

ISLE OF WIGHT COUNCIL PLANNING COMMITTEE - TUESDAY, 27 JUNE 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 TO COMMITTEE – 27 JUNE2017

1	P/00161/17 TCP/32492/G	Rookley	Conditional Permission
Page 3	Pidford Manor, Main Road, Rookley, Ventnor, Isle of Wight, PO383NL		
	Demolition of existing garages/ stores; construction of replacement garage block		
2	P/01361/16 TCP/32845	Niton and Whitwell	Conditional Permission
Page 14	former St Josephs RC Church, Rectory Road, Niton, Ventnor, Isle of Wight		
	Alterations and change of use of existing redundant chapel into a dwelling (C3)(revised plans)		
3	P/01362/16 TCP/32844	Niton and Whitwell	Conditional Permission
Page 30	land rear of former St Josephs RC Church, Rectory Road, Niton, Ventnor, Isle of Wight		
	Construction of a pair of semi-detached dwellings; vehicular access		
4	P/00352/17 TCP/33023	Shorwell	Conditional Permission
Page 49	land to rear of 1 and 2, Newbarn Lane, Shorwell, Newport, Isle of Wight		
	Two detached dwellings with parking providing affordable housing		
5	P/00215/17 TCP/18881/B	Ryde	Conditional Permission
Page 62	Victoria Depot, Victoria Crescent, Ryde, Isle of Wight, PO331DQ		
	Change of use from Sui Generis (council storage & distribution depot) to B8 (storage & distribution) including the siting of up to 45 containers. (revised plans)(revised description)		

01 Reference Number: P/00161/17

Description of application: Demolition of existing garages/ stores; construction of replacement garage block

Site Address: Pidford Manor, Main Road, Rookley, Ventnor, Isle of Wight, PO38 3NL

Applicant: Mr and Mrs S Ross

This application is recommended for Conditional Permission

REASON FOR COMMITTEE CONSIDERATION

The application is referred to the Planning Committee at the request of the Local Ward Member (Cllr Seely) on the grounds that the application represents a further, larger submission when a previous, smaller scheme was refused; that the building has increased in scale and that this change would have a significant impact; and that the proposal is disproportionate in size and scale and would impact upon the amenities of neighbouring properties (Highwood House) and the setting of Pidford Manor.

MAIN CONSIDERATIONS

- Impact on the setting of the listed buildings
- Impact on trees
- Archaeology
- Impact on neighbouring properties

1. Location and Site Characteristics

- 1.1. The site is located to the south west of Pidford Manor and the Brewhouse to Pidford Manor which are both grade II listed. The house and grounds are accessed by a long gated driveway from the A3020. The surrounding area is predominantly open countryside with a large number of mature trees.
- 1.2. There is an existing 3 bay garage on the site which dates from 2011. This sits close to the west boundary of the neighbouring property Highwood House. The boundary is formed from mixed vegetation of hedges, shrubs and established trees.
- 1.3. The land levels drop slightly to the west and the gravelled area in front of the existing garage is used for parking.

2. Details of Application

- 2.1 This application seeks consent for the demolition of existing garages/ stores and construction of a replacement garage block.
- 2.2 This is the fourth application on the site for an L shaped garage block and is a revision to 2 previously approved schemes (P/00317/15 & P/00445/16).
- 2.3 Compared to the 2016 approval, the proposal would see the width of the L shaped building increased from 6.3m to 6.6m (an increase of 0.3m). The length of the southern leg (20m) is unchanged but the length of the rear elevation of the western leg increased from 14.7m to 18m (an increase of 3.3m) and the proposed length of the front elevation increased from 9.6m to 11.30m (an increase of 1.7 m).
- 2.4 As a result of the changes in footprint, there would be changes to the overall height of the building and floor levels, the following table highlights the differences between the most recent approval and the proposal in this regard:

	Approved 2016	Proposed
Eaves	2421 mm	2550mm (lowered floor)
Ridge	5275 mm	5462mm (from floor level)
Roof height	2854 mm	2914mm (from eaves)
Finished floor level	50.00	49.75
Roof pitch	40 degrees	37 degrees

- 2.5 The increase in size is a result of the reorientation of the western leg to a right angled L shape so that it aligns with the side elevation of the Brewhouse, creating a formal courtyard setting and moving the western leg away from the boundary with the neighbouring property.

3. Relevant History

- 3.1. P/00445/16 - Demolition of garage block; proposed garage block to include woodstore (revised scheme) - approved 25/05/2016
- 3.2 P/00446/16 - LBC for demolition of garage block; proposed garage block to include woodstore (revised scheme) - approved 25/05/2016
- 3.3 P/01398/15 - Demolition of garage block; proposed garage block including machinery store, workshop and wood shed; conversion of garage to form office/ playroom (revised scheme) - split decision 05/02/2016 with refusal of the garage block on the grounds of its position, size, scale and design, notably the 'top heavy' and excessive appearance of the roof, would be an

intrusive development which would harm the special interest of the building. The proposed garage block had been insufficiently justified in the supporting information. In addition, the information submitted with the application was deficient in detail.

3.4 P/01399/15 - LBC Demolition of garage block; proposed garage block including machinery store, workshop and wood shed; conversion of garage to form office/ playroom (revised scheme) - split decision 05/02/2016 with refusal of the garage block, for the reasons outlined above.

3.5 P/00317/15 - Demolition of garage block; proposed garage block including machinery store, workshop and wood shed; conversion of garage to form office/playroom (Revised plans) - granted 26/05/2015

3.6 P/00318/15 - LBC for demolition of garage block; proposed garage block including machinery store, workshop and wood shed; conversion of garage to form office/playroom - granted 26/05/2015

3.7 P/01239/11 - Proposed stable block comprising three stables, tack room and store; Pidford Manor, Main Road, Rookley – granted 25/10/2011

3.8 P/00421/11 - Detached building to form garage, store, carport and log store; Pidford Manor, Main Road, Rookley – granted 23/05/2011

3.9 P/01926/10 - Proposed detached car port with log store; Pidford Manor, Main Road, Rookley – granted 22/02/2011

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 Local planning authorities should look for opportunities for new development within within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

Local Planning Policy

4.3 The following policies of the Island Plan Core Strategy are relevant to this application.

- DM2 Design Quality for New Development
- DM11 Historic and Built Environment

5. Consultee and Third Party Comments

Internal Consultees

- 5.1 The Tree Officer has stated previously (on P/1398/15) that the proposed development will have no greater impact than that already identified in the previous scheme. As result the conditions requested previously are to be carried forward.

External Consultees

- 5.2 Scottish and Southern Energy have previously highlighted that a low voltage underground cable crosses the application site under the area where the garage building is proposed and that therefore appropriate mitigation needs to be provided by the applicant to accommodate the necessary modification of this circuit.

Parish/Town Council Comments

- 5.3 Rookley Parish Council objects to the proposal on the basis that the development is of an overbearing and unsympathetic size and character which would impact on the setting of the listed building and on the neighbouring property.

Third Party Representations

- 5.4 A comment received from the owner of Highwood House objects to the proposal on the basis that the structure is disproportionate, over dominant and out of scale to both the neighbouring property and to Pidford Manor. The owner also takes issues with the number of applications that have incrementally increased the size of the garage.
- 5.5 4 comments received support the application on the basis that it is not out of keeping with the manor and, as an outbuilding, is comparable to other examples on the island and on the mainland.

6. Evaluation

Impact on the setting of the listed buildings

- 6.1 Pidford Manor, dating from the 18th century, is a substantial grade II listed building with a Georgian façade and an attached cottage. In addition, there is an attached Brewhouse which is also grade II listed. The site originally

incorporated a stable to the west which is now in separate ownership (Highwood House) and there is a stone dividing wall between these properties. The manor is situated in large grounds and there are many imposing trees that contribute positively to the setting of the building. The Georgian façade is the formal elevation and most notable when approaching along the drive off of the main road.

- 6.2 There is a lengthy planning history for this site and this particular development which see the replacement of existing garage structures with an alternative arrangement. Most notably this application is most appropriately considered as a variation to the 2016 permission for a similar development, the 2016 scheme representing the “fallback” position. The planning history is a material consideration, and a key issue is whether the proposed scheme would have any greater or different level of impact when compared to the approved developments at the site.
- 6.3 The revised scheme is larger than that previously approved, but only to a modest degree. Considering the modest scale of the change compared to the approved arrangement, and considering the overall scale of the site, it is considered that the impact of the increase in scale would be negligible. In addition, it is considered that the increase in size must be considered in the context of the overall scheme which seeks to re-orientate the building, so that it aligns with the side elevation of the Brewhouse. This realignment creates a more formal courtyard setting and moves the western leg away from the boundary with the neighbouring property, both of which are considered to be demonstrable improvements.
- 6.4 The building does increase in height (from 5.3 m to 5.5 m) but, due to the lowering of the floor, the ridge height of the building would not increase. Design changes are proposed with the side elevation of the southern leg amended to accommodate a gable end rather than a hipped roof and the gable end wall would be constructed in stone. Again, the resultant building taken as whole is considered to be an improvement on the previously approved scheme and appropriate to the setting of the listed buildings. Overall, Officers consider that the proposal would be a high quality building of an appropriate scheme and design which is appropriate to the setting of the listed buildings and the site.

Impact on trees

- 6.5 Pidford Manor is set within grassed parkland with both ornamental and mature parkland trees across the grounds. The application site is subject to Tree Preservation Order restrictions, both as an area order and individual tree orders. The Tree Officer states that the proposed development will have no greater impact than that already identified in the previous scheme and the conditions requested previously should be carried forward.

Archaeology

- 6.6 The council's archaeologist has advised that the application site is a manorial site first mentioned in 1301, the current structures on site cannot be related to the earliest records and it cannot be assumed that the present manor overlays the first. The Mudge map appears to indicate the presence of structures to the south of the application site but the Mudge map does not accurately overlay the later editions OS; therefore it cannot be relied upon. In the absence of any evidence to the contrary the assumption must be that the site may contain archaeological deposits of potentially national importance.
- 6.7 Given the above the council's archaeologist has recommended that a programme of archaeological works must be secured by condition to ensure that a competent professional archaeologist evaluates the site in advance of any development and any nationally important remains should be preserved in situ.

Impact upon neighbouring properties

- 6.8 Highwood House is the only residential neighbouring property lying within the close vicinity of Pidford Manor, located in close proximity to the western boundary of the site. The owners of Highwood House have objected to the application on the grounds that it would result in an over-dominant and intrusive development to Highwood House. The impact on Highwood House was considered through the previous schemes and it was determined that the development would not result in a loss of amenity to the occupiers of the neighbouring dwelling.
- 6.9 Notwithstanding the above, the impact of this scheme has been considered on its own merits. There would be a separation distance of approximately 30m between the proposed development and Highwood House and although there would be a modest change to the overall scale of the building it would also be re-orientated to move it away from the common boundary. The ridge height of the building would be unchanged and the existing screening afforded by established vegetation would also soften the appearance of the building. Whilst the proposal may be visible from Highwood House, given the aforementioned factors and the "fallback" position of the earlier 2016 permission, it is considered that the proposal would be acceptable in relation to the impact upon the amenities of Highwood House. Officers do not therefore consider that an objection on the grounds of dis-amenity would be reasonable or able to be substantiated if the application were to be refused and proceed to appeal.
- 6.10 Comments have made reference to the number of applications received and the increase in size from previous applications, however Members will note that the number of applications made is not a relevant planning consideration

and is not within the control of the Local Planning Application. Each scheme must be considered on its own merits, with regard to the development plan and relevant material planning considerations. In this instance, as outlined above, Officers consider that the “fallback” position is relevant, however, the scheme is also considered acceptable in its own right.

Other Matters

- 6.11 Scottish and Southern Energy have highlighted the fact that a low voltage underground cable crosses the application site under the area where the garage building is proposed and that appropriate mitigation needs to be provided by the applicant to accommodate the necessary modification of this circuit. Officers are satisfied that this matter can be adequately brought to the applicants attention through an informative on any approval granted.

7. Conclusion

- 7.1 Having given due weight and consideration to material considerations in relation to this application and for the reasons set out above, the proposal is considered to accord with Policies DM2 (Design Quality for New Development) and DM11 (Historic and Built Environment) of the Isle of Wight Council Core Strategy Island Plan, takes into account the guidance within paragraphs 131 & 132 of the National Planning Policy Framework and does reflect the requirements of section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Therefore it is recommended that the works are approved subject to the conditions listed below.

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:

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 agent was advised of the councils concerns with the design of the proposal and a revision was made which overcame these 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 With the exception of the requirements of conditions 3, 4, 5, 6 and 7 the development hereby permitted shall only be carried out in complete accordance with the details shown on the submitted plans, numbered: 2796 / P / 2, 2796 / P / 3 Rev A, 2796 / P / 4 Rev A, 2796 / P / 5 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 Notwithstanding the approved plans, the development hereby permitted shall not be commenced until details (including samples if considered necessary) of the materials and finishes, including bedding mortar and pointing style, to be used in the construction of the external surfaces 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 Notwithstanding the approved plans, the construction of the east facing gable end wall of the southern wing and the north facing end wall of the western wing shall not be commenced until a sample panel of the proposed stone, brick quoins and bedding and pointing mortar has been constructed and agreed in writing by the local planning authority. The sample panel shall be retained on site for reference until completion. Development shall be carried out in accordance with the approved details.

Reason: To protect the fabric of the building and to ensure the works are in keeping with the special historic and architectural interest of the listed building in accordance with the requirements of section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and to comply with the aims of policies DM2 (Design Quality for New Development) and DM11 (Historic and Built Environment) of the Island Plan Core Strategy and section 12 of the National Planning Policy Framework.

- 5 No development shall take place until a programme of archaeological works have been submitted to and approved in writing by the Isle of Wight Council Archaeology Officer. Works shall be implemented in accordance with the agreed details.

Reason; To enable the Local Planning Authority to monitor the potential for archaeological remains on this site and to comply with the National Planning Policy Framework and Policies SP5 (Environment) and DM11 (Historic and Built Environment) of the Island Plan Core Strategy.

- 6 No development including site clearance shall commence on the site until all trees, not previously agreed with the Local Planning Authority for removal, shall 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 (2005). Comprising vertical and horizontal framework braced to resist impact, with vertical tubes spaced at a maximum of 3m intervals. Onto this weldmesh 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 all general trees and shrubs and other natural features to be retained are adequately protected from damage to health and stability throughout the construction period in the interests of the amenity and to ensure the wooded southern boundary is retained as an important landscape feature which provides a valuable wildlife corridor, all in compliance with Policies DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

- 7 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 minimized during construction works and showing the positions of protective tree fencing as

required by condition 6. The agreed method statement will then be adhered to throughout the development of the site.

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.



Scale 1:5000



P/00161/17 Pidford Manor, Main Road, Rookley,
Ventnor, Isle Of Wight, PO383NL

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02 Reference Number: P/01361/16

Description of application: Alterations and change of use of existing redundant chapel into a dwelling (C3) (Revised Plans)

Site Address: former St Josephs RC Church, Rectory Road, Niton, Ventnor, Isle of Wight.

Applicant: Mark Czoch

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 Stewart) owing to concerns regarding impacts on privacy, loss of light, increase of traffic and highway safety, drainage and flooding.

