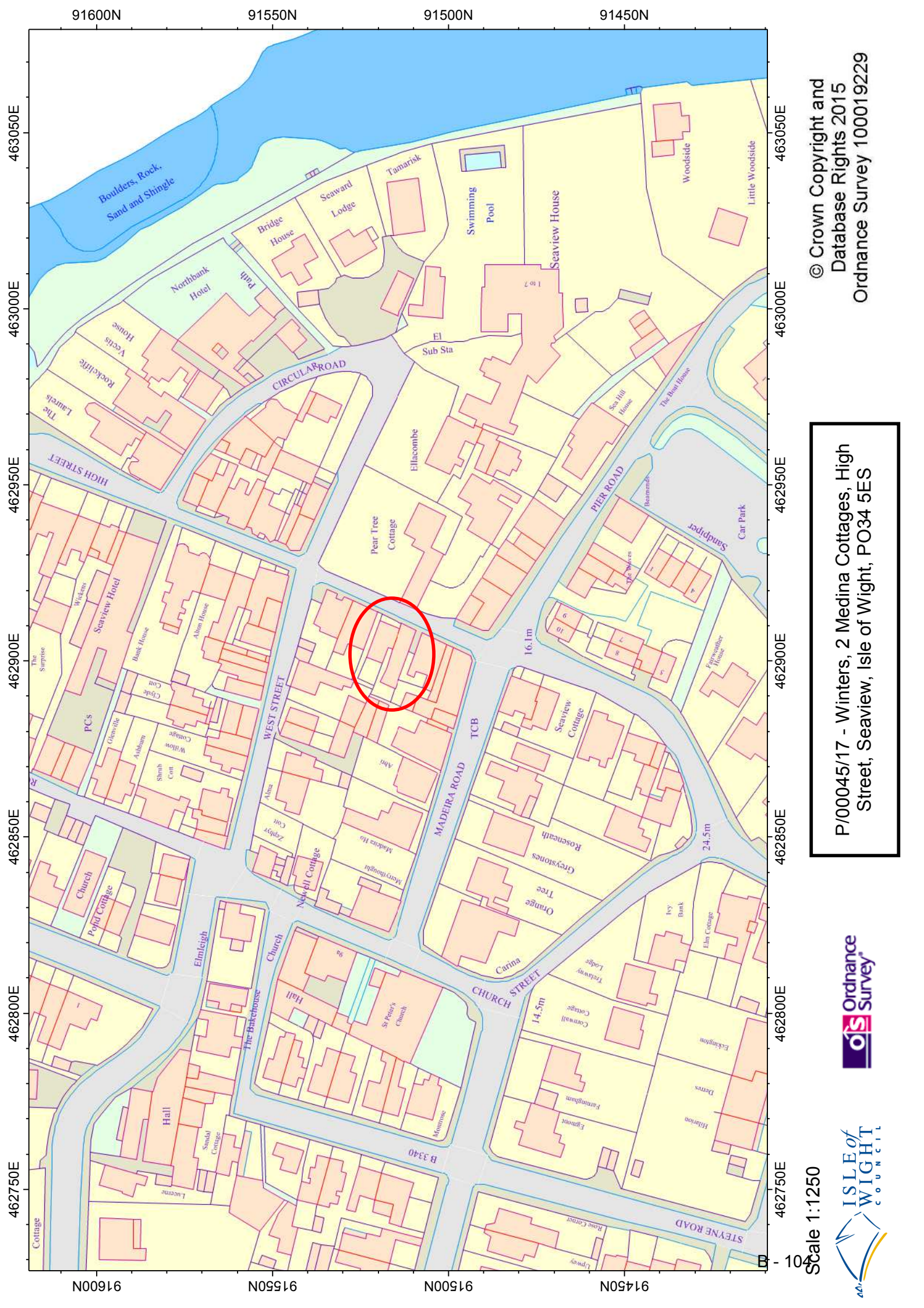
and not at any time on Saturdays, Sundays, Bank or Public Holidays



**Reason:** To protect the amenities of nearby residential properties, and in the interests of the amenities of the area in general in accordance with the aims of DM2 (Design Criteria for New Development), DM11 (Historic and Built Environment), DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

- 4 This permission shall authorise of use of the part of the ground floor of the building as shown on the approved Floor Plan (received 19/01/2017) for the production of biltong dried meet food product and for no other purpose (including any other purpose in Class B1, B2 or B8 of the Schedule of the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

**Reason:** To ensure adequate planning control over further development or use of the site and to prevent any alternative use being made of the premises which could be a source of nuisance or disturbance to occupants of neighbouring properties, to protect the general character of the surrounding area and to comply with Policies DM2 (Design Criteria for New Development), DM11 (Historic and Built Environment), DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.



P/00045/17 - Winters, 2 Medina Cottages, High Street, Seaview, Isle of Wight, PO34 5ES

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