

ISLE OF WIGHT COUNCIL PLANNING COMMITTEE - TUESDAY, 1 AUGUST 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 – 01 AUGUST 2017

1	P/00319/17 TCP/27471/S	Ryde	Conditional Permission
Page 3	<u>Ryde School, 7 Queens Road, Ryde, Isle of Wight, PO33 3BE</u>		
	Construction of boarding house and netball courts in association with school and associated landscaping works, to include improved access for emergency and refuse vehicles		
2	<u>P/01606/16 TCP/22015/D</u>	Arreton	Refusal
Page 29	Mole Countrystore, Blackwater Road, Newport, Isle of Wight, PO30 3BG		
	Proposed extension to existing store; new building for retail and storage; change of use of existing bungalow to cafe and workshops		

Reference Number: P/00319/17

Description of application: Construction of boarding house and netball courts in association with school and associate landscaping works, to include improved access for emergency and refuse vehicles (revised plans).

Site Address: Ryde School, 7 Queens Road, Ryde, PO33 3BE

Applicant: Ryde School Construction Ltd

This application is recommended for conditional permission

REASON FOR COMMITTEE CONSIDERATION

The Local Ward Member (Cllr Axford) has requested that the application is determined by the planning committee due to concerns regarding the impact on the amenities of neighbouring residents, in particular due to loss of privacy and increased noise nuisance; and also echoing the concerns expressed by Ryde Town Council.

MAIN CONSIDERATIONS

- Principle of development
- Impact on the school playing fields
- Impact on the settings of listed buildings
- Impact on the character and appearance of the Ryde Conservation Area
- Impact on trees
- Impact on ecology
- Impact on neighbouring properties
- Highways considerations

1. Details of Application

- 1.1. The application seeks permission for a boarding house, replacement netball courts and remodelling of an existing pedestrian and vehicle access from Spencer Road to the school site as well as associated landscaping works, including a new access road, paths and new tree/shrub planting.
- 1.2. The submitted plans show the proposed boarding house would have walls that would extend to a height of 11m at its northern end and 10m at its southern end. The building design would include a number of recessed pitched roofs, which extend the overall height of this building to a maximum of 12.5 metres

above ground level. This building would have a width of almost 43m and a maximum depth of 28m. The submitted plans indicate that the walls of the building would be faced with timber cladding at ground level and buff brick to the upper floors, with the pitched roofs covered in zinc. The building design would incorporate a green wall, stone window surrounds and powder-coated aluminium window frames.

- 1.3 Two of the proposed netball courts would be sited 7m to the north of the proposed boarding house and 1 court would be sited about 6m from the eastern boundary of the school site. The northern courts would have a footprint of 9.5m x 30m and the eastern court would have a footprint of 9.5m x 17.5m. These courts would be hard surfaced and enclosed by 2.4m high chain link fencing.
- 1.4 The proposed landscaping works also include the relocation of the high jump facilities between the proposed boarding house and northern netball courts and the submitted plans indicate areas proposed for new soft landscaping, to include new tree and shrub planting.
- 1.5 The proposed new access road from Spencer Road is shown to have a tarmac surface and to be 3.7m wide. The existing Spencer Road access would be remodelled and would be increased in width to 4.8m. New gates would be provided for this access.

2. Location and Site Characteristics

- 2.1 The application relates to an existing school site located between Queens Road to the south, West Street to the east, Westwood Road and Coniston Drive to the west and Spencer Road to the north. The main entrance to the school site is from Queens Road, but the site can also be accessed from West Street and Spencer Road.
- 2.2 The site contains various school buildings, including Westmont House, which is grade II listed, car parking areas, playing fields and existing tennis/netball courts. The site boundaries are generally defined by trees and boundary fencing.
- 2.3 The topography of the site falls from north to south, with properties in Spencer Road being at a lower level in relation to the school site and those in Coniston Drive and Westwood Road being at an elevated level.
- 2.4 The surrounding area is characterised by residential streets, with the landscaped gardens of adjacent residential properties backing onto the school site. Whilst the school grounds are screened by trees, a number of residential properties do look out over them.

2.5 The school site is in the designated Ryde Conservation Area, within its character area 4 (Pelhamfield, Ryde School and All Saints Church). The Council's appraisal of this area summarises its special interest as a pleasant, quiet area, with some fine examples of 19th century detached villas, set within spacious gardens facing the sea. The style of architecture is mixed and it has a semi-rural feel, assisted by the presence of stone boundary walls and hedges.

2.6 As well as the listed Westmont House within the grounds, the site is surrounded by a number of listed buildings, including Coniston House and 29 Queens Road to the west. There are two groups of protected trees on the western boundary of the school site with these specifically mentioned adjacent listed buildings.

3. Relevant History

3.1. There is an extensive history for this school site, but relevant recent history includes:

- P/01152/16: Alterations to vehicular access to include barrier system and parking: granted 19/10/16.
- P/01893/10: Retention of re-sited greenhouse: granted 08/02/11.
- P/01894/10: LBC for retention of re-sited greenhouse: granted 08/02/11.
- P/00049/09: Demolition of no's 11 & 15 Queens Road; proposed construction of 2 storey building to provide additional school facilities; internal alterations to Westmont; alterations & rear extension to Art & CDT building; new access road off Queens Road, car park & additional parking bays; landscaping (revised scheme): refused 21/04/09; appeal allowed 28/10/09.
- P/00816/08: Conservation Area Consent for demolition of pavilion in connection with replacement pavilion to include boiler & plant room & changing facilities: granted 28/07/08.
- P/00683/08: Demolition of pavilion; replacement pavilion to include boiler & plant room & changing facilities (revised plans): granted 28/07/08.
- P/00072/04: Continued use of car parking area off Spencer Road: refused 15/12/04.

4. Development Plan Policy

National Planning Policy

4.1 The National Planning Policy Framework, NPPF explains that the purpose of the planning system is to contribute to the achievement of sustainable development and that at the heart of national planning policy is the presumption in favour of sustainable development. Paragraph 14 sets out that this means for decision-taking, approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against policies in this Framework taken as a whole; or
- Specific policies in this Framework indicate development should be restricted.

Paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development. The Framework explains that sustainable development has 3 dimensions: economic, social and environmental and that these economic, social and environmental roles for planning should not be undertaken in isolation, because they are mutually dependent.

4.2 Paragraph 17 of the Framework sets out 12 core planning principles, which include:

- be plan-led;
- not simply about scrutiny, but a creative exercise to find ways to enhance and improve the places in which people live their lives;
- proactively drive and support sustainable economic development;
- seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- take account of the different roles and character of different areas, promoting the vitality of our main urban areas and recognising the intrinsic character and beauty of the countryside;
- support the transition to a low carbon future and take full account of flood risk and encourage the reuse of existing resources;
- contribute to conserving and enhancing the natural environment;
- conserve the historic environment; and
- promote mixed use developments.

Local Planning Policy

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

- SP1 (Spatial Strategy)
- SP2 (Housing)

- SP5 (Environment)
- SP7 (Travel)
- DM2 (Design Quality for New Development)
- DM7 (Social and Community Infrastructure)
- DM11 (Historic and Built Environment)
- DM12 (Landscape, Seascape, Biodiversity and Geodiversity)
- DM14 (Flood risk)
- DM17 (Sustainable Travel)

4.4 The following supplementary planning documents are relevant:

- Solent Special Protection Areas
- Guidelines for Recycling and Refuse Storage in New Developments
- Guidelines for Parking Provision as Part of New Developments

5. **Consultee and Third Party Comments**

Internal Consultees

- 5.1 The Conservation Officer has raised no objections in relation to the impact on the setting of surrounding listed buildings (including Westmont and Coniston House) or on the Ryde Conservation Area. He has also confirmed that removal of the existing gates at the Spencer Road access would not require listed building consent.
- 5.2 Island Roads, commenting on behalf of the Local Highway Authority, has raised no objections, but has recommended conditions to ensure cycle parking and the means of emergency/service vehicle access and associated turning area would be provided.
- 5.3 Environmental Health has no objections, but has recommended conditions are imposed to protect neighbouring amenity. These comments will be discussed in more detail in section 6 of the report.
- 5.4 The Tree Officer has raised no objections, but has recommended conditions should be imposed to ensure adequate tree protection and replacement tree planting to compensate for tree removals required to facilitate the development.
- 5.5 The Ecology Officer has advised that no detrimental impacts to habitats or protected species are expected through this development and is satisfied that this has been justified within the applicant's ecology report. It has been requested that the recommendations and enhancement measures set out in this report are secured by planning conditions.

External Consultees

- 5.6 Sport England has advised that the applicant has addressed its primary concern related to the potential impact on the rugby pitch and has noted that there is no community use of the existing tennis/netball courts and that the proposal does not lead to a loss of these facilities. Therefore, it does not object.
- 5.7 Historic England has advised that it does not need to be consulted on the application and has not commented on the proposed development.

Parish/Town Council Comments

- 5.8 Ryde Town Council objects on the following grounds:
- Harmful impact on designated conservation area;
 - Visually over dominant development due to the location, scale and mass of the proposed building;
 - Inadequate consideration given to screening from adjacent neighbours;
 - Inadequate information in relation to surface water run-off;
 - Overlooking of neighbouring residential properties and resultant loss of privacy for residents;
 - Noise impact of development has not been assessed;
 - Loss of open space;
 - Not clear whether proposed access improvements could be provided;
 - No information in relation to lighting of proposed play areas;
 - Parking provision assessment should be provided;
 - Mitigation required by the Solent SPA SPD should be provided.