MAIN CONSIDERATIONS

- Principle of the proposed change of use including loss of community facility
- Impact on the character of the area
- Impact on the undesignated heritage asset
- Impact on neighbouring properties
- Highway Considerations
- Ecology

1. Location and Site Characteristics

1.1. The chapel is a stone built, slate roof building, situated close to the road and relatively close to the junction of Rectory Rd with High Street within the centre of Niton. The building is on the County Historic Environment record – an undesignated Heritage Asset.

1.2 To the east and situated further forward (adjoining the chapel building) is Kingscote, a two storey dwelling. A single storey extension to its west elevation extends up to the common boundary and a conservatory extends from its south elevation - this boundary comprising hedge/vegetation, some trees and a fence. To the west is a car park for the local store – a 2m high close boarded fence forms the common boundary – in front of this car park is Glebe House, a two storey detached dwelling which shares the main access.

1.3 The site is located within a street scene comprising houses of varying styles, design and appearance such that there is no clear identifiable or uniform style of dwelling. Furthermore, plots sizes and layout also are varied, with a number of small lanes/cul-de-sacs nearby.

2. Details of Application

2.1 The application seeks full planning permission for alterations and a change of use of the existing redundant chapel into a dwelling (C3). The submitted plans show the converted property to have 2 bedrooms at ground floor level along with living room, kitchen/dining area and bathrooms. The existing porch to the front would be utilised as a shower room with the door permanently closed. The main entrance into the building would be using an existing door from the parking area to the rear/south. A new first floor would be created – half of this would be used for habitable accommodation (for one bedroom, a study and a bathroom, and the other half retained as attic space.

2.2 There would be minimal changes to the external appearance with the plans showing the following:

- North (front) elevation – New window serving living room/lounge (timber casement); x4 rooflights (conservation style)
- South (rear) elevation – New window serving living room/lounge (timber casement); 2 rooflights; 3 bat access slates
- East elevation – no changes;
- West elevation – existing slit windows opened up and glazed; replacement windows (no additional and no larger).

2.3 A Community Facility Evaluation and a Heritage Statement have been submitted (the requirement of a Heritage Statement resulting in the re-starting of the application). Revised plans have clarified the footpath to the front of the church and a revised certificate with relevant notice served on the owner of the access road.

2.4 Members are made aware that there is currently a planning application being determined for the conversion of the chapel to a residential unit (P/01362/16).

3. Relevant History

3.1. No recent planning history.

It is noted that there is a current application within the overall site:

P/01362/16 - Construction of a pair of semi-detached dwellings; vehicular access.

4. **Development Plan Policy**

National Planning Policy

4.1. National Planning Policy Framework

- Section 3: Supporting a prosperous rural economy including Paragraph 28: 'Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local neighbourhood plans should:
 - Promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.'
- Section 6: Delivering a wide choice of high quality homes.
- Section 7: Requiring good design.
- Section 8; Promoting healthy communities (includes community facilities and local services) and includes Paragraph 70: 'To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:
 - Guard against unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.
 - Ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community.'

Local Planning Policy

4.2 The Island Plan Core Strategy defines the application site as being in Niton Rural Service Centre Settlement Boundary. The following policies are relevant to this application:

- SP1 Spatial Strategy
- SP2 Housing
- SP3 Economy
- SP5 Environment
- SP7 Travel
- DM2 Design Quality for New Development
- DM3 Balanced Mix of Housing
- DM7 Social and Community Infrastructure
- DM11 Historic and Built Environment
- DM12 Landscape, Seascape, Biodiversity and Geodiversity
- DM14 Flood Risk
- DM17 Sustainable Travel

Supplementary Planning Documents

- 4.3 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.
- 4.4 The Guidelines for Recycling and Refuse Storage in 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.

Niton and Whitwell Parish Plan 2013

- 4.5 Niton and Whitwell Parish Plan 2013 was adopted as a Supplementary Planning Document June 2014. The following sections are considered relevant
- There have been infills, some of which has been sensitively designed to enhance the character of the village whilst others have not;
 - It takes note of the Island's annual housing target of 520 units (Core Strategy 1.24) and other extracts from the Core Strategy document: No housing allocations have been made. Rather the general locations for, and levels of, housing have been identified; Potential development sites have undergone a strategic level viability assessment as part of the Strategic Housing Land Availability Assessment (SHLAA) process;
 - Both villages should retain their independence was consistent with a rejection of ribbon development.
- 4.6 Niton and Whitwell Housing Needs Survey 2014-2019 (November 2014) with the following key points:
- 47.9% response rate;
 - 5 year housing need identified as 20 additional dwellings and 16 specified within Niton as:
 - 3 owner occupied houses;
 - 3 open market rent dwellings;
 - 4 affordable rent - mix of flats, houses and bungalows;
 - 6 affordable home ownership.

5. Consultee and Third Party Comments

Internal Consultees

- 5.1 The Highway Authority has not raised any objections subject to conditions requiring details of visibility splays (to the east); of the parking/turning space; access and drainage details of this area.

- 5.2 The Council's Ecology Officer has not raised any objections and endorses the measures put forward within the submitted bat survey and mitigation plan and suggests a condition is attached to secure these measures. The Ecology Officer states that the site offers little connectivity for the species mentioned and therefore does not consider there is a requirement for surveys for further species in this instance.
- 5.3 The Council's Archaeology Officer has not raised an objection. They have confirmed that the structure is included on the County Historic Environment record and is therefore an undesignated Heritage asset. They advise that the Heritage Statement supplied demonstrates that the church was originally a farm building and was converted for use as a hall prior to becoming a Roman Catholic church. Consequently, no objection is raised to the development and no further mitigation is recommended.

Parish/Town Council Comments

- 5.4 Niton and Whitwell Parish Council has raised an objection but no grounds for this recommendation have been put forward.

Third Party Representations

- 5.5 3 letters of objection have been received the content of which can be summarised as follows:
- Concerns of drainage and that the suggested soakaway would be ineffective in this area given the high water table and presence of numerous underground springs – refer to recent construction of car park to the west;
 - Ditch to the north [sic – should this be south] of the site along Puckwell Lane is not suitable for receiving run-off and could flood this footpath;
 - Also refers to historic ditches around overall site and lack of maintenance has pushed the stream underground and increased the height and spread of the water table;
 - Notes the watercourse that rises up westwards and must ensure any development does not alter the direction of any surface water to those properties eastwards;
 - The neighbouring property, Kingscote, have raised several concerns, most relating to the proposed pair of semi-detached dwellings to the rear, but question whether it has been demonstrated that another social/community use could be used or why the chapel is no longer required [Case Officer Note: received prior to the submission of additional information on this matter];
 - Also raises concerns of the garden being so close, noting there are bedroom windows of this neighbour facing onto the proposed garden - noise and disturbance to this neighbour and also impacts on the privacy of future occupiers from these windows.

6. Evaluation

Principle of the proposed change of use

- 6.1 The site lies within the Niton Rural Service Centre Settlement Boundary wherein Policy SP1 of the Island Plan Core Strategy encourages new development to be located. SP1 states that appropriate land is considered to be deliverable "*within or immediately adjacent, the settlement boundaries of the Key Regeneration Areas, Smaller Regeneration Areas and Rural Service Centres*" and that the Council will "prioritise the redevelopment of previously developed land where such land is available, suitable and viable for the development proposed". Furthermore, central government's advice and stance towards re-using existing but redundant buildings is also taken into account.
- 6.2 The site is close to the centre of the village and close to the shops, school and public transport links and is therefore within a relatively sustainable location where Policy SP1 would look to support such a residential use. The scheme would also contribute towards the objective of Policy SP2 (Housing) to provide for the delivery of 980 dwellings over the plan period at Rural Service Centres and the Wider Rural Area. The application would see the re-use of an existing building in a sustainable location and would provide for a a 3 bedroom unit which would meet an identified local need broadly consistent with the Niton and Whitwell Parish Housing Needs Survey 2014-2019 (published November 2014) and the Strategic Housing Market Assessment (SHMA).

Loss of community facility

- 6.3 The proposal would result in the loss of a community facility. Policy DM7 of the Island Plan Core Strategy outlines that the Council will only permit the loss of existing social and community infrastructure facilities, when it can be demonstrated that:
- a. the facility is no longer needed for its original purpose, or viable for any other community use; or
 - b. if appropriate, an alternative facility will be provided in a location with at least an equal level of accessibility for the community it is intended to serve.
- 6.4 It is noted that the supporting text at 7.123 states '*This policy also seeks to retain existing social and community infrastructure and this is applicable to any facility, located anywhere on the Island. Their potential loss can have adverse consequences, particularly in more rural settlements, where the loss can lead to unsustainable travel patterns and isolated communities. The approach set out in the second half of the policy ensures that before non-community uses are proposed, all viable community uses are considered and assessed to prevent the unnecessary loss of facilities.*'

- 6.5 In line with the NPPF which seeks to guard against the unnecessary loss of valued facilities and services, the application needs to provide an assessment in line with Policy DM7 and Policy DM8 of the economic viability of the community facility to see whether it can be retained in its current use class as well as assessing whether the alternative uses could be achieved.
- 6.6 The applicant has submitted a 'Community Facility Evaluation Statement which confirms the building has been vacant since 2009 when the Catholic dioceses ceased using the building for mass or prayer meetings – the reason put forward was that the building did not meet accessibility standards, was very small and in connection with a significant drop in parishioners, it became financially unviable. For it to be used as any community facility there would need to be significant modernisation and adaptation for disabled access.
- 6.7 The site has been marketed since September 2015 and sales particulars have been submitted. It is confirmed that the site was actively advertised between September 2015 and June 2016 but has been on the estate agent's books since then. The applicant has confirmed there was some interest during this and set out a summary of this interest. Only one offer was made, but this was subject to planning permission for residential conversion so was not accepted – notwithstanding costs to convert, it also seemed to be a very low offer (£90,000). No offers were made and it is noted that interest was shown by a third party on 06/03/2017 but was not followed up. It is therefore considered that the property was appropriately marketed to suitably test the market.
- 6.8 The applicant has also referred to other community facilities within Niton and sets these out. It is noted there are a number of facilities which are used for community events or can be rented out and are also in close proximity to the application site. Therefore, in conjunction with the above, officers are satisfied that the applicant has suitably demonstrated the building is no longer required for its original purpose and that the building would not be required for alternative viable community uses. As such, the principle of the development is acceptable in this instance subject to the detailed material planning considerations.

Impact on the character of the area

- 6.9 Minimal external changes are proposed and the relatively minor changes such as additional windows to the front and rear of the site would have limited impacts on the character and the design of the building. It is also considered the formation of the parking area and the garden would not impact on its character or setting.
- 6.10 The building is included on the County Historic Environment record and is therefore an undesignated Heritage asset. Under the NPPF and Policy DM11 of the Local plan such an application requires a Heritage Statement to detail

the significance of the asset and how the proposed design has sought to maintain that significance and avoid any potential loss of evidential value of the structure. It is also identified that the church was originally a farm building and was converted for use as a hall prior to becoming a Roman Catholic church. The Council's Archaeology Officer has not raised an objection to the scheme and no further mitigation is recommended. As such, officers consider the conversion of the building to residential and subsequent alterations would not have an adverse impact on the undesignated heritage asset.

- 6.11 Therefore, it is considered that the conversion of the building to a dwelling in the manner proposed would be acceptable and would ensure the effective reuse of the building without adversely impacting on the character of the area the setting of the building and thus would be in accordance with Policies SP5, DM2, DM11 and DM12 of the Island Plan Core Strategy.

Impact on neighbouring properties

- 6.12 The proposals only include minimal external changes, no extensions are proposed and only limited new windows/rooflights would be inserted, thus the relationship with surrounding properties would not be altered significantly.
- 6.13 Glebe House, the neighbour to the west, is set further rearwards with the access road and the neighbouring garage in-between the building and this neighbour. The boundary fence/vegetation would provide screening and it is noted there are no additional windows proposed in this elevation. Whilst the application building and this neighbour share the access, given that its existing use is as a chapel, it is not considered there would be any further adverse impacts to this neighbour from this conversion.
- 6.14 Kingscote is the adjoining neighbour to the east and is situated at right angles to the application building and has habitable first floor windows facing the application site (the proposed garden area to the rear (south) of the building). It is also acknowledged that there is a single storey extension which extends up to the common boundary. Concerns have been received from this neighbour, although most of the concerns relate to the current planning application to the rear of the overall site (for 2 dwellings). However, they do raise concerns of the proposed garden being so close to their dwelling and it is acknowledged that there first floor windows of this neighbour facing onto the proposed garden. However, a reason for refusal based on any potential noise and disturbance to this neighbour from this garden could not be raised, given the existing use could potentially generate further noise and the fact that the site is within the main built up form of Niton. Given the extension at this neighbour extends to the common boundary it is not considered there would be any direct views into the first floor rooms of this neighbour given the height differences. It is acknowledged that there could be some impacts on the privacy of occupiers of the new dwelling using the proposed garden from this neighbour – however,

given that any occupier/purchaser would have knowledge of this relationship, it could not form a reason for refusal.

- 6.15 It is noted that a new window would be inserted into the rear (south elevation) but this would be at ground floor level and any views towards this neighbour would be oblique and a significant difference in height so as to have only minimal impacts. There would be two rooflights in the rear roofslope but these would be close to the roof of this neighbour, would serve the attic and not considered would result in any direct overlooking to this neighbour.
- 6.16 As identified elsewhere in this report there is an un-determined application for 2 dwellings to the rear of the site. As these are yet to be determined the impact on them can only be afforded limited weight. However, given the distances between, and the relationship which would occur if this was approved and built, it is not considered there would be any adverse impacts of each development on each other.
- 6.17 As such, it is not considered that the proposed conversion would not detrimentally impact on neighbouring residential properties or their amenities and would therefore comply with Policy DM2 of the Core Strategy.

Ecology

- 6.18 A bat survey and mitigation plan (Darwin Ecology Ltd) has been submitted and the Council's Ecology Officer confirms that this report demonstrates a sound methodology was used to survey for bats and sets out appropriate mitigation and enhancement measures for them. Building inspections and emergence surveys determined the presence of common pipistrelle and grey long-eared bat roosts within the disused chapel. The Ecology Officer confirms that Grey long-eared bats are one of the rarest species of bats in the UK and are specific to this type of building and environment. For this reason their roosts should be protected in situ and precautions taken to ensure the roost is not disturbed. In order to achieve this the bat roost within the chapel would be retained and works carried out under supervision of an ecologist at a time when disturbance is least likely. It is important the building is maintained and not allowed to deteriorate otherwise it would become unsuitable for bats. The Ecology Officer notes that separately to planning permission the applicants would need to obtain an EPS license from Natural England.
- 6.19 Additionally bat boxes would be installed on trees on site prior to commencement and retained permanently thereafter. Information contained within the report states that no hedgerows or trees are proposed to be removed and for this reason roosting, commuting and foraging habitat would be retained. Therefore the measures put forward are appropriate and proportionate to the level of development proposed and the Ecology Officer endorses the recommendations put forward within the report. A condition is

suggested to secure these recommendations.

