



# Minutes

Name of meeting	<b>PLANNING COMMITTEE</b>
Date and time	<b>TUESDAY, 5 SEPTEMBER 2017 COMMENCING AT 4.00 PM</b>
Venue	<b>COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT</b>
Present	CLLrs Chris Quirk (Chairman), Reg Barry, Michael Beston, Geoff Brodie, George Cameron, Vanessa Churchman, John Howe, John Kilpatrick, Michael Lilley, Matthew Price, Brian Tyndall
Also Present (non voting)	CLLrs Andrew Garratt, Dave Stewart
Officers Present	Jennifer Beresford, Ben Gard, Russell Chick, Wendy Perera, Alan White (on behalf of Island Roads), Sarah Wilkinson

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16. [Minutes](#)

RESOLVED :

THAT the Minutes of the meeting held on [1 August 2017](#) be confirmed.

17. **Declarations of Interest**

There were no declarations received at this stage.

18. **Report of the Head of Place**

(a) [Planning Applications and Related Matters](#)

Consideration was given to item 1 of the report of the Head of Place.

RESOLVED :

THAT the applications be determined as detailed below :

The reasons for the resolutions made in accordance with Officer recommendation were given in the Planning report. Where resolutions are made contrary to Officer recommendation the reasons for doing so are contained in the minutes.

A schedule of additional representations received after the printing of the report were submitted at the beginning of the meeting and were drawn to the attention of Members when considering the application. A note is made to that effect in the minutes.

**Application:**

P/00463/17

**Details:**

Land to rear of 17 Noke Common and adjacent 10, Hogan Road, Newport, Isle of Wight

Outline for 10 dwellings

**Site Visits:**

The site was visited by members of the Planning Committee on Friday, 1 September 2017.

**Public Participants:**

Malcolm Millband (Objector)

Chris Hougham (Parish)

David Long (Agent)

**Additional Representations:**

The conditional permission in the officers recommendation was outlined:

“Conditional Permission, subject to a planning obligation being entered into by the applicant to secure contributions in line with the Council’s Solent SPA and Affordable Housing Contributions SPDs”

**Comment:**

Councillor Andrew Garret spoke as Local Member on this item.

Discussion took place regarding the nature of the site as part of a larger site and its position in relation to the settlement boundary. Officers clarified that as land next to and immediately adjacent to a defined settlement, the council could support its development in accordance to SP1. Members suggested that as the development was a small part of a larger site for which it was likely further development would be put forward, the application was piecemeal rather than a well planned development.

Members raised concerns about the safety of the access to the development given the nature of local roads and the impact of the proposed access on the existing dwellings. The proposed parking mitigations and highway implications were explored. Members expressed disquiet regarding the impact of access on the exiting neighbourhood and felt it would harm rather than enhance it.

**Decision:**

The application was refused contrary to officer recommendation as members believed the proposed development would fail to optimise the potential for the site by virtue of the piecemeal nature of the proposal, in respect of the wider land availability, this failing to provide for a functional or safe accessible built environment which would enhance the character of the area contrary to policy DM2.

A proposal to refuse the application, with final wording on the refusal to be agreed between the chairman and head of place, was made and seconded; in compliance with the Council’s Constitution a named vote was taken.

For (11)

Councillors Reg Barry, Michael Beston, Geoff Brodie, George Cameron, Vanessa Churchman, John Howe, John Kilpatrick, Michael Lilley, Matthew Price, Brian Tyndall, Chris Quirk.

RESOLVED :

THAT the application be refused

**Reasons:**

Failure to optimise potential for the site

Failure to provide a functional and safe accessible environment

Failure to enhance the character of the area

**Conditions:**

As per report (Item 1)

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19. **[Proposed changes to the Code of Practice for Planning Matters](#)**

The committee considered the recommended changes to the Code of Practice for Planning Matters. Members were advised the revised code reflected current practice in some areas and attention was drawn to the PAS Peer review.

Discussion took place regarding training and if the suggested level of training was appropriate. Members were advised that mandatory training was a constitutional issue outside of the committee's gift to change the requirement. In addition, planning legislation and policies changed constantly and in order to be confident with the process, and apply the correct waiting to considerations, it was important members were regularly trained. Members suggested they would find training on legislation and policy relating to future major developments, such as ferry terminals, helpful.

Concern was raised regarding the arrangements pertaining to delegated decisions and the proposal to stop writing to local ward members regarding each application in their area. Members were reminded they received a weekly list of all applications in their area and could access applications online. They could also contact the case officer at any time. It was suggested that the new procedure was trialled to ensure Members were not 'missing' application, by not checking the press list regularly. The Head of Place suggested that members instead request for a review of the impact of the proposed changes to be brought to committee at the end of the financial year.

It was agreed that local members would always be involved in delegated decisions rather than "as necessary" in respect of applications on Council owned land and property (paragraph 15).

In relation to the call-in process, members were advised the intention was to improve the quality of the applications which were called in rather than lower the number and to reduce unnecessary delays in the decision process, which many local authorities were criticised.

**RESOLVED :**

- (i) THAT the revised Code of Practice be adopted subject to:
  - (a) The offer of a briefing to all members on the changes.
  - (b) A review of the impact of the changes at the end of the 2017/2018 financial year.
  - (c) Officers ensure that the reference to “as necessary” within paragraph 15 of the report, in respect of Member involvement in applications on Council owned land and property, does not appear in the Code of Conduct itself and therefore members will be involved in all of these types of applications.
- (ii) THAT the implementation of the changes and processes as required by the changes set out be delegated to the Head of Place in consultation with the Cabinet Member for Planning and Housing and the Chair of Planning.

20. **Members' Question Time**

Councillor Reg Barry asked whether the planning consent for the Lidl store in Newport included any conditions relating to parking. The Head of Place, through the chairman, advised a written response would be provided.

Councillor Brian Tyndall asked if the Section 106 agreement for the Pennyfeather's development had been finalised and requested to see it. He was advised that there was an obligation under law for s106 agreements to be published and it was expected the agreement would be available by 19 September 2017. Cllr Tyndall could view the document in the legal department prior to that date.

Councillor Michael Lilley raised a question pertaining to Permitted Development and its social impact, particularly on dynamics between neighbours. He was advised that Permitted Development was set out in legislation and outside of the gift of the council and officers to change. However, the issues raised and the impact in terms of additional work for ward members and enforcement officers could be monitored and used as evidence to lobby government for change.

CHAIRMAN