Third Party Representations

- 5.9 Ryde North East Heritage Group has objected, raising concerns with the impact of the development on the setting of listed buildings, including Westmont and the nearby church, and the designated conservation area.
- 5.10 53 representations have been received from local/Island residents who object for the following reasons:
- no need for boarding house;
 - proposed boarding house would not be suitable for any other purpose;
 - excessive size and scale of the building;
 - remote location, away from main school premises;
 - there may be more suitable sites for boarding accommodation;
 - conservation area would not be preserved or enhanced;
 - impact to neighbouring listed buildings, Coniston House, Mill Cottage and Millfield;
 - building would be visible from Spencer Road and the sea and would

- detract from the character of the area;
- impact on Ryde's landscape and seascape;
- proposed building would not add to the architectural character of the area;
- proposed building would be visually intrusive, overbearing and over-dominant when view from surrounding neighbouring properties;
- proximity to, and overlooking of, neighbouring properties;
- proposed landscaping would not address overlooking and would involve excessive tree planting that would reduce sea views through the site and potentially impact neighbouring property in terms of loss of views and light and ground stability;
- impact to trees, in particular from construction of access road and services;
- increased noise and disturbance for neighbouring residents;
- loss of light for neighbouring residents;
- construction of access road may damage neighbouring property;
- inadequate and unsafe access;
- access could be used by construction traffic;
- inadequate parking provision;
- increased traffic and demand for parking locally;
- increased level of deliveries and traffic;
- any conditions applied to access may be difficult to enforce;
- no. of boarders to be accommodated;
- facilities for boarders would not be comparable to those available at the existing Bembridge site;
- light pollution;
- existing noise and light pollution, access and parking issues would be exacerbated;
- other properties that could be used for boarders;
- area to be developed used for recreational and sports activities;
- new road would encroach on sports provision;
- requirements of previous planning permissions not met;
- drainage – surface and foul water – greater pressure on existing facilities and greater risk of flooding – definitive detail required at application stage;
- ground stability may be affected;
- impact to wildlife – badgers, red squirrels, bats, birds, newts, slow worms and hedgehogs;
- set a precedent for future development;
- regard should be had to a recent appeal decision;
- compliance with human rights act;
- devalue property in the area;

A number of these comments have referred to incorrect certification supplied with the planning application. This has been corrected by the applicant.

Devaluation of property and loss of view are not material planning considerations and cannot prejudice the determination of the planning

application.

- 5.11 A significant amount of correspondence has been received from a third party. However, this correspondence generally raises questions and concerns that have been raised or mentioned by other local/Island residents as set out in paragraph 5.10 above.
- 5.12 Representations have been received from 2 local/Island residents who support the application for the following reasons:
- wonderful to see investment on the Island;
 - school's facilities used by a wide variety of community groups and more all-weather facilities would promote sport on the Island;
 - the school is a major employer and major asset to the Island, future viability of school is a material consideration;
 - will enhance attractiveness of school and high quality boarding facilities essential addition to the school's offer;
 - Bembridge facilities not high enough standard and distance of this site brings day-to-day inefficiencies;
 - design is simple and elegant, well-considered palette of materials;
 - building would sit well in the grounds and due to its position would comply with guidance regarding overlooking.

6. Evaluation

Principle of development

- 6.1 Policy SP1 of the CS explains that the Council will support proposals within or immediately adjacent to the defined settlements of the Island's Key Regeneration Areas and will prioritise the reuse of previously developed land.
- 6.2 Policy DM7 of the CS states that the Council will support development proposals that improve cultural, educational, leisure and community facilities. This policy sets out criteria which proposals are expected to meet and this includes:
- Encourage appropriate intensification of existing facilities;
 - Ensure that they are accessible by cycling, walking and public transport;
 - Be located within defined settlement boundaries.
- 6.3 The application seeks to provide boarding accommodation within the school site, which would improve its offer and longer term sustainability. The site is located in a sustainable and accessible residential area of Ryde, within the settlement boundary of the Ryde Key Regeneration Area. Given this, it is considered that the proposal can be supported, in principle, in accordance with the aims of policies SP1 and DM7 of the CS.

Impact on the school playing fields

- 6.4 The proposed boarding house, access road and gravel path would result in the loss of part of the existing school playing fields, tennis courts and cricket nets at this school site. However, the proposal does seek to provide replacement netball/tennis courts, 2 courts directly to the north of the proposed boarding house and 1 court further away to the east. The existing long jump and high jump facilities would be retained, the latter being relocated between the northern courts and the boarding accommodation. The school has also confirmed that there would be space within the existing playing fields to re-provide the existing cricket nets.
- 6.5 Sport England had originally raised concerns regarding the potential impact of the gravel path proposed to lead down to the boarding house from the existing southern car park on the existing rugby pitch. However, the section of this path that would have run alongside the western edge of this pitch has now been removed from the proposals by the applicant. Following this change to the proposal, Sport England has removed its objection to the proposal on this basis. Sport England has also advised that there is no community use of the existing tennis/netball courts and that the proposal would not lead to the loss of these facilities. Sport England has therefore not objected to the proposed development.
- 6.6 Whilst the proposal would result in the loss of part of the existing school playing fields to accommodate the proposed boarding house and access improvements, this loss would not prejudice existing or future sports provision at the site, which would be maintained and improved by the proposal in accordance with the aims of policy DM7 of the CS.

Impact on the settings of listed buildings

- 6.7 The school site is located within the Ryde Conservation Area and there are a number of listed buildings within and surrounding the school site.
- 6.8 The listed school building (Westmont) is located 224m to the SE of the proposed boarding house. Land levels from this listed building fall northwards across the site, with this existing building occupying an elevated position in relation to the proposed site for the boarding house. The submitted plans indicate that whilst 3 storeys, the proposed building would not be higher than existing 2 storey buildings to the south. Like many traditional buildings in this area, Westmont is primarily orientated towards the sea. Because of the NNE orientation of this building and the proposed siting of the boarding house within the NW corner of the school site, it is considered that the outlook from Westmont across the existing school playing fields and towards the sea would

not be affected by the proposed building and the main views of this building would not be impacted. In addition, given the distance and lower topography, the proposed courts and access road/paths would not have any harmful effect on the setting of this building.

- 6.9 Coniston House to the west of the site, although now divided into flats, has its principal rooms facing north toward the sea. The setting of this building has been compromised in the past by surrounding residential development. The eastern boundary of the curtilage of this building with the school site is largely defined and screened by existing trees, which are protected by tree preservation orders. Because of this, whilst the building does currently benefit from some views out over the school grounds, it does have an enclosed setting, especially in relation to the school site. The plans show that due to the scale of the proposed building and its lower ground level, the boarding house would not be higher than existing housing within Coniston Drive. Therefore whilst at present there are some limited views of this building from the school grounds, taking into account the above and the distance of the proposed boarding house from this listed building (43m), it is considered that the effect of the proposed boarding house on the setting of this listed building would be minimal and not harmful. Given that the proposed netball courts would replace the existing hard surfaced tennis courts in this part of the school site and the lower level of the school site in relation to Coniston House, it is considered that these courts and the proposed access road and path would not have a harmful effect on the setting of this listed building.
- 6.10 The proposed building, courts and road/path would be a considerable distance from the listed buildings in Queens Road to the south and West Street to the east. Given the topography of the site, which falls to the north, the landscaped settings of these listed buildings and the school grounds, and taking into account the scale of the proposed building and the separation distances between this proposed building and these listed buildings (i.e. 209m from 29 Queens Road and 221m from 94 West Street), it is considered that the proposal would not have a harmful effect on the settings of these buildings.
- 6.11 The listed buildings on the northern side of Spencer Road are visually separated from the school site by modern residential development on the southern side of this road. Given this, it is considered that the proposed building, courts and road/path would not harm the setting of these buildings, which are primarily viewed from Spencer Road and the sea.
- 6.12 In terms of the longer distance views and setting of these listed buildings when viewed from Ryde Pier and the sea, this part of Ryde is seen from the coast as a variety of buildings interspersed with tree cover, rising up Ryde's hills and dominated by All Saints Church and its spire. The school site is obscured by the existing tree cover around it and within Spencer Road and given this, it is considered that the proposed development would not harm the setting of any

of this listed buildings when viewed at a distance from the pier or the coastline.

- 6.13 Having regard to the above, it is considered that the proposal would not have a harmful effect on the setting of any of the listed buildings within or surrounding the school site, which would be preserved and/or enhanced in line with the aims of policies DM2 and DM11 of the CS and the NPPF and the requirements of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

Impact on the character and appearance of the Ryde Conservation Area

- 6.14 This part of the Ryde Conservation Area is characterised by a variety of 19th century villas, set within spacious landscaped grounds and facing the sea. These villas are interspersed with more modern 20th century residential infill development. This later development also often has a spacious landscaped setting and this gives this area of Ryde a spacious and verdant suburban character and appearance
- 6.15 The proposed building would have a sizeable footprint, but like many of the other more sizable villas found in this area it would be set within extensive landscaped grounds, would have a spacious setting and would be orientated N-S, toward the sea.
- 6.16 In terms of its size and scale, the proposed building would be 3 storeys, but the submitted plans show how the topography of the school site would be used so that the overall height of the building would not be dissimilar from existing buildings in Coniston Drive to the west or Westwood Road to the south. The proposed roof has been reduced in size by the applicant and this would be set in from the main walls to visually break up the overall mass of this building. The plans promoted by the applicant demonstrate that the building in terms of its scale and height would provide a transition from existing buildings to the north and those to the south of the site. Furthermore, the size and scale of the building would be mitigated by its spacious setting, which would be landscaped as part of the overall development, and distances from neighbouring buildings (46m from properties in Spencer Road and 33m from those in Coniston Drive).
- 6.17 The proposed building would have a simple balanced appearance and its walls and mass would be broken up by a combination of projecting walls, parapets, recessed fenestration, flat roof areas and several areas of pitched zinc roofs. The materials to be used would either be natural (timber and green wall) or materials commonly found in the surrounding area (i.e. brick and stone). The recessed nature of the pitched roofs, together with a muted colour for the roofing material, would ensure that these roofs would be discreet features of the building and would not be visually dominant. The building would have a more institutional, functional and modern appearance, but this would reflect the nature of the school use of the site and its intended use.