Highway Consideration

- 6.20 The converted residential dwelling and its parking and onsite turning area would be served by an existing vehicle access forming a junction with Rectory Road, Niton. Rectory Road is a 'C' classified public highway governed by a 30mph speed limit at the point in question.
- 6.21 The Highway Engineer's site visit identified that the existing vehicle access, (subject to minor remodelling of an area of landscaping / raised planter to the east of its junction with Rectory Road being lowered and maintained to a maximum height of 800mm above the level of adjacent carriageway), would be in accordance with design standards for any new or existing vehicle access forming a junction with this part of the highway network. The area of landscaping in question is shown to fall within the applicants control and only a small area would need remodelling to protect the required visibility splay – the revised plans show this. These works would also benefit users of the access serving the property Kingscote.
- 6.22 The Highway Engineer acknowledges that if fully operational as a Chapel then the site may be an existing traffic generator that could be comparable to the daily movements associated with the proposed dwelling. Therefore, the absence of these works would not result in a standalone sustainable highway reason for refusal when considering the proposal is for the conversion of the chapel to a single dwelling only and that subject to condition the existing onsite parking arrangement may be controlled and formalised protecting turning provision (which currently is not the case).
- 6.23 It is noted that the vehicle access serving the site also serves the adjacent dwelling Glebe House and is limited to a useable width of approximately 3.0m and is gated. The proposed development would not negatively impact on the access serving this property and in addition revised plans have been submitted which show the access to be widened to a width of 4.1m for at least 10m back from the footpath, representing an improvement as it would enable two private motor vehicles to pass.
- 6.24 There is space within the confines of the site to provide room for the parking and turning of conventional private motor vehicles remote from the public highway.
- 6.25 It is noted the Highways Engineer raised concerns that access to one of the spaces to the west would be impeded by the boundary of one of the proposed dwellings proposed through P/01362/16, however it is considered that this issue can be suitably be controlled through the imposition of a planning condition to provide a minimum of 2 bays to serve the chapel conversion.

- 6.26 Therefore with the imposition of appropriate conditions, the proposal would comply with policies DM2 (Design Quality for New Development), DM17 (Sustainable Travel) and SP7 (Travel) of the Isle of Wight Core Strategy.

Drainage and surface water run-off

- 6.27 The applicant has stated it is their intention to implement a drainage scheme based upon sustainable design principles and they note the concerns raised by third parties over the use of soakaways or ditches for site drainage and the high water table. They state that any new pavings would be permeable and there are no additional roof area/extensions in this conversion which would alter the existing water run-off. The applicant has requested a condition is imposed requiring details of drainage to be submitted.
- 6.28 It is acknowledged comments have been received over drainage issues at 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*". It is also noted that the DEFRA guidance "Sustainable Drainage Systems: Non-statutory technical standards for sustainable drainage systems" (March 2015) supports the use of sustainable drainage techniques.
- 6.29 A hierarchy of preferred drainage options is also contained within the online Planning Practice Guidance. The aim should be to discharge surface run off as high up the following hierarchy of drainage options as reasonably practicable:
- into the ground (infiltration);
 - to a surface water body;
 - to a surface water sewer, highway drain, or another drainage system;
 - to a combined sewer.
- 6.30 Given the scale of the scheme, officers therefore consider that the detailed design of the drainage approach for the site can be controlled through the imposition of a planning condition. On this basis, it is considered that these issues have been appropriately considered and with such details being required prior to development through such a condition, the scheme would be compliant with the principles of policy DM14 and the DEFRA guidance, in that it would not worsen the existing situation. As such a condition requiring details of surface water drainage is suggested.

7. Conclusion

- 7.1 Having given due weight and consideration to material consideration and for the reasons set out above, officers consider that the proposal represents a suitable conversion that would provide an additional dwelling in a sustainable

location and would provide for the reuse of the existing building. The loss of the community facility has been justified and the proposal is considered to be acceptable in relation to the impact on the character of the area and neighbouring properties, 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

The application was deficient in information relating to a Heritage Statement, further justification and with regards to highways. Further information provided during the course of the application that overcame the Council's concerns.

Conditions/Reasons

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

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

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

- PD1443/PL00 Rev B
- PD1443/PL01 Rev B
- PD1443/PL04 Rev A
- PD1443/PL05 Rev A
- PD1443/PL08 Rev A
- PD1443/PL09 Rev B

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), SP2 (Housing), SP5 (Environment), SP7 (Travel), DM2 (Design Criteria for New Development), DM3 (Balanced Mix of Housing), DM7 (Social and Community Infrastructure), DM8 (Economic Development), DM11 (Historic and Built Environment), DM12 (Landscape, Seascape, Biodiversity and Geodiversity), DM17 (Sustainable Travel) of the Island Plan Core Strategy.

- 3 Works shall be carried out in accordance with measures set out in the Bat Survey and Mitigation Plan (Darwin Ecology, July 2016) unless otherwise approved in writing by the LPA.

Reason: in order to provide adequate avoidance and mitigation measures for protected species, having regards to the Wildlife & Countryside Act 1981 and to comply with Policies SP5 (Environment) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

- 4 Prior to the occupation of the dwelling hereby permitted, details of a scheme for the drainage and disposal of surface water from the development shall be submitted. If intended to be used, details shall include an assessment of the suitability of the site to incorporate SUDs. Development shall be carried out in accordance with the agreed details and completed prior to the first occupation of the dwelling hereby permitted.

Reason: To ensure a satisfactory means for the disposal surface water from the development to minimise the risk of flooding and with regards to known ground instability in the area and to comply with Policies DM2 (Design Quality for New Development), DM14 (Flood Risk) of the Island Plan Core Strategy and Government advice contained within the National Planning Policy Framework.

- 5 No external lighting shall be installed at the site until a lighting scheme has been submitted to, and agreed in writing by, the Local Planning Authority. Any such lighting details should demonstrate they are bat-friendly lighting and must be approved by a Licensed Bat Ecologist and demonstrate that any action motivated security lights shall only be triggered by large objects so as to avoid disturbance to bats. Development shall be installed, retained and maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid disturbance to bats and to comply with Policy DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

- 6 Development shall not begin until details of the eastern sight line to be provided at the junction between the access of the proposal and the highway have been submitted to and approved in writing by the Local Planning Authority and the

development 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.

- 7 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), the existing gates serving the vehicle access that serves the site from Rectory Road shall be removed prior to the dwelling hereby approved being occupied and no gates shall subsequently be erected about this vehicular access.

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

Part 1

Class A – enlargement, improvement or other alteration to the dwelling

Class B – enlargement consisting of an addition to the roof

Class C – alteration to the roof

Class D - erection or construction of a porch outside any external door

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

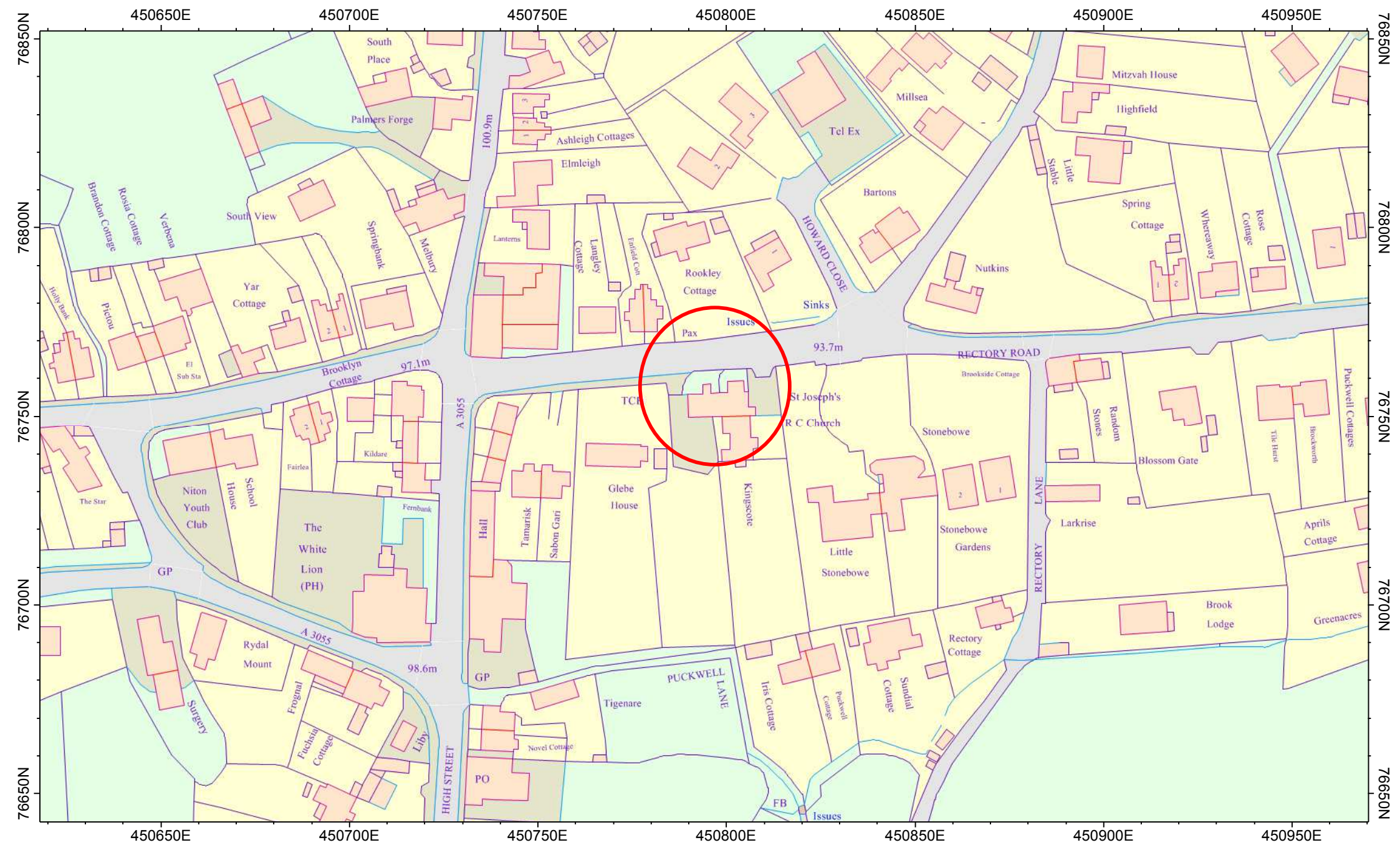
No development of any of the above classes shall be constructed or placed on any part of the land subject of this permission.

Reason: To ensure adequate planning control over further development having regard to the limitations of the site and the neighbouring property, in the interests of the visual amenities of the site and the setting of the undesignated Heritage asset, in accordance with Policies DM2 (Design Quality for New Development) and DM11 (Historic and Built Environment) of the Island Plan Core Strategy.

- 9 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other order revoking and re-enacting that order with or without modification), no windows/dormer

windows or similar openings [other than those expressly authorised by this permission] shall be constructed in the elevations or roof slopes of the extension/development hereby approved.

Reason: To safeguard the residential amenities of neighbouring properties and to avoid disturbance to bats and to comply with Policies DM2 (Design Criteria for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.



Scale 1:1250



P/01361/16 former St Josephs RC Church,
 Rectory Road, Niton, Ventnor, Isle Of Wight,
 PO38

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 Ordnance Survey 100019229
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03 Reference Number: P/01362/16

Description of application: Construction of a pair of semi-detached dwellings; vehicular access (Revised Plans)

Site Address: land rear of former St Josephs RC Church, Rectory Road, Niton, Ventnor, Isle of Wight.

Applicant: Mark Czoch

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 Stewart) owing to concerns regarding impacts on privacy, loss of light, increase of traffic and highway safety, drainage and flooding.

MAIN CONSIDERATIONS

- Principle
- Impact on the character of the area
- Impact on neighbouring properties
- Highway Considerations
- Ecology
- Flooding and drainage matters

1. Location and Site Characteristics

1.1. The application site is comprised of the undeveloped and overgrown land to the rear of the chapel building, with a public right of way beyond (trees/hedge form this rear boundary). The chapel building is on the County Historic Environment record – it is therefore an undesignated Heritage Asset.

1.2 To the east and situated further forward (adjoining the chapel building) is Kingscote, a two storey dwelling. A single storey extension to its west elevation extends up to the common boundary and a conservatory extends from its south elevation - this boundary comprising hedge/vegetation, some trees and a fence. To the west is a car park for the local store – a 2m high close boarded fence forms the common boundary – in front of this car park is Glebe House, a two storey detached dwelling which shares the main access.

2. Details of Application

- 2.1 The proposal seeks full planning permission for the re-development of the site to comprise 2 dwellings. These would be situated within land to the rear of the redundant chapel building and would utilise the existing access with parking to the front of the dwellings. They would be contemporary chalet bungalow type dwellings (first floor accommodation within the roofspace) with an integral garage and a catslide style roof to the flanks and inset balconies to the rear elevations.
- 2.2 Revised plans have reduced the width of each dwelling by 0.5m so that each dwelling would have a width of 8m, an overall depth of 14.2m (the single storey flank elements are set in from the front and rear elevations). The revised plans have also reduced the overall height by 0.2m for an overall height of 7.1m. The revised plans have slightly altered the materials/design and show that the external appearance to the front elevation would consist of multi-red brick ground floor with timber doors and the single storey elements would be rendered walls with weatherboarding to the first floor and multi-red brick 'pillar' detailing. The rear elevation would be rendered with glass balcony railings. The roof would comprise slate roofs.
- 2.3 The revised plans have also clarified the footpath to the front of the church and a revised certificate with relevant notice served on the owner of the access road (the application has been re-started).
- 2.4 Members are made aware that there is currently a planning application being determined for the conversion of the chapel to a residential unit (P/01361/16).

3. Relevant History

- 3.1. No recent planning history.

It is noted that there is a current application awaiting determination within the overall site:

P/01361/16 - Alterations and change of use of existing redundant chapel into a dwelling (C3)

4. Development Plan Policy

National Planning Policy

- 4.1. National Planning Policy Framework
- Section 6: Delivering a wide choice of high quality homes.
 - Section 7: Requiring good design.

Local Planning Policy

- 4.2 The Island Plan Core Strategy defines the application site as being in Niton Rural Service Centre 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
 - DM11 Historic and Built Environment
 - DM12 Landscape, Seascape, Biodiversity and Geodiversity
 - DM14 Flood Risk
 - DM17 Sustainable Travel

Supplementary Planning Documents

- 4.3 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.
- 4.4 The Guidelines for Recycling and Refuse Storage in 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.

Niton and Whitwell Parish Plan 2013

- 4.5 Niton and Whitwell Parish Plan 2013 was adopted as a Supplementary Planning Document June 2014. The following sections are considered relevant
- There have been infills, some of which has been sensitively designed to enhance the character of the village whilst others have not;
 - It takes note of the Island's annual housing target of 520 units (Core Strategy 1.24) and other extracts from the Core Strategy document: No housing allocations have been made. Rather the general locations for, and levels of, housing have been identified; Potential development sites have undergone a strategic level viability assessment as part of the Strategic Housing Land Availability Assessment (SHLAA) process;
 - Both villages should retain their independence was consistent with a rejection of ribbon development.
- 4.6 Niton and Whitwell Housing Needs Survey 2014-2019 (November 2014) with the following key points:

- 47.9% response rate;
- 5 year housing need identified as 20 additional dwellings and 16 specified within Niton as:
 - 3 owner occupied houses;
 - 3 open market rent dwellings;
 - 4 affordable rent - mix of flats, houses and bungalows;
 - 6 affordable home ownership.

5. Consultee and Third Party Comments

Internal Consultees

- 5.1 The Highway Authority has not raised any objections, subject to the imposition of conditions relating to visibility/sight lines, ensuring space is provided for parking and manoeuvring, the removal of the gates and details of the access.
- 5.2 The Council's Ecology Officer has not raised any objections stating that the site offers little connectivity for the species mentioned by third parties and therefore does not consider there is a requirement for surveys for further species in this instance.
- 5.3 The Council's Archaeology Officer has not raised an objection. They have confirmed that the structure is included on the County Historic Environment record and is therefore an undesignated Heritage asset. They advise that the Heritage Statement supplied demonstrates that the church was originally a farm building and was converted for use as a hall prior to becoming a Roman Catholic church. Consequently, no objection is raised to the development and no further mitigation is recommended.

Parish/Town Council Comments

- 5.4 Niton and Whitwell Parish Council has raised an objection that the proposal would be overdevelopment of the site.

Third Party Representations

- 5.5 5 letters of objection have been received the content of which can be summarised as follows:
- Acknowledges site is within the settlement boundary for Niton but it is greenfield land and questions whether it has been demonstrated that previously developed land is available and whether there is a housing need for this development;
 - Layout, scale and appearance would be out of keeping with the patters and character of the surrounding village environment;
 - Minimal marketing of the church – could be a dwelling with large garden;

- Creation of backland development – acknowledges random arrangements of properties but would be more suitable for one modest bungalow;
- Two dwellings would be overdevelopment with cramped parking and manoeuvring area;
- Refers to Niton & Whitwell Parish Plan and section regarding infill development – considers this infill development would not be sensitively designed and would be visually intrusive and totally out of place from views from Rectory Rd;
- Impacts on Kingscote (outlook and privacy) – block plan does not show rear conservatory and dwelling would be close to the common boundary – likely lead to removal of boundary planting;
- Would only be 13m between the proposed 1st floor front window and conservatory of Kingscote – overbearing and intrusive and winter sunlight would be obscured by the development;
- Also raises concerns of the garden being so close, noting there are bedroom windows of this neighbour facing onto the proposed garden - noise and disturbance to this neighbour and also impacts on the privacy of future occupiers from these windows.
- This neighbouring property, Kingscote, have raised several concerns, most relating to the proposed pair of semi-detached dwellings to the rear, but question whether it has been demonstrated that another social/community use could be used or why the chapel is no longer required;
- Highway safety with further vehicles accessing the site;
- Would not wish to remove the gate (this neighbour owns the drive);
- Impacts on wildlife through development of the green field site and further ecology report should be submitted covering dormice, badgers and reptiles;
- Concerns of drainage and that the suggested soakaway would be ineffective in this area given the high water table and presence of numerous underground springs – refer to recent construction of car park to the west;
- Southern Water has previously stated there is no capacity in their sewage system;
- Ditch to the north [sic – should this be south] of the site along Puckwell Lane is not suitable for receiving run-off and could flood this footpath;
- Also refers to historic ditches around overall site and lack of maintenance has pushed the stream underground and increased the height and spread of the water table;
- Notes the watercourse that rises up westwards and must ensure any development does not alter the direction of any surface water to those properties eastwards.

6. Evaluation

Principle

- 6.1 The site lies within Niton Rural Service Centre Settlement Boundary wherein Policy SP1 of the Island Plan Core Strategy encourages new development to be located. SP1 states that appropriate land is considered to be deliverable “*within or immediately adjacent, the settlement boundaries of the Key Regeneration Areas, Smaller Regeneration Areas and Rural Service Centres*” and close to the centre of the village and close to the shops, school and public transport links and is therefore within a relatively sustainable location where Policy SP1 would look to support such a residential use and considered to be a suitable location for smaller scale development.
- 6.2 Policy SP1 also requires that for Rural Service Centres proposals for the development of greenfield sites will need to demonstrate that: deliverable previously-developed land (PDL) is not available; that an identified local need will be met and demonstrate how it will enhance the character and context of the local area. Subject to these requirements, policy SP1 supports new development in areas such as this.
- 6.3 In addition to the requirements of policy SP1, policy SP2 of the Core Strategy confirms that 980 dwellings will be delivered at locations within Rural Services Centres and the Wider Rural Area over the period 2011 – 2027. To ensure these targets are met, the Council will permit development in accordance with the provisions and policies of the Core Strategy. The application, in very general terms, seeks to achieve a proportion of this requirement although this report will discuss in detail the needs of the area within which the site is located.
- 6.4 The proposals would result in the development of a greenfield site within the settlement boundary of Niton which is defined as a Rural Service Centre. If the proposals can sufficiently demonstrate that:
- It would meet an identified local need
 - Deliverable previously developed land (PDL) is not available
 - The proposal would enhance the character and context of the local area
- 6.5 The principle of development would be considered acceptable in relation to policies SP1 and SP2. Each of these matters is examined in detail throughout this report.

Housing Need

- 6.6 In terms of assessing need, in addition to the requirements of policy SP2, due regard is given to the approach for assessing housing need identified in policy DM3 (Balanced Mix of Housing) which confirms that: “*The Council will support*

development proposals that provide an appropriate mix of housing types and size in all new development in order to create inclusive and sustainable communities. Development proposals will be expected to:

- 1. Reflect the most up-to-date Strategic Housing Market Assessment.*
- 2. Contribute to meeting the identified housing need for the local area.*
- 3. Contribute to meeting specialist housing requirements.”*

6.7 Policy SP2 of the Core Strategy explains that the strategy provides for 8,320 dwellings for the Island over the plan period (2011 to 2027), which equates to an average of 520 dwellings per year. It envisages that 980 of these dwellings will be delivered through smaller scale development within Rural Services Centres and the Wider Rural Area. Officers recognise that this is a broad and strategic target for housing delivery over the plan period and does not specifically set out how development in and around Niton would contribute to this overall strategic target. The Strategic Housing Market Assessment (SHMA) does evidence that for the Rural West Wight housing sub-market area (within which Niton is located) there is an annual requirement of 37 new dwellings. Furthermore, this document states that the following housing mix will be required for this sub-market area:

- 1-bed (3.6%)
- 2-bed (37.5%)
- 3-bed (44.0%)
- 4-bed (13.4%)

6.8 The scheme seeks to provide 2x3-bed semi-detached properties (although one of the bedrooms of each dwelling is at ground floor level and is also shown a reception room so could be marketed/used as 2 bedroom properties) and therefore it is considered that the proposed development is an opportunity to contribute to this identified local housing need for this sub-market area and would reflect this identified need in line with the aims of policy DM3 of the Core Strategy.

6.9 It is important to note that that the Niton & Whitwell Housing Needs Survey 2014-2019 was published in November 2014. This is a comprehensive document "designed to understand residents' current housing circumstances and their future housing needs" over a five year period. This identifies within Niton there is a need for 3xowner-occupied units and 3xopen-market rental units, these units would comprise of 1-bed and 4-bed units. The proposed scheme would not therefore strictly meet the requirements of this survey, however it must be remembered that in considering this issue there are various other sources of information which must be considered and afforded material weight.

6.10 Officers have considered existing approvals (consented schemes), and those recently delivered within the locality (completions) however these do not significantly impact on the conclusion that there is an identified need for the

dwellings proposed. Furthermore, Officers would also advise that whilst there are other schemes presently undetermined within the locality, these cannot be afforded any material weight in relation to the current determination of the scheme presented.

- 6.11 Therefore, as outlined above a planning balance needs to be made with regards to the assessment of the need for the units proposed, with the development likely to meet a greater need than that identified solely by the housing need survey. Given the role of Niton as a Rural Service Centre, and given the overall housing need situation as identified above, Officers conclude that sufficient local need has been identified to meet the requirements of policy SP1 and DM3.

Availability of previously developed land (PDL)

- 6.12 In terms of whether or not the identified housing need could be accommodated elsewhere, in particular on previously developed (brownfield) sites within or adjacent to the settlement boundary, the application contains only limited information in this regard. However, having considered potential development sites within Niton (as identified by the SHLAA), there may be sites where the 2 residential dwellings proposed could be located but these are not previously-developed and are not therefore considered to be sequentially preferable.. The application site is part of a disused chapel site within the centre of Niton and largely surrounded by built form of dwellings and the car park, the development of this site is therefore considered to be more preferable to alternative sites. As the site is greenfield in nature, there is a requirement for proposal to demonstrate how it would enhance the character and appearance of the area, this is considered in greater detail within the later section of this report although it is concluded that the proposals would be acceptable in this regard.

Conclusion on need and principle

- 6.13 Taking all the above into account, it is considered that the proposal as set out with the net gain of two dwellings in this location meet an overall local need housing for the area and would comply with the with the aims of Policies SP1 and SP2 of the Core Strategy.

Impact on the character of the area

- 6.14 The proposal is for a pair of dwellings which would be situated on land to the rear of the existing chapel building. It is acknowledged that several third party comments have been received raising concerns of the impact on the character of the area and overdevelopment.

- 6.15 The surrounding area comprises a variety of plot sizes and layouts with several cul-de-sac/lanes which result in dwellings situated behind other dwellings – opposite the site is Howards Close, and to the east is Rectory Lane, both have dwellings which are located to the rear of other dwellings. It is also acknowledged that a dwelling has recently been approved and constructed to the rear of the post office – this is a short distance to the south (planning application P/01387/15). Therefore whilst the proposal would result in the development of a greenfield site within this urban environment, given the pattern of development in the area, officers consider that the development would not appear out of character in this essentially backland location in this instance.
- 6.16 The proposed dwellings would be relatively modest, shown as three bedrooms houses but with only 2 bedrooms at first floor level – this level is within the roofspace. The plans do show a potential third bedroom or reception room but at ground floor level. The outside flank of each dwelling would only be single storey with a catslide roof. Revised plans have been submitted which have reduced the width of the dwellings resulting in further space to either flank to the boundary. Furthermore, there would be space in front of the dwellings and the rear gardens would have a minimum depth of 16m. With this village centre location and considering some of the plot sizes nearby, officers do not considered the proposal would be cramped or result in overdevelopment of the site.
- 6.17 The design is relatively contemporary as a result of its finishes and extent of glazing, but it adopts a traditional gabled form. It is noted that some of the dwellings nearby are of a traditional design, however, these dwellings do vary in design and materials. There are examples of more modern materials and more modern designs (including he recently approved dwellings at the post office) within the locality. The revised plans have also revised the materials including to the front elevations extending the weatherboarding further downwards which is considered to improve its appearance. Furthermore, the site is not within a conservation area and taking into account the Government's policy and guidance – and in particular Paragraphs 60 and 61 of the NPPF which states:

60. Planning policies and decisions 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.

61. Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people

and places and the integration of new development into the natural, built and historic environment.

- 6.18 It should also be noted that the site forms part of the overall site of the chapel building to the front of the site. A Heritage Statement has been submitted which demonstrates that the church was originally a farm building and was converted for use as a hall prior to becoming a Roman Catholic church. It is noted that the Council's Archaeology Officer has not raised an objection to its conversion to a dwelling (as per the current planning application P/01361/16) and similarly, officers do not consider the proposed two dwellings would have an adverse impact on the undesignated heritage asset, particularly as there would be approximately 30m between the chapel building and the proposed dwellings.
- 6.19 A third party comment refers to impact on the street scene, however, given the set-back nature of the development approximately 40m from Rectory Road so there would only be relatively distant views and 'glimpses' of the development from this road along the access road, officers do not consider the proposed dwellings would have an adverse impact on the character of the area.
- 6.20 Therefore, it is considered that the proposed dwellings would be acceptable with regard to the impact on the street scene, the wider character of the area and the setting of the existing chapel. The scheme would be of sufficient quality to ensure that it would enhance the appearance of the area and would be in accordance with Policies SP5, DM2, DM11 and DM12 of the Island Plan Core Strategy.

Impact on neighbouring properties

- 6.21 The proposed dwellings would be sited rearwards of both neighbouring properties – Kingscote to the east and Glebe House to the west. There would be a minimum of 19m between the Glebe and the proposed dwellings, with views to/from at an oblique angle, and with the boundary treatment including a 1.8-2m high close boarded fence, and noting that the land immediately to the west of the site is the car park for the local shop, it is considered there would be a minimal impact on this neighbour.
- 6.22 Objections have been raised by the neighbour to the east (Kingscote). This is a two storey dwelling situated further forward of the proposed dwellings and adjoins to the chapel building. This property has been extended including single storey extension close to the common boundary and a conservatory to its south elevation (now shown on the revised plans). The objections include an impact on the privacy and outlook as well as noise and disturbance. In terms of impacts on privacy, there would be approximately 14m between the conservatory of this neighbour and the closest section of the proposed dwellings and any views to or from would be at an oblique angle – there would

not be a back-to-back relationship. There would be first floor windows to the front elevation (one to each property) which would serve bedroom, but these would be set further into the site so views would be more oblique towards this neighbour – noting that the closet section of the closet dwelling to this neighbour would be single storey with a catslide roof. There would be rooflights within this single storey flank element, but they would be at a height to not allow direct overlooking (approximately 2.5-3m above the internal floor level). Furthermore, the conservatory is single storey and the boundary treatments which currently include a close boarded fence, some trees and vegetation would provide some screening. It is therefore considered that the proposed dwellings would not result in direct overlooking to this neighbour.

6.23 It is also considered that the design of the dwellings with the single storey flank element closest to the boundary along with the positioning of the dwellings not directly rearwards and the separation distance between would ensure that the proposed dwellings would not be overbearing to this neighbour. Some weight must also be given to the use of the site and the adjoining building as a chapel and the level of use that could have occurred at the site, noting the area closest to this neighbour and directly behind the chapel building comprises gravel/hardstanding so there would likely have been a level of use associated with this area (such as a car park). The main garden areas for the proposed dwellings are to the rear and some distance from this neighbour. Officers therefore consider that the proposed dwellings would not result in an adverse impact on this neighbour and that a reason for refusal on this matter could not be raised, and noting that the site is within the centre of Niton within an area of higher density of dwellings.

6.24 To the rear of the site are trees/vegetation which would screen views of the site from the public footpath beyond, noting there are no dwellings immediately to the rear. As stated above, the car park of the local shop is to the west and there is some distance to dwellings along High Street and therefore there would not be any adverse impacts on these properties.

6.25 As such, officers consider that the proposed development would not result in further overlooking or a loss of privacy to any neighbouring residential properties and with the separation distance between the proposed dwellings and the neighbouring properties, it is not considered the proposed dwelling would result in a loss of light, nor would be overbearing and therefore the development is considered to be acceptable in terms of impact on neighbours in accordance with Policy DM2 of the Core Strategy.