- 6.18 The existing school playing fields do relieve the otherwise built up surrounding residential environment of this part of Ryde and the landscaped setting of these grounds complement the landscaped gardens of neighbouring properties and make a positive contribution to the conservation area. Whilst the proposed development would result in some loss of this open space, this largely relates to a discreet and underutilised area of the school site, with extensive areas of open space remaining around the proposed building and other school buildings. Furthermore, the school grounds would benefit from additional landscaping as part of this development, which would complement and enhance the landscaped setting of the site and would be likely to have a positive effect on the character and appearance of the conservation area.
- 6.19 As discussed above, the school site is relatively discreet from the public realm, with limited views between buildings fronting surrounding streets and views of the site from the coast screened by existing tree cover and surrounding buildings. Whilst there may be some limited glimpses of the building from between buildings in Spencer Road and possibly (although unlikely) from further afield, the impact of this building visually from the public realm would be negligible.
- 6.20 The proposed building would be visible from surrounding residential properties that adjoin the school site, but given the scale of this building, its appearance and spacious setting, distance from neighbouring residential properties, and having regard to the proposed landscape enhancements and existing school use of the site, it is considered that the proposed development would, on balance, preserve and enhance the character and appearance of the Ryde Conservation Area in accordance with the aims of policies DM2 and DM11 of the CS, the NPPF and the requirements of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

Impact on trees

- 6.21 The development proposed would require the removal of several trees within the northern part of the school site, these being: T15-T17 (a group of silver birch), T20, T22, T23, T24 and T30 around the area of the existing tennis courts and cricket nets; T63-T65 on the eastern boundary of the site near the area proposed for the eastern netball court; and T10 (Oak) due to the proximity of the proposed access road. None of the trees along the western boundary of the site protected by tree preservation orders would be removed. The proposal seeks to maintain and retain the treed boundaries of the site and to enhance these boundaries through new tree planting and it is considered that the proposed tree losses could be mitigated and compensated for through this new planting. Details of this replacement tree planting and landscaping of the site can be agreed through a planning condition.

6.22 To facilitate the development, in particular the proposed access road, tree pruning works would also be required to trees T1-T12 (a group of Ash, Hawthorn, Oak and Lime trees). These works can be controlled and agreed through a planning condition to ensure that these works would not harm the health, form or appearance of these trees.

6.23 The tree report submitted by the applicant sets out a number of recommendations to protect trees during the development. This includes the use of protective tree fencing, that conventional trenching for drainage or services must not be routed across any of the root protection areas of retained trees without approval from a competent arboriculturalist, and that an arboricultural method statement (AMS) covering the following should be prepared before any works commence and be adhered to throughout the development of the site:

- Prevention of soil contamination near T29;
- Prevention of soil compaction and root damage during construction of the north access road;
- Prevention of soil compaction and root damage during gravel path improvement;
- Treework; facilitation pruning and tree removal.

The Council's Tree Officer has raised concerns with the potential of the access road construction to impact on existing trees along this existing access. However, he has advised that construction details of this road can be agreed through an AMS, to ensure that any impact would be avoided or minimised to an acceptable level.

6.24 Having regard to the submitted tree report and arboricultural impact assessment and the comments of the Council's Tree Officer, it is considered that the proposal would result in the loss of a number of trees within the site, but subject to the recommended conditions, the proposal would have regard to the constraints of existing trees to be retained and would provide new planting within the site, which would mitigate and compensate for tree removals required to facilitate the development, whilst also ensuring that opportunities are taken by the development to enhance the arboreal appearance and setting of the school grounds in accordance with the aims of policies DM2 and DM12 of the CS and the NPPF.

Impact on ecology

6.25 The application is supported by an ecological assessment and survey of the site. This report explains that the site comprises tennis courts and amenity grassland with some planted trees and shrubs. On its northern and western boundaries the site is bordered by the residential areas of Spencer Road and

Westwood Road and it concludes that the proposed development should have no significant impacts on protected habitats or species, with the proposal

replacing an area used for sport with the proposed boarding accommodation and rearranging sports facilities within the school grounds. It adds that the proposal should not result in the loss of any semi-natural habitat and no reduction in mature tree canopy or natural screening and that the opportunities for ecological enhancement through new planting and the installation of nest and roost boxes would be taken. These measures are set out in the report.

- 6.26 In terms of reptiles, amphibians, birds, squirrels, hedgehogs and bats, the report states that because of the existing recreational and sporting use of this site, its heavily modified and maintained nature, there are few areas of refuge within the site for these species, except within its landscaped boundaries, which would be maintained and enhanced by the proposed development. It adds that habitat suitable for such species is unlikely to be affected and recommends new planting, creation of debris and the installation of bat and roost boxes to enhance the site for these species. Furthermore, it advocates a precautionary approach during any demolition and site clearance works, advising that if species are discovered they should be removed to refuge areas at the edge of the site and also that any vegetation suitable for nesting birds should not be disturbed or removed during the bird breeding season (March-August).
- 6.27 As discussed above, the landscaping proposals for this site would replace trees to be lost with new planting, which would mitigate and compensate for the loss of these trees. It confirms that the development would not disturb or remove any suitable habitat for bat species, that existing tree cover would remain and be enhanced and that a lighting strategy for the development would minimise light spillage towards planted corridors.
- 6.28 With regard to badgers, the assessment explains that there is evidence of badger movement (well-worn tracks) along the western perimeter of the site, but that the permeability of the development layout, retention of wooded perimeters and forage landscaping would ensure that the site would continue to support badger activity. It also advises that because of the distance of the proposed development from the existing sett within the site, it would be unlikely for it to be impacted by construction works. The report sets out recommendations to protect the welfare of badgers during construction works and landscape enhancement to the benefit of this species.
- 6.29 The Council's Ecology Officer has considered the contents of the submitted ecological assessment and is satisfied that no detrimental impacts to habitats or protected species are expected as a result of the proposed development.
- 6.30 The proposal would result in a net increase in residential accommodation

within the Solent SPA buffer zone. Provided the mitigation required by the Solent SPA SPD is secured before any permission is granted, it is considered that the proposal would not result in any significant impacts on, or harm to, the Solent SPA site.

- 6.31 Having regard to the above, it is considered that provided the recommendations set out within sections 8 and 9 of the submitted ecological assessment are secured by planning conditions and that the SPA mitigation is secured before permission is granted, the proposal would not be likely to have any harmful effects on protected species or their habitats and would take the opportunities available for enhancing the ecological and biodiversity interests of the site in accordance with the aims of policies DM2 and DM12 of the CS and the NPPF.

Impact on neighbouring properties

- 6.32 The proposal has raised a number of concerns from residents, which relate to the effect of the proposed development on neighbouring properties in terms of:

- Visual dominance;
- Loss of outlook/view;
- Loss of light/overshadowing;
- Loss of privacy;
- Noise and disturbance;
- Light pollution.

- 6.33 There would be significant separation distances between the proposed boarding house and surrounding residential properties. This building would be 46m from properties in Spencer Road, 33m from those in Coniston Drive and 42m from those in Westwood Road. Whilst the proposed building would result in a change to the outlook for neighbouring residents, given these distances and having regard to the surrounding residential environment and spacious and verdant setting that would be provided for this building, the scale of the building in relation to neighbouring buildings and the topography of the site, it is considered that the building would not be visually intrusive or dominant when viewed from surrounding properties. Furthermore, neighbouring residents would still benefit from uninterrupted views out of their dwellings and gardens toward the common boundaries with the school grounds. Whilst there may be some loss of views towards the sea for neighbouring residents, this is not a material planning consideration.

- 6.34 Having regard to the separation distances between the proposed building and neighbouring properties and the scale of the building, it is considered that it would not result in any significant or harmful loss of daylight or sunlight to neighbouring dwellings or gardens. In terms of the proposed tree planting on the boundaries of the site, this could be controlled through a condition to

ensure that trees to be planted on boundaries with neighbouring residential properties would be of a size and species suitable to visually soften and screen the development but without conflicting with, or imposing on, the use of neighbouring gardens.

- 6.35 The separation distances between the proposed building and neighbouring residential properties would be in excess of that normally encouraged between buildings (20m). Given this, it is considered that the proposed building would not result in a level of overlooking or intervisibility with surrounding properties that would be detrimental to the privacy of residents of those properties. In addition, it is considered that the development provides the opportunity to enhance the landscaped setting and boundaries of the site and such landscaping would help to reduce not only the visual impact of the development but also the perception of being overlooked. As such, it is considered that the privacy of neighbouring residents would be maintained.
- 6.36 Concerns have been raised that the proposed boarding use of the site and use of the courts could adversely impact on the peaceful enjoyment of neighbouring residential properties, particularly after school hours and during the night or early morning.
- 6.37 The Council's Environmental Health Officer has advised that whilst there would be some impact on residential amenity insofar as there would be a building in a location where there is not one at present and that the use of this would extend beyond the times that courts and playing fields would be in use, there may be some loss of amenity for local residents, but this would not be significant. Furthermore, he has commented that residential properties are often in close proximity to similar uses (i.e. hostels and hotels) and so it would not be reasonable to object to the principle of this use on noise impact grounds. He has recommended that conditions are used to minimise the effect of the development on neighbouring amenity, including the times when the courts could be used and to restrict the use of the Spencer Road access.
- 6.38 The proposed use of the boarding house could potentially require the installation of additional plant (i.e. air conditioning units). Whilst no details of such facilities have been provided with this application, a planning condition could be used to ensure that no additional external plant, which could potentially cause noise disturbance to neighbours, is installed without the approval of the LPA.
- 6.39 A number of residents have pointed to a recent appeal decision relating to a site in West Lancashire where an Inspector dismissed an appeal relating to a proposed change of use from a single dwellinghouse (C3) to a small shared house (HMO – C4) to provide student accommodation for a nearby university. This appeal is not directly relevant to the application currently before the Council and cannot be directly compared to the circumstances of this case.