Highway Considerations

6.26 The proposed two dwellings with associated onsite parking and vehicle turning would be served by an existing vehicle access forming a junction with Rectory Road, Niton. Rectory Road is a 'C' classified public highway governed by a

30mph speed limit at the point in question. The Highways Engineer has stated that in accordance with design standards any new or existing vehicle access forming a junction with this part of the highway network should provide for the following;

- Minimum visibility splays of $X = 2.0\text{m}$ by $Y = 43.0\text{m}$, achievable within land under the control of the applicant and/or the limit of the adopted highway.
- Space within the confines of the site for the parking and turning of conventional private motor vehicles so they may enter and exit the public highway in forward gear.
- Parking bays with minimum dimensions of 2.40m by 4.80m .
- Provision of an associated drainage system in order to minimise the risk of surface water runoff onto the public highway.
- Where the vehicle access crosses a public footway the maximum acceptable gradient is 1in20.
- If the access is to be gated the gates must be setback a minimum of 5.0m from the edge of the adjacent carriageway.

6.27 The Highway Engineer's site visit identified that the existing vehicle access, (subject to minor remodelling of an area of landscaping / raised planter to the east of its junction with Rectory Road being lowered and maintained to a maximum height of 800mm above the level of adjacent carriageway), complies with the above criteria. The area of landscaping in question is shown to fall within the applicants control and only a small area would need remodelling to protect the required visibility splay. These works would also benefit users of the access serving the property Kingscote.

6.28 Revised plans have been submitted which show the access to be widened to a width of 4.1m for at least 10m back from the footpath – this was to address comments raised by the Highways Engineer and to enable two private motor vehicles to pass. It is noted that the vehicle access serving the site also serves the adjacent dwelling Glebe House and is limited to a useable width of approximately 3.0m and is gated. The proposed development would not negatively impact on the access serving this property.

6.29 Therefore, the Highway Engineer concludes that when considering the level of daily traffic that may be associated with the site if operational as a chapel the traffic generation associated with this proposal is not deemed to have a negative impact on the capacity of the highway/project network.

6.30 There is space within the confines of the site to provide room for the parking and turning of conventional private motor vehicles remote from the public highway. It is noted that the 'Guidelines for Parking Provision as Part of New Developments' SPD was adopted by the Council after the submission of this application - the guidelines suggest 3 bed properties should provide 2 spaces per unit. The application demonstrates that sufficient space would be provided

within the site for parking and also includes space within the extent of the application boundary to serve the proposed dwelling proposed within the converted chapel (P/01361/16).

- 6.31 In addition to the above, there is space within the confines of the site to provide room for the parking and turning of conventional private motor vehicles remote from the public highway associated with the proposed development. The layout also provides adequate space to enable vehicles to turn so they may enter and exit the public highway in forward gear. This level of parking is deemed acceptable and while may in the first instance appear to give rise to over-provision it is considered that the addition of visitor bays minimises the risk of anyone attempting to park within the access serving the site.
- 6.32 Therefore with the imposition of appropriate conditions officers consider the proposal would comply with policies DM2 (Design Quality for New Development), DM17 (Sustainable Travel) and SP7 (Travel) of the Isle of Wight Core Strategy.

Ecology

- 6.33 A bat survey and mitigation plan (Darwin Ecology Ltd,) has been submitted and the Council's Ecology Officer confirms that this report demonstrates a sound methodology was used to survey for bats and sets out appropriate mitigation and enhancement measures for them. Whilst this survey was also carried out for the current proposal to convert the chapel building, it is noted that building inspections and emergence surveys determined the presence of common pipistrelle and grey long-eared bat roosts within the disused chapel. The Ecology Officer confirms that Grey long-eared bats are one of the rarest species of bats in the UK and are specific to this type of building and environment. Whilst a number of the recommendations relate to the conversion (and therefore would be unreasonable to condition this application), it is noted that bat boxes would be installed on trees on site prior to commencement and retained permanently thereafter. Information contained within the report states that no hedgerows or trees are proposed to be removed and for this reason roosting, commuting and foraging habitat would be retained. The Ecology Officer endorses the recommendations put forward within the report. It is therefore considered appropriate to condition the requirements to install bat boxes and also to restrict external lighting (and details are submitted should external lighting be required).

Flooding and Drainage

- 6.34 The applicant has stated it is their intention to implement a drainage scheme based upon sustainable design principles and they note the concerns raised by third parties over the use of soakaways or ditches for site drainage and the high water table. They state that any new pavings would be permeable and

there are no additional roof area/extensions in this conversion which would alter the existing water run-off. The applicant has requested a condition is imposed requiring details of drainage to be submitted.

6.35 It is acknowledged comments have been received over drainage issues at 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*". It is also noted that the DEFRA guidance "Sustainable Drainage Systems: Non-statutory technical standards for sustainable drainage systems" (March 2015) supports the use of sustainable drainage techniques.

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

- into the ground (infiltration);
- to a surface water body;
- to a surface water sewer, highway drain, or another drainage system;
- to a combined sewer.

6.37 Given the scale of the scheme, officers therefore consider that the detailed design of the drainage approach for the site can be controlled through the imposition of a planning condition. On this basis, it is considered that these issues have been appropriately considered and with such details being required prior to development through such a condition, the scheme would be compliant with the principles of policy DM14 and the DEFRA guidance, in that it would not worsen the existing situation. As such a condition requiring details of surface water drainage is suggested.

7. **Conclusion**

7.1 Having given due weight and consideration to material considerations 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

The application was acceptable following revised plans to reduce the dwellings and with regards materials/design and information relating to a Heritage Statement, further justification and with regards to highways. Further information provided during the course of the application that overcame the Council's concerns.

Conditions/Reasons

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

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

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

- PD1443/PL13 Rev B
- PD1443/PL14 Rev B
- PD1443/PL15 Rev B
- PD1443/PL16 Rev A
-

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), SP2 (Housing), SP5 (Environment), SP7 (Travel), DM2 (Design Criteria for New Development), DM3 (Balanced Mix of Housing), DM11 (Historic and Built Environment), DM12 (Landscape, Seascape, Biodiversity and Geodiversity), DM17 (Sustainable Travel) of the Island Plan Core Strategy.

3 The development hereby permitted shall be constructed using only the materials details of which are shown on the approved plans and detailed within the Application Form.

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 Development shall not begin until details of the eastern sight line to be provided at the junction between the access of the proposal and the highway have been submitted to and approved in writing by the Local Planning Authority and the development 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.

- 5 The dwelling hereby permitted shall not be occupied until space has been laid out within the site in accordance with drawing no. PD1443/PL15 Rev B for 9 cars to be parked (two within integral garages) and for vehicles to turn so that they may enter and leave the site in forward gear in association with the approved dwellings. 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 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), the existing gates serving the vehicle access that serves the site from Rectory Road shall be removed prior to the dwelling hereby approved being occupied and no gates shall subsequently be erected about this vehicular access.

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 access road serving the site from Rectory Road and providing for a minimum usable width of 4.10m over its first 10.0m from its junction with the back edge of existing public footway (off Rectory Road have been approved in writing by the Local Planning Authority; and the building shall not be occupied until that access road 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 Development shall not begin until details of drainage associated with the junction between the proposed service road / access and the highway have been approved in writing by the Local Planning Authority; and the dwellings shall not be occupied until that drainage has been constructed in accordance with the approved details.

Reason: In the interests of highway safety to ensure surface water from the site is not discharge out onto the public highway and to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

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

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

- 10 No external lighting shall be installed at the site until a lighting scheme has been submitted to, and agreed in writing by, the Local Planning Authority. Any such lighting details should demonstrate they are bat-friendly lighting and must be approved by a Licensed Bat Ecologist and demonstrate that any action motivated security lights shall only be triggered by large objects so as to avoid disturbance to bats. Development shall be installed, retained and maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid disturbance to bats and to comply with Policy DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

- 11 Works shall be carried out in accordance with measures set out in the Bat Survey and Mitigation Plan (Darwin Ecology, July 2016) unless otherwise approved in writing by the LPA.

Reason: in order to provide adequate avoidance and mitigation measures for protected species, having regards to the Wildlife & Countryside Act 1981 and to comply with Policies SP5 (Environment) and DM12 (Landscape, Seascape,

Biodiversity and Geodiversity) of the Island Plan Core Strategy.

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

Part 1

Class A – enlargement, improvement or other alteration to the dwelling

Class B – enlargement consisting of an addition to the roof

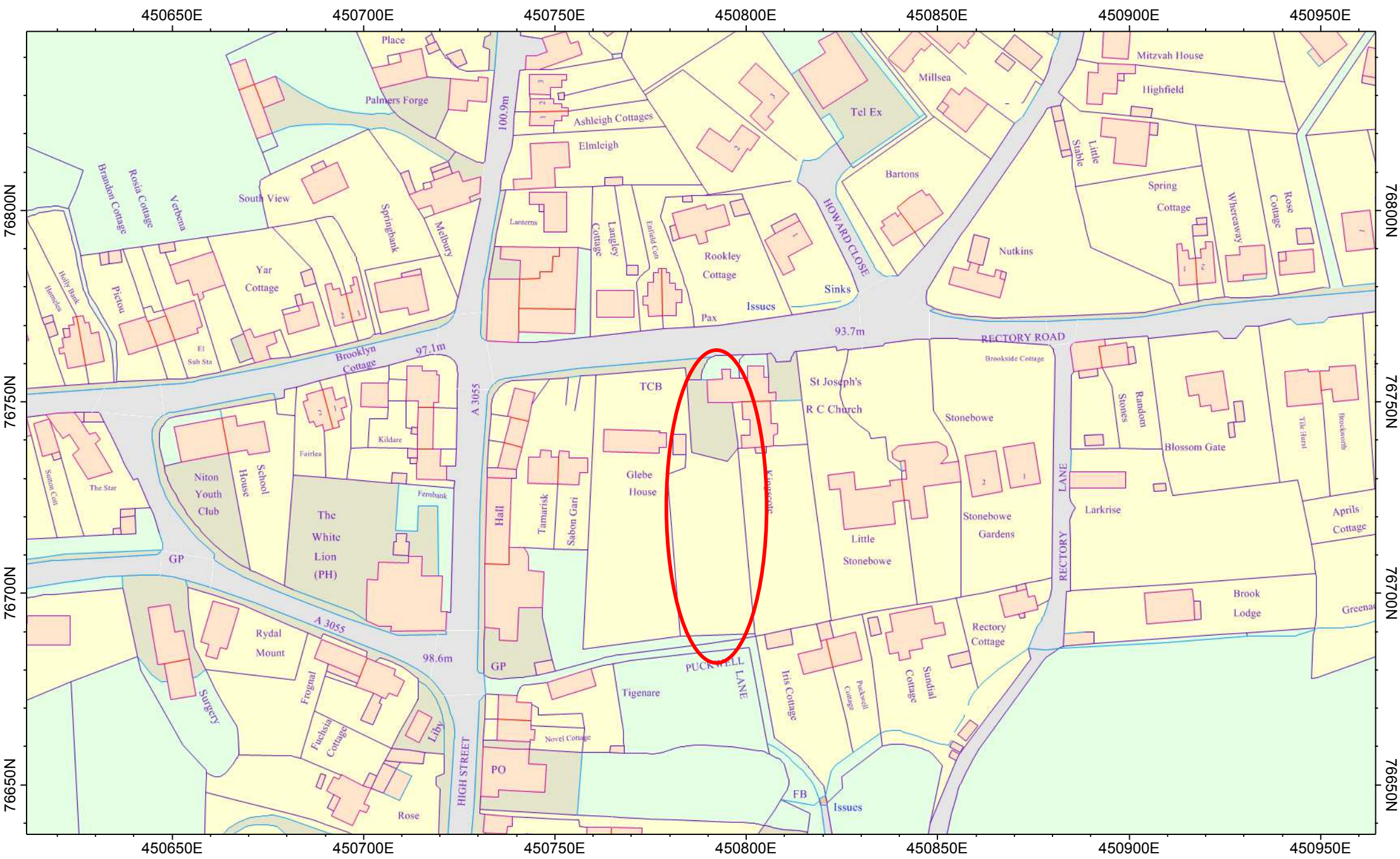
Class C – alteration to the roof

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

Reason: To ensure adequate planning control over further development having regard to the limitations of the site and in the interests of the visual amenities of the site and the area in general, in accordance with Policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

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

Reason: To safeguard the residential amenities of neighbouring properties in accordance with Policy DM2 (Design Criteria for New Development) of the Island Plan Core Strategy.



Scale 1:1250



P/01362/16 land rear of former St Josephs RC Church, Rectory Road, Niton, Ventnor, Isle Of Wight, PO38

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 Ordnance Survey 100019229
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04 Reference Number: P/00352/17

Description of application: Two detached dwellings with parking providing affordable housing

Site Address: Land to rear of 1 and 2 Newbarn Lane, Shorwell, Newport

Applicant: Island Cottages Ltd

This application is recommended for approval.

REASON FOR COMMITTEE CONSIDERATION

This application has been referred to the Planning Committee at the request of the Local Ward Member (Councillor Seely) due to concerns that there is no requirement for additional housing within Shorwell, inadequate parking, loss of trees, flooding issues and concerns that the proposal is not the best use of the site.

MAIN CONSIDERATIONS

- Principle of the development
- Impact on the character of the area, including the AONB and trees
- Impact on neighbouring amenity

1. Location and Site Characteristics

- 1.1 The application site is a rectangular parcel of land of 0.07 hectares within the centre of Shorwell located within Taylor Court, accessed off Newbarn Lane. Newbarn Lane has a rural character, being a narrow lane with a mix of properties, sited either side of the lane within spacious plots. Properties are generally set back from the public highway and this characteristic combines with the gaps between properties to provide a spacious street scene.
- 1.2 Taylor Court is a residential development of 7 chalet-style bungalows all of similar materials and design. The properties share an allocated parking area with a large space to the west known as 'The Green'.
- 1.3 The site has historically been used as amenity space for nos.1 and 2 Newbarn Lane although this has now been partially divided to create the plot. The site consists of unmanaged vegetation and trees.

1.4 To the south west of the site is a listed building known as 'Heronfield'.

2. Details of Application

2.1. Full planning consent is sought to construct two detached dwellings on a parcel of land to the rear of 1 and 2 Newbarn Lane. The properties would be identical, providing a kitchen, living area, utility, W.C and hall at ground floor level and two bedrooms, bathroom and store at first floor level, within the roofspace.

2.2 Each property would have a ground floor area of 48sqm and first floor area of 37.2sqm. The dwellings would have a ridge height of 6.9m and be constructed of a yellow/buff brick with red brick quoins and window surrounds. The roof would be finished with a red clay plain tiles with windows and doors being constructed with white UPVC. The proposed dormer windows would be lead clad.

2.3 On the front elevation of the properties, plans show a door and small window at ground floor and a rooflight within the roof slope, this elevation would otherwise appear single storey, due to the use of a cat-slide roof. The side (east elevation) would have a door and window, with the opposite side (west elevation) being a blank elevation. To the rear of the property there would be a window and patio doors at ground floor level with two dormer windows at first floor level.

2.4 The proposed layout plans show that the application site would be divided into two with each of the proposed houses allocated garden and parking areas. House 2 would have a slightly larger amenity space as a result of the embankment to the east of the site. House 1 would have two parking spaces to the west of the house with a turning area to the north, whilst House 2 would have a turning area to the west with two spaces to the north. Both properties would benefit from a shared accessed onto Taylor Court.

2.5 As existing, there is a chain fence separating the land between No.2 Barn Lane and the site. A boundary hedgerow would replace this fence and would extend along the rear of no.1 New Barn Lane. A hedgerow would also be planted between House 1 and no.1 and no.2 Taylor Court.

3. Relevant History

3.1. None relevant to this determination.

4. **Development Plan Policy**

National Planning Policy Framework

- 4.1. National Planning Policy Framework
- Section 6: Delivering a wide choice of high quality homes.
 - Section 7: Requiring good design.

Local Planning Policy

- 4.2 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
 - 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

Supplementary Planning Documents

- 4.3 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.
- 4.4 The Guidelines for Recycling and Refuse Storage in 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.

Other Documents

- 4.5 Shorwell Parish Plan (2005). The Parish Plan is now considered to be out of date but it is noted that it references that there is a “wish to promote policies that enable appropriate and affordable development.

5. Consultee and Third Party Comments

Internal Consultees

- 5.1 The Highways Engineer on behalf of the Highway Authority recommends approval of the application, subject to conditions relating to turning and visibility splays.
- 5.2 The Council's Tree Officer has suggested that the application be refused due to the loss of trees proposed as part of the application.

External Consultees

- 5.3 The AONB Partnership has noted that the proposal involves the loss of 4 mature trees to provide two units of affordable housing through a well-established social landlord. Mature trees and woodland contribute to this part of Shorwell village as set out in the 'Shorwell Parish Landscape Character Assessment 2005'. The proposal has the potential to erode this landscape character type by virtue of the loss of these trees which provide a wooded backdrop to the area. The loss of any greenery as a result of the cutting back of hedgerows to provide increased visibility splays (as requested by Island Roads) has the potential to impact upon the character of the area. It is therefore concluded that the Local Planning Authority would need to be satisfied that the provision of these affordable units outweighs any harm to the character and local distinctiveness of the area.

Parish/Town Council Comments

- 5.4 Shorwell Parish Council have objected to the proposal for the following reasons:
- No requirement for additional housing
 - The accommodation is not designated for local people
 - Two detached houses is not the best use of the site and that the plot is too small for this
 - Inadequate parking
 - Issues with flooding

Third Party Representations

- 5.5 There has been one third party letter of representation received in relation to the proposal. They have stated that they raise no objection to the proposal provided parking issues and drainage issues were addressed.

6. Evaluation

- 6.1 Prior to detailing with the matter of principle officers consider it is important to provide some background to the applicant, Island Cottages Ltd. Island Cottages Ltd, are a charitable housing association which, since its establishment in 1938, has sought to provide low-rent residential accommodation in the villages of the West Wight, originally for farm workers, and more recently for low-wage / retired workers who can demonstrate a family or other link to this part of the Island. Island Cottages Ltd currently has 37 properties that are rented out. Of the 37 properties, 5 are 1-bedroom, 21 are 2-bedroom and 11 are 3-bedroom.
- 6.2 All current tenants and those who have made it onto the waiting list must satisfy a stringent criteria based on their financial circumstances and they must also have a local connection (employment, housing or family) with rural centres in the West Wight.
- 6.3 The proposed units would be restricted in the same manner through a Section 106 Agreement, to ensure that they retained as affordable housing and local people are giving priority, in order to ensure that the local needs are met.

Principle of the proposed development

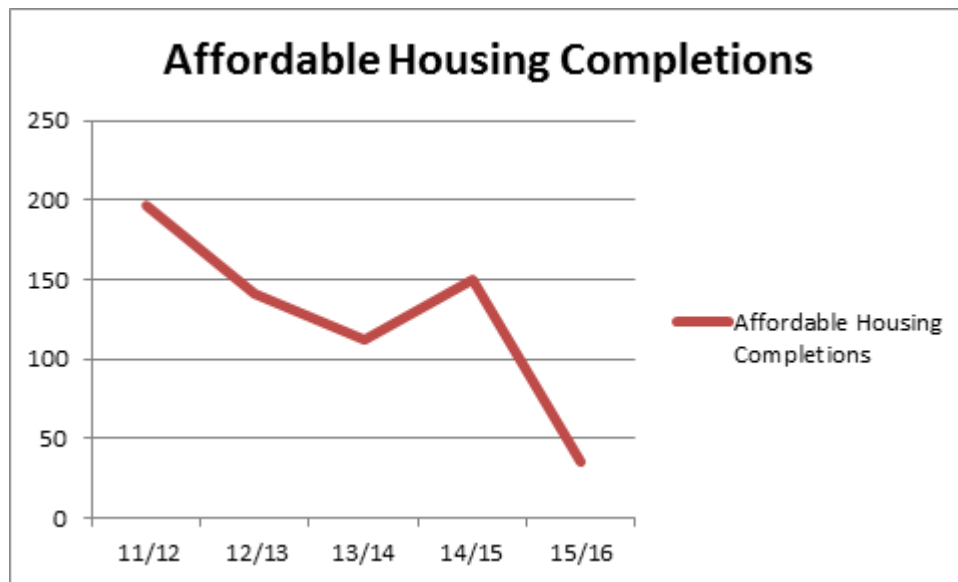
- 6.4 The NPPF supports the development of new housing in the context of sustainable development and states that in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby.
- 6.5 The site is located within the Wider Rural Area. In these areas development would not be supported unless local need is identified. It should however be noted that Policy SP2 (Housing) plans for 980 new houses within the Rural Service Centres and the Wider Rural Area.
- 6.6 The 2015 Strategic Housing Market Assessment (SHMA) confirms that Shorwell is within the Rural West Wight Sub-Market area and identifies a need to provide 13 units of affordable housing per annum within this area. Whilst consent has been granted for two schemes within the wider area that could provide an element of affordable housing, these being Fleetway, Shalfleet and Blanchards, Brighstone, these proposals have not yet commenced and are in outline form only. Therefore these are unlikely to provide housing for a number of years and therefore as 13 units have been identified per year there is a need to consent a range of schemes to ensure delivery of the required number on an annual basis. Officers consider this proposal would contribute to this requirement for affordable housing within the area. The proposal is therefore considered to comply with policy SP1 and SP2 of the Island Plan Core

Strategy.

6.7 Further to the information above officers have placed significant weight on the information submitted by the applicant, as an affordable housing provided, in rural locations. It has been confirmed that there are currently 17 applications on the Island Cottages' waiting list and 2 existing tenants in 1-bed properties who are requesting a transfer to a 2-bed property. This is considered to provide significant evidence for the need for affordable housing in this area.

6.8 Officers also consider it is useful to provide the below table and graph to members, which shows the delivery of affordable housing on the Isle of Wight over the last few years:

Year	Affordable Housing Comps	Total Comps	% of Comps Affordable Housing	Affordable Housing Need (SHMA)	Comps / Need Diff
15/16	35	417	8.4%	284	-249
14/15	150	396	37.8%	284	-134
13/14	112	410	28.3%	180	-68
12/13	141	409	34.5%	180	-39
11/12	196	418	46.9%	180	+16



The SMHA outlines that there is a need for 285 units of affordable housing across the Island per year. Based on the above figures we are significantly underproviding in this area.

6.9 In terms of sustainability, the site is located within a small village settlement that has a small shop, a public house and good transport links to other areas of the island with a bus stop directly outside Taylor Court. Therefore, whilst the

site is not within a defined settlement boundary, officers consider it to be within a relatively sustainable location and would therefore comply with policy SP1 of the Island Plan Core Strategy.

- 6.10 Shorwell Parish Council have raised an objection, in part, due to there being no requirement for additional housing. Having due regard to all available evidence, as outlined above, and the lack of any contrary evidence officers consider there to be a demonstrated need.

Impact on the character of the area, including the AONB and trees.

- 6.11 Policy DM2 (Design Quality for New Development) states that the Council will support proposals for high quality and inclusive design to protect, conserve and enhance the Islands existing environment while allowing change to take place. The policy states that development proposals will be expected to provide an attractive built environment, be appropriately landscaped and compliment the character of the surrounding area.
- 6.12 The submitted plans show that the proposed dwellings would be of a similar design to both 1 and 2 Newbarn Lane and dwellings with Taylor Court. Whilst the proposed properties are slightly larger than the neighbouring chalet bungalows, it is considered the layouts would be in character and context with these other dwellings. Officers consider the proposed layout of the site with substantial sized amenity space would be in keeping with other properties within the area.
- 6.13 The dwellings would be sited some distance back from both New Barn Lane and Shorwell Shute and whilst they would be partially visible from these locations, their design and in particular their materials, would ensure that they are not visually prominent within the street scene. Officers note that the dwellings have been designed so as to appear single storey at the front in keeping with other dwellings within Taylor Court and would be seen in context with this existing group of houses.
- 6.14 The proposed development would result in the loss of 4 trees. These being 3 large sycamores and 1 ash, leaving one prominent sycamore located away from the group near the car park and a small ash tree. This would cause the loss of a group of trees with amenity value, and therefore would be detrimental to the arboreal character of the area. However, an appropriate landscaping scheme, which would include the planting of native trees along the south and east boundaries, could provide a level of mitigation although this would not be sufficient to offset the visual amenity of the trees lost on a like-for-like basis. However, considering the level of trees in the surrounding area generally and the contribution they made, the loss of 4 trees on this site would not have a fundamental impact on the character of the area, and therefore on balance it is considered that harm from this loss would not outweigh the benefits associated

with the provision of affordable housing in this location.

- 6.15 The AONB Partnership have suggested that the LPA should be satisfied that the need for the houses outweighs the loss of trees. Officers are satisfied, on balance that, based on the level of need outlined above, the enclosed nature of the site, the built form adjacent to the site and the number of trees in the vicinity of the site, the potential impact on the character of the area caused by the loss of trees on site can be justified.
- 6.16 Officers acknowledge that there will be an impact on the character of the area but consider that this proposal could be carried out without causing a significant detrimental impact by the imposition of appropriate conditions. Consequently, the benefit of two units of affordable housing in this location would outweigh small level of the harm on the character of the area.

Impacts on neighbouring amenity

- 6.17 The application site has residential properties on all of its boundaries. However, due to the distances between Heronfield to the south and The Ridings to the east, it is considered that there would be no potential impact on the residential amenities of these properties. It is noted that the proposed units would incorporate dormer windows in the rear elevation, the rear boundary of the site shared with the garden of Heronfield. However, due to the distance from the house itself, the boundary screening and the level of existing development in the area there is not considered to be an unacceptable impact on the amenity of this property.
- 6.18 No. 1 and 2 New Barn Lane to the north of the site, and owned by the application, are over 24 metres building to building from the proposed unit. This distance is considered more than adequate to ensure against any harm. The proposed rooflights on the front elevation facing these properties, by virtue of its positioning in the roof slope, would not result in overlooking of the rear amenity space of the existing dwellings and given the distance between the proposed dwellings and the boundary, there would be no overshadowing or overdominance
- 6.19 One of the proposed dwellings would share a boundary with Nos. 1 and 2 Taylor Court. The proposed 'House 1' would sit a minimum of 7.6 metres, side to side, with an area of parking between. This distance and orientation of the dwellings would ensure that there was no unacceptable impact on residential amenity.
- 6.20 The proposed development is therefore no considered to have any unacceptable impact on the amenities of neighbouring properties.

Other Matters

Flood Risk

- 6.21 Concerns have been raised with regard to the risk of flooding, however, the site is within Flood Zone 1 and as such planning policy does not preclude residential development from this location or require further justification in the form of a sequential or exceptions test. It should not therefore be considered as a significant barrier to this application. Furthermore, matters relating to drainage and surface water management at the site can be appropriately dealt with through the Building Regulations process in this instance. The proposal would comply with the requirements of policy DM14 Flood Risk of the Island Plan Core Strategy.

Car Parking

- 6.22 This site falls within Zone 2 as defined within the Guidelines for parking Provision as Part of New Developments SPD January 2017 forming part of the Island Plan. In accordance with the guidance a development of this nature should typically provide 1 vehicle parking spaces per dwelling. On evaluation, the applicant proposes to provide 2 spaces per dwelling and while this may represent over provision, when considering the limited on-street parking within the vicinity of the site the level of parking provision is deemed to be compliant with the above guidance.

Highways

- 6.23 Island Roads has suggested alterations be made to the junction of Taylor Court with Newbarn Lane to improve the visibility by reducing the hedgerow. This would negatively impact on the character of the area and given that Taylor Court currently serves 9 existing properties, officers do not consider that the increase in use of the access associated with two further dwellings would result in a harmful impact to justify the identified works. It is therefore not proposed to impose the condition requested.

Impact on the setting of a Listed Building

- 6.24 'Heronfield' a Grade II listed building sits to the south of the site. Glimpses of the development would be visible from the rear garden of 'Heronfield', however this would not have a detrimental impact on the listed building due to the proposal's context with the existing build form and the distance from the listed building itself and the proposed dwellings. Furthermore, a condition is recommended requiring the submission and implementation of a landscaping scheme which would increase the screening. As such, the proposal would comply with policies DM2 (Design Quality for New Development) and DM11 (Historic and Built Environment) of the Island Plan Core Strategy.

7. **Conclusion**

- 7.1 Having given due weight and consideration to all material considerations and for the reasons given above the proposal is considered on balance to would represent an acceptable development in accordance with the policies set out above, subject to the recommended conditions.

8. **Recommendation**

- 8.1 Conditional Permission subject to a Section 106 Agreement to secure the units as Affordable Housing and a Local Connection Criteria.

9. **Statement of Pro-active working**

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

- 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 applicant was updated of any issues after the initial site visit and was provided with pre application advice. 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 be carried out and maintained in complete accordance with the information contained within the Arboricultural Report dated 25 January 2017 and details shown on the submitted plans, numbered/labelled:

- TC/P2 rev A
- TC/P3 rev A
- TC/P4

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 construction of the dwellings hereby approved, samples of materials to be used in the construction of the external surfaces of the development shall be 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 The dwellings shall not be occupied until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows to be retained, including the hedgerow along the front boundary, together with new soft landscaping proposed.

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.

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

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

- 6 No dwelling hereby permitted shall be occupied until space has been laid out within the site in accordance with drawing number TC/P2 Rev A dated Jan 2017 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.