The circumstances of that site and area will be different to this site and the surrounding area, for example, in the appeal case permitted development rights had been removed for the proposed change of use, which in many places, including on the Island, such a change of use could often occur without planning permission being required from the Council. In addition, in that case, the Inspector found clear evidence that students were having an adverse effect on the amenities of the area and neighbouring residents. In the case of Ryde School, evidence provided during this application from local residents would seem to suggest that the school promotes itself as a good neighbour and takes action to address issues which may be affecting the living conditions/environment of neighbouring residents. No clear evidence has been provided by residents that the existing school use of this site has a harmful effect on neighbouring residential amenity or that the management of the school site is ineffective with dealing with any such issues which may arise from time to time. Therefore, it is considered that the appeal case referred to should be treated with caution and cannot be given any weight in the determination of this application, which must be determined on its own merits and on the basis of the specific circumstances of the site and surrounding area.

- 6.40 Given the proposed access road would be used for emergency and service/maintenance vehicle access only and that the existing track could be used in this capacity at present, it is considered that the use of this road as proposed would not harm neighbouring amenity.
- 6.41 Taking into consideration the comments made by Environmental Health, that the proposed use would be a residential use in connection with the existing school use of this site, and that no evidence has been presented that the existing school use of the site, or management of that use, seems to cause harm to the living conditions of neighbouring residents at present, it is concluded that the proposal, subject to the recommended conditions, would be unlikely to result in harm to neighbouring amenity in terms of noise and disturbance.
- 6.42 The proposed development would inevitably require some external lighting along the access path/road and around the proposed building for safety and security purposes. However, such lighting could be designed to minimise light spillage, direct light to building entrances and exits and away from boundaries with neighbouring residential properties. An external lighting scheme for the site can be agreed through a planning condition. No floodlighting for the proposed courts has been proposed as part of the current application and a condition could be imposed ensure that any floodlights that may be required at a later date to service these courts is first approved by the LPA, to ensure neighbouring amenity would be protected. In terms of internal light, this is a residential area where light emanating from neighbouring properties would not be an uncommon sight. Whilst it is appreciated that concerns have been raised regarding the scale and dominance of the building and the number of windows

that would be within the building, given the separation distances between the proposed building and neighbouring residential properties, existing tree screening and additional tree planting that could be secured as part of this development, it is considered that internal lighting from the proposed building would be unlikely to harm the reasonable use and enjoyment of neighbouring residential properties. The Council's Environmental Health Officer has advised that in terms of internal lighting, whilst this would be visible from surrounding residential properties, it is unlikely to cause a problem/nuisance as it would not be at a level which would illuminate neighbouring property.

- 6.43 Whilst there would be some identified impacts to neighbouring amenity as a result of the proposed development, subject to the recommended conditions, it is considered that such impacts could be limited to an acceptable level. In addition, there is no evidence to suggest that the proposed use could not coexist with surrounding residential properties, given the existing school use of the site. Therefore, it is concluded that the proposal would not harm neighbouring amenity, which would be maintained in accordance with the aims of policy DM2 of the CS and the NPPF.

Highways considerations

- 6.44 The proposed boarding accommodation would be accessed via the existing western access to the site off Queens Road and it is envisaged that boarders would typically be transported to and from the site at the beginning and end of each term using the existing car park as a pick-up and drop-off area. Island Roads has advised that the existing Queens Road access meets current design standards.
- 6.45 The Highway Engineer has advised that the access arrangement is acceptable and would allow for emergency and service vehicles to turn within the site so that they may enter and leave in a forward gear. It is however recommended that further construction details of this road, including its gradient and method of drainage, and its junction with Spencer Road be agreed. These details can be secured by planning conditions.
- 6.46 It is acknowledged that during AM/PM peaks the highway network within the vicinity of the site experiences capacity issues. However, it is not anticipated that the proposal would result in increased daily vehicle movements to and from the site. This is mainly due to the nature of the accommodation which seeks to enable students to live on the site at their place of study. Given that the pupil limit for this school site as set by the Department of Education is 856 and that currently only 743 are enrolled at the school, it is considered that an additional 43 students could be enrolled at the site, which could see an increase in traffic movements irrespective of the proposed development. Taking this into account, and given that the proposed accommodation would be likely to see a reduction in daily traffic to and from the site, it is considered

that the proposal would not be likely to have a negative impact on the capacity of the surrounding highway network.

- 6.47 The proposal would not provide any additional parking within the school site to specifically service the proposed boarding accommodation as essentially this accommodation seeks to provide on-site residential accommodation for students, which would minimise the need for those students to travel to and from the school site. Island Roads has confirmed that this approach is acceptable. However, it is recommended that provision is made for on-site cycle parking/storage to promote sustainable means of travel outside of the school day. This can be secured by a planning condition. Subject to this condition, it is considered that the proposal would reduce the need for these students to travel by car on a daily basis and would promote sustainable travel in line with the aims of policy DM17 of the CS and the NPPF.
- 6.48 Given the above, it is concluded that the proposal would provide safe access and would not have a negative impact on the highway network in accordance with the aims of policies SP7, DM2 and DM17 of the CS and the NPPF.

Other issues raised

- 6.49 The concerns of residents in relation to drainage and localised flooding issues are acknowledged. The submitted drainage strategy, explains that surface water would be discharged to the existing ditch that runs along the western side of the existing Spencer Road access and that foul flows would be directed to the existing combined drain in Spencer Road. This strategy states that the use of permeable surfaces for the netball courts would help reduce flows to this ditch, but if infiltration is not possible, on-site attenuation and flow controls would need to be put in place to ensure that surface water flow rates to this ditch would not exceed the current limit. Whilst it is appreciated that the precise details of the proposed drainage scheme for this development is somewhat vague at this stage, it is considered that planning conditions can be used to ensure more specific details are submitted by the applicant to demonstrate that the proposed scheme would be adequate to service the development and to ensure that surface water flow rates from the development would not exceed those rates prior to the development in accordance with the aims of policy DM14 of the CS.
- 6.50 With regard to local residents' human rights, it is considered that, for the above reasons, any interference with those rights as a result of the development would not be harmful to the living conditions and amenities of neighbouring residents and would be outweighed by the public interest and benefits of the development in terms of the enhancement of this school site and its facilities.

7. Conclusion

7.1 For the above reasons, it is considered that the proposal would:

- comply with planning policy in terms of the location of development;
- promote the growth and development of the existing school;
- preserve and/or enhance the settings of the listed buildings, in particular, Westmont and Coniston House, and the character and appearance of the Ryde Conservation Area;
- have appropriate regard to existing trees and ecological interests and would take the opportunities available for enhancing the arboreal character of the site and ecology/biodiversity;
- maintain neighbouring amenity;
- promote safe access to the site and not negatively impact on the existing highway network.

Therefore, whilst the proposal would result in change to the existing school site and the outlook for surrounding neighbouring properties, it is considered that, having regard to the “planning balance”, the proposal would be sustainable development in accordance with the provisions of the development plan and the NPPF.

8. **Recommendation**

8.1 Conditional Permission.

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:

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

In this instance the applicant was:

- provided with pre-application advice;
- given the opportunity to amend and provide additional information during the course of the application;

Following the submission of revised plans and additional information, the application was considerable acceptable.

Conditions

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

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

- 2 Except for the details approved in accordance with conditions 4 to 10, the development hereby permitted shall only be carried out in complete accordance with the submitted Ecological Impact Assessment, dated March 2017, and the details shown on the submitted plans, numbered:

PL001 Rev C	Location Plan
PL004 Rev F	Proposed Site Plan (North)
PL005 Rev C	Proposed Site Plan (South)
PL010 Rev C	Ground Floor Plan
PL011 Rev C	First Floor Plan
PL012 Rev C	Second Floor Plan
PL013 Rev D	Roof Plan
PL020 Rev D	Elevations Sheet 1
PL021 Rev D	Elevations Sheet 2
PL030 Rev D	Site & Floor Levels
PL031 Rev D	Site Section (N-S)
PL050 Rev A	Elevational Details
20548/4	Fire Appliance/Refuse Vehicle Access
20548/5	General Arrangement Access/Highways

Reason: For the avoidance of doubt, to ensure the satisfactory implementation of the development and to ensure any impacts to protected species would be avoided in accordance with the aims of policies DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

- 3 Development shall not begin until a Construction Management Plan, which details how construction traffic and operations would be managed for the duration of the development to minimise any impacts to the condition and use of the public highway network and noise and disturbance from construction activity on neighbouring residents has been submitted to and approved in writing by the Local Planning Authority. The plan shall provide for:
 - i. deliveries, loading and unloading of plant and materials;
 - ii. storage of plant and materials used in construction of the development;
 - iii. wheel washing/road cleaning facilities.

The agreed plan shall be adhered to throughout the development.

Reason: This is a pre-commencement condition to ensure that measures would be taken throughout the development to protect the condition and use of the public highway network and to ensure that noise and disturbance to neighbouring residents as a result of construction activity would be minimised in accordance with the aims of policies SP7 (Travel), DM2 (Design Quality for New Development) and DM17 (Sustainable Travel) of the Island Plan Core Strategy.

- 4 Notwithstanding the submitted details, development shall not begin until an Arboreal Method Statement, which details (1) how trees would be protected for the duration of the development; (2) how works would be carried out to minimise impact to existing trees, shown to be retained on drawing WIT-16-19-018-TWP; (3) construction of the new access road in the vicinity of trees, in particular T1-T12; (4) any trees works necessary to facilitate the development; and (5) incorporates the recommendations set out in section 5 of the submitted Tree Report and Arboricultural Impact Assessment, dated 22 February 2017, numbered: WIT-16-19-011-aia, has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure appropriate regard would be had to the constraints of existing trees and to protect the arboreal character and setting of the site and the Ryde Conservation Area in accordance with the aims of policies DM2 (Design Quality for New Development), DM11 (Historic and Built Environment) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy and the National Planning Policy Framework and the requirements of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

- 5 Construction of the access road, paths, building and courts hereby permitted shall not begin until details of the means of disposal of surface water and foul drainage from the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include an assessment of the potential for surface water to be disposed of by means of sustainable drainage systems (SuDS), evidence that any SuDS would have the capacity to accommodate the surface water flows from the development, and details of how any SuDS would be managed and maintained in the future. If it is proposed to connect to the existing public sewer, details of proposed connection points to the existing public sewer together with evidence and calculations, as well as details of any proposed attenuation and/or flow controls, should be submitted to demonstrate that the public sewer would have capacity to accommodate flows from the development. Evidence shall also be provided to demonstrate that the surface water flow rates from the site after the development would not be greater than the surface water flow rates from the

site before the development took place. The approved drainage works shall be carried out and completed before the access, boarding house and courts are brought into use.

Reason: To ensure that the development would make adequate provision for the disposal of surface water and foul water and would not increase the rate of surface water flows across the site in accordance with the aims of policies DM2 (Design Quality for New Development) and DM14 (Flood Risk) of the Island Plan Core Strategy.

- 6 Construction of the boarding house shall not begin until details of the materials and finishes to be used in the construction of the external surfaces of this building 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: To ensure the character and appearance of the Ryde Conservation Area would be preserved and enhanced in accordance with the aims of policies DM2 (Design Quality for New Development), DM11 (Historic and Built Environment) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy and the National Planning Policy Framework and the requirements of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

- 7 The alterations to the site access from Spencer Road and construction of the associated access road and turning area hereby permitted shall not begin until construction details for this access, road and turning area, including its junction with the public highway and facilities for the drainage and disposal of surface water from this access road and turning area have been submitted to and approved in writing by the Local Planning Authority. This access, access road and turning area shall be provided in accordance with the approved details before the building hereby permitted is occupied.

Reason: To ensure adequate access for emergency/service vehicles to the site, to protect existing trees and to ensure that the character and appearance of the Ryde Conservation Area would be preserved and/or enhanced in accordance with the aims of policy DM2 (Design Quality for New Development) and DM11 (Historic and Built Environment) of the Island Plan Core Strategy, the National Planning Policy Framework and the requirements of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

8 Notwithstanding the submitted details, the boarding house, access and courts hereby permitted shall not be brought into use until details of hard and soft landscaping works and the ecological enhancements set out within the submitted Ecological Impact Assessment, including a timetable for the carrying out and completion of such works, have been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed finished levels or contours; means of enclosure; boundary treatments; pedestrian and vehicular access; hard surfacing materials; refuse and cycle storage (minimum capacity for 10 cycles to be stored); existing trees and planting to be retained and new planting (including the location, number, species, size and density of plants and method of planting). The landscaping of the development and ecological enhancements shall be carried out and completed in accordance with the approved details and at the agreed times. 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 otherwise approved in writing by the Local Planning Authority. The facilities approved and provided in accordance with this condition for recycling, refuse and cycle storage shall be maintained and retained thereafter in accordance with the approved details and shall not be used for any other purpose other than for the approved storage/parking purposes as indicated on the approved details.

Reason: To ensure an attractive appearance for the development, to ensure that tree loss would be mitigated and compensated for, to ensure the character and appearance of the Ryde Conservation Area would be preserved and enhanced, to ensure that opportunities to enhance the ecological and biodiversity interests of the site and the surrounding area would be taken, to protect the amenities of neighbouring residents, and to ensure facilities for the provision of recycling and refuse storage and cycle parking would be provided to service the development in accordance with the aims of policies DM2 (Design Quality for New Development), DM11 (Historic and Built Environment), DM12 (Landscape, Seascape, Biodiversity and Geodiversity) and DM17 (Sustainable Travel) of the Island Plan Core Strategy, the National Planning Policy Framework, and the Council's Supplementary Planning Documents *Guidelines for Parking Provision as Part of New Developments* and *Guidelines for Recycling and Refuse Storage in New Developments*.

- 9 Prior to the installation of any exterior lighting to illuminate the building, courts, or the access road/paths hereby permitted, details of this lighting shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include details of the position, orientation, size, height, type and appearance of the proposed lighting units, luminance level, and details of how the lighting would be installed to minimise or avoid upward or outward light spillage, so far as is practicable. Development shall be carried out in accordance with the approved details. Thereafter no external lighting shall be installed on the exterior of the building or within the site, unless otherwise approved in writing by the Local Planning Authority.

Reason: To protect the amenities of neighbouring residents in accordance with the aims of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy and the National Planning Policy Framework.

- 10 Prior to the installation of any kitchen extraction equipment to service the building hereby permitted, details of the extraction equipment to be installed, including details of any filtration/odour control which may be required and the noise level of that equipment, 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: To protect the amenities of neighbouring residents in accordance with the aims of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy and the National Planning Policy Framework.

- 11 The gates to be erected within the site access from Spencer Road hereby permitted, as shown on drawing 20548/4, shall be installed in accordance with the details approved in accordance with condition 8 before the boarding house hereby permitted is brought into use. Thereafter, these gates shall be maintained and retained in accordance with the approved details and this access shall only be used as an emergency access/exit or to provide access/egress for purposes in connection with the servicing or maintenance of the school site and shall not at any time be used for any other purpose.

Reason: To protect the amenities of neighbouring residents in accordance with the aims of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy and the National Planning Policy Framework.

- 12 The building hereby permitted shall only be used to provide boarding accommodation for students or employees of the school, any dependents of such employees, or visitors to the school and shall not be used for any other purpose, unless that other purpose is ancillary to the principal C1 use of the building hereby permitted. The number of residents of the building shall not at any time exceed 75.

Reason: To ensure a good level of amenity for residents of the building and neighbouring residents in accordance with the aims of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy and the National Planning Policy Framework.

- 13 Deliveries to, or dispatches from, the school site via the Spencer Road access shall not be made between the hours of 2200 to 0700 hours.

Reason: To protect the amenities of neighbouring residents in accordance with the aims of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy and the National Planning Policy Framework.

- 14 The courts hereby permitted shall not at any time be used outside the hours of 0900 to 2200 hours.

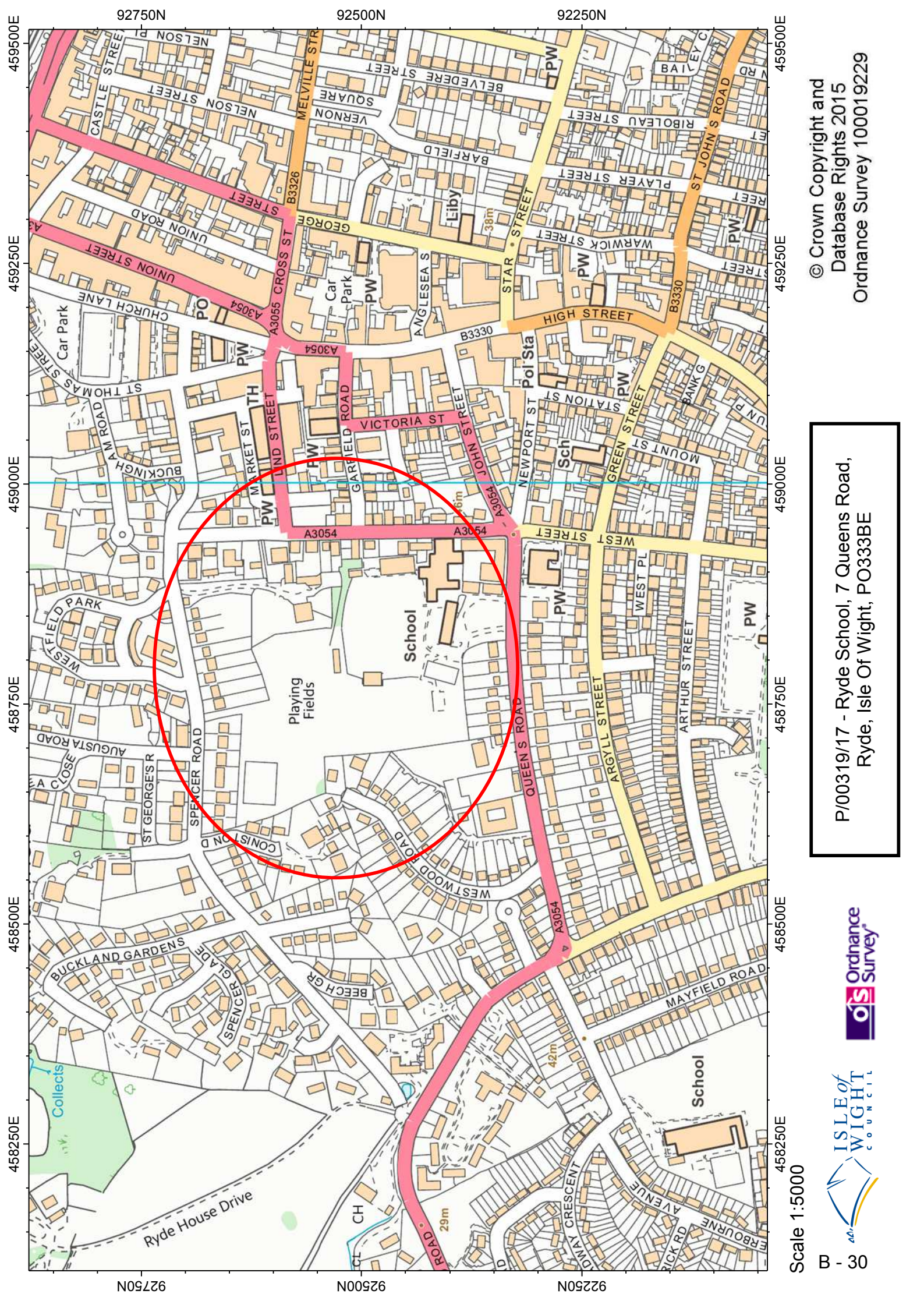
Reason: To protect the amenities of neighbouring residents in accordance with the aims of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy and the National Planning Policy Framework.