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

Reason: In the interests of the amenities enjoyed by neighboring properties and to preserve the character of the area and to comply with Policy DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

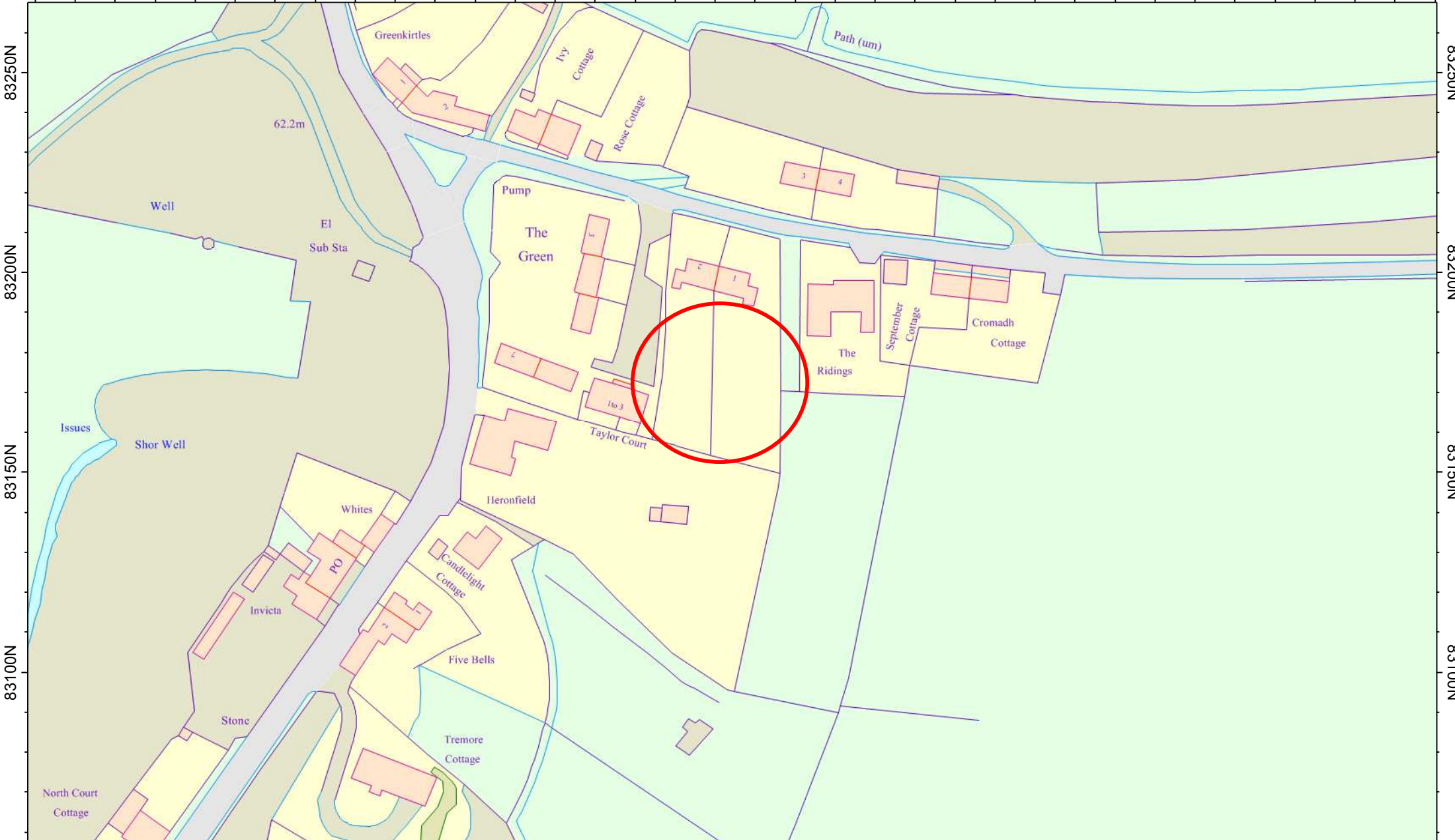
- 8 No development shall take place until an Arboreal Method Statement has been submitted to and agreed in writing by the local planning authority detailing how the potential impact to the trees will be minimised during construction works, including details of protective tree fencing to be installed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

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

Reason: To safeguard the residential amenities of neighbouring properties in accordance with Policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

445750E 445800E 445850E 445900E 445950E 446000E 446050E



83250N 83200N 83150N 83100N 445750E 445800E 445850E 445900E 445950E 446000E 446050E

Scale 1:1250



P/00352/17 land to rear of 1 and 2, Newbarn Lane, Shorwell, Newport, Isle Of Wight, PO30

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 Ordnance Survey 100019229
 B - 61

05 Reference Number: P/00215/17

Description of application: Change of use from Sui Generis (council storage & distribution depot) to B8 (storage & distribution) including the siting of up to 45 containers. (revised plans)(revised description)

Site Address: Victoria Depot, Victoria Crescent, Ryde, Isle of Wight, PO331DQ

Applicant: SD Construction (IW) Ltd

This application is recommended for conditional permission

REASON FOR COMMITTEE CONSIDERATION

This application has been referred to the Planning Committee at the request of the local ward member, Cllr. Michael Lilley due to concerns in respect of highway safety, opening hours, environmental issues and that the use would be out of character with the context of the area.

MAIN CONSIDERATIONS

- Principle of the proposed change of use
- Impact on the character of the area
- Impact on neighbouring properties
- Highway Considerations
- Trees

1. Location and Site Characteristics

- 1.1. The site is a semi-circular enclosed plot of land of approximately 0.30 hectares situated between properties fronting Victoria Crescent and Little Preston Road to the west and High Park Road to the east. The site is set within an area characterised by residential development of a suburban nature, with properties generally benefitting from long back gardens that share boundaries with this site. The dwellings themselves are approximately 25-30m from the site boundary.
- 1.2. The site is accessed from an existing route leading from Victoria Crescent. This is a single carriageway tarmacked track passing between residential properties fronting Victoria Crescent.

- 1.3 Within the site are two buildings; one located close to the west boundary and one close to the east boundary. Both buildings appear to be in a relatively poor state of repair and not of high architectural merit.

2. Details of Application

- 2.1 This application is for a change of use from Sui Generis (council storage & distribution depot) to B8 (storage & distribution) including the siting of up to 45 containers. The plans also show 10 long term spaces for the storage of cars and caravans.
- 2.2 Revised plans have been submitted during the determination process, which show the incorporation of a passing bay and on-site parking areas and the re-siting of two containers a minimum of 1.5m from the boundary and away from trees. The revised plan also indicates that the existing smaller extensions to the workshop building, located on the western boundary of the site would be removed as would the buildings on the eastern boundary. The applicant has stated that the workshop would be used in conjunction with maintenance of the site and a toilet would be provided.
- 2.3 The site was most recently used as a storage depot for the parks and beaches section of the Council but has now been sold to the applicant.
- 2.4 The application has been supported by plans which indicate that the proposed containers would be positioned around the eastern and western boundaries of the site with the area in the middle being used for vehicle circulation and turning.
- 2.5 Parking for 11 vehicles would be provided on site. These are currently shown to be located in two areas of the site; alongside the proposed containers on the western boundary and to the front of the retained element of the workshop.
- 2.6 The application proposes to use the existing established access into the site, albeit with the incorporation of a passing bay, as outlined above.

3. Relevant History

- 3.1. An application for a garden implement store, at Depot, Victoria Crescent, Ryde, conditional approval 10 April 1986, (TCP/18881/M/322).
- 3.2 An application for a proposed storage shed, at Victoria Crescent Depot, Ryde, conditional approval 19 March 1996, (TCP/18881A/IW/P22296).

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 Ryde Key Regeneration Area Action Plan Boundary and Key Regeneration Settlement Boundary. The following policies are relevant to this application:
- SP1 Spatial Strategy
 - SP3 Economy
 - SP5 Environment
 - SP7 Travel
 - DM2 Design Quality for New Development
 - DM8 Economic Development
 - DM12 Landscape, Seascape, Biodiversity and Geodiversity
 - DM17 Sustainable Travel

Supplementary Planning Documents

- 4.4 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.
- 4.5 The Guidelines for Recycling and Refuse Storage in 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 Engineer on behalf of The Highway Authority has recommended conditional approval, subject to the imposition of conditions relating to ensuring the parking and turning areas, the passing bay and visibility lines are provided and the submission of details of the junction with the main road are submitted and agreed.
- 5.2 The Business Fire Safety Officer, Fire and Rescue Service has raised no objection given the existing nature/use of the site and access. It was confirmed that they would need to produce a fire risk assessment under the Regulatory Reform (Fire Safety) Order 2005 and the storage of materials/products etc. and would need to comply with relevant Health and Safety/Environmental Health codes of practice. These are covered under different legislation to planning, although an informative is suggested.
- 5.3 The Council's Tree Officer has raised no objection, following the submission of revised plans which have moved two of the containers away from two lime trees.
- 5.4 The Council's Environmental Health Officer has raised no objection with regards noise, odour or fumes, noting that the submitted information states that no mechanical or electrical plant/equipment would be used
- 5.5 The Council's Ecology Officer has raised no objection or concerns on ecology - there are no local records for protected species within the vicinity and the vegetation onsite is not of ecological significance. I note that the trees are to be retained and the buildings are of tin construction and unlikely to support bats.

Parish/Town Council Comments

- 5.6 Ryde Town Council confirms that they do not object to the application.

Third Party Representations

- 5.7 18 letters of objection and a petition with 7 signed names have been received the content of which can be summarised as follows:
- Impact on neighbouring properties – increase in commercial traffic out of business hours will cause a disturbance;
 - Noise disturbance from the proposed business (heavy metal doors, traffic
 - No information about hours [Case Officer Note: the application form states hours of opening would be 8am-8pm Monday to Saturday and 9am-5pm Sundays and Bank Holiday];
 - Suggests that the facility should only be open from 8:30am to 4:30pm

- (the time when Council departments works/close);
- Concerns on road safety; - increase in traffic; parked cars obscuring the highway; blind spots due to bend in the road;
 - Number of vehicle trips likely to be 16 a day and raises a query that the site has permission for only x1 dwelling which would generate only x4 trips per day and why this is now acceptable;
 - Only single carriageway into site and restricted by the electrical sub-station;
 - Question the highway report submitted with the application and whether there should be yellow lines near to the entrance;
 - Notes there are access restrictions in roads nearby;
 - Pollution from vehicles;
 - Height of the containers would be imposing and impact on sunlight and privacy of neighbours whose back gardens back onto the site – notes that at 2.8m high they will be higher than most fences/shrubs;
 - Size of vehicles accessing the site would be a concern – large containers could mean large articulated vehicles accessing the site;
 - Notes the applicant is a scaffolding company and therefore raises concerns this would be a builders yard;
 - Questions the description and that the site never had planning permission for storage;
 - Vehicle storage on site will lead to repairs being carried out on site
 - No details of what will be stored in the containers and it is assumed it will be household – but such facilities already exist;
 - If it is household then this would generate less vehicle movements than if it was for workman's tools and machinery;
 - Concerns of caravans/motorhomes being lived in or visited;
 - Suggests a public consultation to discuss areas of concerns including whether the containers would be stacked and a layout of the site [Case Officer Note: plans have been submitted which show this];
 - Impacts on wildlife;
 - Impacts on the trees – notes that the trees will be pruned and they should be protected (they are large and also home to birdlife);
 - Issue with contamination on the site and no extra information has been provided;
 - No details over lighting have been submitted;
 - No boundary details submitted;
 - Would not have purchased their property at the price if next to a commercial operation;

It is noted some comments are not material planning considerations, including those which refer to impacts on house prices, dangerous driving etc. Furthermore there were suggestions that the site could be purchased and used for a community benefit, however, the LPA has received this application and therefore has to make an assessment on this proposal.

6. Evaluation

Principle of the proposed change of use

- 6.1 Policy SP1 looks to support development within or immediately adjacent to the defined settlement boundaries of Key Regeneration Areas, Smaller Regeneration Areas and Rural Service Centres. The site is within Ryde Key Regeneration Area Action Plan Boundary and Key Regeneration Settlement Boundary, as well as being previously developed land.
- 6.2 The Core Strategy objectives for this area include increasing the number of jobs available by supporting the growth of small-scale businesses and Policies SP3 and DM8 seek to support growth in economic development with the extension of existing employment sites in sustainable locations. The site has a commercial/business use and whilst within a residential area, significant weight must be given to this lawful use and also that this use could continue as, whilst the site has not been operational for a period of time, it is not considered this use has been abandoned.
- 6.3 Some comments have been received which question whether there was a storage facility at the site. The applicant has provided 3 letters from employees who regularly visited the site and who refer to how the site was used and the storage which took place, when the site was operational. It is noted that these are not statutory declarations sworn on oath nor is this a Lawful Development Certificate which seeks to determine this matter, but taking these into account along with other Council employees understanding of the site, and noting one of the immediate neighbours acknowledges the site was used for storage, then weight is given to this.
- 6.4 Third party comments note there are other facilities which already provide such storage and questions whether there is a need. However, it is not up to planning to assess competition or to stifle such competition, noting that both local and national policies encourage economic growth. There is no requirement within policy to justify need in respect of employment uses. It should also be noted that there is a currently industrial use of this site, albeit restricted.
- 6.5 A number of comments refer to the delivery of containers and it would seem there is some misunderstanding over these containers. The proposal is for containers to be sited and for those to be used for storage purposes (and not for the site to be used to store containers). Whilst it is acknowledged that these containers would need to be delivered to the site, this is only for the 'construction phase'. such lorries would not be coming and going with these containers nor would they be stacked, unstacked, brought to the site and removed – i.e. the containers would remain at the site and used for storage purposes.

- 6.6 As such, officers consider that the principle of the development is acceptable subject to an assessment against other relevant policies of the Core Strategy (as below).

Impact on the character of the area

- 6.7 The site is brownfield land/previously developed land with a lawful depot use and as stated above this use could continue and as such significant weight must be given to this. It is acknowledged that a number of comments have been received that the proposed development would have an impact on the area and on neighbouring properties. Whilst this is an important consideration in this assessment, the current lawful use of the site must be taken into account. This was a storage and depot facility which, when last used involved vehicles coming to and from the site and materials being stored. There are also buildings on site; one of which would be retained, albeit with extensions removed which are in poor condition. Therefore, although the wider area is one of a residential character, the site currently has a commercial appearance. The impact on the character of the area therefore needs to be considered in context with the existing appearance of the site.
- 6.8 The proposed containers would be relatively low in height. They would be placed on blocks, so that they do not sit directly on the ground, with an overall height of 2.75m. It is proposed to paint the containers a dark green colour and this would help ensure the containers are not overly prominent. A condition is suggested that would ensure this takes place. Whilst the plans show that the containers would only be single storey, a condition is also suggested to ensure containers are not stacked upon each other. Due to the nature of the location of the site, surrounded by development, the containers would not be readily visible from public view points, given they would be well set back from the road.
- 6.9 Officers consider the existing site has a negative impact on the wider area, with existing building being in a poor state of repair. Bring an active use back onto the site as well as formal control via planning conditions and site management; it is considered that the proposed development would enhance the character of the area.
- 6.10 In conclusion officers consider that the proposed containers and storage facility would not be overly prominent in the street scene nor would have a significant impact on the wider landscape and would enhance the appearance of the site, in accordance with Policies SP5, DM2, DM11 and DM12 of the Island Plan Core Strategy.

Impact on neighbouring properties

- 6.11 The proposal is for up to 45 containers along with an area for the storage of cars and caravans/motorhomes. The submitted plans show that these

containers and storage areas would be located around the boundaries of the site with the neighbouring residential properties. The boundary with the rear gardens of these dwellings comprise close boarded fencing, walls and some trees and vegetation which do vary in height but provide some screening of the residential properties beyond. It was noted that many of these properties have sheds/outbuildings in their rear gardens which provide further screening. Whilst the overall height of the containers at 2.75m would be higher than the boundary fences and some of the boundary hedging, this boundary screening along with a number of trees would provide some screening. The sheds/outbuildings in some of the gardens would also provide some screening. It should also be noted, as outlined in paragraph 1.1 the rear gardens of these properties are between 25–30m long.

- 6.12 Concerns have been raised by local residents on privacy and loss of sunlight. Given that the containers would only be 2.75m high, would be between 25–30m from the dwellings themselves and would not incorporate windows, being used only for storage, Officers consider that they would not result in a loss of light or privacy.
- 6.13 A comment was received from third parties that there is a lack of detail over boundary treatments proposed, however, from the case officer's site visit it was noted there are boundary fences, trees/vegetation along common boundary with the back gardens and this is considered appropriate, noting that permitted development rights allow for fences/enclosures up to 2m to be installed without planning permission.
- 6.14 Concerns have been raised by third parties over potential noise and disturbance from traffic at the site. Whilst the applicant states it is not anticipated that the site would have a significant amount of access each day, it is envisaged there would be up to 20 expected movements, officers consider that any condition restricting such movements would not meet the government tests for conditions i.e. it would not be reasonable or enforceable. Given the proposal is mainly for longer term storage, it is unlikely that significant daily movement would occur which would result in any adverse impacts. And as stated earlier in this report, the lawful use and how the site could still be used must be taken into account and whilst third parties have submitted some contrary information as to how the site was previously used, it would seem that there was a level of traffic movements and work on site that this assessment must take into account. Officers therefore consider that the traffic movements associated with the proposal would not have a detrimental impact on neighbouring properties.
- 6.15 Furthermore, the Council's Environmental Health Practitioner has raised no objections and therefore with conditions restricting any changes of use, opening hours, and that any external lighting needs to be agreed by the LPA, Officers do not consider that the proposed development/use would result in any adverse impacts or a loss of privacy to any neighbouring residential properties and

would accord with Policy DM2 of the Core Strategy.

- 6.16 As outlined above the site has an existing lawful use as a storage and distribution depot. The proposed development seeks to use the site for similar purposes, albeit for public not council use. The existing use of the site is completely unrestricted in respect of hours of use, traffic generation, height of items stored, areas within the site which items can be stored or parking. The proposed scheme would be incorporating a level of control over the site and as such it is considered, subject to the recommended conditions, the proposed development would result in a lesser impact on neighbouring properties than could potential occur as a result of the lawful use of the site.

Highway Considerations

- 6.17 A number of comments have been received raising concerns on highway safety and as such the Highways Engineer has been consulted. The existing access is off Victoria Crescent, which is an unclassified public highway governed by a 30mph speed limit at the point in question. The proposed development would utilise this access albeit with changes proposed to the width and the incorporation of a passing bay.
- 6.18 The Highways Engineer states that in this instance due to the potential for multiple users and their vehicles accessing the site, a minimum clear usable width of 4.10m over the first 8.0m from its junction with the public highway should be provided. This is to enable two private motor vehicles to pass clear of the adjoining carriageway in order to minimise the hazard that may otherwise be brought about by standing vehicles and also enable a service vehicle to access the site.
- 6.19 On review of the submitted plans and as a result of a site inspection it is evident that the vehicle access serving the site is limited in respect to width and visibility. The access road is in-excess of 50.0m long and while at its junction with the back edge of public footway it is 5.0m wide, due to the presence grass verge / brambles and an electrical substation it narrows to an average usable width of just 2.90m within the first 8.0m of its junction with Victoria Crescent. Beyond the substation the access provides for an average surfaced width of 2.50m. Based on the land falling within the control of the applicant the access could be remodelled to provide a minimum clear usable width of 4.10m over its first 8.0m. As such a condition is suggested to address this matter. The revised layout provides for a vehicle passing bay on the western side of the access road between the existing substation and site gate. This facility would ensure that two private motor vehicles or a private motor vehicle and a service vehicle can pass. It will also assist in enabling emergency service vehicles to access the site. These changes are considered to improve the width to an acceptable degree, when taking into account the current use of the site.

- 6.20 The Highway Statement accompanying the application makes reference to a visibility X distance of 2.4m and the provision of such a splay would typically be fully supported by Island Road. However, when considering the classification and use of Victoria Crescent, the existing speed limit governing this part of the public highway and the former use associated with the site it is not deemed sustainable in this instance to insist on a 2.4m X distance. The Y distance should be 43m. The Highways Engineer has therefore confirmed that on review of the junction visibility when exiting the site and viewing to the east at an X distance of 2.0m in-excess of 43.0m visibility can be achieved - the alignment of the public highway enables users emerging from the site to see through to the junction of Victoria Crescent with High park Road and actually gives rise to a Y distance of 55.0m. It is therefore considered by officers that satisfactory visibility can be achieved in an easterly direction.
- 6.21 When exiting and viewing to the west a Y distance of 35.0m is gained when taken at a 1.0m offset from the nearside kerb and 41.0m to the centre of the carriageway. Due to the existing on-street parking practices the provision of the western visibility splay to the carriageway centre point is deemed acceptable, as the risk of vehicles approaching from the west on the wrong side of the carriageway is highly unlikely. It is also highlighted that if taking into consideration the frontage of the adjacent property (Honeysuckle) in-excess of 43.0m visibility can be achieved. While typically visibility splays should be fully achievable within land under the control of the application / public highway in this instance it is noted that the property Honeysuckle is served by an existing vehicle access that borders the western boundary of the application site. The erection of boundary treatment at this point or across the frontage of the property Honeysuckle would negatively impact on the use of their vehicle access and is therefore unlikely. Likewise subject to the imposition of a suitably worded planning condition, the visibility splay available to this property (that in part cross the frontage of the application site) can be protected. Therefore the shortfall of the Y distance by just 2.0m is not deemed to give grounds for a standalone sustainable reason for refusal.
- 6.22 The Highways Engineer notes that the Highway Statement makes reference to the 85% tile speeds for vehicle approaching the site being significantly lower than the posted speed limit. However in the absence of traffic data this claim is unfounded.
- 6.23 The layout details the provision of 11 parking bays and an associated turning area. A condition is suggested to address the parking arrangement and turning facility as while the parking bays as shown comply with design standards the bays adjacent to the workshop would be better located to the south and the resultant freed up area being retained for turning. There is also scope for some of the parking to be located at the northern end of the container units adjacent to the eastern site boundary. It is not considered that a revision to the position of these bays would result in any greater impact on other factors outlined above;

such as the character of the area or the amenities of neighbouring properties.

- 6.24 Subject to the access improvements being provided (as discussed above), it is not anticipated that the proposed development would have a negative impact on the operation / capacity of the highway network within the immediate and wider vicinity of the site. The Highways Engineer has confirmed that the traffic generation associated with this proposal is not deemed to have a negative impact on the capacity of the highway/project network. Furthermore, there have been no recorded accidents in the last three years within the vicinity of the site that are relevant to the proposal, and the Highway Engineer further stated that having evaluated the junction of Victoria Crescent/High Park Road/Somerset Road there have been no records incidents at this point of the highway network within the last three years.
- 6.25 Some concerns have been raised over health and safety including whether a fire appliance can gain access to the site. Whilst the access is relatively narrow, the Highway Engineer confirms that an appliance can gain access to the site if needed and the Fire and Rescue Service officer has stated that given the site will use the existing access, that they could not require further changes.

Parking

- 6.26 It is noted that the 'Guidelines for Parking Provision as Part of New Developments' SPD has just been adopted by the Council and the site would fall within Zone 2 'Outside of identified Town Centre Boundaries'. In accordance with the guidance set out within Table 3, a development of this nature should typically provide 11 parking spaces (1 space per 60m²) and on evaluation, the proposal is deemed to be compliant with the above guidance.
- 6.27 Therefore with the imposition of appropriate conditions, officers consider that the proposal would comply with policies DM2 (Design Quality for New Development), DM17 (Sustainable Travel) and SP7 (Travel) of the Isle of Wight Core Strategy.

Trees

- 6.28 There are trees around the perimeter of the site differing in size and which provide some screening of the site from the neighbouring properties. It is noted that the Tree Officer has stated that several of these trees are worthy of a "B" grade as individuals and that the collective value of the trees should be considered as most important and whilst many of the trees are recognised to be only worthy of a "C" grade it is seen that collectively they are considered to be a "B2" and as such any development must take that into consideration and take care not to impact on the trees amenity and screening value.

6.29 The Tree Officer initially raised some concerns over the potential impact to some of the trees should the containers be positioned too close. A revised plan has been submitted which sets two of the containers a further 1.5m away from the boundary and the trees and the Tree Officer considers this would be a suitable distance which would also allow ease of management of the trees at a later date, overcoming the previous concerns.

6.30 The plans do shows that 1 tree would be removed, with the report stating this would be a C grade tree. It is acknowledged that none of the trees in this area are subject to a TPO and the loss of just one lower grade tree would not impact on the overall group value. The application is therefore not considered to have an unacceptable impact on trees.

7. Conclusion

7.1 Having given due weight and consideration to material considerations and for the reasons set out above, including attributing significant weight to the site's lawful use, officers consider that the proposal would comply with the requirements of the policies listed within this justification. Therefore it is recommended that the development is approved subject to conditions and thus would be in accordance with Policies SP1, SP3, SP5, SP7, DM2, DM9, DM12 and DM17 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 following the submission of revised plans relating to highway matters.

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:

- 332/02 Rev H
- 333/03 Rev A
- 333/04
- WIT-16-11-0108-TPP 'Tree Protection Plan'

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), DM12 (Landscape, Seascape, Biodiversity and Geodiversity), DM17 (Sustainable Travel) and AAP2 of the Island Plan Core Strategy.

- 3 The use hereby permitted shall not commence until space has been laid out within the site in accordance with drawing number 333/02 Rev H for the provision of a vehicle passing bay within the site access and that space shall be provided within the confines of the site for the parking of a minimum of 11 private motor vehicles and for vehicles to turn so that they may enter and leave the site in forward gear in accordance with details that have been submitted to and approved by the Local Planning Authority in writing. 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.

- 4 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 giving rise to a minimum clear usable access width of 4.10m over the first 8.0m from the junction with the public footway; and the use hereby permitted shall not be brought into operation 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.

- 5 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 – and as shown on drawing number WIT-16-11-0108-TPP. 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: This condition is required prior to commencement to ensure that the high amenity trees to be retained are 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.

- 6 No part of any boundary wall or fence erected on the site roadside frontage (Victoria Crescent), nor any hedge planted to mark the roadside boundary or alongside such boundary, wall or fence, shall at any time be permitted to be more than 1 metre above the level of the adjacent carriageway and resultant visibility splays shall be kept free of obstruction.

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 No external lighting shall be installed at the site until a lighting scheme has been submitted to, and agreed in writing by, the Local Planning Authority. Development shall be installed, retained and maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To 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), DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

- 8 The containers hereby permitted shall be painted in green - the details of which are shown on the approved plans unless otherwise authorised by this permission or approved in writing by the Local Planning Authority.

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.

- 9 The containers hereby permitted shall only be single storey and shall not be stacked above each other as shown on the approved plans.

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

- 10 The caravans, motor homes and other vehicles to be stored on site shall not be used for any residential purposes including any temporary periods of use.

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 use hereby permitted shall not take place outside the following times,
0800 to 2000 hours Mondays to Saturdays
0900 to 1700 hours on 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), DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

- 12 This permission shall authorise the use of the site for B8 (Storage and Distribution) 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), nor shall any repair or maintenance of the vehicles to be stored on site shall take place.

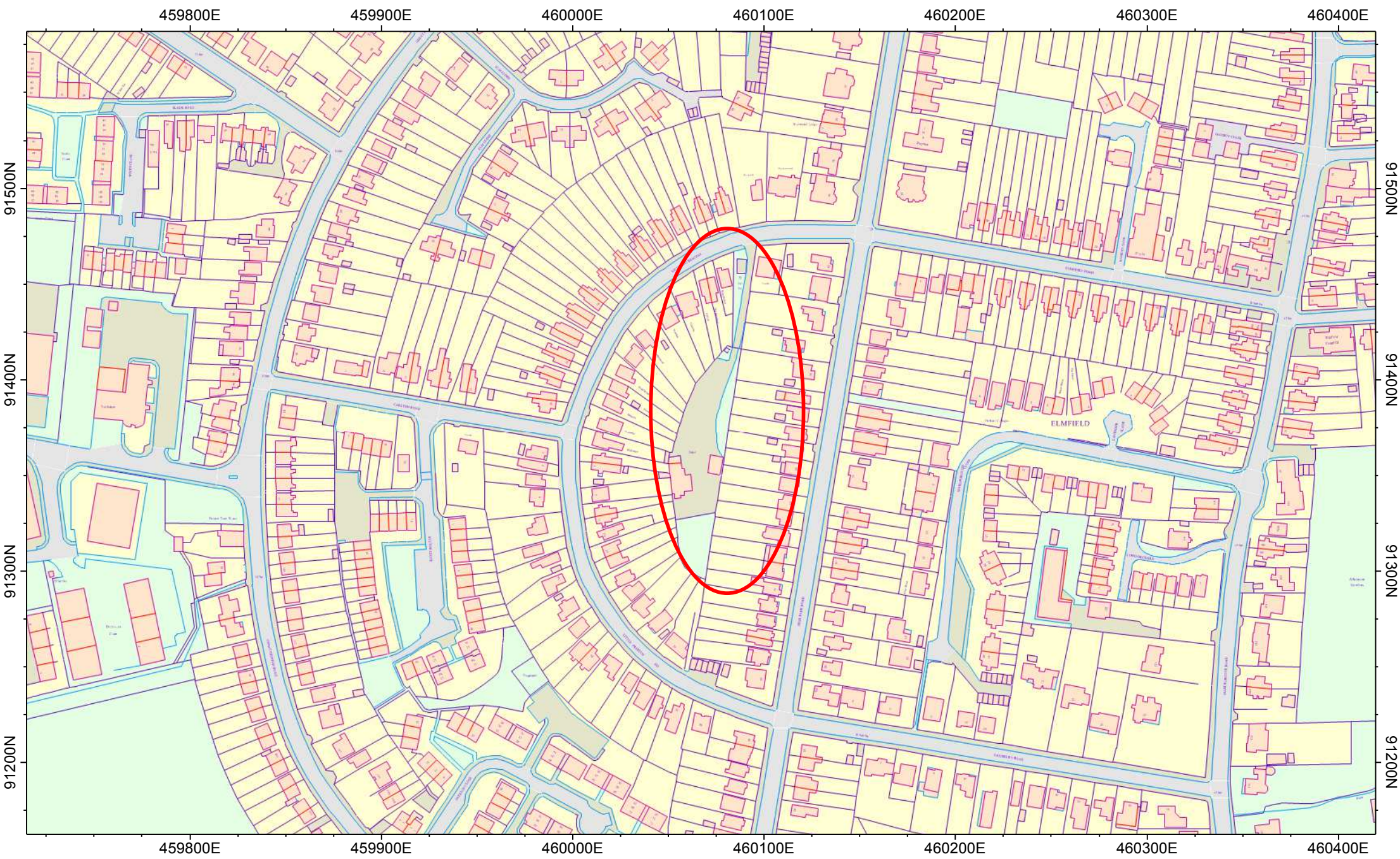
Reason: To ensure adequate planning control over further development or use of the site and to prevent any alternative use being made of the premises which could be a source of nuisance or disturbance to occupants of neighbouring properties, to protect the general character of the surrounding area and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

- 13 No storage shall take place outside of the containers or store shed (shown as existing workshop) as shown on drawing number 333/02 Rev H 'Block Plan'.

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), DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

Informatives

1. The applicant is advised they would need to produce a fire risk assessment under the Regulatory Reform (Fire Safety) Order 2005.
2. The applicant is advised that with regards to the storage of materials/products etc. they would need to comply with relevant Health and Safety/Environmental Health codes of practice.



Scale 1:2500



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