- 15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no air conditioning units shall be installed on the exterior of the building hereby permitted and no flood lighting shall be installed within the site (except that authorised by this permission).

Reason: To protect the amenities of neighbouring residents in accordance with the aims of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy and the National Planning Policy Framework.

- 16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development within Class N (hard surfaces for schools, colleges, universities or hospitals) of Part 7 of Schedule 2 to that Order shall be carried out within the root protection areas of trees on or near the western boundary of the school site (other than that expressly authorised by this permission).

Reason: To protect existing high amenity trees from potential damage to health and stability from such development in the interests of the amenity, character and appearance of the Ryde Conservation Area and the setting of adjacent listed buildings 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 the National Planning Policy Framework and the requirements of sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).



P/00319/17 - Ryde School, 7 Queens Road,
Ryde, Isle Of Wight, PO333BE

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Scale 1:5000

B - 03

Reference Number: P/01606/16

Description of application: Proposed extension to existing store; new building for retail and storage; change of use of existing bungalow to cafe and workshops

Site Address: Mole Countrystore, Blackwater Road, Newport, Isle Of Wight, PO303BG

Applicant: Mr D Willard, Leigh Thomas & Co Ltd

This application is recommended for Refusal of planning permission

REASON FOR COMMITTEE CONSIDERATION

The Local Member, Cllr. Mosdell has requested that the application be determined by the Planning Committee as she considers greater weight should be given to the potential enhancement to the economic health of the Island economy, in line with Tourism objectives.

Cllr. Mosdell also comments that; the existing bungalow, that is suggested should be demolished is in a poor state of repair, the site already has a reasonably large established business with a strong rural character, and the proposed extension including a café and rural craft workshop will add to the year round tourism offer of the island, and provide local permanent full and part time jobs.

MAIN CONSIDERATIONS

- Principle, including retail considerations
- Impact on the character of the area
- Highway considerations
- Other matters

1. Location and Site Characteristics

- 1.1. The application site is located on the western side of Blackwater Road, approximately 3km to the south of Newport, and 100 metres from Blackwater Corner junction whereby Blackwater Road meets Blackwater Hollow.

- 1.2 The overall site is approximately 1hectare in size, although the application site is a smaller part and represents an area of 0.51 hectares. The site is bounded to the east by Blackwater Road, to the south by properties known as the Lodge, the Cot, Blackwater House, Applewood House and Fairways. To the north lie South Cottage and Swiss Cottage, while the cycle track denoting the far western boundary.
- 1.3 Within the site are a series of existing structures which are occupied by Mole Valley Farmers which is a retail enterprise stocking a variety of goods linked to countryside activities including living, working and recreation. The site is best described as an isolated commercial site within a rural location and not a “rural retail centre” as described within the application. The site comprises a commercial activity, which has evolved over-time as a result of incremental changes. There is a car parking and turning area to the frontage of the site.

2. Details of Application

- 2.1 The application seeks full planning permission for an extension to the existing store, along with the provision of a new building for retail and storage use, and a further change of use of an existing bungalow to provide café and workshop spaces. The application details the intention for Bayliss & Booth to be relocated to the site to operate alongside the continued and expanded operation for Mole Valley Farmers.
- 2.2 The proposed extension would have a footprint of approximately 12m x 20m. It would have a ridge of 7.1m and is shown to be finished in timber cladding under a standing seam metal roof.
- 2.3 The new building would have a footprint of approximately 11m x 20m. It would be 5.6m to eaves with a ridge of 8.3m. The building is shown to be finished in timber cladding under a standing seam metal roof, with the eastern elevation designed to incorporate a gabled feature to provide a defined entrance to this unit.
- 2.4 The proposals would see an existing bungalow (located at the rear of the site) incorporated into the activities proposed for the site through its conversion and attachment (via a glazed link) to the proposed new building. It is not proposed to make any external changes to the bungalow, with the existing floorspace being converted into a café, staff facilities, offices, workshops and storage in connection with the proposed operation by Bayliss & Booth.
- 2.5 The submitted plans identify that a total of 65 car parking spaces would be provided, comprised of 21 in the lower car park, 28 in the upper and

16 staff spaces. These areas would be served using the existing vehicular access arrangements. The frontage of the site with the Blackwater Road would be remodelled to relocate and improve bus stop facilities and provide a pedestrian access from this point.

3. Relevant History

- 3.1. Whilst there have been more recent applications relating to the provision of advertisements at the site, in connection with the current site operators, these applications are considered to be of no material relevance to the current proposals. There is therefore considered to be no relevant planning history.

4. Development Plan Policy

National Planning Policy

- 4.1. National Planning Policy Framework.
- Section 1; Building a strong, competitive economy
 - Section 2; Ensuring the vitality of town centres
 - Section 3; Supporting a prosperous rural economy
 - Section 4; Promoting sustainable transport
 - 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
- SP3 Economy
- SP7 Travel
- DM2 Design Quality for New Development
- DM8 Economic Development
- DM9 Town Centres
- DM10 Rural Service Centres and the Wider Rural Area
- DM12 Landscape, Seascape, Biodiversity and Geodiversity
- DM17 Sustainable Travel

- 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.

5. Consultee and Third Party Comments

Internal Consultees

- 5.1 The Highway Engineer on behalf of the Highway Authority has raised no objections to the proposals and recommended conditional permission.
- 5.2 The Council's Tree Officer raises no objections subject to conditions relating to agreement of soft landscaping proposals.
- 5.3 The Council's Environmental Health Officer has identified that there are no concerns regarding contaminated land and the impact on this development.
- 5.4 The Council's Ecology Officer has raised no objection to the application.

External Consultees

- 5.5 The Environment Agency raises no objections to the proposals.

Parish Council Comments

- 5.6 Arreton Parish Council has advised that they support the principle of this development and the re-use of existing buildings. However, concerns are expressed regarding highway safety, and whether the proposed pedestrian route would connect to the cycletrack.

Third Party Representations

- 5.7 1 letter of comment (objection) requests that the following matters be considered:
- Too large and out of keeping with the locality
 - Traffic concerns and difficulty accessing the site
 - The café should only be open during normal business hours
 - An environmental survey is required as the land around the bungalow has been undisturbed for a number of years.
- 5.8 19 letters of support have been received. In the majority these support Bayliss & Booth as an operator and make many positive comments about the owners and the benefits of reducing deliveries. Additional comments include the potential for additional employment (including apprenticeships), that the location is appropriate for this sort of enterprise and will attract passing trade, and that the proposal will create a new destination.

- 5.9 1 letter of comment suggests that the application does not go far enough in terms of encouraging sustainable transport or encouraging access to the site by alternative means.
- 5.10 The Chamber of Commerce supports and encourages growth in development in rural areas. Bayliss & Booth are an established Island company and their need to growth is supported, subject to their application meeting all statutory IWC planning criteria and being of an acceptable overall impact.
- 5.11 Cycle Wight has advised that they are supportive of rural commerce and are pleased to see cycle parking provision within the development. Access from the cycletrack should be considered as this is seen as a missed opportunity which could add value to the proposals in terms of attracting visitors.
- 5.12 The Badger Trust has advised that they are aware of badger activity in the locality, and request a full ecology survey and assessment is undertaken.

6. Evaluation

Principle, including retail considerations

- 6.1 The application seeks consent for an extension to the existing building to allow for an expansion of the existing operator and a new building to provide for the relocation of Bayliss and Booth, who are currently located within Riverway Industrial Estate. The new building would be connected to the existing bungalow on site, which would be renovated not demolished, by way of a glazed link. The converted bungalow would provide space for a café and workshop.
- 6.2 Bayliss and Booth are described within the submitted Design and Access Statement as *“antiques and interiors specialist retailers, who have found Newport restrictive in terms of availability of suitable (suitably priced) space with customer parking, are also looking for sufficient space to accommodate 220m² (GEA) of flexible, open plan sales area, with additional 113m² of mezzanine storage area and separate rooms to offer selected workshops in home crafts such as upholstery, painting, curtain making etc., café and seating area for refreshments”*.
- 6.3 Policy SP1 sets out the main locations where it is expected that the majority of development will occur over the lifetime of the development

plan. For the purposes of SP1 the site is within the Wider Rural Area. Within these areas development proposals will not be supported, unless a specific local need is identified.

6.4 Policy DM9 outlines that new retail development will be expected to be located within the Town Centre Boundary before edge-of-centre and out-of-centre sites are considered. Any proposals for retail development which falls outside of the identified town centre boundaries will be assessed on a sequential and impact basis as outlined in national policy. There is no question that the site is out of centre.

6.5 In respect of national policy paragraph 24 of the NPPF sets the basis for the sequential test:

"Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale."

6.6 Paragraph 27 makes it clear that *"where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the above factors, it should be refused."*

6.7 For applications relating to out of centre sites, the sequential test in the NPPF requires the search process to include all other potential out of centre sites (as well as ones in the sequentially higher categories of "in centre" and "edge of centre"), and a comparative assessment of all such out of centre sites, to identify whether any such sites should be "preferred" on the basis of better accessibility or connectivity to the Primary Shopping Area.

6.8 In applying the Sequential Test (as per paragraph 24 of the NPPF and the requirements of DM9 of the Island Plan), a key concept is the definition of the "primary shopping area". This concept is a key ingredient of the NPPF's approach to defining "edge of centre" sites and so by implication the extent of the "centre" and the location of "out of centre" sites. The Local Planning Authority has previously accepted that the Core Strategy does not define a 'Primary Shopping Area'. A judgement therefore has to be made, having regard to the practical position on the ground as well as to other relevant factors, in order to assess the extent of the 'primary shopping area'.

- 6.9 The approach in the NPPF to determine the sequential status of sites starts with the "primary shopping area". For retail development, "well connected" sites within 300 metres distance of the "primary shopping area" are "edge of centre" sites and sites further away (or sites that are not well connected) are "out of centre" sites.
- 6.10 It is clear from the NPPF that a "primary shopping area" is where retail development is concentrated and will include both "primary and those secondary frontages which are adjoining and closely related to the primary shopping frontages". The Local Planning Authority has previously accepted that this is likely to be more extensive than the defined "primary retail frontages" of the Core Strategy because the NPPF definition also takes account of connected secondary frontages.
- 6.11 Having assessed the particular characteristics of Newport, and the position of no continuous retail frontages it is considered by officers that the boundary is defined by Crocker Street to the north (between lower St. James Street and Holyrood Road), Holyrood Street to the east, the bus station to the south and Mill Street to the west. This area is considered to represent a suitable proxy for the outer limits of the "primary shopping area", and this is therefore used as the starting position in relation to the examination in relation to compliance with the NPPF.
- 6.12 The application has been supported by a sequential test. However, this is considered to be flawed and insufficient to justify the proposals. Officers are not satisfied that the assessment has included all available premises, does not demonstrate sufficient flexibility to comply with the guidance or sufficiently justify the 'catchment area' needing to be limited to the 'central Island'.
- 6.13 Although the sequential assessment considers fourteen vacant units in Newport town centre and discounts them all due to being 'too small', in the main this point is not disputed but, other units are not considered, such as the former BHS building and the former Poundshop, to refer to just two. Furthermore, the assessment discounts the vacant PC World store, due to it being too big. However, there is an application currently being considered for this unit to be sub-divided into smaller units, which could be more suitable for the proposed use. Such space is considered to be potentially available in a reasonable period of time and would be sequential preferable.
- 6.14 In addition, whilst the sequential test considers sites in Newport town centre and edge of centre as well as out of centre of Newport and Cowes, other areas of the Island have not been considered. Although it

is acknowledged that the existing Bayliss and Booth premises are located in Newport there is no clear reasoning as to why they requires a central Island location, considering the Islandwide nature of the customer base. The proposed unit itself being so far from the town.

6.15 Paragraph 24 of the NPPF states that, in applying the sequential test “Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale”. Officers raise concerns regarding the lack of flexibility and therefore would asked a number of questions in respect of this issue, including:

- Why the premises would need to be located within a ‘central island location’?
- Why the level of floor space outlined is required to be between 185sqm and 278sqm, as these are quite different?
- Why the 28sqm workshop would need to be located within the same building as the retail element of the scheme?
- How they quantify ‘visible location’ and why this is required based on the very specialist nature of the user?
- Why the café element is required in the same building or to be the size proposed given that it is a new element of the business?

These points have not been sufficiently addressed by the submission.

6.16 Expanding on the point above officers consider that there is insufficient information supporting the application to justify why the uses cannot be disaggregated or provided in an alternative form, for example with the café and workshop being provided in a separate building to the retail element, considering the nature of processes they wish to undertake, that would require the workshop. The reasoning presented being to reduce ‘unnecessary journeys’.

6.17 In light of the above and the lack of flexibility in respect of user requirements, disaggregation and location officers are not satisfied that the sequential test has been passed and the application must therefore be refused.

6.18 Irrespective of the above concerns the proposed development is also considered to be contrary to SP1, as no justification has been provided for the need for the proposed development to be located in the wider rural area. The Design and Access Statement submitted states that the site is “Sparsely populated and completely rural with an emphasis on agriculture, there are large fields and few trees in this area except in the river valleys.” The proposed use is not considered to require a rural location. The existing retail use of the site is used by Mole Valley Farmers who stock a range of countryside and rural products, ranging from farming and equine supplies.” This specialist retail use can be

justified in a rural location. It is not considered by officers that the proposed antique and interiors retailer specifically require a rural location.

- 6.19 Information has been submitted by the Agent for the applicant suggesting that the LPA have approved rural retail units in the vicinity of the site, which in their opinion have set a precedent for the expansion of this site. In the first instance it is noteworthy that there is no precedent in planning, with all application being determined on their individual merits. Furthermore, the examples provided, in the main, relate to farm shops, nurseries and sites where the products are being grown etc. on site or where the site is more established than simply a retail premises (such as Arreton Barns). This is not the case in respect of the end user in this instance, and does not justify a new retail building in this location. It is therefore considered that this information has little to no weight in the determination process.
- 6.20 Information submitted with the application also eludes that the proposed use would go beyond retail and would present a tourism destination, due to the proposed craft workshops and intention to host events to promote local artisans/artists and local craftsman. The primary use of the premise would remain retail. Officers do not accept that this is a justification as to why the use would need to be in this rural location.
- 6.21 Although much has been made of the end user of the proposed new building, being Bayliss and Booth, as their needs have to be taken into consideration through the sequential test, it should be noted that the proposal is in essence an application for a retail unit, café and workshop space. Should members seek to approve the application, it would be unreasonable to restrict the use of the resultant premises to the specific end users and knowing the nature of the products sold it would also not be possible to restrict the sale of goods to 'bulky goods' only. Therefore, should permission be granted it would result in an unrestricted retail unit in a rural location, which is considered by officers to be entirely unacceptable. Therefore little weight should be attributed to the name of the operator or the success of their business.
- 6.22 The application includes for an extension to the existing store. Although the principle of expanding the existing business on site is not unacceptable in planning terms, as this is not subject to the same tests as a new retail premises, officers would raise concerns that there are already a number of buildings on site which have been utilised for the business and have not received any information with regards to the need for this element of the scheme. The impact of this element of the scheme could be balanced against a justification for the need for the extension. This has not however been submitted therefore officers

would raise concerns with regard to the further expansion of the retail use of this site by way of a large extension.

Impact on the character of the area

- 6.23 Policy SP5 of the Island Plan supports proposals that protect, conserve and / or enhance the Island's natural environment and protect the integrity of international, national, and local designations. In addition, policy DM2 requires development proposals to have regard to existing constraints such as adjacent buildings, topography, views and other features that significantly contribute to the character of the area and complement the character of the surrounding area.
- 6.24 The application site is located within a rural area, which forms part of the wide plateau of farmland either side of the River Medina. Land to the east of the site begins to rise towards St Georges Down and is characterised by increasingly steep areas of down land. To the west of the site the land is more level, with a gradual slope down to the River Medina, which is 120m west of the application site. This area is characterised by a mix of pasture and arable farmland that is enclosed by established hedgerows and areas of woodland.
- 6.25 The application site is located within an area that comprises loosely laid out development with houses immediately to the south of the site and further housing a greater distance to the north. The site itself includes two existing larger shed style retail buildings and a brick built run of buildings along the southern boundary that includes a further retail element. These buildings are set back from the road with a parking area to the front.
- 6.26 The submitted plans show that the proposed extension to the existing building would be extensive and effectively double the length of the front and rear elevations of the building. The extension would read as two barn style buildings, with gables facing the car parking area and highway, along with a main entrance and areas of glazing. Officers raise no concerns in respect of the overall design of the extension, given that the design approach would be in keeping with that of existing buildings at the site.
- 6.27 Officer site visits have shown that the proposed additions to the building would not be readily visible from viewpoints to the west, such as Sandy Lane and the cycle path that aligns the River Medina. This is because the cycle track is aligned by mature trees, as is the western boundary of the application site.
- 6.28 The site is visible from the sloping down land to the east of the site,

although views are interrupted by trees that align Blackwater Road and the trees that align the public footpath that traverses the summit of St Georges Down. When seen, the site is seen at distance within a wider panorama and therefore, it is considered that the proposed extensions and parking area would not result in harm to the AONB landscape or the slopes of St Georges Down.

- 6.29 The site is readily visible from the adjacent highway (Blackwater Road) from where the front and side elevations of the proposed buildings would be apparent. From here, the new extended building would appear as an extensive structure, with wide front elevations and deep, high side elevations and roofs.
- 6.30 While Officers appreciate that the current Mole shop is a large structure, it retains an agricultural character and its elevations drop gradually in height to the west due to the sloping nature of the site. Moreover, the gables run parallel to the highway and therefore decrease the massing of side elevations. This reduces the visual impact of the building when seen from the highway and within the site.
- 6.31 The proposed extension would comprise wide and high elevations that would exceed the massing of the existing building and appear excessive and dominant when seen from the highway and within the site. The plans show that the front elevation of the building would be effectively doubled and Officers consider that this would result in a building that would appear dominant when seen from the highway and within the site. Given the lack of significant development in this location and the rural character of the area, it is considered that the combined width of the front elevation would harm the rural character of the area and result in a development that would be more akin to an urban area.
- 6.32 The central section of the extension would share a similar height to that of the existing shop, however the northern wing of the building would be far higher and this when combined with the excessive width of the front elevation would compound the dominant and harmful nature of the development. Unlike the existing building, the side elevations and roof lines of the proposed extension would not include gradual drops in height. Instead, they would appear deep and high and therefore, increase the impact of the development when seen from approaches along Blackwater Road.
- 6.33 In addition, the submitted plans show that the front of the site would include significant parking areas, which would wrap around the front and side of the extension. This would significantly increase the developed form of the site and exacerbate its urban and discordant appearance within this rural area. When seen from the highway, the combination of

the large retail units, significant parking areas and parked cars would change the current discreet nature of the site, to one that would appear dominant, urbanising and harmful within this rural area.

- 6.34 As a result, it is considered that the proposed development would be contrary to the requirements of policies SP5, DM2 and DM12 of the Island Plan. Given the lack of justification for the local need for the development, as explained within the principle section of this report, it is considered that there would be no overriding economic benefits for the rural economy that would outweigh the landscape harm that would be caused by this development.

Highway considerations

- 6.35 The existing site benefits from an established vehicular access from the A3020 (Blackwater Road) which is a classified road forming part of the Island's strategic network. The road immediately outside the site forms part of the 40mph restriction. There is also a right-hand turn lane serving the site, and there is a bus-stop adjacent to the site.
- 6.36 The proposed development would continue to utilise the existing access to the site, although the frontage of the premises would also be remodelled to improve visibility and to improve the bus-stop facilities along with making improvements to pedestrian connectivity.
- 6.37 The Highway Engineer from Island Roads has advised that conditional permission is recommended. They identify that the proposals would see an improvement to the visibility for the access as a result of the repositioning of a telegraph pole which presently sits within the required splays. The junction design and parking arrangements would meet the required standards and would be sufficient to allow vehicles to enter and exit the site in forward gear. It is accepted that there would be an increase in vehicle movements, but this would be less than a 1% increase on the existing traffic using this part of the network and thus would not result in a significant impact.
- 6.38 The proposals would also result in a level of parking which is considered in line with the requirements of the adopted SPD.
- 6.39 The proposals would secure improvements to the bus-stop facilities, which would include providing refuge areas and provision of formalised shelters. These improvements would require a S278/38 agreement as well as being secured by conditions. Appropriate pedestrian improvements to connect the site to these facilities would also be secured.

- 6.40 Based on the above, the proposals are considered to be appropriate in respect of highway safety.
- 6.41 However, it is noted that the proposals do not propose any significant enhancements to wider pedestrian or cycle connectivity, this is a point which has been highlighted within representations received on the application. Although the site is located within proximity of the cycletrack (which links the Bay and Newport), the site is disconnected and disjointed from it. Further, general pedestrian connectivity is limited by virtue of the heavily trafficked nature of the surrounding highways and lack of footpaths. Officers would advise that this further reinforces concerns regarding the suitability of the site for an increased level of commercial activity. The positive comments on the application and the supporting information within the proposal, identifies the potential for increased “passing trade” and the potential for the site to become a destination. Officers would argue therefore that in the absence of appropriate forms of alternative connection including pedestrian routes and cycleways, there must be a question as to whether this is an appropriate use within this location. In short, whilst the site would be accessible by alternative means, including bus users, the site would be heavily reliant upon access via the private car, and therefore concerns relating to general sustainability are raised.
- 6.42 It should be noted that Paragraph 24 of the NPPF states that *“When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre.”* Moreover, in compliance with the NPPF, the Island Plan requires development to be located within sustainable locations. It is considered that the application site is not within a sustainable location, given its lack of transport links and the reliance on car travel.
- 6.43 Officers consider that given the above, this proposal is not suitable or appropriate for this location, and would fail to comply with the objectives of policies SP1 (Spatial Strategy) and DM17 (Sustainable Travel) and paragraph 24 of the NPPF.

Other comments

- 6.44 The application would result in the loss of a row of trees, which currently sit adjacent to the building and provide a clear distinction between the built form and the fields beyond. However, due to these trees being conifers and the ease by which these could be re-established their loss is not considered to be unacceptable in principle.
- 6.45 The Badger Trust and an objector have suggested that the application should be supported by an ecological assessment, due to badgers in the

vicinity of the site. When giving due regard to the fact the site is already well used and significant impacts to badgers are unlikely (no known setts are present on site, the site does not cause a break in connectivity to the surrounding landscape and a loss of potential forage area is minimal). Officers do not therefore consider the nature and scale of the development would require such an assessment to be submitted. However, if members were minded to approve the application an informative could be included drawing the applicants awareness to badgers being known to be within the vicinity of the site.

7. Conclusion

- 7.1 Having given due regard and appropriate weight to all material consideration and relevant policies officers do not considered that the application can be supported, as it fails the sequential test and would result in unsustainable development in a rural area, which does not require such a rural location, contrary to policies SP1 and DM9 of the Core Strategy.

8. Recommendation

- 8.1 Refusal

9. Statement of Proactive Working

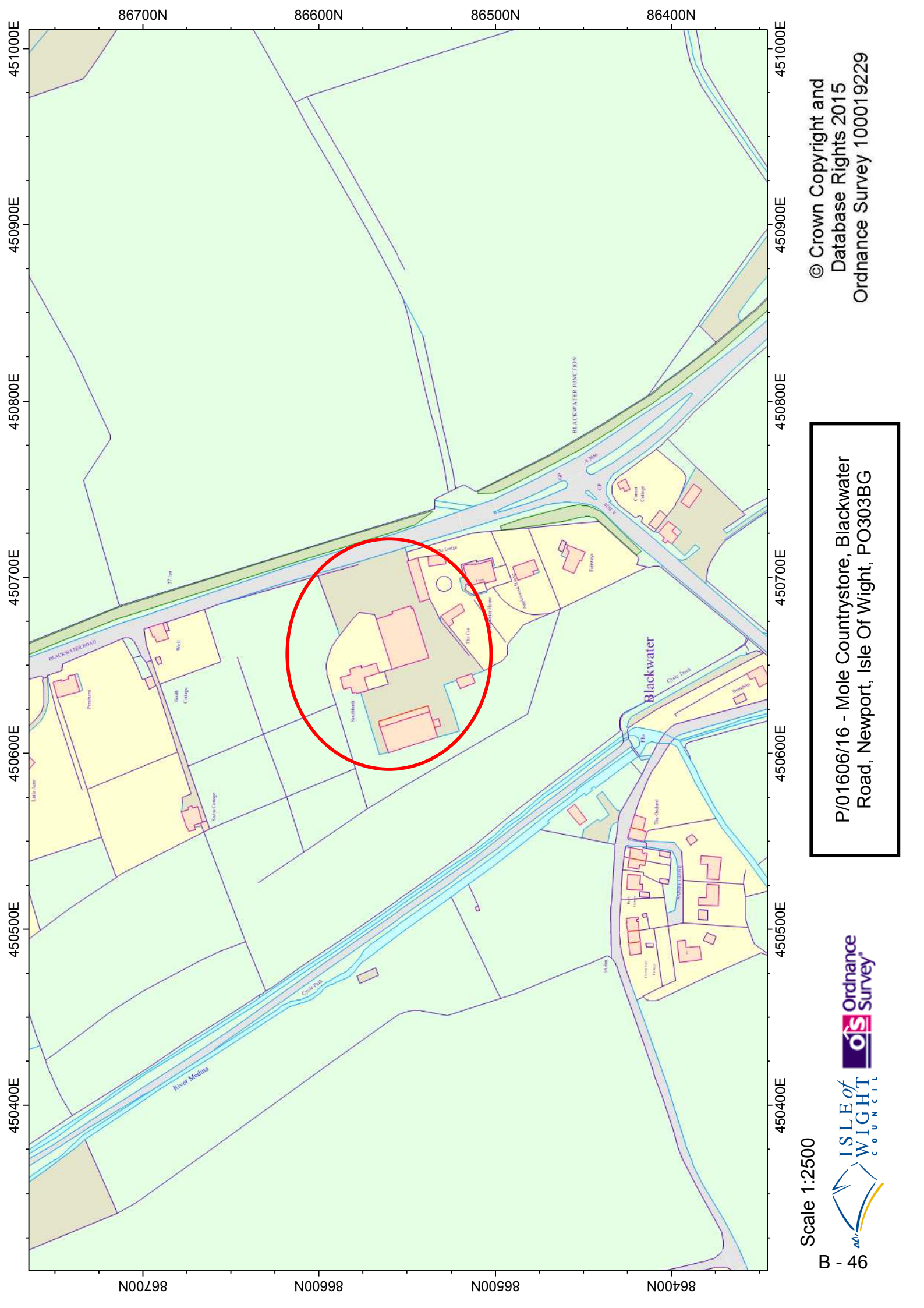
- 9.1 In accordance with paragraphs 186 and 187 of the NPPF, the Isle of Wight Council takes a positive approach to development proposals focused on solutions to secure sustainable developments that improve the economic, social and environmental conditions of the area in the following way:

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

In this instance the applicant was updated of any issues after the initial site visit and through the course of the determination process but the application was considered to be an unsustainable form of development and unfortunately these issues could not be resolved.

Conditions/Reasons

- 1 The application does not adequately demonstrate that there are no suitable, available or viable sites within a sequentially preferable location which could accommodate the proposed development, which is located on an out of centre site. In the absence of this the application would fail the sequential test contrary to the requirements of Policy DM9 (Town Centres) and Section 2 (Ensuring the Viability of Town Centres) of the National Planning Policy Framework.
- 2 The proposed development by virtue of its dominance, scale, siting and appearance would result in an adverse impact on the character and appearance of this rural area, in particular when viewed from the highway to the east of the application site. The applicant has not demonstrated that these identified adverse impacts are capable of satisfactory mitigation. In consequence the proposal is contrary to the requirements of policies SP1 (Spatial Strategy), SP5 (Environment), DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.
- 3 The Island Plan Core Strategy identifies the application site as being situated outside the defined settlement boundaries and thus falls within the Wider Rural Area. The proposed development would result in retail development situated outside of a settlement boundary, away from services and facilities which would result in an unsustainable form of development. The site would result in a use that would be reliant on access by private car. The local need put forward is insufficient to outweigh the concerns regarding the principle of the development. Thus the scheme would result in a form of development that would fail to comply with the principles of sustainable development as required by the established planning policy framework. The principle of the scheme is therefore considered contrary to Policies SP1 (Spatial Strategy) and DM17 (Sustainable Travel) of the Island Plan Core Strategy and the National Planning Policy Framework (NPPF).



Scale 1:2500



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